



# **2018-19 Student Policy Guide**

Published August 2018



Horry County Schools

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Horry County Schools is inspiring possibilities for student success through a broad range of unique teaching and learning opportunities.

The countywide school district encompasses 52 schools in the nine attendance areas of Myrtle Beach, Carolina Forest, Conway, Socastee, North Myrtle Beach, Loris, Aynor, Green Sea Floyds and St. James. Horry County Schools, with more than 42,000 students, is South Carolina's third-largest school district.

## HCS Core Values and Vision

### CORE VALUES

- We put service to students above all else.
- We take responsibility for the success of all students.
- We care passionately about our work with students.
- We build strong, positive relationships with students, staff, parents, and community.
- We model and promote civility and integrity.

### VISION

Horry County Schools' vision is to be a premier, world-class school system in which every student acquires an excellent education. Our schools will be welcoming centers organized around high-quality teaching and learning.

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# HCS 2018-2019

## Student Policy Guide

The following information is current as of its August 2018 publication date. **For the most current and up-to-date information, the complete HCS Student Policy Manual can also be accessed online at [psguide.horrycountyschools.net](http://psguide.horrycountyschools.net).**

### Visitors

Visitors must report to the main office of the school to obtain visiting clearance and an identification pass. Parents are always welcome to visit their child's school as long as their visit does not interrupt the teaching and learning process. The District tries to protect the integrity of the instructional day; therefore, parents may make an appointment to visit with a teacher during his/her consultation period by calling the school's administrative office.

Students are not encouraged to bring a person to visit during a normal day, unless there is a specific purpose for his/her attendance. No visitation by another student will be allowed without at least one day's prior clearance from the school administration. The principal is empowered to take appropriate action against non-students who enter the building, grounds, or other school property. Such action includes the right to call a law enforcement agency and swear out warrants.

### Student Attendance and Attendance for Course Credit/Promotion

State law requires a parent to cause his/her children, from age five until the attainment of their seventeenth birthday or graduation from high school, to attend a public or private school regularly, unless the child meets an exception contained in State law. If a child is not six years of age on or before the first day of September in a particular school year, the parent/guardian may elect for his/her child not to attend kindergarten; in which case, the parent must sign and provide to the District a written document making such an election.

The school year consists of 180 days. In order to receive credit for a term (90-day) course, high school students cannot be absent for more than five days. For two-term (180-day) courses, high school students cannot be absent more than 10 days (Promotion and Retention purposes only). Students may be counted present only when they are actually at school, on homebound instruction, on approved home instruction, or are present at a school-day activity which is authorized by the school – this may include field trips, athletic contests, music festivals, student conventions, and other similar activities. However, attendance at an activity or program (such as "Saturday School") which takes place outside a normal school day cannot be used to replace a school-day absence in order for a student to maintain a perfect attendance record.

For attendance purposes, a middle school (grades 6 through 8) or high school (grades 9 through 12) student is considered in attendance for a class period if he/she is present for a majority of the official class period time. An elementary student is

considered in attendance when present for at least three hours of a school day.

### Perfect attendance

Prior to July 1, 2006, each school will use the criteria it previously established for determining perfect attendance. Beginning with the 2018-2019 school year, perfect attendance for all students is defined as being present a minimum of 51% of the school day for the entire school year except as noted below.

**Note:** A student is also considered present if:

1. He/she is on approved homebound instruction,
2. He/she is on approved home-based instruction, or
3. He/she is present at a school-day activity which is authorized by the school (such as, but not limited to, field trips, athletic contests, music festivals, student conventions, and other similar activities). However, attendance at an activity or program (such as "Saturday School") which takes place outside a normal school day cannot be used to replace a school-day absence in order for a student to maintain a perfect attendance record.

### Appeals concerning attendance records

If a parent believes that the attendance record is incorrect, he/she may meet with the principal to present his/her reasons why he/she believes the record should be changed along with any documentation relative to the disputed day(s). After the above, if the parent is not satisfied with the principal's decision, an appeal may be made to the Executive Director of Student Affairs. To request an appeal, the parent must write a letter to the Executive Director of Student Affairs within five workdays after the conference with the principal, advising the Executive Director of Student Affairs why it is believed that the principal's decision should be reversed.

The appeal hearing, which should be held within 10 workdays of the request for an appeal, will be conducted as an informal hearing by the Executive Director of Student Affairs (or his/her designee) or other Superintendent's designee (hereinafter "Hearing Officer"). The principal (or his/her designee), parent, and student may be present. If the Hearing Officer and the parent agree, the student may be dismissed during portions of the hearing. The parent, student, and principal (or his/her designee) will be allowed to address the Hearing Officer.

Within 10 workdays of the hearing, the Hearing Officer shall render a decision as to whether or not the attendance record should be changed. The Hearing Officer shall report his/her decision in writing to the parents and the school. The decision of the Hearing Officer ends the appeals process in such matters.

### Lawful absences

Lawful absences include, but are not limited to, the following:

1. Students who are ill and whose attendance in school would endanger their health or the health of others (Illness verified by a statement from a physician turned in to the

attendance office within three (3) days of the student's return to school);

2. Students in whose immediate family there is a serious illness or death (documented by a statement from the family member's physician with the student's name or a copy of the death announcement, obituary or a program of the funeral service);
3. Students who are absent for recognized religious holidays of their faith; and
4. Prearranged absences for other reasons and/or extreme hardships at the discretion of the principal (These must be submitted to the attendance office in advance on a completed Request for Principal Approval Form which can be obtained from the attendance office at the school).

### Unlawful absences

Unlawful absences include, but are not limited to, the following:

1. Students who are willfully absent from school without the knowledge of their parent;
2. Students who are absent from school without acceptable cause with the knowledge of their parent.

### Absences in excess of 10 days (Promotion/Retention/Credit)

The principal shall approve or disapprove any absences exceeding 10 days, whether lawful, unlawful, or a combination thereof, for students in grades K through 12. A record of absences shall be maintained in the student's cumulative record. Cumulative absences that exceed 10 days shall be reviewed by the Executive Director of Student Affairs.

1. High school and middle school students who miss over five class periods of a subject in a one-term course will receive no credit for that subject regardless of the grade. If over 10 class periods of a subject in a school-year course are missed, no credit for that subject is allowed. All subjects taken are affected when a full day is missed. Exceptions beyond these limitations must be appealed through the appeal process described below.
2. Elementary school students who miss more than 10 days of school will not be promoted to the next grade level. Exceptions beyond this limitation must be appealed through the appeal process. A student absent for more than 10 days may appeal for subject credit or promotion by furnishing a doctor's statement of absence due to medical reasons to the principal. All other student absences must not exceed the 10-day rule.

### Approved school activities

Students may participate in activities sponsored by the school, the District, the region, the State, and recognized national groups on regular school days provided that absences do not exceed three school days or classes beyond 10 days. These special activities are to focus on the pursuit of the overall objectives and concepts of the curriculum and instructional programs of Horry County Schools. The school principal will determine which activities are to be considered approved. If students miss more than three days of classes (by period) for such approved

events, these absences must be counted toward their 10 day absences by day or class unless otherwise approved by the principal.

Absences, reasonable in number from classes for counseling and Workforce Investment Act (WIA) activities, are permitted without restriction based on a student's needs. However, rotation of counseling and WIA activities that remove a student from a class period must be provided to assure the same classes are not missed repeatedly.

### **Suspensions**

Students who are assigned to in-school suspension programs are considered present in school. No in-school suspension days need to be approved since the student is considered present in the class even though he/she may be sitting in the in-school suspension room. Absences which are caused by out-of-school suspension are to be counted as absences which will be approved if the student misses more than 10 days of school for a year-long course or five days for a term course as long as the student makes up his/her work consistent with District policy.

### **Transportation absences**

Students who are late to school or class due to mechanical failure of the school bus or other school bus problems will be counted present, and no absence will be reflected in their records.

### **Intervention for unlawful absences (Truancy)**

Upon three consecutive or five total unlawful absences, or 10 unlawful tardies (elementary only) the principal or his/her designee will immediately attempt to establish contact with the parent to arrange a conference, this includes late enrollees, who are without proof of transferring from another school. During this conference, the principal or his/her designee will develop a written plan with the parent to ensure that the parent, the student, and the school have an understanding regarding the future attendance of the student. If after such a conference is held, the student has two unlawful absences or tardies, he/she will be immediately referred to the District's Attendance Coordinator. The Attendance Coordinator or designee, may place the student, parent, and or guardian under a contract, in a diversion program, refer the student and or parent to family court for a motion for court-ordered attendance and or the Department of Social Services (DSS) for Educational Neglect. No student who is lawfully absent will be referred.

### **Absences, make-up work, and student grading**

Students are expected to be in school on a regular basis to achieve specific curriculum objectives and develop concepts adopted by the District. They will be required to make up all work missed. Instructional personnel will provide information on assignments, provide help, and permit the completion of work missed due to absences.

When lawful absences occur, immediate attention is to be given by the teacher, student, and parent to work missed by the student. Special efforts must be made by each of these to see that missed work has been made up. The teacher will specify a reasonable period of time to make up the missed work based on the length of absence and school

time missed. An automatic unsatisfactory grade for absences in this category is not permitted. However, after reasonable efforts have been made by school personnel without success, an unsatisfactory grade may be given.

When unlawful absences occur, students and/or parents are to request information on assignments missed. Teachers are to clearly inform students and/or parents of required assignments and are to give students one week to make up the work missed on their own. If work is not completed satisfactorily in one school week, an unsatisfactory grade may be assigned for the work. The weight of this grade will be no greater than that which the assignments would ordinarily carry.

### **Students who begin school late**

All students are expected to attend school for the full year, beginning with the first day of school. Students who enter school after the first 10 days of school and whose reasons for failing to attend school are not approvable will not receive credit for the school year. Students who enter school late, and as a result will not receive credit, will still be required to attend school as required by the Compulsory School Attendance Law. Absences at the beginning of the school year without good cause are unlawful.

### **Students who transfer from out of District or State**

1. If a student begins school in another state or district and then transfers into Horry County Schools, the following rules will be observed:
  - a. Students who transfer into the District during the first 90 days of school will be eligible for credit if they do not miss more than 10 days of school. If they miss more than 10 days of school, their reasons for being absent must be approvable.
  - b. Students who transfer into the District during the second 90 days of school will be eligible for credit if they do not miss more than five days of school. If they miss more than five days of school, their reasons must be approvable.
2. Units earned by a student in an accredited secondary school of this state or in a school of another state which is accredited under the regulations of the board of education of that state or the appropriate regional accrediting agency (New England Association of Colleges and Schools, Middle States Association of Colleges and Schools, AdvancED, North Central Association of Colleges and Schools, Western Association of Colleges and Schools, and the Northwest Association of Colleges and Schools), will be accepted at the same value which would apply to students in the school to which they transferred.
3. If a student transfers from a school that is not accredited as indicated above, he/she shall be given tests to evaluate prior academic work and may be given a tentative assignment in classes for a probationary period. After reviewing the results of the tests, the principal shall determine whether or not to award credit for the courses the student has taken. Within five calendar days of the principal's decision, a

student may file a written appeal of an adverse decision to the Executive Director for Secondary Schools, who will issue his/her decision within 14 calendar days. The decision of the Executive Director for Secondary Schools shall be final.

### **Final Examinations**

Final examinations are given for all courses for which secondary school credit is received. Exemptions from final examinations are not permitted. Final examinations may count for up to 20 percent of the final course grade.

### **Official Rank in Graduating Class, Honor Graduates, Graduation Ceremonies**

High schools uniformly determine the official class rankings of students based on the grade point ratios ("GPAs") of students in grade 12, i.e., seniors, including students considered to be in grade 12 (see "Acceleration of students in grades nine through 12"). GPAs are calculated after seniors' grades are finalized at the end of the school year, i.e., at the conclusion of the fourth nine-weeks grading period or after the first term if the student is a January graduate. January graduates will not be included in the final rank. These final class rankings for seniors are computed in order to achieve the following three purposes:

1. To determine honor graduates, using the Latin honors system as follows:
  - a. Students with a weighted GPA\* of 4.750 or higher on the S.C. uniform grading scale will be recognized as Summa Cum Laude graduates.
  - b. Students with a weighted GPA\* of 4.250 or higher, but less than 4.750, will be recognized as Magna Cum Laude graduates.
  - c. Students with a weighted GPA\* of 3.750 or higher, but less than 4.250, will be recognized as Cum Laude graduates.

*\*Weighted GPA calculations are based upon the S.C. Uniform Grading Policy's three decimal-point scale, and computations will not be rounded to a higher number.*

Honors graduates will be recognized at each district high school graduation ceremony in the following manner:

- a. A notation indicating honor status (i.e., Summa Cum Laude, Magna Cum Laude, Cum Laude) will be inserted by the graduate's name in the high school's graduation program.
- b. The high school will announce the honor graduate's level of recognition (i.e., Summa Cum Laude, Magna Cum Laude, Cum Laude) when the graduate walks across the stage.
- c. A uniform district wide color-coding system will be used for the honor cords awarded to honor graduates. The color coding is as follows:
  - Summa Cum Laude school color + gold
  - Magna Cum Laude school color + silver
  - Cum Laude school color + bronze

Academic regalia such as honors cords will be worn by a graduate during the ceremony provided that the student is:

- a. Eligible for Latin honors recognition,
- b. A member of a chartered honor society, or
- c. Entering the military.

