

Sumter County School System Student Code of Conduct



Sumter County Board of Education
Livingston, Alabama

Education is the ability to listen to almost anything without
losing your temper or your self-confidence

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The Sumter County School System

We do everything...

The RIGHT Way

Respect for self, others and our system

Responsibility for your choices and their consequences

Readiness to learn and help others

Relentless pursuit of graduation and college entrance

The Sumter County School System is obligated to provide an educational atmosphere in which high performance can be achieved within a framework of high expectations. This task can be achieved only if appropriate amount of time and resources are given to maintaining an environment of discipline conducive to the teaching/learning process.

Parents and students are urged to be supportive of this Code of Conduct and committed to the concept of providing an opportunity to learn in an atmosphere that is free of disruptive behavior.

Table of Contents

Introduction	1
Jurisdiction of the School Board	1
Students Rights and Responsibilities	2
Attendance Policy and Regulations	2
School Absences	4
Mandatory Attendance and Truancy	7
School Related Activities	7
Excessive Absences (Tardy)	8
Extracurricular Activities	10
Student Publications	10
Safe and Drug Free Schools	11
Policy on Prohibited Sexual Harassment	11
Sexual Harassment Complaint Reporting and Resolution Procedures	12
Written Communications	16
Problem Solvers	16
Discipline	17
Appeals	18
Use of Digital Devices During the Administration of a Secure Test	18
Anti-Bullying	18
Reporting Incidents of Bullying	20
Prohibition of Retaliation	22
Forms	23
Anti-Harassment	23
Sumter County Schools Bullying or Harassment Reporting Form	30
Disciplinary Actions Class I Minor Offenses	32
Class I Minor Offenses Disciplinary Actions	33
Disciplinary Actions Class II Intermediate Offenses	34
Class II Intermediate Offenses Disciplinary Actions	36
Class II Disciplinary Actions	37
Class III Major Offenses	38
Exceptional Education Students Major Offenses—Class III	
Class III Minor Offenses Disciplinary Actions	39
Class III Major Offenses Disciplinary Actions	42
Class III Major Offenses Disciplinary Actions	43
Class III Major Offenses Disciplinary Actions	44
Class IV Major Offenses	45

Class IV Major Offenses Disciplinary Actions	45
Disciplinary Actions ****DEFINED****	46
Disciplinary Policy for Students With Disabilities	48
Guidelines of Dress and Grooming	49
Uniform Dress Code	50
Disciplinary Offenses	53
Pertaining to Transported Students	54
Parental Responsibility for Attendance and Behavior	
IT'S THE LAW!	55
BRING YOUR OWN DEVICE (B.Y.O.D.)	57
BRING YOUR OWN DEVICE USE POLICY AND AGREEMENT	60
ACKOWLEGEMENT	61

SUMTER COUNTY PUBLIC SCHOOLS CODE OF STUDENT CONDUCT

Introduction

The belief of the Sumter County Board of Education is that instruction should occur in an environment that is conducive to learning. Effective instruction requires good order and discipline, which may be described as the absence of distraction, friction, and disturbances, which interfere with the effective functioning of the student, class and school. The Board hopes to nurture a friendly, yet businesslike, atmosphere in which students and school personnel work cooperatively toward mutually recognized and accepted goals. Ultimately, the goal of the Board of Education in student discipline is to modify behavior while maintaining a school environment which provides maximum learning opportunities for all students.

As students progress in our public schools, it is reasonable to assume that an increase in age and maturity will result in the students assuming greater responsibility for their own actions. However, the procedures identified in this document shall apply to all students in grades K-12.

JURISDICTION OF THE SCHOOL BOARD

Sumter County School District students and their property are subject to all the rules and regulations of the Sumter County Board of Education during the school day, during school-sponsored activities, while on School Board property and in its facilities, while being transported on school buses to school-sponsored events, field trips, athletic functions and other school-related activities. All regulations and prohibitions also apply to automobiles and other property brought onto Board property. In addition to the foregoing, application of this Code of Student Conduct may be extended to the immediate vicinity of the school and during after-school hours where student conduct could have a detrimental effect on the health, safety and welfare of other students and the school, or where conduct could otherwise disrupt the educational process.

The Code of Student Conduct may be applied to students involved in off-campus conduct or activity which threatens to interfere with the provision of instructional or educational services, to disrupt the school environment, or which otherwise adversely implicates the legitimate educational or administrative interests of the school.

The Sumter County Board of Education may take all necessary action to ensure that all facilities are safe and secure and that this Code of Student Conduct is enforced. Such action may include the inspection and search of Board facilities any property brought onto Board facilities. Students and others may be asked to walk through a metal detection device or

allow a search of personal property during their attendance at any Board-related event or when entering Board property. Any person who refuses will be denied admission to the Board facility and will be required to leave the premises immediately. The Board will also utilize a narcotic detection dog to deter individuals from bringing illegal narcotics onto school property. The dog will be utilized to conduct routine, random searches on school property, school lockers, school classrooms, and school parking area. Anything on or in Board property is subject to inspection by the Board to enforce this Code of Student Conduct and to effectuate its purposes, subject only to any restrictions which may be imposed by federal, state, or local law.

STUDENTS RIGHTS AND RESPONSIBILITIES

- Students are entitled to attend school and to participate in school programs activities in an environment which is conducive to learning and free of distraction and disruption occasioned by the violation of school rules or generally accepted standard behavior.
- Students are entitled to exercise rights secured to them under the First Amendment to the United States Constitution, including the right to freedom of speech, religious expression, and assembly, subject to the imposition of reasonable restrictions on the time, manner and place of such activities.
- Students are expected and required to know and follow the rules of conduct as set forth in this Code of Conduct, to show respect for the person, property and rights of fellow students, faculty and staff, and other persons with whom they come into contact as students, and to attend school in accordance with state law and board policy.

Attendance Policy and Regulations

The Sumter County Board of Education believes that regular school attendance is of crucial importance for educational achievement, that learning experiences that occur in the classroom are essential components of its learning process, that time lost from class tends to be irretrievable in terms of opportunity for instructional interaction, and, therefore, that each student should attend school every day. Regular attendance by students facilitates development of the skills and knowledge necessary to function in a democratic society. Therefore, the Board endeavors to secure, in compliance with Alabama law, the prompt and regular attendance of students and to secure their proper conduct, and to hold their parents, guardians or other persons in charge or control of students responsible and liable for such student's nonattendance and proper conduct.

Compulsory Attendance Age - Code of Alabama 1975 (Section 16-28-3)

Every child between the ages of 6 - 17 must attend a public school, private school, church school or be instructed by a competent private tutor for the entire length of the school term except that every child attending a church school is exempt from the requirements of the *Code of Alabama 1975 (Section 16-28-3)*, provided such child complies with the enrollment and reporting procedure specified in the *Code of Alabama 1975 (Section 16-28-7)* of the code.

A. Attendance

All students must attend school or must be instructed privately unless the student holds a certificate of exemption. In accordance with state law, a student in the following categories may obtain a certificate of exemption by the Superintendent of the Sumter County Board of Education.

1. A person whose physical or mental condition prevents attendance or makes attendance inadvisable. Such physical or mental incapacities must be certified by the County Health Officer or a licensed practicing physician.
2. A person 17 years of age or older.
3. A person who has completed the course of study of the public school of the state as now constituted.

Any student not holding a certificate shall be required to attend. Parents are legally responsible for ensuring that their children attend school as prescribed above. Any parent who does not comply with the compulsory attendance laws may be subject to criminal prosecution.

All other absences are unexcused and will be marked accordingly in the attendance register. If a student's absences exceed five days in a nine week grading period and there is reason to believe the student was not too ill to attend school, the student may be required to submit a doctor's statement verifying the illness in order for him/her to receive credit for the nine weeks grading period. No passing grade for a nine weeks will be given to a student whose unexcused absences exceed three days. Additionally, no passing grade for a semester will be given to any student whose unexcused absences exceed five days for that semester. No passing grade will be given to any elementary student whose unexcused absences exceed ten days in a year.

Ten absences per semester shall be considered the maximum number of absences allowed for students to receive a passing grade in a class or course. Any absences

over ten will be coded unexcused unless there is a verified medical condition or illness that requires additional absences from school. Documentation on this medical condition shall be on file in the school's main office. Attendance in each individual class will be counted to determine if the absence maximum has been exceeded for that class

Absenteeism

An absence is defined as nonattendance in a regularly scheduled class or activity. To be counted present, a student must be present more than 50% of the allotted time period.

School Absences

Regular school attendance is imperative to each child's educational progress. Accordingly, each student is expected to attend school every day school is in session. The Board recognizes that absences from school are sometimes necessary, but absences from school will only be allowed for good and justifiable reasons.

Excuses

In accordance with Alabama law, parents/legal guardians must explain the cause of every absence of students under their control or charge. Every student, upon return to school, must bring a written excuse from home with **two (2) days** following the absence signed by the student's parent/legal guardian for each absence and present it to the Principal or his/her designee. After a total of ten (10) absences in a school year for elementary and middle school students, the parent/legal guardian of student will be required to provide medical or legal documentation for absences to be excused. After a total of five (5) absences in a school year for high school students, the parent/legal guardian of student will be required to provide medical or legal documentation for absences to be excused. All written excuses shall be retained for the remainder of the school year in the Principal's office or other approved location.

B. Written Explanation for All Absences Required

Every student who is absent from school must present to the **school's principal, his/her designee, and teacher** a written explanation or doctor's excuse for the absence. The written explanation/doctor's excuse must be turned in upon the day of return or no more than three days after the absence. After three days, if no written explanation/doctor's excuse is received, the absence is viewed as unexcused. A parent may request from the

principal permission for a student to be absent prior to the date of the absent (Examples: funeral, religious reasons, hospitalization). Any student who is absent and who did not receive permission before the absence(s), must submit a written explanation of the absence(s) from the parent, guardian, or other person having control of the student to school officials upon the student's return to school. **NO THAN FIVE (5) WRITTEN EXPLANATIONS will be accepted per semester.**

The **principal** will have the opportunity to review the written permission request/explanation for the absence to determine whether the absence shall be excused or unexcused. The following are considered permissible reasons to have an absence excused.

LAWFUL (Excused) Absences

When a student must miss school, the parent or legal guardian must supply documentation regarding the reason for the absence to the school upon the student's return to school. Absences are listed as unexcused until documentation is received.

Documentation will not be accepted after thirty (30) days without prior approval from a School Administrator or the Attendance Team.

All student absences shall be designated as either excused or unexcused. In accordance with Alabama law, a student shall be excused for an absence from school for any one of the following reasons:

- Student illness/hospitalization;
- Death in the immediate family;
- Inclement weather which would be dangerous to the life or health of the student to attend school as determined by the Principal;
- Legal quarantine
- Prior permission of the Principal and consent of the parent/legal guardian;
- Emergency conditions as determined by the Principal or Superintendent;
- Absence to observe traditional religious of a local, national, or international origin when verified by the student's minister or religious leader;
- Medical/dental appointment (if possible schedule appointments after 12:00 P.M.)
- Participation under subpoena as a witness in a court proceeding
- Participation in a valid educational opportunity, such as travel or service as a legislative or Governor's page, with prior approval from the Principal
- Pregnancy and related conditions or parenting, when medically necessary.

Absence for reasons other than those defined above shall be considered as unexcused. Any student seventeen (17) years of age or older who has not

registered within five (5) school days of the beginning of a new school term will be denied admission unless extenuating circumstances are approved by the Superintendent or his/her designee. An exception can be made for a special education student in an Individualized Education Program (IEP) meeting.

In the case of excused absences and short-term out-of-school suspensions, the student will be permitted to make up any tests or other work missed. The teacher will determine when work is to be made up.