Honor cords or other academic regalia may not be worn by students in graduation ceremonies to signify a student's membership or enrollment in an academy/club/organization/program, a student's completer status, and/or a student's winning a competitive event.

2. To determine students who will speak at district high school graduation ceremonies:
  - a. The Valedictorian (the senior with the highest rank) will speak at his/her school's graduation ceremony.
  - b. The Salutatorian (the senior with second highest rank) will speak at his/her school's graduation ceremony.
  - c. A third senior, who has earned Magna or Summa Cum Laude recognition, will be selected through election by his/her peers in the Magna/Summa Cum Laude student group to speak at his/her school's graduation ceremony.
3. To provide final class rank information that seniors may need to report to the post-secondary institution(s) of their choice.

#### **Preliminary class ranking of seniors for college admissions and/or scholarships**

Preliminary class rank will be uniformly determined on the 135th day of school for 12th graders based on the students' weighted GPAs for the following two purposes:

1. To provide preliminary class rank information that seniors need for scholarships and other awards;
2. To provide preliminary class rank information that seniors need for admission to post secondary programs.

*Note: Preliminary class ranking of seniors may not include all courses in which the student is currently enrolled, such as dual enrollment courses.*

*Note: January graduates will not be ranked with the graduating class.*

#### **Preliminary class ranking of juniors for selection of Junior Marshals**

For the sole purpose of district high school graduation ceremonies, high schools will calculate the class rankings of eleventh graders, based upon their GPAs, on the 135th day of school, in order to identify junior class marshals. This 135-day ranking of 11th graders is used only for the purpose of identifying junior class marshals.

*Note: Preliminary class ranking of juniors may not include all courses in which the student is currently enrolled, such as dual enrollment courses.*

#### **Ranking of 10th and 11th graders for South Carolina Palmetto Fellows Scholarship eligibility**

In order for students in grades 10 and 11 to be considered for initial eligibility for South Carolina's Palmetto Fellows Scholarship, calculation of GPAs and determination of class ranking for 10th and 11th graders will occur after the 180th day of school when all grades have been finalized.

The rank in class for high school students will be

computed according to the guidelines included in the S.C. Uniform Grading Policy. The District reserves the right to make changes in its policy concerning the structure for determining class rankings and grade point ratios.

The S.C. Uniform Grading Policy will apply to students enrolled in grades three through 12.

#### **Student Fees, Fines, and Charges**

The District shall comply with the provisions of State laws and regulations as they pertain to the charging of student fees.

Student fees shall be held to a minimum. The schedule approved by the District sets forth the maximum that is to be charged; however, students shall be required to pay only those fees which are necessary. The fee schedule should be appropriate for each school; in many schools, a fee is not necessary. When a fee is charged, the maximum may be charged only when it is needed.

In all instances, money collected as student fees shall be used for the purpose for which it was collected.

If a school desires to charge a fee not listed in the schedule or charge more than allowed by the schedule, the following procedure shall be as follows:

1. A request will be made in writing to the Chief Financial Officer.
2. The Chief Financial Officer (who will serve as chairperson) will call a meeting of the fee committee, which shall consist of the Chief Financial Officer, the Chief Academic Officer, and an appropriate executive director.
3. The principal will present his/her request to the fee committee for consideration.
4. The fee committee will make a decision after hearing the request and notify the principal of the decision.

Refunds for transfer students shall be handled in the following manner:

1. Refunds for textbooks rented through the Office of Instructional Materials, S.C. Department of Education, will be in accordance with the policy of that office.
2. Refunds for other fees will be made in accordance with a schedule adopted by the District.

No student is exempt from charges for books, locks, materials, supplies, and equipment which are lost or damaged. Students will be charged for lost library books damaged beyond repair according to the following schedule:

1. If the book is lost or damaged beyond repair, the charge for replacement will be the original cost of the book as indicated in the book record within DESTINY Library Management records with an additional \$1.00 charge for cost of book processing.
2. The fee will be waived if the parent or student replaces the book with a book of the same title if it is in a condition better than or similar to the book lost or damaged beyond repair.

Except for basic adult education financed by the State, adult students shall pay fees for all other offerings for adults based on the cost of providing the particular course.

#### **Student fees and charges**

If a parent or student presents the school with a copy of verification of free or reduced lunch status (available through the Office of School Food Services), the school will:

- reduce fees and charges if the student is eligible for reduced-price lunches;
- waive the fees and charges if the student is eligible for free lunches.

Fees and charges which will be reduced or waived for eligible students are as follows:

- Agenda books,
- Athletic insurance,
- Camps (if the student is required to attend for a course or for participation in an extracurricular activity),
- Club fees,
- Distance learning,
- Driver's education,
- Field trips, including admission fees, meals, and overnight expenses, if applicable,
- Laboratory fees (science classes),
- Lunch,
- On-line courses,
- Student identification badges/cards,
- Summer school fees, and
- Uniforms, if applicable.

Student costs for which all students may be charged are as follows:

- Admission to plays, sporting events, etc.,
- Camps, if attendance is not required for a course or for participation in an extracurricular activity,
- Child care fees,
- Class rings,
- Damage to state or District property such as, but not limited to, buses, books, lockers, equipment, supplies, materials,
- Graduation cap and gown rental,
- Graduation invitations,
- Lost or damaged state or school district property such as, but not limited to, books, equipment, supplies, and materials,
- Optional testing programs,
- Parking permits,
- Returned check fees,
- Student 24-hour insurance,
- Student pictures,
- Student-initiated book or magazine orders, and
- Yearbooks.

#### **Grievances Filed by Students**

The District has established a grievance procedure as a formal method for the positive and productive resolution of grievances concerning the treatment of students by District personnel. Grievances may consist of allegations of violations of District policies or legal rights including, but not limited to, harassment or discrimination based on race, sex, color, religion, national origin, age, disability, immigrant status, English-speaking status, or any other characteristic protected by applicable federal or S.C. law. The decision of the principal shall be final: (1) in matters concerning the lawful assignment of students to classes and/or teachers and (2) in grade disputes except that grade disputes are grievable within one month of the posting of a final grade (see "Grading and Academic Performance" and

“Grievances Filed by Parents and Other Community Members”). Students who file a complaint will not be subjected to retaliation or reprisal in any form.

A student (grievant) who wishes to file a grievance should comply with the following procedure:

1. The grievance should be brought to the attention of a teacher or administrator who will provide the student and/or his/her parent the opportunity to discuss a decision or situation which the student considers unjust or unfair.
2. If the grievance remains unresolved, the student, his/ her parent, or th teacher or administrator may bring the matter to the principal's attention for consideration and action.
3. A student may bring a schoolwide matter, when appropriate, to the attention of class officers or the student council for possible presentation to the principal.
4. If the matter remains unresolved after the procedure outlined above, the student may bring the issue to the Superintendent or his/her designee for consideration except the decision of the principal shall be final in matters concerning lawful non-selection of students for, and lawful dismissal of students from, extracurricular activities such as, but not limited to, athletic teams, cheer-leading, National Honor Society, mock trial teams, and clubs.
5. If the student is dissatisfied with the decision of the Superintendent or his/her designee, the student may file an appeal with the Board. Such an appeal must be in writing and filed with the Superintendent within 10 working days following receipt of the decision of the Superintendent or his/her designee. The Superintendent will present the request for a grievance appeal to the Board at its next regularly scheduled meeting.

A grievance hearing before the Board lies within the sole discretion of the Board. The student will be notified within a reasonable time of the Board's decision regarding whether or not it will hear the appeal. Should the Board decide to hear the appeal, the meeting will be informal and non-adversarial.

A homeless student has additional rights if the Board's decision is unacceptable to him/her – see “Homeless Students.”

#### **Title VI, Title IX, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act**

The grievance procedures set forth above are to be used to process student complaints based on alleged violations of Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments Act of 1972; Section 504 of the Rehabilitation Act of 1973; and Title II of the Americans with Disabilities Act of 1990, referred to collectively as “civil rights grievances.”

In the event that a student files a grievance alleging violation of one of the above-referenced laws, the grievance shall be considered to be a “formal” grievance for purposes of these procedures.

With respect to alleged violations of Title VI, if the response of the District-level administrator does not resolve the grievance to the satisfaction of the student, the student may appeal in writing to the District's Civil Rights Coordinator, Kenneth Generette, Staff Attorney for Horry County Schools 335 Four Mile Road, Conway, SC 29526, telephone: 488-6700. With respect to alleged violations of Section 504 or the Americans with Disabilities Act, if the response of the District-level administrator does not resolve the grievance to the satisfaction of the student, the student may appeal in writing to the District's 504 Coordinator, 335 Four Mile Road, Conway, SC 29526, telephone: 488-6700. With respect to alleged violations of Title IX, if the response of the District-level administrator does not resolve the grievance to the satisfaction of the student, the student may appeal in writing to the District's Title IX-Coordinator, 335 Four Mile Road, Conway, SC 29526, telephone: 488-6700.

If the student fails to appeal within 15 working days of receipt of the written response from the District-level administrator, the right to appeal is waived. If an appeal is made to any of the above-referenced Coordinators, the Coordinator may conduct further investigation, if necessary. The Coordinator shall hold a hearing with the student within 15 working days of receipt of the grievance, or within 15 working days of completion of any further investigation, if necessary. The Coordinator shall then render a decision on the matter in writing within 15 working days after the hearing is conducted.

After appeal to the appropriate Coordinator, a student may request a meeting with the Board for the purpose of discussing his/her grievance. The request must be made in writing to the Superintendent within 10 working days of the Coordinator's response to the grievance. The Superintendent will, at the next regularly scheduled Board meeting, present the request that the grievance be heard, together with copies of all correspondence and responses from the lower administrative levels.

A grievance hearing before the Board lies within the sole discretion of the Board. The student will be notified within 10 working days of the Board decision regarding whether or not it will hear the appeal. Should the Board decide to discuss the grievance with the student, the meeting will be informal and non-adversarial.

#### **Disability Harassment**

The District has established these policies and procedures to ensure the requirements of state and federal law are met with respect to preventing and responding to harassment and other forms of discrimination on the basis of disability. Disability harassment is a form of discrimination and is prohibited by district policy and by state and federal law. The District will not tolerate hostile or abusive treatment, derogatory remarks, or acts of violence because of disability against students, staff, or volunteers with disabilities. The District considers this behavior to constitute discrimination on the basis of disability in violation of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

Students, or a parent(s) or legal guardian(s) who believe his/her student has been subjected to disability harassment by another student, teacher, administrator or other school personnel should report the incident(s) immediately to a school administrator, teacher or counselor.

The following are examples of circumstances that may constitute disability harassment:

- Several students continually remark out loud that a student with a reading disability is “slow”and does not belong in the same class; as a result, the harassed student has difficulty doing work in class and grades decline.
- A student repeatedly places classroom furniture or other objects in the path of classmates who use wheelchairs, impeding the classmates' mobility or ability to enter the classroom.
- Students continually taunting and/or belittling students with disabilities.
- Habitually subjecting students to inappropriate physical restraints because of conduct related to disability.
- Repeatedly denying students with disabilities access to lunch, field trips, assemblies, and extracurricular activities as punishment for taking time off from school for requires services related to disability.
- Repeatedly belittling and criticizing a student for using accommodations in class.

#### **Complaint Procedures**

Complaints of harassment on the basis of disability will be addressed and resolved in a fair and expeditious manner. A parent/student who wishes to file a complaint must report any incident of alleged harassment as soon as practicable, but not to exceed fifteen (15) days from the date of the alleged incident. In accordance with district disciplinary procedures, appropriate disciplinary action shall be taken against students or staff who are found to have engaged in disability harassment. In addition to these procedures, students and staff may have rights and procedural safeguards under other school policies or state and federal law.

The District encourages students, or a parent(s) or legal guardian(s) to report incident(s) of disability harassment and resolve their complaints at the lowest level. If further assistance is needed, contact the appropriate school administrator for assistance.

1. **Written Statement** - The student, parent or staff complaining of harassment on the basis of disability shall complete a complaint form briefly describing the harassing behavior and the alleged harasser. If a student making a complaint requires assistance in providing a written statement, such assistance will be provided by a staff member (e.g., students with learning disabilities in reading or writing may choose to dictate their complaint statement). The appropriate school administrator may ask additional questions regarding the alleged harassment and document relevant responses, but no student making a disability harassment complaint shall be subjected to unduly burdensome questioning regarding the harassing behavior.

2. **Investigation** - The school principal or their designee shall take reasonable steps to investigate the complaint and gather appropriate evidence and documentation, taking into consideration the nature and seriousness of the complaint, to promptly address and resolve the complaint. Designees may interview the complainant, gather statements from students and staff, gather other relevant evidence, or take appropriate action upon observing acts of disability related harassment. Allegations of disability harassment involving the campus principal or their designee shall be referred directly to the District Section 504 coordinator at (843) 488-6700.
3. **Initial Meeting** - It is the expectation that within 10 working days after the date of each complaint, the school principal or designee will schedule a meeting with the complainant to discuss the complaint, the results of the school's investigation, and the school principal or designee's recommended action. Should exceptional circumstances exist during the investigative process, the principal or designee will schedule a meeting with the complainant within a reasonable period of time. Notification of the outcome will be issued in writing and the complainant will be informed of the right to appeal to the Section 504 coordinator, and where to contact the Section 504 coordinator for that purpose.
4. **Appeal to the Section 504 Coordinator** - If a student or parent is dissatisfied with the action recommended by the school principal or designee, they may appeal the decision to the Section 504 Coordinator by requesting a review in writing. If a student with a disability making a complaint requires assistance in providing a written statement requesting an appeal, such assistance will be provided by a staff person. The Section 504 coordinator may apply regular Section 504 complaint or grievance procedures to these appeals, and address and respond to the appeal under the Section 504 grievance time lines. The timeline for the Section 504 coordinator to make a determination on the appeal, however, shall not exceed 10 working days from the date of the Section 504 coordinator's receipt of the written appeal. The Section 504 coordinator shall inform the complainant of the right to appeal to the Superintendent or designee, and where to contact the superintendent or designee for that purpose.
5. **Mediation/Conflict Resolution Option** - Either the school principal, their designee, or the Section 504 coordinator may choose to address and respond to the complaint by offering to conduct a Mediation/Conflict Resolution session between the complainant and the alleged harasser in an attempt to reach a mutually agreeable resolution to the complaint. If it is determined that harassment has occurred, the District or school administration shall take reasonable, timely, age-appropriate, and effective corrective action. Examples of corrective action include,

but are not limited to: disciplinary action of a student; special training or other interim interventions; apologies; and/or referrals to counseling services.

6. **Final Local Appeal** - A student or parent dissatisfied with the action or decision of the Section 504 coordinator may appeal the decision to the superintendent or their designee for these purposes. Such appeal shall be requested in writing. If a student with a disability making a complaint requires assistance in providing a written statement requesting an appeal, such assistance will be provided by a staff member. The Superintendent or designee shall reach a determination and take appropriate action within 10 working days after the receipt of a written appeal from the Section 504 coordinator's decision.
7. **IEP Team or Section 504 Committee Meeting** - If a school principal, their designee, Section 504 coordinator, or Superintendent's designee believes that incidents or a pattern of disability harassment may be affecting the free appropriate public education of a student with a disability under either Section 504 of the Rehabilitation Act, ADA, or the Individuals with Disabilities Education Act, such staff person may initiate a request for an IEP team or Section 504 Committee meeting, as appropriate. At that meeting, the IEP team or Section 504 committee shall review IEPs or Section 504 Plans of the student with a disability, as appropriate, to determine if any change should be made to these plans in response to the effects of the harassment, if any, on the student's receipt of a FAPE.
8. **Compliance with Procedures** - Failure on the part of a student or a parent making complaint to take the action required in these procedures may result in the closing of a complaint, although school principals and designees may take appropriate action of their own accord, as necessary to ensure compliance with law and this policy. Failure on the part of a school principal, designee, or Section 504 coordinator to take action within required time-lines shall move the complaint to the next appeal level automatically.
9. **Confidentiality** - In investigating and responding to disability harassment complaints, school staff members must comply with the requirements of the Family Educational Rights & Privacy Act, its implementing regulations, and applicable local confidentiality policies. Students or their parents/guardians, making a disability harassment complaint shall be provided access to records related to the complaint, including statements of students or staff, in accordance with FERPA, unless such access is prohibited by FERPA or local policy.
10. **Due Process Hearings and Court Actions** - These procedures acknowledge that students who are subjected to disability-related harassment may request due process hearings under either Section 504 or IDEA if they believe that disability harassment has resulted in a denial of FAPE. In addition,

such students and parents may have additional rights to initiate a civil action under Section 504 of the Rehabilitation Act or IDEA in the appropriate court, although exhaustion of administrative remedies may be required prior to initiating a court action. For information about filing claims of discrimination with the Office for Civil Rights, contact the U.S. Department of Education, Office for Civil Rights - DC Enforcement Office, 400 Maryland Ave. SW, Washington, D.C. 20202-1475, 202-453-6020; [www.ed.gov/ocr](http://www.ed.gov/ocr).

## **Grievances Filed by Parents**

Situations may arise in the operation of the District which are of concern to parents or other community members. Concerns should be resolved at the lowest possible level of decision making by the individuals closest to the concern; therefore concerns are best dealt with through communication with the appropriate staff members, such as teachers, principals, and administrators. The decision of the principal shall be final: (1) in matters concerning the lawful assignment of students to classes and/or teachers and (2) in grade disputes except that grade disputes are grievable within one month of the posting of a final grade (see "Grading and Academic Performance" and "Grievances Filed by Students"). Parents who file a complaint will not be subjected to retaliation or reprisal in any form.

### **Definition**

A grievance is a claim by a parent or other community member of a violation, misinterpretation, or misapplication of a provision of District policies, regulations, and/or rules as it relates to or affects the grievant.

### **Guidelines**

The following guidelines should be followed by individuals with grievances regarding schools or the District:

1. A matter concerning an individual student should be first addressed with the employee directly involved;
2. A matter concerning an employee should first be brought to the attention of the employee, if appropriate;
3. Unsettled matters from "1" or "2" above or problems concerning individual schools should be directed to the employee's immediate supervisor, the principal, or the chief administrator;
4. Unsettled matters from "1" or "2" above or complaints concerning the District should be put in writing on a "Grievance Complaint Form" (available from the Office of Policy and Legal Issues) directed to the appropriate district office administrator, such as an executive director or a chief officer;
5. Unsettled matters from "3" or "4" above should be directed to the Superintendent or his/her designee.
6. Exceptions to this policy regarding library materials are covered in another policy (copies are available from the Office of Policy and Legal Issues).

If the matter cannot be settled satisfactorily by the Superintendent or his/her designee, the concern may be brought to the attention of the Board. Questions or concerns, along with a request for the item to be heard by the Board, must be submitted in writing to the Superintendent within 10 working days of the decision of the Superintendent or his/her designee.

The Superintendent will, at the next regularly scheduled Board meeting, present to the Board the request by the parent or other community member that the complaint be heard, together with copies of all correspondence and responses from the previous level(s).

The Board will notify the parent or other community member of its decision whether or not to hear the complaint within 10 working days of the meeting at which the request was considered. Should the Board decide to hear the complaint, the discussion will be informal. The parent or other community member will also be informed of whether the hearing will be in open or closed session, depending upon the nature of the complaint. If the parent or other community member wishes to be represented by legal counsel before the Board, written notice must be given to the Superintendent not less than 10 working days prior to the scheduled date of the hearing. Failure to give such notice will result in postponement of the hearing.

The Board will take a reasonable length of time for a full and proper review of the complaint and will render a decision as soon as practicable.

The parent of a homeless student has additional rights if the Board's decision is unacceptable to him/her – see "Homeless Students."

## Sexual Harassment of Students

Sexual harassment of students by District employees, other students, or third parties associated with schools is prohibited. All employees, students, and third parties associated with schools must avoid any action or conduct which could be viewed as sexual harassment. The District will take prompt, appropriate, and responsive action to end sexual harassment and to prevent its re-occurrence. Teachers and school administrators are expected to use judgment and common sense, which are important elements of a proper response to a particular allegation of sexual harassment or inappropriate conduct of a sexual nature.

Certain "inappropriate conduct of a sexual nature" that District employees direct towards students may also be criminal conduct as defined by State law, including S.C. Code Section 16-3-755. However, the District will take appropriate action against any employee who engages in inappropriate conduct of a sexual nature, as defined in District policies, regardless of whether the conduct rises to the level of a crime.

Any student who feels he/she has been subjected to sexual harassment, or the parent of a student who feels his/her child has been subjected to sexual

harassment, is encouraged to file a complaint as set forth below. All allegations will be investigated promptly, thoroughly, and impartially to determine what occurred. In the interim and at the conclusion of the investigation, appropriate steps will be taken to effectively address the situation.

Students who file a complaint of sexual harassment will not be subjected to retaliation or reprisal in any form. Any employee or student who is found to have engaged in sexual harassment or inappropriate conduct of a sexual nature will be subject to disciplinary action, up to and including termination in the case of an employee or expulsion in the case of a student, and all other appropriate steps will be taken to correct or rectify the situation.

### Types of behavior which constitute sexual harassment

#### 1. Quid pro quo sexual harassment -

A school employee explicitly or implicitly conditions a student's participation in an educational program or activity or bases an educational decision on the student's submission to unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal, or physical conduct of a sexual nature, whether the student resists or submits to the conduct.

#### 2. Hostile environment – An employee, student, or third party engages in such conduct as inappropriate sexual advances, requests for sexual favors, or other verbal, nonverbal, or physical conduct of a sexual nature which is sufficiently severe, persistent, or pervasive that it limits a student's ability to participate in or benefit from an education program or activity, or creates a hostile or abusive educational environment.

### Preventive action

Periodically, the District shall ensure that:

1. Information is made available to students about the nature of sexual harassment, the procedures for registering a complaint, and the possible redress which is available. Such information shall stress that the District does not tolerate sexual harassment and that students can report inappropriate behavior of a sexual nature without fear of adverse consequences. The information provided shall take into consideration and be appropriate to the ages of students. Written summaries of sexual harassment procedures are included in student/parent handbooks or other appropriate documents distributed to students and/or parents.
2. Each school has selected a male and a female administrator, faculty member, or other person(s) designated by the District to serve as the school's sexual harassment contact persons.
3. All administrators and designated sexual harassment contact persons are informed of the District's sexual harassment procedures and understand how to implement them. For example, they will be made aware of the conduct that constitutes sexual harassment, the District's commitment to eliminating and

avoiding sexual harassment in the schools, the penalties for engaging in harassment, the procedures for reporting incidents of sexual harassment, and the procedures for conducting a sexual harassment investigation.

4. All certified and classified employees are informed about the nature of sexual harassment and the District's general procedures for handling and reporting student complaints.
5. For information about filing claims of sexual harassment with the Office for Civil Rights, contact the Office for Civil Rights, DC Office, U.S. Department of Education, P.O. Box 14620, Washington, D.C. 20044-4620, 202-786-0500; FAX 202-208-7797.

The District's Title IX Coordinator is Ben Hardee, Director of Career and Technical Education, 335 Four Mile Road, Conway, SC 29526, 843-488-6700.

### Reporting and response procedures

1. Any student who feels that he or she has been the object of sexual harassment is encouraged to file a complaint with his/her principal or one of the designated school contact persons (except for situations covered in item "2" below). Such a complaint may also be filed by the student's parent (a "Sexual Harassment Complaint Form," which is available from the Office of Policy and Legal Issues, may be used to file a complaint).
2. Under no circumstances shall a student be required to first report allegations of harassment to the principal or a school contact person if that person is the individual who is accused of the harassment. In such cases, the student or the student's parent shall file the complaint with another contact person at the student's school or with the District Title IX Coordinator. In cases where the contact person is subordinate to the person accused of the harassment, the complaint shall be forwarded directly to the District Title IX Coordinator.
3. If any employee receives a complaint of sexual harassment or observes any behavior which could be perceived as sexual harassment, the employee shall transmit the complaint to one of the school's designated contact persons or report the behavior to the principal or one of the school contact persons as soon as practicable. Conduct to be reported includes sexual graffiti on school property, hazing of students, etc.
4. All principals and/or school contact persons shall report any incident of alleged sexual harassment reported to them to the District Title IX Coordinator as soon as practicable.
5. If a student alleges that he/she is the victim of sexual harassment, the school should promptly attempt to notify the student's parent. The principal, school contact person, and/or the Title IX Coordinator should initially discuss with the student and, if appropriate, his/her parent(s) what actions are being sought and the investigation procedures that will be followed. Interim measures designed to protect the student from further harassment during the investigation of a complaint should be taken where appropriate.



6. In cases involving potential criminal conduct or where a child's physical or mental health or welfare has been or may be adversely affected by sexual abuse, appropriate school personnel should report the situation to appropriate authorities in accordance with S.C. Code § 20-7-510 and/or § 59-24-60.
7. The Title IX Coordinator, the school principal, and/or one of the school contact persons shall promptly initiate an investigation of the alleged sexual harassment. The investigation shall include appropriate steps to determine what occurred and to take actions reasonably calculated to end the harassment, eliminate the hostile environment if one has been created, and prevent harassment from occurring again. The school shall take steps to assist in remedying the effects of harassment on the individual student or students subjected to the harassment. This procedure does not create an obligation for the District to incur any expenses associated with a student's participation in private counseling or medical services.
8. The District shall be responsible for ensuring that reasonable efforts are made to prevent public disclosure of the names of all parties involved in the sexual harassment allegation, except to the extent necessary to carry out an investigation and comply with statutory obligations.
9. If the investigation determines that sexual harassment has occurred, the District or school administration shall take reasonable, timely, age-appropriate, and effective corrective action. Examples of corrective action include, but are not limited to: disciplinary action against the harasser, up to and including termination of an employee or expulsion of a student; special training or other interventions; apologies; dissemination of statements that the school does not tolerate sexual harassment; independent reassessment of student work; tutoring; and referrals to counseling services.
10. The principal or the Title IX Coordinator shall report the general results of any investigation of sexual harassment, including corrective action taken, to the Superintendent or his/her designee. The student and his/her parent(s) shall be informed that appropriate actions were taken and shall be advised how to report any subsequent problems.
11. Principals and/or school contact persons shall follow up periodically on any incident of sexual harassment they were involved in investigating to determine whether the student has been subjected to any further sexual harassment since the corrective action was taken.
12. In the event that a school learns of possible harassment through means other than a student, parent, or employee complaint, such as a witness to an incident or anonymous letter or telephone call, the administration shall consider the following factors in formulating an appropriate response:
  - a. Source and nature of the information;
  - b. Seriousness of the alleged incident;
  - c. Specificity of the information;
  - d. Objectivity and credibility of the source of the report;
  - e. Whether any individuals can be identified who were subjected to the alleged harassment; and
  - f. Whether those individuals want to pursue the matter.