The student is responsible for finding out what assignments are due and completing them within the specified time period.

All other absences are unexcused and will be marked accordingly in the attendance register. If a student's absences exceed five days in a nine week grading period and there is reason to believe the student was not too ill to attend school, the student may be required to submit a doctor's statement verifying the illness in order for him/her to receive credit for the nine weeks grading period. No passing grade for a nine weeks will be given to a student whose unexcused absences exceed three days. Additionally, no passing grade for a semester will be given to any student whose unexcused absences exceed five days for that semester. No passing grade will be given to any elementary student whose unexcused absences exceed ten days in a year.

Ten absences per semester shall be considered the maximum number of absences allowed for students to receive a passing grade in a class or course. Any absences over ten will be coded unexcused unless there is a verified medical condition or illness that requires additional absences from school. Documentation on this medical condition shall be on file in the school's main office. Attendance in each individual class will be counted to determine if the absence maximum has been exceeded for that class.

UNLAWFUL (UNEXCUSED) ABSENCES

For students who are entitled to attend public school and who have enrolled in a public school, unlawful absence is defined as:

- A student's willful absences from school with or without the knowledge of the parent;
- A student's absence from school for any reason other than those listed under "Lawful Absences"; or
- When students are not permitted to attend school because they lack proper immunization.

The principal or principal's designee must notify the parent, guardian, or custodian of his/her child's excessive absences after the child has accumulated three unlawful absences in a school year. After not more than six (6) unlawful absences, the principal or principal's designee must notify the parent, guardian, or custodian by mail that he or she may be in violation of the Compulsory Attendance Law and may be prosecuted if the absences cannot be justified under the established attendance policies of the State and local boards of education.

MANDATORY ATTENDANCE AND TRUANCY

Unexcused absences may include any reasons not covered above. Students are considered truant after the tenth (10th) unexcused absence. Upon the tenth (10th) unexcused absence, a conference is required to develop an attendance improvement plan. Truancy charges may be filed against the student, the parent, or both if unexcused absences continue.

After 10 accumulated unexcused absences in a school year, the principal or the principal's designee shall review any report or investigation and shall confer with the student and the student's parent, guardian, or custodian, if possible, to determine whether the parent, guardian, or custodian has received notification pursuant to this section and made a good faith effort to comply with the law. If the principal or principal's designee determines that the parent, guardian, or custodian has not made a good faith effort to comply with the law, the principal may notify the district attorney and the director of social services of the county where the child resides.

SCHOOL RELATED ACTIVITIES

All classroom activities are important and difficult, if not possible to replace if missed. Principals shall ensure that classes missed by students due to school-related activities are kept to an absolute minimum. The following school-related activities will not be counted as absences from either class or school:

1. Field trips sponsored by the school or Sumter County School District;
2. School approved job shadows and other work-based learning opportunities (prior approval by principal)
3. School-initiated and scheduled activities;
4. Athletic events that require early dismissal from school;
5. Career and Technical Education student organization activities approved in advance by the principal; and
6. Completions of Alternative School Program. Assignments missed for these reasons are eligible for makeup by the student. The teacher will determine when work is to be made up. **The student is responsible for finding out what assignments are due and completing them within the specified time period.**

EXCESSIVE ABSENCES (TARDY)

Class attendance and participation are critical elements of the educational process and may be taken into account in assessing academic achievement. **Students are expected to be at school on time and to be present at the scheduled starting for each class.**

Students who are excessively tardy to school or class may be suspended for up to two (2) days for such offenses. The principal shall notify parents and take all other steps required for excessive absences.

Each principal will establish a school attendance team to monitor school-wide attendance and design interventions to reduce individual student excused and unexcused absences. Schools will collect and review data regularly to make decisions about individual interventions, targeted group interventions, and school-wide incentives for improved attendance. If a student is absent from school for five (5) or more days in a semester, the attendance committee shall consider whether a specific plan to improve attendance is necessary.

The principal or committee shall review other measures of academic achievement, the circumstances of the absences, the number of absences, and the extent to which the student completed missed work when developing a plan. Interventions could include: 1) parent education/counseling sessions; 2) individual/student counseling; 3) referral to appropriate community agencies; 4) positive behavior supports for students and parents; and 5) assigned time to make-up missed work. Students may be required to attend afterschool, Saturday School (high school level), or summer school to make up missed days.

Noncompliance of Attendance and Loss of Credit (Grades 9-12)

Students enrolled in grades 9 - 12 who are absent from one (1) or more courses for 10 consecutive days for unexcused reasons or 15 days total for unexcused reasons during a full-credit, two-term (18 week) course, shall be denied credit for the course(s) in which the unexcused absences have occurred. These students will receive Noncompliance/No Credit (NC) designation on all records. Students enrolled in grades 9 - 12, who are absent from one (1) or more courses for 5 consecutive days for unexcused reasons for 8 days total for unexcused reasons during a half-credit, one-term (9 weeks) course, will be denied credit for the course(s) in which the unexcused absences have occurred. They will receive a Noncompliance/No Credit (NC) designation on all records. Further, students 17 years or older will be withdrawn from school for the remainder of the term if they are absent from school 10 consecutive days for unexcused reasons or 15 days total for unexcused reasons during a term. An exception may be made for a special education student in an Individualized Education Plan (IEP) meeting. An appeal may be made in writing to the local school principal within three (3) days from the date of notification of the loss of

credit. The decision of the local school Principal may be appealed to the Superintendent or his/her designee in writing within three (3) days after the hearing at the local school.

Student Absences and Participation in School Activities

Students who are away from school because of participation in official school sponsored activities shall be marked present and allowed to make up missed work. Students who are absent from school for an excused or unexcused reason shall NOT be allowed to participate in any school extracurricular or co-curricular activities that day (athletic contest, cheerleading, band, scholars' bowl, beauty walk, etc.).

Truancy

Truancy is the habitual and unlawful absence from school. In accordance with the *Code of Alabama*, the parent/guardian is responsible for requiring any student under his/her control or charge and under 17 years-of-age to attend school (Policy 5.43).

Early Warning Truancy Prevention Program

The Early Warning Truancy Prevention Program (EWTPP) requires that a weekly report be submitted to the Student Services department for all students between the ages of 6 and 17 having unexcused absences. It further recommends that the parent/legal guardian be notified of their child's third unexcused absence. Upon the occurrence of a fifth unexcused absence, the parent/legal guardian and student are required to attend a EWTPP conference. At the conference, the parent/legal guardian and student are informed of the State's compulsory attendance laws, court procedures, and consequences of further unexcused absences (Policy 5.43).

Any student who accumulates excessive absences in any course will not receive credit for that particular course. A student may not exceed ten (10) unexcused absences per semester. If the maximum number of absences is exceeded, credit for that course may be allowed only if the superintendent or his/her designee determines that the excessive absences were due to medical reasons as certified in writing by a licensed physician. Moreover, in such

cases the superintendent or his/her designee may require additional documentation relating to absences and may require the student to make arrangements for alternative educational instruction through a Board-recognized program. All decisions of the superintendent shall be final. On the other hand, if the exceeded absences are not verified by a licensed physician or superintendent, the student has failed that semester.

E. Makeup Work/Assignments

A student shall have the opportunity to **make up** examination(s) or assignment(s) that occurred **during an excused absence**. Makeup work must be completed as soon as possible after returning to school. **It shall be the responsibility of the student or the student's parent(s) or guardian to arrange with each teacher to make up work.** A teacher may require the student to make up work after school hours, in which case advance notice will be given to allow the student to arrange for necessary transportation.

EXTRACURRICULAR ACTIVITIES

Extracurricular activities are organized and supervised activities conducted under the authority of the school system or an element thereof. These activities primarily involve students in programs other than a classroom situation, and for which **no credit** separate from an approved course, shall be given **towards graduation**. For example, extracurricular activities may include, but not limited to, athletics, school clubs, scholastic teams, musical activities, theatrical activities, student government, student publication, and other activities.

Participation in extracurricular activities is a privilege for students and is not a matter of right. Student participation in extracurricular activities may be restricted for any reason in accordance with state, federal and local law.

STUDENT PUBLICATIONS

School-sponsored publications may be used as educational devices developed as part of the curriculum, primarily to benefit those who compile, edit, and publish them. School publications may also be extra-curricular activities.

Student publications may offer students the opportunity to share a variety of viewpoints; however, all publications must conform to the basic educational goals of the school. Accordingly, local school officials will retain final editorial control over the style and content of the publication and may govern the time, place, and manner of the distribution of the publication. No publication that causes substantial disruption of or interferes with school activities, school affairs, or the lives of others, will be allowed.

SAFE AND DRUG FREE SCHOOLS

The Sumter County School System is committed to providing a learning environment free from alcohol, drugs, controlled substances, and weapons. This Code of Conduct includes substances consequences for those who violate its provisions relating to drugs, alcohol, controlled substances, and weapons. The Board's policy is "**zero tolerance.**" The Board is sympathetic to assisting parents with the dispensing of both prescription and non-prescription/over-the-counter medications. Specific instructions concerning the dispensing of medications are available at the local schools. Failure to follow the local school directives can result in the student being disciplined under the Class III section of the Student Code of Conduct. **The possession, use, sale, attempted sale, attempted possession or any other involvement with drugs, alcohol, controlled substances, or weapons will not be tolerated** and will subject the violating individual to immediate disciplinary action, up to and including, expulsion. Violation of Board and State policies, rules, and regulations involving drugs, alcohol, controlled substances, weapons, or physical harm to persons may subject the student, parent, or other individual to criminal charges and restriction from entering the public schools of the State of Alabama. In accordance with state law, the Board also strictly prohibits an individual from bringing firearms to Board facilities or the possession of firearms in a Board facility, on Board property, on school buses, at Board or school-sponsored functions, or at any Board or school-related activity. Any violation regarding firearms will result in intervention by appropriate law enforcement authorities and may also result in expulsion of the student from the school system.

POLICY ON PROHIBITED SEXUAL HARASSMENT

As a type of unlawful sex discrimination, and as conduct that is inherently inappropriate in the educational setting, sexual harassment in all forms is prohibited in facilities, at functions, and programs owned, operated, or sponsored by the Sumter County Board of Education. Employees, students, and others who are harassed or who may have been sexually harassed are encouraged to reporting and complaint procedures approved by the Board. No adverse action will be taken against any employee or student making a good faith report or allegation of sexual harassment. Following appropriate investigation, any employee found to have engaged in prohibited sexual harassment will be subject to disciplinary sanctions, including suspension or termination, and the Board will implement any additional corrective or remedial measures deemed appropriate under the circumstances.

Sexual harassment consists of un-welcomed sexual advances, requests for sexual favors, and any other physical or verbal conduct of a sexual nature when:

1. Submission to such conduct or communication is made a term or condition (either explicitly or implicitly) of employment, educational opportunity or other benefits provided by the school system;

2. Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual's employment, educational opportunities, or other benefits provided by the school; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working, learning or educational environment.

The following are examples of conduct that may constitute sexual harassment, depending on individual circumstances.

1. Verbal harassment or abuse of a sexual nature, including graphic comments, the display of sexually suggestive objects or pictures, and sexual propositions;
2. Repeated unwelcome solicitation of sexual activity or sexual contact;
3. Unwelcome, inappropriate sexual touching;
4. Demands for sexual favors accompanied by implied or overt promises of preferential treatment or threats with regard to an individual's employment or educational status.

Information about complaint reporting and resolution is available from the Superintendent or the Director of Compliance.

SEXUAL HARRASSMENT COMPLAINT REPORTING AND RESOLUTION PROCEDURES

The following complaint reporting and resolution procedures apply to instances of actually suspected sexual harassment as defined and prohibited by law and Board policy.