If, based on these factors, it is reasonable for the school to investigate and the principal, school contact person, and/or Title IX Coordinator can confirm the allegations, the investigation shall proceed as set forth above.

**Additional obligations of employees and students**

1. Employees and students shall report to the principal, school contact persons, or in appropriate cases the employee's immediate supervisor, any conduct on the part of third parties, such as sales representatives or service vendors, which is believed to constitute sexual harassment.
2. Employees and students shall cooperate with and maintain the confidentiality of any investigation of alleged acts of sexual harassment conducted by the District or by an appropriate governmental agency. Failure to do so could result in disciplinary action against the individual who failed to cooperate or who violated the confidentiality of the matter.
3. No employee or student of the District shall take any action to discourage any student from reporting alleged sexual harassment. However, any person who intentionally provides false information in connection with a report or investigation of sexual harassment may be subject to disciplinary action.
4. No employee or student of the District shall retaliate in any way against an employee or student who has provided information regarding an incident of sexual harassment.

**Student Behavior Code**

The District expects students to conduct themselves appropriately including, but not limited to, behaving with honesty, integrity, fairness, truthfulness, trustworthiness, and respect for the rights of others. They must know, understand, and follow District and school policies and rules. Ignorance of the provisions of policies and rules will not be acceptable as a defense in the event of an infraction by a student. Further, any student who witnesses, or has reliable information that a student has been subject to harassment, intimidation, or bullying (includes cyberbullying) shall report the incident to the principal, the designated school contact person, or to the Executive Director for Student Affairs. Reports may be anonymous; however, formal disciplinary action will not be taken solely on the basis of an anonymous report.

The District recognizes that rules of student conduct and consequences for violations are necessary for the orderly operation of its schools. Generally, it is the philosophy of the District to handle all student disciplinary matters at the lowest supervisory level

possible and in the most reasonable manner possible. Ultimately, though, the Superintendent is in charge of ensuring that sound disciplinary practices are followed throughout the District.

No disciplinary action shall be taken without all procedural rights being afforded to students and their parents as provided by Federal law, State law, S.C. Board of Education regulations, and the policies of the District.

The following listing of offenses and the required or recommended dispositions are provided for the information of students, parents, 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 law.

These rules, regulations, and procedures are designed to protect all members of the educational community in the exercise of their rights and responsibilities. These rules apply to any student:

1. Who is on school or District property;
2. Who is in attendance at school or any school sponsored activity, whether on or off school grounds;
3. Who is en-route to and from school or a school sponsored activity on a school bus or other District vehicle; or
4. Whose conduct at any time or in any place has a direct and immediate effect on maintaining order and discipline in District schools.

In order to promote the safety and welfare of students, staff members, and the public, persons in District buildings and on District property are subject to video/audio monitoring except in those areas in which the District determines that a person has a reasonable expectation for privacy.

**Extenuating, mitigating or aggravating circumstances**

The District and/or school administrators may consider extenuating, mitigating, or aggravating circumstances which may exist in a particular case of misconduct. Such circumstances should be considered in determining the most appropriate sanction to be used.

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

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

Administrators are directed to evaluate each situation on a case-by-case basis. At a minimum, administrators or their designees should meet with the student upon his/her arrival at school, give the

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

In the event that the student is incarcerated based on his/her out-of-school conduct, the principal or his/her designee shall notify the student that he/she is to meet with the administration prior to returning to school. At the conclusion of the inquiries to obtain more information on the matter, the administrator or his/her designee should take appropriate action which may include, but is not limited to, one or more of the following:

1. Returning the student to his/her normal class schedule and removing all evidence of suspension;
2. Placing the student on probation and allowing the student to resume his/her normal class schedule;
3. Placing the student on probation, allowing the student to continue classwork, but restricting the student's participation in extracurricular activities and/or designated school activities, for example, clubs, study halls, pep rallies, student government activities, and so forth;
4. Suspending the student;
5. Recommending expulsion of the student from regular school and placement in the District's alternative school; or
6. Recommending expulsion of the student for either the remainder of the semester or year. The disciplinary action taken must be supported by the evidence and take into full consideration the impact of the student's presence at school on the discipline, educational environment, and safety or general welfare of other students, faculty, staff, and/or administrators of the school.

### **Graduation Ceremony Privileges**

Participation in a graduation ceremony is not a protected property right; therefore, a student may be denied the privilege as indicated below (however, the exit document must be provided as soon as reasonable after the graduation ceremony to a student who has completed requirements for graduation even if he/she does not participate in a graduation ceremony).

1. The Hearing Officer or District Appeal Board may determine that a student will be denied the privilege due to the student's committing an egregious violation of the Student Behavior Code in his/her senior year and/or having a history of serious violations of the Student Behavior Code.

The principal may deny a student the privilege due to a serious violation of the Student Behavior Code and the fact that the methods of discipline are limited due to the proximity of the violation to the ceremony. Prior to denying a student the privilege, the principal must afford the student and his/her parent(s) at least the due process rights and appeal rights set forth for student suspensions unless there is insufficient time to do so after the time of the infraction.

### **Possession of weapons**

Students are prohibited from carrying, possessing, causing to be available, and/or displaying on school property, a school bus, or at District-related or school-related functions any type of weapon, device, or object which may be used to inflict bodily injury or death including, but not limited to, a firearm (rifle, shotgun, pistol, or similar device that propels a projectile through the energy of an explosive), an air- or gas-powered or mechanically powered pistol, rifle, or gun, a knife (with a blade over two inches long), a blackjack, a metal pipe or pole, or any other device or object which may be used to inflict bodily injury or death. No student vehicles parked on District or school property may contain such weapons, devices, or objects. Violators will incur school disciplinary action and may incur penalties under the law.

The District will expel for no less than one calendar year a student who has brought or possessed a firearm on school property, a school bus, at District-related or school-related functions, or at any setting under the jurisdiction of the District. The one-year expulsion may be modified by the Superintendent or his/her designee on a case-by-case basis.

The Superintendent or his/her designee shall refer any student expelled for a firearm violation to a local law enforcement agency.

### **Drug use, alcohol use and tobacco use by students**

Students may not possess, use, sell, purchase, barter, distribute, or be under the influence of alcoholic beverages or controlled or illegal substances on District or school property, school buses, or at any District-sponsored or school-sponsored activities whether on or off school property. This prohibition also pertains to look-alike substances, i.e., any substance that is represented to be or is substantially similar in color, shape, size, markings, etc., to an alcoholic beverage or controlled or illegal substance.

School administration will determine whether suspension or a recommendation for expulsion is appropriate under the circumstances concerning a student's use, possession, or being under the influence of an illegal, unauthorized, or dangerous substance. A suspension will generally be for a minimum of five school days, and will require the mandatory completion of the School Intervention Program ("SclP") for the first offense; however, the first offense for possession of any drug which is illegal for a student to possess, including, but not limited to, any form of marijuana or cocaine, shall result in appropriate disciplinary action which may include expulsion for the remainder of the school

year. Students will be recommended for expulsion for the remainder of the school year for a second offense, regardless of the substance possessed or used.

The student shall be recommended for expulsion from school for the remainder of the school year on the first offense when there is ample evidence to believe that he/she has engaged in or plans to engage in the distribution of an illegal, unauthorized, or dangerous substance. The student shall be recommended for permanent expulsion from District schools on the second offense.

Periodic, unannounced visits to school activities will be made with a drug dog, consistent with appropriate procedures.

If the situation warrants, District or school administrators will communicate all available information to appropriate law enforcement entities and cooperate in law enforcement investigations.

*See, also: "Student Behavior Code."*

### **Tobacco**

The possession or use of tobacco products by students including, but not limited to, cigarettes, cigars, pipes, electronic cigarettes, vaporizers, smokeless tobacco or snuff is prohibited on District or school property, school buses or at District-sponsored or school-sponsored activities, whether on or off District property.

Students in violation of this policy shall be disciplined in accordance with State law and District policies.

### **Dress Code**

Parents/guardians are responsible for assuring that individual students dress in an appropriate manner at all times while on campus or when involved in school activities.

The administration of each of the schools will determine the appropriateness of student dress. Guidelines shall be established and disseminated to students and parents. The administrative team of each of the schools will have the authority to decide if a student's dress is inappropriate and to follow through with corrective action. The school administration's ruling regarding inappropriate dress and corrective action is final pending review only by the Superintendent or her/his designee. Disputes involving student dress are not appeal-able to the Board.

Personal appearance of students should promote health and safety, contribute to a climate conducive to teaching and learning, and project a positive image of the District to the community. Generally, student dress is considered appropriate as long as it does not, or foreseeably could not, interfere with the educational process, cause disruption, or damage school property. In addition to clothing, hats, and shoes, attire includes any jewelry, emblem, badge, symbol, sign, comment or other items worn or displayed by an individual.

The principal shall specify the attire that students must wear in order to participate in a high school graduation ceremony as long as an eligible student's failure to participate does not preclude his/her receiving a diploma after the ceremony. In addition,

attire worn in physical education classes may be regulated by the principal for health and safety reasons, but a student may have the prerogative on religious grounds of wearing more modest clothing.

1. Attire must comply with requirements for health and safety.
2. Attire must not be immodest, obscene, profane, lewd, vulgar, indecent, or offensive. Shorts, skirts and dresses should be of adequate length to assure modesty when the student is seated or engaged in school activities. Appropriate undergarments should be worn and should be covered by outer clothing. Uniforms for extracurricular activities that are worn during classes other than physical education must be modified to conform to the Student Dress Code guidelines.
3. Attire must not evidence membership or affiliation with a "gang" in any negative sense of the term.
4. Attire must not display any information about, representations of, or advertisements for alcoholic beverage(s), tobacco, controlled drugs, or illegal drugs or paraphernalia associated with the foregoing.

#### **Disorderly conduct – Level I**

1. Disorderly conduct is defined as those activities engaged in by a student which tend to impede orderly classroom procedures or instructional activities, the orderly operation of the school, or the frequency or seriousness of which disturb the classroom or school.
2. Acts of disorderly conduct may include, but are not limited to, the following:
  - a. Failure to complete assignments or carry out directions
  - b. Dishonesty
  - c. Disturbing class
  - d. Forged notes
  - e. Cutting school
  - f. Cutting class
  - g. Class tardy
  - h. School tardy
  - i. Cheating
  - j. In off-limits area
  - k. Profanity
  - l. Loitering
  - m. Dress code violation
  - n. Obscene gesture
  - o. Parking violation
  - p. Leaving school without permission
  - q. Leaving class without permission
  - r. Telephone violation
  - s. Identification violation
  - t. Littering
  - u. Excessive noise
  - v. Hall pass violation
  - w. Contract violation
  - x. Interfering with the instructional program or a school activity including, but not limited to, inappropriately messaging through the use of a cell phone, a camera cell phone, or any other electronic device, which include the use of iPods, cameras, hand-held games; such devices are to be turned off and out of sight upon a student's arrival

at school until the student is dismissed from school and are never to be used in any area in which an individual has a reasonable expectation for privacy including, but not limited to, restrooms, locker rooms, and showers; in the event of a violation, school personnel are authorized to take the device from the student but provide for the return of the device to the owner; first violations are generally considered to be a level I offense (disorderly conduct); succeeding or egregious offenses will result in more serious consequences such as, but not limited to, out-of-school suspension, revocation of the right to bring the device on campus, or immediate suspension pending an evidentiary hearing. The school or District assumes no responsibility for any damaged, lost, or stolen devices.