A. EMPLOYEE COMPLAINT RESOLUTION PROCEDURE

1. Reporting Harassment

Any employee with reason to believe that he or she has been or is being subjected to any form of sexual harassment should immediately report the matter to his or her supervisor. The employee may choose to make his or her report of sexual harassment to a supervisor of the same sex as the employee. An employee may also choose to report any incident directly to the Director of Compliance to the Office of the Superintendent. Under no circumstances shall an employee be required to present a complaint for investigation or resolution to the person who is alleged to have committed the harassment.

2. **Informal Complaints**

Informal complaints of sexual harassment may be submitted to the employee's supervisor for resolution at the local level. The supervisor may investigate and attempt to resolve the matter without resorting to formal procedures. However, the supervisor should inform the Director of Compliance when informal complaint is submitted. If the complaint is not resolved to the satisfaction of the complaining employee, the employee should contact the Director of Compliance to initiate formal complaint procedures.

3. **Formal Complaints**

- a. **Parents Responsible For Receiving and Investigation of Formal Complaints.** The Director of Compliance/Title IX Coordinator is the primary school official responsible for receiving formal complaints regarding sexual harassment. If the Director of Compliance is unavailable or is the subject of the complaint, the complaint should be presented to the Superintendent.
- b. **Filing the Complaint.** All formal complaints of sexual harassment should be submitted to the Director of Compliance. Because an accurate record of the charges is required to fully investigate a complaint, the complaint should fully describe the circumstances surrounding the alleged harassment, and should be signed by the complainant. Under appropriate circumstances (e.g., disability, illiteracy, etc.), the Director of Compliance may assist the complainant in reducing the complaint to writing.
- c. **Investigation.** After a formal complaint is received, Board representatives should promptly investigate the complaint, may review the results of any investigation with appropriate administrators, legal counsel, or other officials, should prepare factual findings, and, if appropriate, recommend action on the basis of the investigation and findings. The complaining party will be informed of the disposition or recommend disposition of the complaint.
- d. **Review by Superintendent or Board of Education.** If the complainant is not satisfied with the action proposed to be taken in response to a complaint, he or she may request that the Superintendent further review the complaint, or present it to the Board of Education for review and action. The Board will render a final decision on any appeal it considers as soon as is practicable.

B. STUDENT COMPLAINT RESOLUTION PROCEDURE

1. **Reporting Harassment**

Any student who believes that he or she has been or is being subjected to any form of sexual harassment or has knowledge of sexual harassment involving other students should promptly report the matter to a teacher, counselor, assistant principal, or other school officials, who, in turn, should promptly apprise the Director of Compliance of the reported incident. A student may choose to make his or her report for sexual harassment to a person of the same sex as the student. Complaints may be brought on a student's behalf by a parent, guardian, teacher, or other school official. Under no circumstances shall a student be required to present the matter for investigation or resolution to the person who is alleged to have committed the harassment.

2. Local Investigation and Resolution

Some cases are most appropriately resolved by investigation and disposition at the school site in accordance with applicable disciplinary guidelines. In such cases, the principal may investigate and attempt to resolve the matter without resorting to or other complaining party, the student or his representative should contact the Director of Compliance immediately.

3. Formal Complaints

- a. Persons Responsible For Receiving and Investigating of Formal Complaints.** The Director of Compliance is the primary school system official responsible for receiving formal complaints of sexual harassment. If the Director of Compliance is unavailable or is the subject of the complaint, the student may present the complaint to the Superintendent or other official designated by the Superintendent for that purpose.
- b. Filing the Complaint.** All formal complaints of sexual harassment should be submitted to the Director of Compliance. Because an accurate record of the charges is required to fully investigate a complaint, the complaint should fully describe all circumstances giving rise to the complaint and be signed by the complainant. Under no circumstances (e.g., disability, illiteracy, etc.), the Director of Compliance may assist the complainant in reducing the complaint to writing.
- c. Investigation.** After a formal complaint is received, the Board's representatives should promptly investigate the complaint, may review the results of any investigation with appropriate administrators, legal counsel, or other officials, should prepare factual findings and, if appropriate, recommend action based on the investigation and findings. The complaining party or his/her representative will be informed of the disposition or recommended disposition of the complaint.
- d. Review by superintendent or Board of Education.** If the complainant is not satisfied with the action proposed to be taken in response to a complaint, he or she may request that the Superintendent further review the complaint. If necessary, the Superintendent to the

Board of Education for further review and action. The Board will render a final decision on any appeal it considers as soon as is practicable.

C. CONFIDENTIALITY

To the extent practical, all reports of sexual harassment should be kept confidential. Complete confidentiality cannot be guaranteed.

D. RETALIATION PROHIBITED

Any form of retaliation or adverse action taken in response to a good faith report of sexual harassment is expressly prohibited.

E. PROVIDING FALSE INFORMATION

Any Board employee who falsely, and in bad faith, accuses another of sexual harassment, or who otherwise knowingly provides false information regarding sexual harassment, may be subject to appropriate disciplinary action, up to and including termination. Any student who falsely, and in bad faith, accuses another of sexual harassment, or who otherwise knowingly provides false information regarding sexual harassment, may be subject to disciplinary action in accordance with the Student Code of Conduct.

F. PENALTIES FOR VIOLATION

1. **Employees.** Any employee who sexually harasses a student, employee, or other person in violation of the Board's sexual harassment policy, or who impedes or refuses to cooperate with a Board investigation into allegations of sexual harassment, will be subjected to appropriate disciplinary action up to and including termination.
2. **Students.** Any student who sexually harasses another student or person in violation of the Board's sexual harassment policy, or who refuses to cooperate with a Board investigation into allegation of sexual harassment, will be subjected to punishment in accordance with the Student Code of Conduct.

G. DIRECTOR OF COMPLIANCE.TITLEIX COORDINATOR

The Director of Compliance/Title IX Coordinator may be reached at the following address:

**Sumter County Board of Education
P. O. Box 10
Livingston, Alabama 35470
(205) 652-2271**

The foregoing procedures are intended to provide an effective means of enforcing the Sumter County Board of Education's strict prohibition against sexual harassment and to facilitate the reporting, processing, and resolution of sexual harassment complaints. Accordingly, they may be flexibly applied as appropriate and necessary to serve their intended purpose, and are not intended to limit the right or authority of the Sumter County Board of education to address or respond to complaints of sexual harassment or related misconduct.

WRITTEN COMMUNICATIONS

The Sumter County Board of Education and its employees may notify parents, guardians and students of information through written communications or phone using webcast. Although the Board may elect to use various methods of providing those communications to parents and guardians, it is the ultimate responsibility of each student to notify his or her parent or guardian of all written communications provided to him or her by the Board or a school. A failure to do so may result in disciplinary action against the student.

PROBLEM SOLVERS

The Sumter County Board of Education utilizes a grievance procedure called "Problem Solvers." Most situations are more appropriate for informal conciliation at the local school level. Accordingly, parents, students and other individuals are expected to attempt to resolve problems at the local level by dealing with instructors and administrative staff. If there is any parent, student, or other individual who is not satisfied with the local school resolution or is otherwise unable to resolve the problems at the local level, may utilize the Board's Problem Solver Procedure as a means of appeal or formal complaint. This appeal will go directly to the Board's Hearing Officer. Problem Solvers must be written and submitted on the Board's Problem Solver form to the Board's Hearing Officer within thirty (30) days of the action that has given rise to any complaint, or it will not be considered. For further information on the Problem Solver Process, contact the Board's Hearing Officer:

**Sumter County Board of Education
P. O. Box 10
Livingston, Alabama 35470
(205) 652-2271**

DISCIPLINE

Violations of the Sumter County Board of Education's Code of Student Conduct are generally grouped into three classes: **Minor Offenses (Class I), Intermediate Offenses (Class II) and Major Offenses (Class III)**. The disciplinary procedures for each class may be different, depending on the recommended action which is to be taken.

Some problems are best handled by classroom personnel without resorting to the more formal procedures contained within this Student Code of Conduct. Accordingly, each classroom teacher may deal with general classroom disruption by taking in-class disciplinary action, by making oral (Ex: Phone Call), or written contact with the child's parent or guardian, when feasible, and by scheduling conferences with parents, guardians and other school staff. If the action taken by the teacher is ineffective or the disruption is, in the teacher's judgment, sufficiently severe, the student may be referred to the school's disciplinary team, the principal or his or her designee.

When a student is referred to the principal or his or her designee, the principal will then, through investigation, have the discretion to determine the nature and classification of the offense committed by the student. Each student will be allowed to provide an explanation—to admit or refuse any charges—prior to any final disciplinary action taken after a timely investigation by the principal or designee.

For any offense which an in-school parental conference is required, it is the parent's or guardian's responsibility to make arrangement for the conference within twenty-four (24) hours of being notified of the problem. No student will be allowed to return to school until the parent or guardian conference is held.

For offenses which are being investigated as a Class III offense, the principal or designee should apprise the student of the suspected or pending charges and should provide the student with an opportunity to admit or refute those charges. This procedure is called a "Disciplinary Hearing". It should be noted that any statement the student makes may be used to prove the student's culpability regarding the charge. Any charges involving school, drugs, weapons, aggressive behavior, or suspected crime may result in intervention by law enforcement authorities or by the Department of Human Resources. Any dangerous or illegal items maybe confiscated and turned over to law enforcement authorities immediately.

Following the disciplinary hearing, investigation, and review of the facts surrounding the charge, if the principal or his/her designee finds the student to be guilty of the charges scheduled under Class III Offenses, the student will be suspended, pending a hearing at the Sumter County Board of Education's Hearing Officer's Department. The administrative hearing officer will determine whether a student is guilty of the charge/charges and the appropriate disciplinary action which should be taken if a student is found to have committed the offense charge.

All suspensions subject to an administrative hearing will remain in full force and effect until either an administrative hearing is held or the student is expelled. School officials must contact the Hearing Officer and should forward a copy of the Due Process Referral Form for Class III Offenses and other pertinent information to the Hearing Officer. The hearing officer will contact the parents within five (5) days of the referral.

APPEALS

Students charged and disciplined under Class I and Class II procedures will not have the right to appeal any decision beyond the local school level. However, students charged under the Class III schedule may request an appeal of the decision of the local school to the Hearing Officer. Appeal options may be discussed with the Hearing Officer at that time. However, the suspension will remain in effect until the matter is resolved.

USE OF DIGITAL DEVICES DURING THE ADMINISTRATION OF A SECURE TEST

Student Policy

The possession of a digital device (including but not limited to cell phones, MP3 players, cameras, or other telecommunication devices capable of capturing or relaying information) is strictly prohibited during the administration of a secure test. If a student is observed in possession of a digital device during the administration of a secure test, the device will be confiscated.

If a student is observed using a digital device during the administration of a secure test, testing for the student will cease, the device will be confiscated and is subject to search, the student will be dismissed from testing, and the student's test will be invalidated.

The Sumter County Board of Education personnel will make all students, parents, and/or guardians aware of this prohibition through inclusion of this policy in the Student Code of Conduct Handbook and other regularly used modes of communication including the system's web page.

ANTI-BULLYING

The Sumter County Board of Education is committed to protecting its students from **bullying**, cyber-stalking or cyber-**bullying** (use of any online links). Students cannot be

expected to reach their full academic potential in an environment of fear and intimidation. All schools in the Sumter County School District have an obligation to provide a safe, healthy, and positive learning environment for their students and to promote mutual respect, tolerance and acceptance among students, staff, and volunteers.