- y. Planning and/or implementing an initiation involving disorderly conduct
- z. Possession of inappropriate items
  - aa. Other acts of disorderly conduct as determined by the administration.
3. Possible sanctions to be applied in cases of disorderly conduct may include, but are not limited to, one or more of the following:
  - a. Withdrawal of privileges/exclusion from extracurricular activities
  - b. Temporary removal from class
  - c. Call to parent
  - d. Conference with parent
  - e. Detention
  - f. Home visit
  - g. Verbal warning
  - h. In-school suspension
  - i. Letter to parent
  - j. Out-of-school-suspension
  - k. Expulsion

#### **Disruptive conduct – Level II**

1. Disruptive conduct is defined as those activities engaged in by a student which are directed against persons or property and/or the consequences of which tend to endanger the health or safety of one- self or others. Some instances of disruptive conduct may overlap certain Level III offenses, justifying both administrative sanctions and court proceedings. Disorderly conduct (Level I) may be reclassified as disruptive conduct (Level II) if it occurs three or more times.
2. Acts of disruptive conduct may include, but are not limited to, the following:
  - a. Abusive language to staff
  - b. Computer violation
  - c. Tobacco violation
  - d. Fireworks possession
  - e. Refusal to obey
  - f. Illegal occupation of school property
  - g. Unlawful assembly
  - h. Disrupting lawful assembly
  - i. Bus violation
  - j. Probation violation
  - k. Disrespect to staff
  - l. Sexual harassment
  - m. Contraband

- n. Threats to students
- o. Intoxicant use/liquor
- p. Inappropriate touching
- q. Indecent exposure
- r. Vandalism
- s. Ammunition without harmful intent
- t. Carrying, possessing, causing to be available, and/or displaying inappropriate items such as, but not limited to: a look-alike gun; a look-alike air- or gas-powered or mechanically powered pistol or rifle; a look-alike weapon; or a look-alike illegal, unauthorized, or dangerous substance, such as pepper spray
- u. Planning and/or implementing an initiation involving disruptive conduct
- v. Possession and use of a laser pointer unless the use is for instructional purposes at the direction of, and under the supervision of, a teacher or school administrator
- w. Planning hazing and/or preparing to engage in hazing or being present when others are planning hazing and/or preparing to engage in hazing (hazing means, but is not limited to, the wrongful striking, laying open hand upon, threatening with violence, or offering to do bodily harm by a superior student to a subordinate student with intent to punish or injure the subordinate student, or other unauthorized treatment by the superior student of a subordinate student of a tyrannical, abusive, shameful, insulting, or humiliating nature)
- x. Harassment, intimidation, or bullying (includes cyber-bullying) — acts which mean a gesture, an electronic communication, or a written, verbal, physical, or sexual act
  - (1) that is reasonably perceived to have the effect of 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 **and/or**
  - (2) that insults or demeans a student or group of students causing substantial disruption in, or substantial interference with, the orderly operation of the school — "school" means, in this context, 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
- y. Reprisal, retaliation, or false accusation
  - (1) against a person who reports an act of harassment, intimidation, or bullying (includes cyber-bullying) **or**
  - (2) against a victim, witness, or a person with reliable information about an act of harassment, intimidation, or bullying (includes cyber-bullying)

- z. Falsely accusing another person of committing an act or acts of harassment, intimidation, or bullying (includes cyber-bullying)
  - aa. Other acts of disruptive conduct as determined by the administration.
3. Possible sanctions to be applied in cases of disruptive conduct may include, but are not limited to, one or more of the following:
- a. Temporary removal from class
  - b. Referral to outside agency
  - c. Withdrawal of privileges/exclusion from extra-curricular activities
  - d. Detention
  - e. In-school suspension
  - f. Suspension until parent conference
  - g. Out-of-school suspension
  - h. Transfer
  - i. Restitution of property and damages
  - j. Probation
  - k. Alternative school assignment
  - l. Interim alternative placement/home-based
  - m. Expulsion
  - n. Other sanctions provided in Level I.
- unauthorized, or dangerous substance (includes pepper spray)
  - o. Alcohol/Liquor law violation
  - p. Pornography
  - q. Non-forced sex
  - r. Forced sex
  - s. Fraud
  - t. Gambling
  - u. Intimidation
  - v. Charged with a violent offense off school grounds
  - w. Larceny
  - x. Possession of stolen property
  - y. Carrying, possessing, causing to be available, and/or displaying a weapon (including having a weapon in a vehicle – see “Possession of weapons”)
  - z. Possession of ammunition with harmful intent
  - aa. Computer crime to include cyber threats
  - bb. Engaging in hazing and/or being present when others are engaging in hazing (hazing means, but is not limited to, the wrongful striking, laying open hand upon, threatening with violence, or offering to do bodily harm by a superior student to a subordinate student with intent to punish or injure the subordinate student, or other unauthorized treatment by the superior student of a subordinate student of a tyrannical, abusive, shameful, insulting, or humiliating nature)
  - cc. Trespassing
  - dd. Other Level III offenses as set forth in State law and Federal law.

### Level III

1. Level III offenses are defined as those activities engaged in by a student which result in violence to oneself or to another's person or property or which pose a direct and serious threat to the safety of oneself or others. These activities usually require administrative actions which result in the removal of the student from the school, the intervention of law enforcement authorities, and/or action by the Board.

Whenever a student is engaging or has engaged in activities including, but not limited to, one of the acts specified below, while on school property or at a school sanctioned or sponsored activity, and which an administrator or his/her designee has reason to believe may result or has resulted in injury or serious threat of injury to a person or to property, the administrator or his/her designee is required to notify law enforcement officials.

2. Level III offenses may include, but are not limited to, the following:
- a. Gang activity, initiation or violence
  - b. Bomb threat
  - c. False fire alarm
  - d. Explosion detonation
  - e. Arson
  - f. Aggravated assault
  - g. Threat to staff
  - h. Simple assault/fighting
  - i. Bribery
  - j. Vandalism
  - k. Counterfeiting/forgery
  - l. Disturbing schools
  - m. Drug offense, including being under the influence, possession, distribution
  - n. Carrying, possessing, using, causing to be available, and/or displaying an illegal,

3. Possible sanctions to be applied in cases of Level III offenses may include, but are not limited to, one or more of the following:
- a. Out-of-school suspension
  - b. Withdrawal of privileges/exclusion from extracurricular activities
  - c. Assignment to alternative school
  - d. Expulsion
  - e. Restitution of property and damages
  - f. Other sanctions provided in Level II.

### Discipline of students with disabilities

When a student identified as disabled pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504) or the Individuals with Disabilities Education Act (IDEA) violates the student behavior code, that behavior may result in suspension or expulsion so long as the disciplinary sanction does not constitute a change of placement. These laws do not set an absolute limit on the number of cumulative school days needed to constitute a change of placement; however, school officials will consider any unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate for a student with a disability who violates a code of student conduct.

### Change in placement for disciplinary reasons

1. **Short-term removals (not a change of placement)** - School officials may remove a student with a disability who violates a code of student conduct from his or her current

placement to an appropriate interim alternative educational setting (IAES), another setting, or suspension, for not more than 10 consecutive school days (to the extent those alternatives are applied to children without disabilities), 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 of placement or total more than 30 days as reflected in state law.

The school need not provide educational services during the first 10 days of removal in a school year, unless it provides educational services to a student without disabilities who is similarly removed.

- a. School officials may order two or more short-term suspensions of a student with a disability during a school year only if these removals do not constitute a change of placement. In making that determination, school officials will consider:
  - (1) Whether the series of suspensions constitutes a pattern of removals;
  - (2) Whether the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals;
  - (3) The length of each removal;
  - (4) The total amount of time the student has been removed; and
  - (5) The proximity of the removals to one another.
- b. School officials have the authority to make the determination of whether a series of short-term suspensions of a student with a disability constitute a change in placement for disciplinary reasons.
- c. When the total number of school days of suspension in a school year reaches 11, and the current removal is for not more than 10 consecutive school days and is not a change of placement, the school must begin providing educational services.
- d. School officials will determine the extent to which special education and related services must be provided to the student beginning on the 11th school day of suspension. In this situation, “school officials” means a general education administrator, special education director or designee(s), and the student's special education teacher, as specified.

(1) Beginning on the 11th school day of suspension in a school year, and each school day of suspension thereafter, special education and related services needed for the student must be provided to enable the student to participate in the general education curriculum, although in another setting; and progress toward meeting the goal set out in the student's IEP. Services to be provided to the student on the 11th day do not have to “replicate every aspect of the services that a student would receive if in his or her

normal classroom” (Federal Register, 2006, p. 46716).

(2) If the student has not had a functional behavioral assessment (FBA) and the school has not implemented a behavior intervention plan for the student, school officials may (but are not required to) determine that the student needs a FBA to address the behavior that resulted in the suspension and to develop a BIP if the assessment suggests such a plan is necessary for the student.

## 2. Long-term removals (change of placement) -

To determine if a change of placement has occurred, school officials will consider whether the series of short-term removals (less than 10 consecutive school days) constitutes a pattern of removals. School officials will consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the other requirements, is appropriate for a student with a disability who violates a code of student conduct.

a. School officials will follow the steps below when considering either a long-term suspension for more than 10 consecutive school days, an expulsion, or another short-term suspension that cumulates to more than 10 school days and shows a pattern constituting a change of placement.

(1) On the date the decision is made to make a removal that constitutes a change of placement of a student with a disability the school must notify the parents of that decision, and provide the parents with a copy of the Parent Rights notice.

(2) On the 11th school day of removal, the school must begin providing appropriate special education and related services. The determination of services needed as a result of a disciplinary change of placement is not made by the school officials as in the previous situations. Instead, the IEP team decides on these services and where they will be provided.

(3) The school, the parent, and relevant members of the student’s IEP team (as determined by the parent and the school) must determine if the student’s violation of the school’s code of student conduct was a manifestation of his or her disability.

(4) The school must convene meetings regarding the manifestation determination and services as expeditiously as possible, but no later than 10 school days after the decision to change placement due to disciplinary reasons is made.

b. When a disciplinary change of placement occurs, the IEP team, including the parent, determines the special education and related services to be provided during

the removal. However, parental consent for the disciplinary change in placement is not required.

3. **Manifestation Determination** - No later than 10 school days after the date on which the decision is made to change the placement (see long-term removal above) of a student with a disability because of a violation of a student code of conduct, the representative of the school, the parent and other relevant members of the student’s IEP team must meet to review all of the relevant information in the student’s file, the student’s IEP, any teacher observations, and any relevant information provided by the parent. The IEP team is required to hold a manifestation determination each time a student is removed for more than 10 consecutive days or each time HCS determines that a series of removals constitutes a change of placement.

Based on its review of all the relevant information, the group must determine if the conduct in question was:

- caused by, or had a direct and substantial relationship to the student’s disability; or
- the direct result of the school’s failure to implement the student’s IEP.

If it is determined by the group that the conduct of a student was a result of either “a” or “b” above, then the conduct must be determined to be a manifestation of the student’s disability and, if the student’s IEP team determines that the student’s behavior was the direct result of the school’s failure to implement the IEP, the school must take immediate action to remedy those deficiencies.

a. **Determination Behavior was a Manifestation of the Disability** - If the school, the parent and other relevant members of the IEP team determine that the student’s behavior was a manifestation of the disability, the IEP team must:

(1) Return the student to the placement from which the student was removed, unless the parent and the school agree to a change of placement as part of the modification of the behavioral intervention plan; and

(2) Either - Conduct a functional behavioral assessment, unless the school had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the student; or if a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior.

(3) If it is determined that the student’s behavior is a manifestation of the student’s disability the student cannot be subject to a long-term removal for the

behavior. However, the school and the parents could agree to another setting.

(4) Even when the behavior is a manifestation of the student’s disability the school could request a special education due process hearing officer to order placement in an IAES for up to 45 school days if HCS can show that maintaining the current placement is substantially likely to result in injury to the student or others.

b. **Determination Behavior was not a Manifestation of the Disability** - If the IEP team determines the behavior was NOT a manifestation of the student’s disability, the school may proceed with suspension and expulsion proceedings. Using these proceedings, school officials may remove a student with a disability if it is determined that:

(1) the conduct of the student violated the code of student conduct;

(2) the behavior was not a manifestation of the student’s disability; and

(3) if the relevant disciplinary procedures applicable to children without disabilities are applied in the same manner and the discipline is for the same duration as would be applied to a student without disabilities.

If the violation of the code of student conduct is not a manifestation of the student’s disability, HCS may transmit the special education and disciplinary records of the student to the school’s disciplinary hearing officer for consideration in making the final determination in the disciplinary action. Even if the school’s disciplinary hearing officer determines that the student should be suspended or expelled, the District must continue to provide a FAPE for the student as determined by the IEP Team.

(4) Placement to an Interim Alternative Educational Setting for Behavior Related to Weapons, Drugs, Serious Bodily Injury - School officials may remove a student with a disability to an IAES up to 45 school days without regard to whether the behavior is determined to be a manifestation of the student’s disability, if the student:

- Carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of HCS;
- Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of HCS (tobacco and alcohol are not illegal drugs under this definition); or
- Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of HCS.

When a student commits a violation related to weapons, drugs, or serious bodily injury, the school officials may initially suspend the student for up to 10 school days without educational services (if the suspension includes the 11th cumulative day of suspension in the school year, educational services should be provided). When the IEP team meets, it will determine the location of the IAES and the services to be provided to the student to enable the student to participate in the general education curriculum, although in another setting and progress toward meeting their goals set out in the student's IEP.

Although a manifestation determination review is necessary, this unilateral removal can be made without regard to whether the behavior is determined to be a manifestation of the student's disability. If the IEP team determines that an FBA would be appropriate, one will be conducted. If appropriate, the IEP team will review and revise any existing BIP or develop one with services and modifications that are designed to address the behavior violation so that it does not recur.