EXPECTED BEHAVIOR

Students are expected to treat each other with courtesy, respect and dignity, and to comply with Board policies. Students are to refrain from conduct that may humiliate, ridicule, defame, demean, or intimidate other students, or place them in fear of being subjected to violence, injury, harm to his or her person, or damage to his or her property.

PROHIBITED BEHAVIORS

The District expressly prohibits the **bullying**, harassing, or intimidating of any student, by any means or method, at school, on school property, or at school-related functions; while traveling to or from school on a school bus; off-campus when the behavior results in a disruption to the school environment; or by use of data or software that is accessed through a District computer, computer system, computer network, or other electronic technology of the District.

Examples of prohibited behaviors include but are not limited to:

- Verbal assaults such as unwanted teasing or name-calling;
- Threats, taunts and intimidation through words and/or gestures;
- Direct physical contact such as hitting or shoving;
- Physical violence and/or attacks;
- Destruction of school or personal property;
- Any form of electronic **bullying** or **cyber-bullying** using school equipment, school networks, or e-mail systems, personal cell phones and/or other electronic devices which are prohibited by state law;
- Theft of money and/or personal possessions for the purpose of **bullying**, harassing, or intimidating;
- Harassment or intimidation motivated by any actual or perceived characteristic including race, color, ethnicity, religion, gender, gender identity, sexual orientation, ancestry, national origin, physical attributes, socioeconomic status, physical or mental ability or disability, or by any other distinguishing characteristic;
- Public humiliation;
- Social isolation;

- Extortion or manipulation, including incitement and/or coercion;
- Rumors or spreading of falsehoods;
- Stalking;
- **Cyber-stalking** or engaging in conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at or about a specific person, causing substantial emotional distress to the victim;
- **Cyber-bullying** or the willful, hostile and repeated harassment and intimidation of a person through the use of digital technologies, including, but not limited to, email, blogs, social networking websites (*e.g.*, MySpace, Facebook, etc.), chat rooms, texts, and instant messaging;
- The use of cameras or camera phones to take embarrassing photographs of students or school employees and distributing them to others or posting them online;
- Sending abusive or threatening text messages or instant messages; and
- Using websites to circulate gossip and rumors to other students.

All staff, students, and parents or guardians will receive a summary of this policy prohibiting **bullying** at the beginning of the school year as part of the *Student Code of Conduct*.

REPORTING INCIDENTS OF **BULLYING**

Bullying may be reported by a student, parent, guardian, or other stakeholder to an administrator, teacher, counselor, or other staff member at the student's school. At the option of the person reporting the incident, the report may be made either by name or anonymously and either verbally or in writing. Reports of **bullying** also may be made by calling or emailing the Director of Compliance at 205/652-9605.

Any employee to whom **bullying** is reported must promptly document the report and forward it to the principal or designee. Any employee who witnesses an incident of **bullying** or who otherwise learns that a student is being bullied must promptly submit a written report to the principal or designee. The principal or designee shall ensure that proper documentation is maintained throughout the investigation and resolution of the matter.

If the reporting student or the parent or guardian of the student feels that the school is not taking appropriate steps to investigate or address the problem even after consulting the

school principal, the student or the parent or guardian should contact the Director of Compliance or Superintendent.

Students who believe that another student at their school is being bullied are urged to inform a teacher, counselor, administrator or other staff member.

The District prohibits retaliation against any person who reports **bullying** or participates in an investigation of **bullying**. Schools shall keep reports of **bullying** confidential to the extent consistent with a thorough investigation.

An employee who fails to comply with the requirements of this policy may be subject to administrative disciplinary action.

RESPONDING TO INCIDENTS OF BULLYING

School staff are expected to intervene immediately when they see a **bullying** incident occur or upon receipt of any report of **bullying**. The following actions will be taken when **bullying** is reported:

1. Investigation

Upon receipt of any report of **bullying**, the principal or designee will direct an immediate investigation involving appropriate personnel. The investigation should begin no later than the following school day. The investigation shall include interviewing the alleged perpetrator(s), victim(s), identified witnesses, teacher(s), and staff members and reviewing video surveillance, if available. School resource officers, school counselors, and other support staff should be utilized for their expertise as determined by the circumstances of the matter. The school shall keep confidential the results of the investigation.

2. Notification

At an appropriate time during or after the investigation, the parent or guardian of both the accused and the victim must be notified. If the incident involves an injury or similar situation, appropriate medical attention should be provided, and the parent or guardian should be notified immediately.

3. Disciplinary Action

Any student in violation of this policy will be subject to appropriate disciplinary action which may include any sanction, penalty or consequence that is available to school officials under the *Student Code of Conduct*. In determining the appropriate disciplinary action consideration will be given to the record of the incident as a whole and to the totality of the circumstances, including the age, maturity level, and prior disciplinary history of the alleged offender during the current year. If circumstances warrant, the school system, in its discretion, may report violations of this policy to the Sumter County Sheriff Department,

to applicable city police, or Juvenile Court. Punishment shall conform to applicable federal and state laws as well as school discipline policies as set forth in the *Student Code of Conduct*. **DISCIPLINARILY TEAM MUST MAKE SURE TO HAVE ALL DOCUMENTATION.**

4. Follow-Up

Follow-up is important to the accused and the victim. Each school must implement a planned method to provide after-care and follow-up and to reiterate to the school community the previously stated prohibition on retaliation. If necessary, counseling and other interventions should also be provided to address the social-emotional, behavioral, and academic needs of students who are victims of **bullying** and students who commit an offense of **bullying**.

PROHIBITION OF RETALIATION

The Sumter County Board of Education encourage students, faculty, and staff to express freely, responsibly, and in an orderly way opinions and feelings about any problem or complaint of **bullying**, cyber-**bullying** or cyber-stalking. Retaliation against persons who oppose or complain about **bullying**, cyber-**bullying** or cyber-stalking is strictly prohibited. Retaliation is any action that has the effect of punishing a person for engaging in legally protected activity, such as alleged **bullying**, cyber-**bullying** or cyber-stalking, making a complaint regarding or assisting in an investigation of **bullying**, cyber-**bullying** or cyber-stalking. Examples of retaliatory actions include harassment, intimidation, threats, coercion, or action that would dissuade a reasonable person from filing a complaint or participating in an investigation of **bullying**, cyber-**bullying** or cyber-stalking.

Students and employees are protected against retaliation for his or her opposition to **bullying**, cyber-**bullying** or cyber-stalking as long as they have a reasonable and “good faith” belief that the complaint of conduct constitutes **bullying**, cyber-**bullying** or cyber-stalking, even if it turns out the complainant was mistaken as to the legality of the conduct. It is a violation of the Sumter County Board of Education’s policy to retaliate against the complainant(s), respondent(s), witnesses or others involved in the review of such complaints. Any student, staff or faculty member who retaliates against another student in violation of the Sumter County Board of Education’s anti-**bullying** policy is subject to disciplinary action.

However, it is expected that this policy shall not be used to bring frivolous or malicious complaints against students, faculty or others. If a complaint has been made in bad faith, as demonstrated by clear and convincing evidence, disciplinary action may be taken against the person bringing the complaint.

Persons who believe they have been retaliated against in violation of this policy should report the incident(s) to their principal or school counselor. If the person believes for any reason they cannot effectively communicate their concern through the building principal or counselor, they can address the matter directly with the Superintendent or Superintendent's Designee. Complaints of retaliation will be immediately investigated using the same procedure established for the investigation of complaints of **bullying**, cyber-**bullying** or cyber-stalking set forth in this Policy.

FORMS

This policy and any procedures, rules, and forms developed and approved to implement the policy will be published, disseminated, and made available to students, parents and legal guardians and employees by publication on the Sumter County Board of Education's website and inclusion in the Board policy and the *Student Code of Conduct*. Copies of both the *Student Code of Conduct* and the Board Policy will be available in the principal's office and library of each local school, the office of the Director of Compliance, and the Superintendent's office.

ANTI-HARASSMENT

The Sumter County Board of Education is committed to protecting its students and teachers from **harassment**, violence, threats of violence, and intimidation. The Board believes that all students and teachers are entitled to a safe, harassment free school environment in which both students and teachers can realize their maximum potential and engage fully in the learning/teaching process. Conduct that constitutes **harassment**, violence, threats of violence, or intimidation, as defined herein is prohibited.

EXPECTED BEHAVIOR

Students are expected to treat each other with courtesy, respect, and dignity, and to comply with Board policies. Students are to refrain from conduct that may humiliate, ridicule, defame, demean, or intimidate other students, or place them in fear of being subjected to violence, injury, harm to his or her person, or damage to his or her property.

PROHIBITED CONDUCT

No student shall be subjected to **harassment**, violence, threats of violence, or intimidation, by employees, students or third parties, on school property, or on a school bus, while waiting for or departing from a school bus, or at a school-sponsored function or event. Any student who violates this policy will be subject to appropriate disciplinary action which may include any sanction, penalty or consequence that is available to school officials under the Student Code of Conduct. Any employee who violates this policy shall be subject to appropriate disciplinary action in accordance with Board policy and state and federal law.

Violence, threats of violence, **harassment**, and intimidation are prohibited and will be subject to disciplinary consequences and sanctions if the perpetrator of such action is found to have acted based on one or more of the following personal characteristics of the victim of such conduct:

- race
- color
- gender
- religion
- national origin
- disability
- age
- ethnicity
- genetic information
- pregnancy, childbirth or related medical condition
- socio economic status
- family background
- linguistic preference
- sexual orientation

- marital status
- political beliefs; or
- physical appearance

A. **“Harassment”** means a continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school sponsored function, including but not limited to, written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic and if the characteristic falls into one of the categories of personal characteristics aforementioned in this policy. To constitute **harassment**, a pattern of behavior may do any of the following:

- place a student in reasonable fear of harm to his or her person or damage to his or her property;
- have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student;
- have the effect of substantially disrupting or interfering with the orderly operation of the school;
- have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function; or,
- have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment for a student.

B. **“Violence”** means the infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.

C. **“Threat of Violence”** means an expression of intention to inflict injury to another student or damage to the property of another student with the apparent ability to carry out that threat.

D. **“Intimidation”** means a threat or other action that is intended to cause fear or apprehension in a student, especially for the purpose of coercing or deterring the student from participating or taking advantage of any school program, benefit, activity or opportunity for which the student is or would be eligible.

REPORTING INCIDENTS OF HARASSMENT

Harassment may be reported by a student, parent, guardian, or other stakeholder to an administrator, teacher, counselor, or other staff member at the student's school. At the option of the person reporting the incident, the report may be made either by name or anonymously and either verbally or in writing. Reports of harassment also may be made by emailing or calling the Superintendent at 205/652-9605.

Any employee to whom harassment is reported must promptly document the report and forward it to the principal or designee. Any employee who witnesses an incident of harassment or who otherwise learns that a student is being harassed must promptly submit a written report to the principal or designee. The principal or designee shall ensure that proper documentation is maintained throughout the investigation and resolution of the matter.

If the reporting student or the parent or guardian of the student feels that the school is not taking appropriate steps to investigate or address the problem even after consulting the school principal, the student or the parent or guardian should contact the Superintendent.

Students who believe that another student at their school is being harassed are urged to inform a teacher, counselor, administrator or other staff member.

The District prohibits retaliation against any person who reports harassment or participates in an investigation of harassment. Schools shall keep reports of harassment confidential to the extent consistent with a thorough investigation.

An employee who fails to comply with the requirements of this policy may be subject to disciplinary action, up to including termination of employment.