Further information about disagreements relating to due process requests/disciplinary sanctions and information about appeals may be found in the "HCS Procedural Safeguards Notice: Your Rights as Parents" on the HCS webpage or may be obtained from the school principal or by contacting the Office of Special Education.

#### **Referral to law enforcement**

Nothing shall prohibit a school district from reporting a crime committed by a student with a disability to appropriate authorities. In reporting such a crime, the school shall ensure, consistent with the requirements of the Family Educational Rights and Privacy Act, that copies of the special education and discipline records of the student are made available to the appropriate authorities to whom it reports the crime. See, also: "Possession of Weapons," "Drug Use, Alcohol Use, and Tobacco Use by Students," "Bus Conduct," and "Student Dress Code."

#### **After-School Detention**

A school administrator or teacher may detain a student for disciplinary reasons after school hours, provided the parent has been notified of the detention and, in the case of bus students, arrangements have been made for the student's transportation home. Parents may be asked to arrange for the transportation of the detained student. However, if the parent cannot or will not provide transportation, an alternative disciplinary procedure should be substituted. Students who are detained after school must never be left unsupervised during their detention. Their supervision must be provided, or arranged for, by the teacher or administrator who detains them. Detention on any one day is to be limited to 60 minutes, with the exception of Saturday morning work detail when a student may be allowed to serve 180 minutes.

### **Student Suspensions**

It is the policy of the District to provide due process of law to students, parents, and school personnel through procedures for the suspension of students, pursuant to the requirements of Federal law, State law and regulations, and District policies.

According to State law, the District may suspend a student for the commission of any crime, gross immorality, gross misbehavior, persistent disobedience, or the violation of written rules and regulations established by the District or the S.C. Board of Education. The District may also suspend a student when the presence of the student is detrimental to the best interests of the school.

Suspension is the exclusion of a student from school and school activities for a period of time not to exceed 10 school days for any one offense. Suspension means the student cannot attend school or be on the school grounds, cannot attend any program at the school in the daytime or at night, and cannot ride a school bus.

Through the Board's adoption of policy governance, the power of suspension has been delegated to the District administration and to the principal and/or his/her designee.

State law requires that the Board review a suspension that occurs within the last 10 days of the school year when the suspension would make a student ineligible to receive credit for the school year.

#### **Suspension procedures**

1. **Investigation of misbehavior** - When it appears that a student has engaged in misbehavior warranting suspension, an administrator will investigate the matter and interview those who have knowledge about what occurred. The student will be advised, verbally or in writing, of the accusations against him/her. The administrator also will advise the student of the evidence against him/her and provide the student with an opportunity to tell his/her side of the story. If the student asks the administrator to speak to other witnesses, the administrator will do so, if possible. After completing the investigation, the administrator will determine if suspension is in order and the number of school days, from one to ten, 10 suspension should last.
2. **Summary suspension** - If the administrator sees or is advised of any student misbehavior and concludes the student should be removed from school immediately in order to restore order or to protect others at the school, the administrator may summarily suspend the student for up to two school days. In these cases, the administrator does not have to investigate the matter first. By the end of the next school day following the summary suspension, however, the administrator should investigate the matter, as described above, and determine what, if any, additional suspension days, not to exceed a total of 10, are appropriate.

If the administrator determines that the student should not have been suspended, arrangements will be made for the student to make

up any work he/she missed while on summary suspension. The administrator also will remove any reference to suspension from the student's permanent record.

3. **Sending a suspended student home during the school day** - When a student is suspended, the administrator will attempt to contact the parent to request that he/she pick up the student from school. If a parent cannot come for the student, the school may take the student home as long as a parent is at home to take charge of the student. If the administrator cannot reach the parent, the student must stay at school until the end of the school day.

If the student is summarily suspended, he/she may be removed from the school grounds immediately. Depending upon his/her age, however, it may be necessary to keep him/her at school until his/her parent can be reached.

4. **Notification to parents** - By the end of the next school day following any suspension, the administrator must notify the parent in writing of:

- (1) the acts committed by the student;
- (2) the rule(s) violated;
- (3) the length of the suspension; and
- (4) the time and place when he/she will be available to meet with the parent for a conference.

The conference shall be set within three school days of the date of the suspension. If the parent is unable to meet at the scheduled time, upon request the administrator will establish a mutually agreeable time for the conference.

5. **Suspension appeals** - If, after the conference with the administrator, the parent believes the student's suspension was unjustified, the parent may appeal the decision to the principal if he/she was not the administrator who participated in the conference. After the above, if the parent believes that student's suspension was unjustified, an appeal of the suspension may be made to the Executive Director of Student Affairs or to other persons as designated by the Superintendent. To request a suspension appeal, the parent must write a letter to the Executive Director of Student Affairs within five school days after the conference with the administrator, advising the Executive Director of Student Affairs why it is believed the suspension was unfair.

The appeal hearing, which should be held within 10 school days of the request for an appeal, will be conducted as an informal hearing by the Executive Director of Student Affairs or his/her designee or other persons as designated by the Superintendent (hereinafter "Hearing Officer"). The administrator, parent, and student may be present. If the Hearing Officer and the parent agree, the student may be dismissed during portions of the hearing. The parents, student, and administrator will be allowed to address the Hearing Officer.

Within 10 school days of the hearing, the Hearing Officer shall render a decision as to whether the suspension was proper. The

Hearing Officer shall report his/her decision in writing to the parents and the school. If the Hearing Officer decides that the suspension was not proper, all absences resulting from the suspension shall be excused and the record cleared. The student will be allowed to make up all missed work. The decision of the Hearing Officer ends the appeals process for suspensions.

6. **Limits on suspension** - A student may not be suspended for more than a total of 30 school days in one school year. An administrator may not suspend a student from school during the last 10 school days of the school year if the suspension would result in the loss of the course credit unless the Board approves the suspension, the student is an actual threat to the class or the school, or a hearing is granted by the end of the next school day following the suspension.
7. **Controlled substance abuse** - When a suspension involves or results from controlled substance abuse, the student will, in addition to his/her suspension, be referred to an appropriate social services agency for assessment and, if necessary, treatment. The student will be required to successfully complete any recommendations of the agency.

## Student Expulsions

A student may be expelled for any reason listed in the section on the "Student Behavior Code"; for the commission of any crime, gross immorality, gross misbehavior, or for the violation of any written rules and regulations of the District or the S.C. Board of Education; or when the presence of the student is deemed to be detrimental to the best interest of the school. Expulsion means the complete denial of school services for the period of time specified in the expulsion decision; therefore, an expelled student cannot attend school or be on school grounds, cannot attend any program at a school in the daytime or at night, and cannot ride a school bus. The assignment of a student to a different school or program is not an expulsion.

If procedures for expulsion are initiated, the parent of the student shall be notified in writing of the time and the place of a hearing before a District Hearing Officer. The hearing shall take place within 10 school days of the written notification at a time and place designated by the Hearing Officer, and a decision shall be rendered within seven school days of the hearing. The student may be suspended from school and from all activities during the time of the expulsion procedures. A student with a disability may be expelled; however, FAPE must be provided as determined by the IEP team (See Discipline for Students with a Disability).

At the hearing, the parent shall have the right to legal counsel and to all other regular legal rights, including the right to question witnesses in a manner determined by the Hearing Officer. The right to appeal the expulsion decision of the Hearing Officer to the District Appeal Board and/or the Horry County Board of Education is reserved to either party in accordance with the provisions of this policy.

## Investigation and action taken by the administrator

If an administrator investigates a report of student misbehavior and decides to recommend expulsion, the administrator should suspend the student and notify the student's parent of his/her right to meet with the administrator within three school days of the date of the suspension. If, after meeting with the parent (or if the parent has not come in for a meeting by the third school day), the administrator still intends to recommend expulsion, the administrator will schedule an evidentiary hearing through the Office of Student Affairs.

## Notice of expulsion recommendation

The school administration shall notify the student and parent, in writing, of:

1. The rule(s) infraction alleged to have occurred;
2. The right of the student to review his/her record, including the investigative documents the administration intends to present at the expulsion hearing;
3. The right of the student to a hearing on the evidence;
4. The time and place of the hearing, which must be held within 10 school days of the date of notification (unless the parent or his/her representative agrees otherwise); and
5. The procedure to be followed at the hearing, including the right to be represented by counsel.

## Hearing procedure

The administrator, the administrator's representative, the student, the parent(s), and/or the student's representative may be present at the hearing. If the Hearing Officer and the parents agree, the student may be dismissed during portions of the hearing. The administrator and the student, or their representatives will be allowed to present witnesses or witnesses' statements and, within the discretion of the Hearing Officer, cross-examine the other party's witnesses. The Hearing Officer may question the witnesses. The parents and/or the student's representative will be given an opportunity to argue their position or express their views on the case. A recording of the testimony of the hearing will be kept on file by the Office of Student Affairs for at least 10 days following notification of the hearing decision.

## Action following the hearing

Within seven school days of the hearing, the Hearing Officer shall decide if the student committed the alleged rule(s) violation or misconduct based upon the evidence presented at the hearing, and if so, the appropriate punishment. If the Hearing Officer determines that grounds for expulsion exist, he/she may expel the student, in accordance with Federal and State statutes and regulations, or assign punishment other than expulsion, including but not limited to, suspension, assignment to an alternative program, or probation.

Probation means special restrictions have been placed on the student's right to attend school. Violations of the restrictions may result in suspension and a recommendation for expulsion.

Assignment to an alternative program means loss of the right to participate in extracurricular activities in the base school during the period the student is assigned to the program. Although students may keep up with class work on the days they were suspended pending the evidentiary hearing by requesting the assignments from the base school, failure to register and attend the alternative program within three school days following receipt of the hearing officer's decision will result in truancy action by the District. If the decision of the hearing officer to assign a student to an alternative program is appealed to the District Appeal Board, the student will not be allowed to make up missed work if he/she fails to attend the alternative program during the pendency of the appeal. The Hearing Officer shall report his/her decision in writing to the parent, the Superintendent, and the school. If the Hearing Officer determines that grounds for discipline do not exist, all absences resulting from the suspension shall be excused, and the student's record shall be cleared. The student will be allowed to make up missed work.

## Appeal of an expulsion decision

A decision of the Hearing Officer to expel a student may be appealed to the District Appeal Board by either party, provided written notice of appeal is received by the Executive Director of Student Affairs within five school days of notification of the Hearing Officer's decision. The appeal hearing will be scheduled within 10 school days of receipt of a written request for a hearing and will normally be limited to the established record. No new testimony will be allowed, unless the District Appeal Board requests to hear additional testimony from the student, parent, or administrators. The District Appeal Board may uphold, reverse, or alter the decision of the Hearing Officer. However, the District Appeal Board may not transfer the student to a school other than to an alternative school. A decision shall be rendered within seven school days of the hearing. Failure to appeal the decision of the Hearing Officer will cause his/her decision to become final. The decision of the hearing officer stands until the appeal is heard and a decision is received by the District Appeal Board.

The right to appeal an expulsion decision of the District Appeal Board to the Horry County Board of Education is reserved to either party, provided written notice of appeal is received by the Superintendent within five school days of notification of the decision of the District Appeal Board. The appeal hearing will be scheduled within 10 school days of receipt of the written notice of appeal. An appeal will normally be limited to the established record, and no new testimony will be allowed, unless the Horry County Board of Education requests to hear additional testimony. The Horry County Board of Education may uphold, reverse, or alter the decision of the District Appeal Board. A decision shall be rendered within seven school days of the hearing. If the lower level decision is rejected on appeal, all absences resulting from the suspension shall be excused and the student's record cleared. The student will be allowed to make up missed work.

If a parent chooses, he/she may appeal an expulsion decision of the Hearing Officer directly to the Horry County Board of Education without first appealing to the District Appeal Board provided written notice of the appeal of the decision is received by the Superintendent within five school days of notification of the Hearing Officer's decision.

#### **Petitions for readmission**

Students who have been expelled have the right to make a written request to the Superintendent, or the Superintendent's designee, for readmission for the following school year. The request must specify the reasons why the student should be allowed to return.

Readmission following expulsion from any District school will be allowed only through the respective alternative school program.

If the Superintendent, or the Superintendent's designee, denies the student's request, or in all cases of permanent expulsion, the student may make a written request to the Board for readmission and may include a request to appear before the Board. If the request is denied by the Board, the student may submit another request prior to the following school year.

#### **Permanent expulsion**

Pursuant to Section 59-63-240, the Board may permanently expel an incorrigible student; however, if the student has a disability, his/her discipline must be in conformity with the District policy on "Discipline of students with disabilities."

#### **Student Assignment to Alternative Program**

In lieu of expulsion, and after complying with the hearing procedures regarding expulsion recommendations described above, a Hearing Officer may determine that assignment to an alternative program is the appropriate punishment for a student's violation of state law, federal law, or District policies, rules, or regulations. If the Hearing Officer determines that assignment to an alternative program is appropriate, the Hearing Officer shall report his/her decision in writing to the parent, the Superintendent, and the school.

Assignment to an alternative education program includes loss of the right to participate in co-curricular and extracurricular activities through the base school during the period the student is assigned to the program. A student assigned to an alternative education program may not enter the property of any base school without the permission of the principal or his/her designee.