RESPONDING TO INCIDENTS OF HARASSMENT

School staff are expected to intervene immediately when they see a harassment incident occur or upon receipt of any report of harassment. The following actions will be taken when harassment is reported:

1. Investigation

Upon receipt of any report of harassment, the principal or designee will direct an immediate investigation involving appropriate personnel. The investigation should begin no later than the following school day. The investigation shall include interviewing the alleged perpetrator(s), victim(s), identified witnesses, teacher(s), and staff members and reviewing

video surveillance, if available. School resource officers, school counselors, and other support staff should be utilized for their expertise as determined by the circumstances of the matter. The school shall keep confidential the results of the investigation.

2. Notification

At an appropriate time during or after the investigation, the parent or guardian of both the accused and the victim must be notified. If the incident involves an injury or similar situation, appropriate medical attention should be provided, and the parent or guardian should be notified immediately.

3. Disciplinary Action

Any student in violation of this policy will be subject to appropriate disciplinary action which may include any sanction, penalty or consequence that is available to school officials under the Student Code of Conduct. In determining the appropriate disciplinary action consideration will be given to the record of the incident as a whole and to the totality of the circumstances, including the age, maturity level, and prior disciplinary history of the alleged offender during the current school year. If circumstances warrant, the school system, in its discretion, may report violations of this policy to the Sumter County Sheriff Department, or to applicable city police department or Juvenile Court. Punishment shall conform with applicable federal and state laws as well as school discipline policies as set forth in the Student Code of Conduct.

4. Follow Up

Follow up is important to the accused and the victim. Each school must implement a planned method to provide after-care and follow up and to reiterate to the school community the previously stated prohibition on retaliation. If necessary, counseling and other interventions should also be provided to address the social-emotional, behavioral, and academic needs of students who are victims of harassment and students who commit an offense of harassment.

PROHIBITION OF RETALIATION

The Sumter County Board of Education encourage students, faculty, and staff to express freely, responsibly, and in an orderly way opinions and feelings about any problem or complaint of harassment. Retaliation against persons who oppose or complain about harassment is strictly prohibited. Retaliation is any action that has the effect of punishing

a person for engaging in legally protected activity, such as alleging harassment, making a complaint or assisting in an investigation of harassment. Examples of retaliatory actions include bullying, intimidation, threats, coercion, or action that would dissuade a reasonable person from filing a complaint or participating in an investigation of harassment.

Students and employees are protected against retaliation for his or her opposition to harassment as long as they have a reasonable and “good faith” belief that the complained of conduct constitutes harassment, even if it turns out the complainant was mistaken as to the legality of the conduct. It is a violation of the Sumter County Board of Education’s policy to retaliate against the complainant(s), respondent(s), witnesses or others involved in the review of such complaints. Any student, staff or faculty member who retaliates against another student is in violation of the Sumter County Board of Education’s anti-harassment policy and is subject to disciplinary action.

However, it is expected that this policy shall not be used to bring frivolous or malicious complaints against students, faculty or others. If a complaint has been made in bad faith, as demonstrated by clear and convincing evidence, disciplinary action may be taken against the person bringing the complaint.

Persons who believe they have been retaliated against in violation of this policy should report the incident(s) to their principal or school counselor. If the person believes for any reason they cannot effectively communicate their concern through the building principal or counselor they can address the matter directly with the Director of Compliance or the Superintendent. Complaints of retaliation will be immediately investigated using the same procedure established for the investigation of complaints of harassment set forth in this Policy.

FORMS

This policy and any procedures, rules, and forms developed and approved to implement the policy will be published, disseminated, and made available to students, parents and legal guardians and employees by publication on the Sumter County Board of Education’s website and inclusion in the Board policy and the Student Code of Conduct. Copies of both the Student Code of Conduct and the Board Policy will be available in the

principal's office and library of each local school, the office of the Director of Compliance, and the Superintendent's office.

6. Do you have any information to share about why the bullying or harassment occurred? _____

7. Is there any additional information you would like to provide? _____

Signature: _____ Date: _____

DISCIPLINARY ACTIONS CLASS I MINOR OFFENSES

- 1.01 Excessive distraction of other students**
Any conduct and/or behavior which is disruptive to the orderly education process in the classroom or any other instructional setting. ****Examples: talking excessively, interrupting class functions, chewing gum, out of seat without permission, yelling out, provoking other students.****
- 1.02 Unexcused Tardiness**
Reporting late to or departing early from school a total of four (4) times per semester (Grades K-12)
- 1.03 Inappropriate public display of affection**
Including, but not limited to, embracing and kissing
- 1.04 Unauthorized absence from class or school**
- 1.05 Intentionally providing false information to a School Board Employee**
- 1.06 Horseplay/Running/Shoving**
- 1.07 Possession of Beeper, Cellular Phone, Tablet, or Other Similar Devices (with the exception of the “Bring Your Own Device” Policy)**
- 1.08 Any other violation which the principal may reasonably deem to fall within this category**
- 1.09 Inciting or Participating in minor student disorder**
Initiating or leading disruption in either classroom, hallway, etc. (Example: Food Fight)
- 1.10 Out of required school uniform as defined in the “Uniform Dress Code” section of the Student Code of Conduct unless authorized by school administrator (Example: Dress Out Day).....Refer to page**

NOTE: Parents will be notified immediately upon each class offense.

**CLASS I MINOR OFFENSES
DISCIPLINARY ACTIONS**

	1ST Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence	5th Occurrence
1.01 Excessive Distractions of Other Students	Teacher/Parent/ Student Conference	Teacher/Parent/ Student/ Conference with Administrator Corporal Punishment Saturday School (HS)	3 Days Out-of-School Suspension (OSS)	5 Days Out-of-School Suspension (OSS)	
1.02 Unexcused Tardiness	Warning	Parental Conference	Detention Saturday School (HS)	Referral to Administrator Use of Tardy Monitoring Sheet	Referral to Truancy Officer Use of Tardy Monitoring Sheet
1.03 Inappropriate Public Display of Affection	Teacher/Student Conference	Counseling Referral	Detention Saturday School (HS)	2 Days Out-of-School Suspension (OSS)	3 Days Out-of-School Suspension
1.04 Unauthorized absence from class or school	Teacher/Student/ Parent Conference	1 Day Out-of-School Suspension (OSS)	3-5 Days Out-of-School Suspension (OSS)	Referral to Alternative School	
1.05 Intentionally providing false information to a School Board Employee	Teacher/Student/ Parent Conference	1-2 Days Out-of-School Suspension	3-5 Days Out-of-School Suspension	Referral to Alternative School	
1.06 Horseplay/Running/ Shoving	Warning by Teacher/Administrator	Parental Contact	1-2 Days Out-of-School Suspension (OSS)	3-5 Days Out-of-School Suspension (OSS)	
1.07 Possession of Beepers, Cell Phone, iPad, or other Wireless Device	Teacher/ Student Conference or Confiscation and return to parent	Confiscation and return to parent upon receiving \$25 fine	Detention Confiscation and return to parent upon receiving \$50 fine	Confiscation and return at the end of current school year	
1.08 Use of Abusive, Profane, or Obscene Language or Gestures towards another student	Corporal Punishment by Principal or Designee	Parent Conference with Administrator	Counseling Referral Detention Saturday School (if applicable)	Level II Disciplinary Action	
1.09 Inciting or Participating in Minor Student Disorder	Teacher/Parent/ Student Conference	Teacher/Parent/ Student/ Conference with Administrator Corporal Punishment Saturday School (HS)	3 Days Out-of-School Suspension (OSS)	5 Days Out-of-School Suspension (OSS)	
1.10 Out of required school uniform as defined in Student Code of Conduct	Warning and parent notified to bring correct clothing	1 Day Out-of-School Suspension Saturday School (HS)	2 Days Out-of-School Suspension (OSS)		

DISCIPLINARY ACTIONS CLASS II INTERMEDIATE OFFENSES

- 2.01 Disrespect to a Board employee**
Any verbal or nonverbal conduct and/or behavior, whether it be obscene, profane, offensive language or gesture, directed toward a Sumter County Board Employee that is rude and discourteous.
- 2.02 Vandalism**
Intentional and deliberate action resulting in injury or damages to public property or the real or personal property of another. In such case, the parent and/or guardian will be responsible for any monetary fees due to injuries or damages.
- 2.03 Stealing-Larceny-Petty Theft**
The intentional, unlawful taking and/or carrying away of property valued at less than \$100.00 belonging to or in the lawful possession or custody of another.
- 2.04 Gambling**
The intentional, unlawful participation in gambling activities.
- 2.05 Possession of stolen property with the knowledge that it is stolen**
- 2.06 Use of obscene manifestations (verbal, written, gesture) directed towards another person.**
- 2.07 Trespassing**
Willfully entering or remaining in any structure, conveyance, or property without being authorized, licensed, or invited; or having been authorized, licensed, or invited, is warned by an authorized person to depart or refuses to do so.
- 2.08 Possession of Obscene, Pornographic, or Sexual Explicit Material(s)**
- 2.09 Multiple Class I Offenses**
Three (3) Class I offense will result in a Class II offense
- 2.10 Fighting**
Physical conflict between two or more individuals (e.g., fisticuffs). This offense carries an automatic three (3) day suspension. *** (Due to the inherent disruption of this offense, the suspension may take place immediately). ***
- 2.11 The use of a laser pointer or other similar devices**
- 2.12 Offensive Touching of Another Person**
- 2.13 Unsolicited Written or Verbal Propositions to Engage in Sexual Acts**
- 2.14 Possessing and/ or igniting Fireworks, Firecrackers or Smoke Bombs**

- 2.15 Unjustified Activation of a Fire Alarm System**
- 2.16 Continued Failure to Bring Materials, including homework, to Class/Complete Class Assignment**
- 2.17 Failure to Follow Directions Relating to Safety and Order in Class, School, or School-Sponsored Activities**
- 2.18 Possession and/or Use of Tobacco/Facsimile Products**
- 2.19 Distribution and/or Sale or Purchase of Tobacco/Facsimile Products**
- 2.20 Possession and/or Use of Matches or Lighters**
- 2.21 Intentional Threat on School District Employee or Agent**
- 2.22 Intentional Threat on a Student**
- 2.23 Use of A Device To Record A Fight**
- 2.24 Leaving School Grounds or the Site of Any School Activity Without Permission**
- 2.25 Refusal to Attend or Participate in Previously Assigned Discipline**
- 2.26 Unauthorized Use of Instructional Technology (Examples: Computer Lab, Library, Teacher’s Laptop, iPad, or Computer)**
- 2.27 Cheating and/or Copying the Work of Others**
- 2.28 Extortion**

NOTE: Parents will be notified immediately upon each class offense.

CLASS II INTERMEDIATE OFFENSES DISCIPLINARY ACTIONS

	1ST Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
2.01 Disrespect to a School Board Employee	Mandatory 3 Days Out-of-School Suspension (OSS)	Mandatory 5 Days Out-of-School Suspension (OSS)	Referral to Alternative School	
2.02 Vandalism	Restorative Justice 5 Days Out-of-School Suspension (OSS)	Pay Assessed Damages 10 Days Out-of-School Suspension	Referral to Alternative School Expulsion	
2.03 Stealing-Larceny-Petty Theft	Pay Assessed Value of Item Stolen 3 Days Out-of-School Suspension	Pay Assessed Value of Item Stolen 3-5 Days Out-of-School Suspension (OSS)	Pay Assessed Value of Item Stolen Automatic 5 Days OSS Alternative School Referral	Restorative Justice 6 – 10 Days Out-of-School Suspension (OSS)
2.04 Gambling	Parent Conference 1 – 3 Days Out-of-School Suspension	5 Days Out-of-School Suspension (OSS)	Referral to Alternative School	
2.05 Possession of Stolen Property with the Knowledge That It Is Stolen	Return Property 3 Days Out-of-School Suspension	Return Property 5 Days Out-of-School Suspension	Referral to Alternative School	
2.06 Use of obscene manifestations (verbal, written, gesture) directed towards another person	Verbal Warning Depending on Severity If severe, corporal punishment or 1-2 days Out-of-School Suspension (OSS)	3-5 Days Out-of-School Suspension Parental Conference	5 Days Out-of-School Suspension	Referral to Alternative School
2.07 Trespassing	3 Days Out-of-School Suspension (OSS)	5 Days Out-of-School Suspension (OSS)	Referral to Alternative School	
2.08 Possession of Obscene, Pornographic, or Sexual Material(s)	1-3 Days Out-of-School Suspension (OSS)	3-5 Days Out-of-School Suspension (OSS)	Automatic 5 Days Out-of-School Suspension	
2.09 Multiple Class I Offenses	3-5 Days Out-of-School Suspension	Automatic 5 Days Out-of-School Suspension (OSS)	Referral to Alternative School	
2.10 Fighting	3 Days Out-of-School Suspension (OSS)	5 Days Out-of-School Suspension	5 Days OSS Referral to Alternative School	
2.11 The Use of a Laser Pointer or Other Similar devices	Confiscate and Return to Parent	Confiscate 3-5 Days Out-of-School Suspension (OSS)	Confiscate/5 Days Out-of-School Suspension Alternative School Ref..	

**CLASS II INTERMEDIATE OFFENSES
DISCIPLINARY ACTIONS**

	1ST Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
2.12 Offensive Touching of Another Person	1-2 Days Out-of-School Suspension (OSS)	3-5 Days Out-of-School Suspension (OSS)	5 Days OSS	Intervention and/or Prosecution by Law Enforcement
2.13 Unsolicited Written or Verbal Propositions to Engage in Sexual Acts	3 Days Out-of-School Suspension (OSS)	Parent Conference 5 Days Out-of-School Suspension (OSS)	Referral to Alternative School	
2.14 Possessing and/or igniting Fireworks, Firecrackers, or Smoke Bombs	Parent Conference 3 Days Out-of-School Suspension (OSS)	5 Days Out-of-School Suspension (OSS)	Referral to Alternative School	
2.15 Unjustified activation of a Fire Alarm System	1 – 3 Days Out-of-School Suspension (OSS) Corporal Punishment	3 – 5 Days Out-of-School Suspension (OSS)	Referral to Alternative School	
2.16 Continued Failure to Bring Materials to Class/Complete Class Assignment	Parent Conference	In-School Suspension (ISS)/Administrative Conference Corporal Punishment	1-3 Days Out-of-School Suspension (OSS)	
2.17 Failure to Follow Directions Relating to Safety and Order	Parent/Teacher Conference 1 Day Out-of-School Suspension/Saturday School (HS)	2-3 Days In-School Suspension Corporal Punishment	4-6 Days Out-of-School Suspension (OSS) No Attendance to After-School Activities	Alternative School Non Attendance to Any and All School Activities
2.18 Possession and/or Use of Tobacco/Facsimile Products	Parent/Administrative Conference 3 Days Out-of-School Suspension (OSS)	Parent/Administrative Conference 4-6 Days Out-of-School Suspension (OSS)	Referral to Alternative School	
2.19 Distribution and/or Sale or Purchase of Tobacco/Facsimile Products	Parent/Administrative Conference 3-5 Days Out-of-School Suspension	Referral to Alternative School Expulsion		
2.20 Possession and/or Use of Matches or Lighters	Parent/Administrative Conference 3-5 Days Out-of-School (OSS)	Referral to Alternative School		
2.21 Intentional Threat on School District Employee or Agent	Parent/Administrative Conference Mandatory 5 Days Out-of-School Suspension (OSS)	Referral to Alternative School		
2.22 Intentional Threat on a Student	Parent/Administrative Conference Mandatory 3 Days Out-of-School Suspension (OSS)	Parent/Administrative Conference Mandatory 5 Days Out-of-School Suspension (OSS)	Referral to Alternative School	

CLASS II DISCIPLINARY ACTIONS

	1ST Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
2.23 Use of A Device to Record and Post Any Unauthorized Incidents or Events, etc.	Parent/Administrative Conference Confiscation of Device (Return to Parent) 3 Days Out-of-School Suspension	Confiscation of Device (Return to Parent at the end of school year) 5-10 Days OSS	Confiscation of Device Referral to Alternative School	
2.24 Leaving School Grounds or Site of Any School Activity Without Permission	3 Days Out-of-School Suspension (OSS) Behavior Contract	5 Days Out-of-School Suspension (OSS)	Referral to Alternative School	
2.25 Refusal to Attend or Participate in Previously Assigned Discipline	3 Days Out-of-School Suspension (OSS)	5 Days Out-of-School Suspension (OSS)	Referral to Alternative School	
2.26 Unauthorized Use of Instructional Technology	Suspension of Usage (10 – 30 days) Conference with Teacher, Student, Administrator	Suspension of Usage (30 days) 1-3 Days Out-of-School Suspension (OSS) Parent Conference	Referral to Alternative School	
2.27 Cheating and/or Copying the Work of Others	Automatically Receive Grade of '0' on assignment Parent/Teacher Conference	Automatically Receive Grade of '0' on assignment 2 Days Out-of-School Suspension (OSS) Parent Conference	Automatically Receive Grade of '0' on assignment 5 Days Out-of-School Suspension (OSS)	
2.28 Extortion	3 Days Out-of-School Suspension (OSS) Parent Conference	5 Days Out-of-School Suspension (OSS)	Referral to Alternative School	

CLASS III MAJOR OFFENSES

GRADES K-12

Commission of a Class III offense by any student is punishable by suspension to the Sumter County Alternative School. Student should be aware that the hearing officer may recommend expulsion from the Sumter County School System for a Class III offense if, after investigation, the student is found guilty. Intervention and/or prosecution by law enforcement authorities will be sought where necessary or appropriate.

EXCEPTIONAL EDUCATION STUDENTS

(See Exceptional Education Section)

MAJOR OFFENSES—CLASS III

3.01 Robbery

The taking of money or other property which may be the subject of larceny from the person or custody of another by force, violence, assault or instilling fear of same.

3.02 Burglary of School Property

Entering or remaining in a structure or conveyance with the intent to commit an offense therein during the hours the premises are closed to the public.

3.03 Criminal Mischief

Willful and malicious injury or damages at or in excess of \$200.00 to public property, or to real or personal property belonging to another.

3.04 Aggravated Battery

Battery upon students/fighting, intentionally causing great bodily harm, disability or permanent disfigurement: use of a deadly weapon

3.05 Inciting or Participating in Major Student Disorder

Leading, encouraging, initiating, or participating in (major) disruptions, which result in destruction or damage of private or public property or personal injury to participants or others. (Ex: Initiating A Fight or Altercation); DOES NOT INCLUDE STANDING AROUND WATCHING A FIGHT!!!

3.06 Sexual Acts

Acts of a sexual nature including, but not limited to, battery, intercourse, attempted rape, or rape.

3.07 Bomb Threat and/or Threats of Expulsion

3.08 Possession of a knife, including larger pocket knives, switchblades or hunting knives, or other objects as defined by state law to be deadly weapons or dangerous instruments; or the possession of any knife or other object which is used in a threatening as capable of inflicting physical harm.

3.09 Sabotage of a computer or computer system which results in but, not limited to, the following”

- (A) Unauthorized access to a computer system resulting in data modification or disclosure of restricted information.
- (B) Computer tampering which cause a major disruption in the educational process.
- (C) Distribution of restricted computer passwords
- (D) Introduction of unauthorized software into computer system.

3.10 Threat to a School Board Employee

Threatening to injure or to do harm of any kind to a School Board employee.

3.11 Refusal by student to honor the lawful request made by the Administration

3.12 Being under the influence of drugs and/ or alcoholic beverages

3.13 Simple Assault on a School Board Employee

The intentional, unlawful threat by word or act to do violence to the person of another, coupled with an apparent ability to do so, and the performance of some act, which creates a well-founded fear in the other person that such violence, is imminent.

3.14 Possession or use of mace, pepper spray or other substances which has the potential to cause serious bodily harm.

3.15 Bullying

Repeatedly forcing an individual to act by either physical force or intimidation. This includes threatening or intimidating students without actual physical contact and attempts to hurt another or actions which cause reasonable fear or immediate bodily harm. This also includes technology related bullying such as cyberbullying, cyberstalking and sexting. (*See Complete Bullying Policy*)

3.16 Harassment

Continuous unwanted conduct on the grounds of race, gender, sexual orientation, etc. which has the purpose or effect of either violating the student's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. (*See complete anti-harassment policy*)

3.17 Multiple Class II Offenses

Three (3) Class II offenses will result in a Class III offense

3.18 Lewd, Indecent, or Offensive Behavior

3.19 Defamation of Character

3.20 Stalking

3.21 Illegal Organization of a Gang/Use of Gang-Related Activities

Organizing a group with the intent to do harm of any fashion to an individual or attempting to *control a territory*; use of hazing, putting graffiti on walls, etc.

CLASS III MINOR OFFENSES DISCIPLINARY ACTIONS

	1ST Occurrence	2nd Occurrence
3.01 Robbery	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion
3.02 Burglary of School Property	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion
3.03 Criminal Mischief	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion
3.04 Aggravated Battery	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion
3.05 Inciting or Participating in Major Student Disorder	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion
3.06 Sexual Acts	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion
3.07 Bomb threat and/or Threats of Expulsion	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion
3.08 Possession of a knife of any sort	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion
3.09 Sabotage of a computer or computer system	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion
3.10 Threat to a School Board Employee	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion

CLASS III MAJOR OFFENSES DISCIPLINARY ACTIONS

	1ST Occurrence	2nd Occurrence
3.11 Refusal by student to honor the lawful request made by the Administration	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion
3.12 Being under the influence of drugs and/or alcoholic beverages	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion
3.13 Simple Assault on a School Board Employee	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion
3.14 Possession or use of mace, pepper spray, or other substances which has the potential to cause serious bodily harm	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion
3.15 Bullying	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion
3.16 Harassment	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion
3.17 Multiple Class II Offenses	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion
3.18 Lewd, Indecent, or Offensive Behavior	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion
3.19 Defamation of Character	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion
3.20 Stalking	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion
3.21 Illegal Organization of a Gang and/or Use of Gang-Related Activities	10 Days Out-of-School Suspension (OSS) Referral to Alternative School	Expulsion

CLASS IV MAJOR OFFENSES

GRADES K-12

Commission of a Class IV offense by any student is punishable by Expulsion from the Sumter County School System. Student(s) should be aware that the Superintendent and Board of Education will review each case involving expulsion before making a recommendation. Intervention and/or prosecution by law enforcement authorities will be sought where necessary or appropriate.

EXCEPTIONAL EDUCATION STUDENTS

(See Exceptional Education Section)

MAJOR OFFENSES—CLASS IV

4.01 Stealing-Larceny-Grand Theft

The intentional, unlawful taking and/or carrying away of property valued at \$400.00 or more belonging to or in the lawful possession or custody of another.

4.02 Arson

The willful and malicious burning of any part of School Board Property.

4.03 Firearms

Discharge, possession, transfer, or sale of any gun or any firearm or any device which will, or is designed to, or may readily be converted to expel a projectile by the action of an explosion; the frame silence; any similar destructive device.

4.04 Drugs

Unauthorized possession, transfer, use or sale of drugs or drug paraphernalia (including, but not limited to, water pipes, roach clips, pot pipes, bongos, rolling papers), intent to use, buy, or sell drugs; being under the influence of drugs. “Drugs also include all illegal, controlled substances, and any other substance with a potential for abuse which might create a hazard to the user’s health or safety or the health or safety of another.