#### **Appeal of assignment to alternative program to the District Appeal Board**

A decision of the Hearing Officer to assign a student to the alternative program may be appealed to the District Appeal Board by either party, provided written notice of appeal is received by the Executive Director of Student Affairs within five school days of notification of the Hearing Officer's decision. The appeal hearing will be scheduled within 10 school days of receipt of a written request for a hearing and will normally be limited to the established record, which will consist of the tape of the hearing before the Hearing

Officer and any documentary evidence presented by either party. The record will also contain the Hearing Officer's decision letter and the appealing party's written notice of intent to appeal. No new testimony will be allowed unless the District Appeal Board requests to hear additional testimony from the student, parent(s), or administrators. The District Appeal Board may uphold, reverse, or modify the decision of the Hearing Officer. However, the District Appeal Board may not reassign the student to a school other than to an alternative program or his/her base school. A decision shall be rendered within seven school days of the hearing. Failure to appeal the decision of the Hearing Officer will cause his/her decision to become final. The decision of the hearing officer stands until the appeal is heard and a decision is reached by the District Appeal Board.

If the lower level decision is rejected on appeal, all absences resulting from the suspension shall be excused and the student's record cleared. The student will be allowed to make up missed work.

#### **Appeal of assignment to alternative program to the Horry County Board of Education**

A decision of the District Appeal Board to assign a student to the alternative program may be appealed to the Horry County Board of Education by either party, provided written notice of appeal is received by the Superintendent within five workdays of notification of the District Appeal Board's decision. The appeal will be considered by the Board at its next regularly scheduled meeting provided the appeal is received by the Superintendent at least five workdays before the meeting – otherwise, the appeal will be considered by the Board at its next meeting. The appeal will normally be limited to the established record, which will consist of the record before the District Appeal Board, the decision of the District Appeal Board, and the appealing party's written notice of intent to appeal. No new testimony will be allowed unless the Horry County Board of Education requests to hear additional testimony from the student, parent(s), or administrators. The Horry County Board of Education may uphold, reverse, or modify the decision of the District Appeal Board. A decision shall be rendered within seven workdays after the Board's consideration of the appeal. Failure to appeal the decision of the District Appeal Board will cause the decision to become final. If the lower level decision is rejected on appeal, all absences resulting from the suspension shall be excused and the student's record cleared. The student will be allowed to make up missed work.

#### **Bus Conduct**

In the vicinity of buses and on buses, students shall conduct themselves in a manner that does not endanger and does not contribute to the endangerment of themselves and/or other students. The District's Behavior Code procedures are applicable, also.

#### **Use of video cameras on school buses**

In order to promote the safety and welfare of students and other persons while they are on school buses, the Transportation Supervisor or his/her designee is authorized to place video cameras on

State and District buses. Therefore, while inside a State or District bus, all occupants are subject to video/audio monitoring. The following procedures are to be followed:

1. Students and parents shall be notified that students are subject to being videotaped on a school bus at any time.
2. After videotaping has been conducted, the tapes are to be stored for at least five workdays in secure locations designated by the Transportation Supervisor.
3. The Transportation Supervisor may periodically review randomly selected videotapes to ensure proper school bus conduct.
4. If no incidents are reported in five workdays, the tapes may be recycled. If incidents are reported, or if incidents are viewed during random selection, the videotapes are to be kept as long as needed, including time for any appeals resulting from disciplinary action.
5. The videotapes may be viewed by staff members with a legitimate need for access. Requests for viewing by parents and other persons must be submitted in writing to the appropriate principal, who may permit a parent to view that portion of a bus videotape which concerns his/her child.

#### **Conduct of students**

The following regulations govern the conduct of students on school buses. The bus driver shall assure that his/her passengers abide by them. Rather than trying to solve disagreements with drivers or students or at school bus stops, parents should contact the local bus supervisor.

#### **Meeting the bus**

1. Students must be on time.
2. If a student has to walk along the highway in approaching the bus stop, he/she should always walk on the shoulder.
3. Students should walk, not run, when crossing the highway. Students should wait on their side of the roadway and await the signal to cross from the driver.
4. Students should not run alongside the bus when the bus is moving. They should wait until it stops and then walk to the door.

#### **On the bus**

1. Students should go to their seats without crowding or pushing, and they should remain seated while the bus is in motion.
2. Students should only open bus windows with the permission of the driver. Students must never extend arms, legs, or heads out of the bus, nor should they throw objects from bus windows.
3. Except in an emergency, students should not talk to the driver while the bus is in motion.
4. Students must never tamper with the emergency exits or any other part of the bus equipment, including fire extinguishers and first aid equipment.
5. Students must not mar or deface the bus or its seat coverings in any manner. Any damage to the bus or seats should be reported by the student to the driver as soon as possible.



6. Students must not fight or scuffle or create any disturbance on the bus. Classroom-type conduct should be maintained in the bus.
7. Books, lunch boxes, or other objects should not be placed in the aisle of the bus. The S.C. Commercial Driver's License Manual states there should be nothing in the aisles that might trip riders. Aisles and stairwells must always be clear. Band instruments, science projects, coolers, etc., will not be allowed on any State-owned or District-owned bus unless they can be placed under the seat or held in the rider's lap.
8. Students are not allowed to eat or drink on the bus.

### Leaving the bus

1. Four- and five-year-old students must be met at their bus stop by a person who will supervise them.
2. Students must remain seated until the bus comes to a complete stop. They must never attempt to leave until the bus has come to a full stop and the door is opened to indicate that they may leave.
3. Students should leave in an orderly manner. Students in the front seats leave first.
4. Students must not loiter or play around a stopped or parked bus.
5. Students should not enter a restricted area set aside for bus parking or loading unless the bus is at a complete stop. Students should enter only their assigned bus.
6. Students are permitted to leave only at regular designated stops. Any changes must be made with the parent's request and approved by the school principal or his/her designee.
7. The students, after leaving the bus (if he/she must cross the highway), should walk at a right angle to and at least 10 feet in front of the bus and wait until the bus driver directs him/her to cross. After the signal is given by the driver, the student should walk, not run, across the highway.

### Bus stops

Bus stops are determined by the District's Transportation Department.

### Bus discipline

Students creating or being involved in activities causing discipline problems on a school bus, including while entering, exiting, or waiting for a bus, will be reported to his/her principal. Appropriate disciplinary action will be taken pursuant to the District's Behavior Code procedures.

The bus driver has responsibility for supervision of all students on his/her bus. He/she may stop the bus at any time that misbehavior or threatened misbehavior offers a hazard to safe driving.

In addition to disciplining students according to the District's Behavior Code procedures, upon the recommendation of the bus driver or supervisor(s) of transportation, the principal may suspend a student from riding the bus. On the first offense, not to include sex, drugs, weapons, or serious bodily injury, the student may be suspended from riding the bus only until his/her parents come to the school and

have a conference with the principal. A second offense may result in a suspension for up to five school days. A third offense may result in a suspension for up to 10 school days. A fourth offense may result in a suspension for up to 15 school days. A fifth offense may result in a loss of bus riding privileges for the remainder of the school year. These guidelines may be adjusted based on the seriousness of the offense.

### Uniforms in an Alternative Program

Students in an alternative program are required to wear uniforms in an attempt to foster order and discipline, to reduce violence, to encourage attendance, and to reduce truancy.

The designated uniform shall be determined by the administrative head of the alternative program, who must, after seeking input from parents, select generic-type uniforms that are available to parents and students at a modest cost. In addition, requests for exceptions to this policy must be addressed on a case-by-case basis by the administrative head of the alternative program.

### Head lice

If a teacher suspects a child of having head lice, he/she will notify the school nurse or principal's designee. If head lice is confirmed (presence of a live bug), the parent/guardian will be notified to pick the child up as soon as possible. Transportation on a school bus or van is not permitted. When a case of head lice is confirmed a parent advisory letter giving specific steps for treatment of head lice and re-admission to school is given to the parent of the child.

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

1. The student shows proof of treatment as determined by the school, and
2. The student passes a physical screening by the school nurse or principal's designee that shows the absence of a live bug.
3. Students with nits present are counseled regarding care to prevent recurrence of lice (presence of a live bug).
4. Students sent home due to the presence of a live bug, are excused by the school nurse up to two days.
5. Subsequent recurrence of lice (presence of a live bug) within 7-10 days of the initial occurrence will NOT result in days being excused by the school nurse.
6. Unless there are two or more student identified in a class, the entire class will not be screened for the presence of head lice.

### Medicines

Generally, school staff members are to refrain from giving medication to students. The District recognizes, however, the occasional need for staff members to administer medication to individual students.

When possible, medications should be given by the parent/guardian before or after school hours. Pre-scribed medications to be given during the school day must be accompanied by written

orders from a health care practitioner who is recognized by South Carolina's Department of Labor, Licensing and Regulation as authorized to prescribe medications. The written orders must be signed.

The school district and its employees reserve the right to refuse to honor medication requests that are not consistent with professional standards (e.g., manufacturer's guidelines, Physician's Desk Reference) and/or are deemed unsafe for the school setting. If this occurs, the school district's nursing staff, school administrators, the school district's medical consultant, if there is one, the prescribing health care practitioner and the student's parent/guardian will discuss alternatives for meeting the student's needs.

Accordingly, the procedures detailed below must be followed when administering medicine. "School nurse" means either a Registered Nurse ("RN") or a Licensed Practical Nurse (LPN) if an RN is available in person or on call by telecommunications.

### Medications provided by parents

1. Prior to dispensing any medication, each of the following conditions must be met:
  - a. Non-prescription medications are sometimes called "over-the-counter" medicines. Over the-counter medications will be given in accordance with guidance on the medication label or package insert unless prescribed otherwise by a health care practitioner recognized by the South Carolina Department of Labor, Licensing, and Regulation as authorized to prescribe medications. Non-prescription medications that are to be administered at school will require a form signed by the parent/guardian.
  - b. Non-prescription medications that are to be administered at school will require a form signed by the parent/guardian.
  - c. Any student requiring non-prescription medication should have the medication supplied by the parent/guardian. The parent/guardian should label the medication container with their child's name in a manner that does not cover pertinent information such as the name of the medication, dosing recommendations, uses, side effects, contraindications, and expiration date. The medication should be brought to the school nurse or the principal for administration to the student. Medication cannot be transported to school by the student.
  - d. A dated non-prescription medication consent form signed by the parent giving permission for the medication to be administered must be on file. The form which is available at the school or on the Health Services website must include, but not limited to, the:
    - (1) Child's full name and date of birth
    - (2) Name of school and grade
    - (3) Known allergies to any foods, medicines or other items
    - (4) Name of medication to be given at school
    - (5) Reason for medication

- (6) Dosage
  - (7) Date(s) and time to be administered
  - (8) Storage requirements
  - (9) Estimated number of days medication to be given at school
  - (10) Medication history home or school
  - (11) Child's Health Care Providers' name, address, telephone number, and signature.
- e. Non-prescription medications to be given in excess of recommended manufacturer's guidelines must be accompanied by a non-prescription medication form signed by a health care practitioner authorized to prescribe medications.
- f. Non-prescription or PRN medications must be administered by the school nurse. Administration of this type of medication requires an assessment. An assessment can only be performed by a licensed health care provider. Non-prescription medications are not to be administered by school staff.
- g. Prescription medications are medicines that require a written prescription from a health care practitioner. In order for a child to be given a prescription medicine at school, the child's health care practitioner and the child's parent must sign a permission form. (Because the instructions for some medications require more space than is provided on the form, some health care practitioners may prefer to use a practice specific form.) The form which is available at the school or on the Health Services website must include, but not limited to, the:
- (1) Child's full name and date of birth
  - (2) Name of school and grade
  - (3) Known allergies to any foods, medicines or other items
  - (4) Name of medication to be given at school
  - (5) Purpose of medication and route
  - (6) Dosage
  - (7) Time of day medication to be given
  - (8) Storage requirements
  - (9) Estimated number of days medication to be given at school
  - (10) Is medication a controlled substance
  - (11) Possible side effects
  - (12) Prescribing Health Care Providers' signature and date. No stamped forms will be accepted.
- h. The required medication consent form must include authorization for the school nurse, the principal, or his/her designee to administer any medications.
- i. The parent must deliver the completed medication consent permission form and the medication to the school principal, the school nurse, or the principal's designee immediately upon arrival at school. The medication must be labeled and in its original container. Medication may not be transported on a school bus except with the permission of the principal or his/her designee when it is necessary for the health of the student and must be accompanied by the appropriate paperwork completed by

a licensed health care provider.

**Note:** An initial dose of any prescribed medication will not be administered at school by the school nurse or any other school staff.