4.05 Explosives

Preparing, possessing or igniting on School Board property, explosives (including live projectiles) which have the potential to cause serious bodily injury or property damage.

4.06 Battery upon a School Board Employee

The unlawful and intentional touching or striking of a School Board employee against his or her will, or the intentional causing of bodily harm to a School Board employee.

4.07 Multiple Class III Offenses

Three (3) Class III offenses will result in a Class IV offense

**CLASS IV MAJOR OFFENSES
DISCIPLINARY ACTIONS**

	1ST Occurrence
4.01 Stealing-Larceny-Grand Theft	Expulsion
4.02 Arson	Expulsion
4.03 Firearms	Expulsion
4.04 Drugs (unauthorized possession, transfer, use or sale of)	Expulsion
4.05 Explosives	Expulsion
4.06 Battery Upon A School Board Employee	Expulsion
4.07 Multiple Class III Offenses	Expulsion

DISCIPLINARY ACTIONS

*****DEFINED*****

This Code of Student Conduct prescribes that certain disciplinary action may be taken in response to student behavior. The following descriptions should provide general explanations of some of the ways discipline may be applied. However, the following is not exhaustive, and will not limit the discretion of the local school or Board employees regarding disciplinary alternatives.

- ❖ **Detention:** Assignment to a designated room on a campus, either outside the regular school day or during the regular school day, for a specified period of time. A failure to comply with school detention procedures will result in additional disciplinary action.
- ❖ **School Bus Suspension:** School bus suspension is the denial of the privilege of being allowed to ride a school bus based on conduct generally occurring while a student is riding, preparing to ride or traveling to ride a public bus.
- ❖ **Suspension:** Suspension is temporary removal of a student from his/her regular program and from school. When suspended, a student is prohibited from entering into any Sumter County public school property and from attending or participating in school or Board-related activities (example, athletic events, cheerleading, plays, concerts, practices) even if the activity is held off school grounds. Violation of this rule will result in additional charges of trespassing against the student. Students under local suspension (not “Suspension to the Student Services Department”) will receive unexcused absences for all days missed due to the suspension and will not be entitled to make up work for the missed days. Once the suspension is complete or lifted, the student is allowed to continue with the normal day-to-day school activities during and after school that may include sports or field trips. Subsequently, if a student has received three suspensions within a semester, the school administrator may use his/her discretion relating to after-school activities. Graduating seniors who are under suspension at the time of graduation may be denied participation in the commencement exercises.
- ❖ **Alternative Education Program (Alternative School):** Students disciplined under Class III procedures may be required to attend these programs in lieu of other disciplinary alternatives. Any student assigned to the Sumter County Alternative School will be prohibited from entering onto any Board property other than the location to which the student is assigned, and from attending or participating in any local school or Board activities which are not made a part of the student’s assignment in the program, whether on or off school or Board grounds.
- ❖ **Expulsion:** Expulsion is the removal of a student from the Sumter County School System. An expelled student shall not attend Sumter County Schools, enter onto

any Board property, or attend or participate in any school or board-related activities, regardless of the nature or location of the activity. Any student removed from the school system who is found in violation of the above will be considered trespassing. Expulsions may be imposed with or without continuing educational services and shall be reported accordingly. The School Board has the sole authority to expel students.

- ❖ **Discipline—Exceptional Education:** With respect to students with disabilities as defined by law, application of the procedures and consequences specified in this Code of Student Conduct will be subject to appropriate modification when such modification is indicated or required by a student’s disability condition, individualized education (IEP) or other legal requirement. In all cases, this Code of Student Conduct shall be understood and applied so as to abide by laws and regulations governing the discipline of students with disabilities.

- ❖ **Corporal Punishment:** Corporal Punishment is defined as bodily punishment by use of a paddle on the buttocks and may be used as a disciplinary option as prescribed herein. It shall not be administered as punishment for failing grades, nor in the presence or sight of students engaged in instructional activities. Corporal punishment shall be administered by the principal or his/her designee. A certificated person other than the one administering the punishment shall be witness to all such incidents, preferably the same sex as that of the student. Parental approval or corporal punishment shall not be required prior to its administration; however, a parent’s written request to restrict the use of corporal punishment shall be respected.

- ❖ **Driving Privileges:** The driving of vehicles to school by students is considered a privilege. Driving privileges may be revoked at the discretion of the principal.

DISCIPLINARY POLICY FOR STUDENTS WITH DISABILITIES

1. Prior to the administration of discipline to any student, the school official authorized to administer discipline shall ascertain, on the basis of reasonably available data, whether the student has been classified as a disabled student within the meaning of the Individuals with Disabilities Education Act (IDEA).

2. Students with disabilities shall be subject to imposition of reasonably disciplinary measures in the furtherance of the school's legitimate interests in maintaining order and harmony and in providing an atmosphere conducive to learning for all students. However, disciplinary decisions affecting disabled students shall be made with reference to and in consideration of the following factors as indicated by each student's Individual Education Plan (IEP):
 - a. The nature of the student's disabling condition and the appropriateness of the discipline contemplated in light of that condition;
 - b. The cause or causes of the disciplinary problem;
 - c. The disciplinary history of the child;
 - d. The availability and advisability of alternative disciplinary response to traditional ones;
 - e. Recommendations, if any from teacher and appropriate exceptional education staff;
 - f. Such other rules and regulations governing disciplinary practices and procedures needed to comply with state and federal law, rules and regulations;
 - g. Environmental and other circumstances ordinarily taken into account in fashioning appropriate discipline for non-disabled students.

3. Suspensions of disabled students shall conform to generally applicable substantive and procedural criteria but shall not exceed ten consecutive school days without prior consultation with the Exceptional Education Department.

4. In no event shall disciplinary action resulting in permanent or indefinite cessation of educational services to disabled student be proposed or approved without prior consultation with the Exceptional Education Department.

5. **Refer to "Discipline of the Exceptional Education Student" compiled by the Exceptional Education Department.**

GUIDELINES OF DRESS AND GROOMING

The policy of the Sumter County Board of Education is that grooming and personal appearance is essential on the teaching and learning processes. Therefore, it is expected that students dress in such a manner that will ensure health and safety, and not detract from the learning environment. Furthermore, dress and personal appearance are not to be disruptive or interfere with educational interest and welfare of the students or the purpose of the public school education. Therefore, students are to dress according to the uniform code. **Students must be clean and well groomed.**

STUDENTS ARE PROHIBITED FROM WEARING THE FOLLOWING:

1. Hats, caps, headbands, sweatbands, bandanas, visors, hoods and/or hoodies, and sunglasses must be removed when entering any school board facility and placed in the locker, book bag, or designated area and remain during the school day.
2. Hair must be clean and well groomed, and should not impair vision of other students
3. Students are to wear clothing in the manner for which it is designed. No clothing shall be worn inside out; suspenders/braces shall be fastened and belts buckled. **Pants** must be worn at the waist. Pant legs must not be hindered by tying of shoelaces, inserted in socks, rubber bands, or rolled up. **Sagging** of the pants **will not be tolerated.** **Shirts** must be tucked in. **Socks** must be worn under long pants, not over them with pants inside of socks or rolled up.
4. No button-down shirts may be worn over the official uniform shirt.
5. All pants, skirts, shorts, jumpers, capris, skorts, dresses shall be khaki (tan or light tan) or black twill and must be worn with the school shirt. (*See Uniform Dress Code*)
6. Articles of clothing must be appropriate for school wear. Skirts, shorts, dresses may be no shorter than four inches above the top of the knee, except that of students in K-3 may wear shorts appropriate for school. Slits in the skirt must meet the four inches above the knee regulation.

7. All shirts must be polo style and of school colors in which student is currently attending.
8. With approval of the principal, activity sponsors may establish different rules for dress and grooming as a prerequisite for membership and participation in specific activities.
9. Students may be permitted to wear regular attire as an incentive, a maximum of three times per semester, as determined by the building principal.
10. Bracelets, belts, and other clothing with spikes, studs or chains are not allowed.
11. **Only clear or mesh book bags are allowed during the school day at each school facility.**
12. Insignias, buttons, and clothing which are suggestive of wine, beer, whiskey, tobacco, vulgarities and violence, drug activity, or demeaning to other persons are not to be worn at school.
13. Ear jewelry may be worn by females only. (Band-Aids may not be worn to conceal unauthorized jewelry). Nose jewelry is not to be worn by boys nor girls while they are in school. Jewelry (stud, pins, etc.) may not be worn in any visibly pierced areas of the body, including, but not limited to, the tongue.

****Students who cannot afford a school uniform will be referred to local charitable organizations for assistance.****

Any student who fails to dress appropriately will not be allowed to attend class until proper clothing can be secured or other disciplinary actions taken (*See Level 1.10*).

UNIFORM DRESS CODE

=> **Shoes:**

All students in grades K-12 will wear low top gym shoes not to exceed above the ankles. Recommended shoes must be 90% black or 90% white in color. Other colors may be deemed appropriate if such colors represent school colors. Students are also permitted to wear brown, tan/dark tan, black shoes.

- **No Neon Colors**
- **No house shoes/bedroom slippers**
- **No sandals/open-toe shoes, no boots of any kind**
- **Shoes must have closed heels, no back straps**

=> **Skirts. Skorts. Jumpers. and Shorts**

The length for skirts, skorts, and jumpers for all girls in grades 4-12 must be worn at or below the knee.

The length for shorts for all boys and girls in grades 4-12 must be worn at or below the knee.

=> **Belts**

Belt buckles should be no more than 1/2 inch larger than the belt. **Belts must be black or brown.**

=> **Pants, Skirts, Jumpers, Skorts, Capris, and Shorts**

Pants, skirts, skorts, jumpers, capris, and shorts must be **khaki (tan or light tan) or black twill**. *No knit, stretch, denim, spandex, leggings, or dress slacks are to be worn as part of the school uniform (dress khaki's are permissible)*

=> **Coats, Jackets, and Windbreakers**

Students are permitted to wear brown, tan/dark tan, blue or black coats, jackets, or windbreakers. Other colors may be deemed appropriate if such colors represent school colors. Coats, Jackets, or Windbreakers **should not** have insignias, buttons, patches or drawings. Coats, Jackets, or Windbreakers **should not** have any items suggestive of wine, beer, whiskey, tobacco, vulgarities and violence, or drug activity.

Pants must not have excessive pockets; no khaki jogging pants, pants must be loose at the leg, NO SKINNY Jeans

**NOTE:

Shirts

Long or short sleeve polo shirts of school color must be worn. **The color options are red, black, white, gold, royal blue, purple, and maroon.**

SCHOOL BUS CODE

Responsibilities of Transported Students

The School Bus Code is a supplement to the Board's Disciplinary Code. **School rules will apply while students are being transported on school buses and while students are waiting at bus stops.** The violation of any school rule may result in suspension from the bus in addition to any other disciplinary action prescribed in this Code of Student Conduct.

- (1) Transportation services are available to all Sumter County students living within the school district.
- (2) Students will only be permitted to ride a bus different from the one to which they are assigned if a written notice is given to the principal prior to the close
- (3) Of the school day. The principal or his or her designee will then make a decision and/or provide the student with the proper bus pass.
- (4) There will be no transportation provided for students wishing to go to another address for occasional visits, parties, extracurricular activities, or other social events.

Video cameras may be placed on school buses to be used as an aid to monitor behavior. A camera shall not replace the discipline policy, the authority of the drivers, or the discretion of school officials.

Any carry on equipment (i.e., book bags, band instruments or uniforms, sports equipment science projects, school fund raiser items, etc.) must be held by the student owner or placed under the seat and must not interfere with either the seating or the safety of other students on the school bus.