- j. The nurse responsible for the school must review and approve each request before the medication may be administered. The District retains the discretion to reject request(s) for the administration of any medication for legitimate reasons
2. The District shall not be held liable in the event of adverse reactions when the medication has been given in the prescribed manner.
  3. The Director of Health and Safety Services, in consultation with each school nurse, shall supervise the overall administering of medications in the schools, responsibility for the particular aspects of this policy are indicated below.
    - a. The principal shall designate specific persons to administer medication in the absence of the school nurse. These persons shall be present at school on a daily basis. The principal shall ensure that each person designated to administer medication is familiar with the proper procedures. Each individual designated by the principal to administer medication shall be trained in the proper procedure for administering medication by the school nurse. Training on medication administration must be completed annually.
    - b. The principal (or his/her designee) shall be responsible for the safekeeping of all medication which is to be administered. Each school shall maintain a current list of those persons authorized to administer medications. **ALL** medication is to be kept in a locked cabinet in the health office, which is locked, with limited access.
    - c. A written or electronic record of the administration of the medication, including but not limited to, name of the student, medication and dosage administered, date and time of administration, and name of the person administering the medication will be kept in the Health Office as part of the student's health care record. All medication shall be inventoried weekly by the school nurse and another individual.
    - d. The school nurse in consultation with the principal or his/her designee shall communicate with parents and/or physicians about any problems or effects of administering medications to students at school. Continued concerns should be communicated to the Director of Health and Safety Services.
    - e. Forms to be completed by physicians and parents must be updated at the beginning of each school year or earlier if required by the length of the prescriptions. Forms are to be dated after July 1st of the school year that they are written for.
    - f. Parents must inform the school nurse, principal or his/her designee of any change in the student's health or medication

throughout the school year. Any change in the medication requires the parent to submit a new medication form completed and signed by the student's healthcare provider,

- g. Parents shall reclaim any unused medications within one week of the termination of treatment or no later than the end of the last day of school. The school shall destroy any unused medications following the District's policy for disposal of medications. Medication cannot be stored at the school during the summer months.

**Exception** - With approval of the principal, a student may be allowed to keep medication on his/her person for his/her sole use in an emergency provided the parent furnishes the principal and the school nurse with written certification from a physician that it is necessary for the student to carry and/or administer his/her own medication. If at any time the student violates the policy for self-administration or self-monitoring, the privilege for carrying medication may be revoked.

#### **Certain over-the-counter medications**

Parental permission is required in order for nurses to administer over-the-counter medications at school.

With written parental permission, athletic trainers who are licensed in S.C. may administer to students certain over-the-counter, individually packaged, single-dose oral medications which are:

1. Authorized for administration through a written order issued by a physician licensed to practice in S.C. – all orders expire at the end of the day on June 30 of each year;
2. Permitted for administration to a specific student pursuant to written permission by his/her parent on a form approved by the Superintendent or his/her designee – the form must contain:
  - a. statement by the parent that he/she agrees to notify the athletic trainer immediately in writing of any changes in his/her child's health history which requires a modification in his/her permission for the administration of medications and
  - b. an indemnification clause stating that the parent agrees that the District shall not be held liable in the event of adverse reactions when the medication has been given in the prescribed manner;
3. Administered pursuant to the printed directions on the package containing the medication provided by the manufacturer of the medication (directions include printed information concerning contraindications and precautions). Over-the-counter medications must only be given as recommended by the manufacturer on the label and/or package insert. If a parent/guardian requests a medication dosage that exceeds the manufacturer's recommendation, the parent/guardian must secure a written order from the student's health care practitioner;
4. Not provided to the student to be taken later without being supervised by the athletic trainer, who is to make and maintain a written record of

the administration of the medication, including but not limited to: name of the student, medication and dosage administered, date and time of administration, any lot number on the packaged medication, and name of the athletic trainer;

5. Maintained such that the medications are accessible only through the athletic trainer. Medicines which may be administered in an emergency by an athletic trainer or a school nurse must follow the policies of the Health and Safety Services Department and must be indicated on a written order issued by a physician licensed to practice in S.C.

### **Internet Safety and Network Acceptable Use**

Access to the Internet/Network is a privilege, not a right. With this privilege, there also is a responsibility to use the Internet/Network for educational purposes and not to access materials that are inappropriate for an educational setting. As part of the implementation of the administration's guidelines, students and staff must be instructed on the appropriate use of the Internet/Network. Inappropriate or disruptive use by any person will not be tolerated.

The smooth operation of the Internet/Network relies on the proper conduct of the end users who must adhere to strict guidelines. These guidelines are provided so that students and staff are aware of their responsibilities when using the Internet/Network. Any violations of these guidelines will subject the user to appropriate disciplinary action and possible denial of access to the Internet/Network. In general, these guidelines require efficient, ethical, and legal utilization of the network resources.

In an attempt to protect students, the District has installed filtering/monitoring software to check Internet access by computer users on District equipment in compliance with the Children's Internet Protection Act (CIPA). However, because access to the Internet/Network provides connections to other computer systems located all over the world, users (and parents of students who are users) must understand that neither the District nor any District employee can completely control the content of the information available. Every effort will be made by the District to monitor and restrict access to known objectionable sites; however, users may discover inappropriate or offensive information. The District does not condone the use or access of inappropriate or offensive materials and cannot be held responsible for such use.

#### **Acceptable use**

The purpose of the District providing the educational network is to support research and education in and among academic institutions by providing access to vast amounts of resources and the opportunity for worldwide collaborative work. Use of the Internet and Network should be in support of education and research and be consistent with the educational objectives of the District. Use of other networks or computing resources must comply with the rules governing those networks. Transmission of any material in violation of any Federal or State laws or regulations is prohibited; this includes, but is not limited to, copyrighted material, threatening or obscene material, or material protected by trade secrets.

Access to computer systems and networks owned or operated by the District imposes certain responsibilities and obligations on users and is subject to District policies and local, State, and Federal laws. Acceptable use is always ethical, reflects honesty, and shows restraint in the consumption of shared resources. It demonstrates respect for intellectual property, ownership of information, system security mechanisms, and the individual's rights to privacy and freedom from intimidation, harassment, and unwarranted annoyance.

#### **Procedures for use**

1. Administrators and teachers may access the Internet for educational or work-related purposes at any time which is not disruptive and does not interfere with the performance of other responsibilities by the employee or other staff members.
2. Staff members should monitor student use of the internet and take appropriate disciplinary actions if students violate internet privileges.

#### **Rules governing use**

The use of the Internet/Network is a privilege, not a right, and inappropriate use will result in cancellation of Internet/Network privileges. All staff and students must abide by the generally accepted rules of network etiquette, including, but not limited to, the following:

1. Be polite. Always use appropriate language. Do not send abusive, obscene, inflammatory, or threatening messages to others. Profanity, vulgarities, harassing, and other inappropriate language are prohibited.
2. Documents may not include a student's social security number or any other personally identifiable information that may lead to the identity of one's self or others. For example, do not reveal personal home addresses or phone numbers to others.
3. Student pictures (video or still) or audio clips may be published for students unless their parents or legal guardians have directed the District not to do so through information collected during on-line registration or other formal, written means.
4. Connection of non-District owned equipment must be approved for use on District networks other than Guest wireless by the Executive Director of Technology or designee prior to use. Mass distribution of emails, even for educational or district-related business, is limited to within an individual's school or work location unless prior approval has been given by the principal and appropriate District Office supervisor. The District offers student Internet-based electronic mail accounts. The student accounts are intended for educational purposes. Users can access their e-mail from any computer that has Internet access. E-mail is not private and can be monitored. Messages relating to or in support of illegal or inappropriate activities will be reported to the appropriate authorities. All student e-mail accounts are filtered for inappropriate content. If for any reason a parent does not wish to have an e-mail account for his/her

child, the parent should notify the principal in writing so that his/her child's account can be revoked.

5. Never access inappropriate or restricted information, such as pornography or other obscene materials. Restricted information includes obscene, libelous, indecent, vulgar, profane, or lewd materials, advertisements for products or services not permitted to minors by law, insulting, fighting, and harassing words, and other materials which may cause a substantial disruption of the academic environment. Access to the Internet from District computers is filtered and monitored for inappropriate content through a software application.
6. All subject matter on District and school web pages (including social media sites) shall relate to school-authorized activities or to the District and all information is property of the District.
7. Vandalism is prohibited and will result, at a minimum, in cancellation of privileges. Vandalism includes any malicious attempt to harm or destroy data or the account of another user, uploading or the creation of computer viruses, or malicious software/scripts, deletion or alteration of other user files or applications, removing protection from restricted areas, or the unauthorized blocking of access to information, applications, or areas of the Internet/Network.
8. Never share passwords or other personal credentials. The only person authorized to use an account is the person to whom it belongs. Do not send unauthorized messages or information with someone else's name on it.

The following list represents some inappropriate uses of the Internet, which are not permitted by the District, but by no means is this list intended to be exhaustive:

1. Commercial advertising or unethical/illegal solicitation.
2. Using copyrighted material without permission.
3. Sending or receiving messages or information that is inconsistent with the school's behavior code or assisting others to violate that code, including inappropriate, offensive, and/or disruptive messages or information.
4. Emailing chain letters, engaging in "spamming," sending annoying or unnecessary email messages to large numbers of people or mass distribution of emails without permission from the school principal or district office.
5. Accessing, attempting to access, and/or altering information in restricted areas of any network.
6. Downloading or loading any software or applications without permission from the technology department or the local technology contact.
7. Use of anonymous proxies or any other means to bypass content filtering or any other District-provided protections.

Users are required to report any of the following to their teachers, supervisors, or the building

network administrator as soon as the following are discovered:

1. Any messages, files, websites, or user activities that contain materials that are in violation of policy.
2. Any messages, files, websites, or user activities that solicit personal information (such as an address, phone number, credit card number, or social security number) about the user or someone else, or request a personal contact with the user or another user.
3. Attempts by any user to abuse or damage the system or violate the security of the network and its resources.
4. Any illegal activity or violation of school policy.
5. Any error messages or problems that indicate that the system is not working properly.

#### **Penalties for improper use**

An employee who violates the terms of this procedure or otherwise misuses the Internet to access or send inappropriate material will be subject to disciplinary action, up to and including discharge. In addition, the privilege of accessing the Internet also will be subject to cancellation for a period of time as determined by the administration. Students who violate the terms of this procedure or who otherwise misuse their access to the Internet also will be subject to disciplinary action in accordance with the District's student behavior code. Internet access privileges also may be cancelled for a period of time as determined by the administration. Violations of the laws of the United States or the State of South Carolina also may subject the user to criminal prosecution. If a user incurs unauthorized costs, the user, as well as the user's parents if the user is a student, will be responsible for all such costs.

#### **Warranty**

The 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 suffered by any user. This includes loss of data resulting from delays, non-deliveries, misdirected deliveries, or service interruptions caused by the system's negligence, 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.

#### **Security**

Security on any computer system is a high priority, especially when the system involves many users. If you believe you have identified a security problem on the network, you must notify a staff member, Network System Administrator, Network System Analyst, or the Executive Director of Technology. Do not demonstrate the problem to other users. Attempts to log on to any network as a system administrator or a person other than the user will result, at a minimum, cancellation of user privileges and other disciplinary action. Any user identified as a security risk or having a history of problems with other computer systems may be subject to severe restriction or cancellation of privileges and other disciplinary action.

#### **User privacy**

The District reserves the right to examine, restrict, or remove any material that is on or passes through its network, just as it does any other work or material generated or brought to school by staff or students. Access to electronic information related to any student or staff member will be governed by the same policies that would apply to that information if it were not in electronic form.

#### **District policies**

All documents on the District's servers must conform to District policies, as well as established school guidelines. Copies of District policies are available in

all school offices. Persons developing or maintaining Web documents are responsible for complying with these and other policies. Some of the relevant issues and related policies include the following:

1. Electronic transmission of materials is a form of copying. As specified in District policy, no unlawful copies of copyrighted materials may be knowingly produced or transmitted via the District's equipment, including its Web server(s).
2. Documents created for the Web and linked to District Web pages will meet the criteria for use as an instructional resource.
3. Any links to District Web pages that are not specifically curriculum-related will meet the criteria established by the administration. Any other non-curricular materials should be limited to information about other youth activities, agencies, or organizations which are known to be non-sectarian, exclusively devoted to community interests or child welfare, non-profit, and non-discriminatory. Web page links may not include entities whose primary purpose is commercial or political advertising.
4. All communications via District web pages will comply with this policy and the student behavior code. Offensive behavior that is expressly prohibited by this policy includes religious, racial, and sexual harassment and/or violence.
5. Any student information communicated via District web pages will comply with District policies on Data Privacy and Public Use of School Records.

#### **Changes in technical standards**

Given the rapid change in technology, some of the technical standards outlined in this policy may require change throughout the year. Such changes will be made by the appropriate District personnel with approval of the Superintendent.



## INSPIRING POSSIBILITIES

[HorryCountySchools.net](http://HorryCountySchools.net) • [Facebook.com/horrycountyschools](https://Facebook.com/horrycountyschools) • [Twitter.com/hcsinfo](https://Twitter.com/hcsinfo) • [Youtube.com/horrycountyschools](https://Youtube.com/horrycountyschools)  
• [Instagram.com/hcsphotos/](https://Instagram.com/hcsphotos/) • [Flickr.com/photos/horrycountyschools](https://Flickr.com/photos/horrycountyschools)

Horry County Schools does not discriminate on the basis of race, religion, color, national origin, sex, disability, age, immigrant status, English-speaking status, or any other characteristic protected by applicable federal or S.C. law in its programs or activities.

For questions regarding the nondiscrimination policies call 843.488.6700, or write:

Horry County Schools,  
335 Four Mile Rd., Conway, SC 29526