DISCIPLINE OFFENSES PERTAINING TO TRANSPORTED STUDENTS

Any student transported at public expense, are subject to the Sumter County Code of Student Conduct. Failure to comply with the following rules may result in an office referral. Offenses are grouped according to the seriousness of the violation.

CLASS I: Failure to comply with the following rules will result in a Class I Offense:

1. Walk on the left, facing traffic, to the bus stop and stay off roadway at all times while waiting for a bus.
2. Be at your bus stop ahead of the scheduled bus arrival time.
3. Wait until a bus comes to a COMPLETE stop before attempting to get on or off.
4. Do not use profane or indecent language.
5. Do not change seats or stand while the bus is in motion. Seat belts must remain buckled on buses for handicapped students.
6. Take no food, gum, ice cream, or drinks aboard the school bus.
7. Keep the regular order of seating as directed by the bus driver, principal and/or his/her designee as assigned.
8. Refrain from loud talking or yelling among students
9. Be silent when approaching or crossing railroad tracks.
10. Keep aisle and steps clear at all times.
11. No items should hang from book bags, back packs or cases (i. e., key chains, toys, scarves, etc).

CLASS II: Failure to comply with the following rules will result in a Class II Offenses:

1. Enter or leave a bus only at the front door after the bus has come to a stop, except in the case of an emergency.
2. Do not fight or hit others.
3. Bring no weapon or prohibited object of any kind onto the bus.
4. Do not use tobacco in any form of expectorate on the bus, out the door, or out the window.
5. Throw no object, paper, or other material in or out of the bus at any time.
6. Keep head and hands inside bus windows at all times.
7. Leave the bus only with the consent of the driver.
8. Do not tamper with the door handles/emergency windows and other safety equipment at any time unless told to do so by the driver.
9. Do not cut, scratch, write on, or otherwise deface any part of the bus.
10. Refrain from use of aerosol spray/perfume.

CLASS III: See applicable offenses identified above and all offenses in the Code of Student Conduct.

The Principal or his/her designee has the authority to suspend a student from riding a bus if the behavior of the student represents a danger to the health and safety of those riding the bus. Upon receiving three citations for Class I or Class II offenses, the principal or his/her designee will take appropriate action. This may result in suspension from the bus.

Class I and Class II offenses may not be appealed beyond the local school level. System procedures for exceptional education students will be followed.

PARENTAL RESPONSIBILITY FOR ATTENDANCE AND BEHAVIOR

Alabama Code Section 16-28-12

Person in loco parentis responsible for child's school attendance and behavior; noncompliance; local boards to promulgate written behavior policy, contents annual distribution, receipt to be documented; school officials required to report noncompliance; failure to report suspected violation; distract attorneys vigorously to enforce provisions.

Each parent, guardian, or other person having control or custody of any child required to attend school or receive regular instruction by a private tutor who fails to have the child enrolled in school or work fails to send the child to school, or have him or her instructed by a private tutor during the time the child is required to attend a public school, private school, church school, denominational school, or parochial school, or be instructed by a private tutor, or fails to require the child to regularly attend the school or tutor, or fails to compel the child to properly conduct himself or herself as a pupil in any public school on accordance with the written policy on school behavior adopted by the local board of education pursuant to the section and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars (\$100.00) and may also be sentenced to hard labor for the county for not more than 90 days. The absence of a child without the consent of the principal teacher of the public school he or she attends or shall attend, or of the tutor who instructs or should instruct the child, shall be prima facie evidence of the violation of this section.

Each local public board of education shall adopt a written policy for its standards on school behavior. Each local public school superintendent shall provide at the commencement of each academic year a copy of the written policy on school behavior to each parent,

guardian, or other person having care or control of a child who is enrolled. Included in the written policy shall be a written copy of this section. The signature of the student and the parent, guardian, or other person having control or custody of the child shall document receipt of the policy.

Any parent, guardian, or other person having control or custody of any child enrolled in public school who fails to require the child to regularly attend the school, or fails to compel the child to properly conduct himself or herself as a pupil in accordance with the written policy on school behavior adopted by the local board of education and documented by the appropriate school official which conduct may result in the suspension of the pupil, shall be reported by the principal to the superintendent of education of the school system in which the suspected violation occurred. The superintendent of education or his or her designee shall report suspected violations to the district. Intentionally failing to report a suspected violation shall be guilty of a Class C misdemeanor. The district attorney shall vigorously enforce this section to ensure proper conduct and require attendance by any child enrolled in public school. (*School Code 1927; & 305; Code 1940, T. 52, & 302: Acts 1993, No. 93-672, p.1213. & 1; Acts 1994, 1st Ex. Sess.; No. 94-782, p.70 & 1*).

IT'S THE LAW!

Parental Notification of Civil Liabilities and Criminal Penalties

The following laws relate to civil liabilities and criminal penalties for violence or other misbehavior by students on school property or against school employees:

Attendance and Conduct (Act 94-782)

Each parent/ guardian or other person having control or custody of a child required to attend school who fails to require the child to enroll, to regularly attend school, or to compel the child to properly conduct himself/herself as a pupil in accordance with the written policy on school behavior adopted by the local board of education shall be guilty of a misdemeanor (may be fined up to \$100 and may be sentenced to hard labor for up to 90 days).

Teacher Assault (Act 94-784)

A person commits the crime of assault in the second degree (Class C felony) if the person assaults with intent to cause serious physical injury to a teacher or to an employee of a public educational institution during or as a result of the performance of his or her duty.

Drug Dealing (Act 94-783)

A person who unlawfully sells, furnishes, or gives a controlled substance to a minor may be liable for injury or damage or both suffered by a third person caused by or resulting from the use of the controlled substance by the minor if the sale, furnishing, or giving of the controlled substance is the proximate cause of the injury or damage.

Drugs, Alcohol, Weapons, Physical Harm, or Threatened Physical Harm (Act 94-784)

The school principal shall notify appropriate law enforcement official when a person violates local board of education policies concerning drugs, alcohol, weapons, physical harm to a person, or threatened physical harm to a person. If any criminal charge is warranted, the principal is authorized to sign the appropriate

warrant. If that person is a student, the local school system shall immediately suspend that person from attending regular classes and schedule a hearing within five school days.

If a person is found to have violated a local board of education policy concerning drugs, alcohol, weapons, physical harm to a person or threatened physical harm to a person, the person may not be readmitted to the public schools until criminal charges, if any have been disposed of by appropriate authorities and the person has satisfied all other requirements imposed by the local board of education as a condition for readmission.

Weapons in School (Act 94-817)

No persons shall knowingly with intent to do bodily harm carry or possess a deadly weapon on the premises of a public school. Possession of a deadly weapon with the intent to do bodily harm on the premises of a public school or school bus is a Class C felon. (Note: The term “deadly weapon” means a firearm or anything manifestly designed, made, or adapted for the purpose of inflicting death or serious physical injury, and such term; includes, but is not limited to, a bazooka, hand grenade, missile, or explosive or incendiary device; a pistol, rifle, o shotgun, or switch-blade knife, gravity knife, stiletto, sword, or dagger, or any club, baton, billy, blackjack, bludgeon, or metal knuckles).

Vandalism (Act 94-819)

The parents, guardian, or other person having control of any minor under the age of 18 with who the minor is living and who have custody of the minor shall be liable for the actual damages sustained to school property, plus the court cost, caused by intentional, willful, or malicious act of the minor.

Pistol Possession/Driver’s License (Act 94-820)

Any person over the age of 14 who is convicted of the crime of possession of a pistol on the premises of a public school, or a public school bus, shall be denied issuance of a driver’s permit o license to operate a motor vehicle for 180 days from the date the person is eligible and applies for a permit or license. If a person over age 14 possesses a driver’s license on the date of conviction, the driver’s license will be suspended for 180 days.

Drop-Out/Driver’s License (Act 94-820 which amended Act 93-368 as codified in 16-28-40, Ala Code. 1975)

The Department of Public Safety shall deny a driver’s license or learner’s permit to any person under 19 who is not enrolled of has not received a diploma or certificate of graduation. Exceptions are students who are enrolled in a GED program, are enrolled in a secondary school, are participating in an approved job training program, are gainfully employed, or are a parent of a minor unborn child, or are the sole source of transportation for the parent.

BRING YOUR OWN DEVICE (B.Y.O.D.) BRING YOUR OWN DEVICE USE POLICY AND AGREEMENT

AVAILABILITY OF ACCESS

Access to the Sumter County Board of Education filtered wireless network utilizing personal technology devices shall be made available to students for instructional and administrative purposes, in accordance with the Board's Acceptable Use Policy for Technology and Electronic Communications Device Policy.

Conditions of use for the District's network shall be permitted as long as the user's actions:

- a. Comply with the responsibilities specified in the District's Acceptable Use Policy for Technology and Electronic Devices Policy.
- b. Impose no tangible costs to the District.
- c. Do not unduly burden the District's computers, or network resources.
- d. Have no adverse effect on a teacher's job performance or on a student's academic performance.
- e. Do not cause a substantial disruption to the educational environment.
- f. Students and Parents have signed and submitted the signature page of this agreement.
- g. Students have completed the required B.Y.O.D. Orientation workshop.

Access to the District's electronic communications system is a privilege, not a right. All users shall be required to acknowledge receipt and understanding of all administrative regulations governing use of the system and shall agree in writing to comply with such regulations and guidelines.

Noncompliance with the applicable regulations may result in limitations, suspension, or loss of privileges, and other disciplinary action consistent with the Sumter County Board of Education policies.

Violations may result in criminal prosecution as well as disciplinary action by the District.

Participation in the "Bring Your Own Device" (B.Y.O.D.P) device initiative is strictly optional, and the completion of the B.Y.O.D. agreement and participation in the hands-on orientation is required.

PURPOSE

The Sumter County Board of Education is committed to creating a 21st century learning environment to provide equitable access to technology that will aid our students in becoming self-directed learners, collaborative team players, and information producers as well as information consumers. Providing students with a 21st century digital learning environment is part of the Sumter County Board of Education school district core value, "BRING YOUR OWN DEVICE (B.Y.O.D.)."

BRING YOUR OWN DEVICE USE POLICY AND AGREEMENT

Students will be required to access our wireless network when using the approved personal technology devices during the school day with the consent and supervision of the classroom teacher and the authority of the building principal or when using approved personal technology devices for personal use at authorized times. While users may operate their own devices to access the internet, they must do so by way of the District's filtered wireless connections. The use of private (3G/4G) network access is prohibited. Users may not disable, override or circumvent district technology filters and protection measures.

WIRELESS INFORMATION

When a student brings his/her own personal technology device onto the middle school or high school campus, it is mandatory that these devices utilize the assigned wireless network for students only. By authenticating and logging into the assigned student network, the student is agreeing to comply with the terms of the Sumter County Board of Education Acceptable Use Policy. Once on the assigned student network, all users will have filtered Internet access on their personal technology device equipment and will be in compliance with the Children's Internet Protection Act (CIPA).

ACCEPTABLE DEVICES

Computers

Laptops and netbooks with either Windows or Apple operating systems are permitted on the district's network. It is expected that these devices have an updated web browser from which the student can be able to access necessary tools, current antivirus software and be full charged and maintained to work properly during the day.

Mobile Devices

Tablet technology and e-Readers are clearly useful for productivity purposes and will enhance instruction, so they are permitted on the network. This category includes but is not limited to iPads, Android tablets, Google chrome, Kindles, Nooks, etc.

Handheld Devices

The category referred to as "handheld devices", which includes iPods, iPhones and Android smartphones are also permitted at this time. These devices have some of the same features as the more conventional wireless technology.

3G/4G NETWORK ACCESS IS PROHIBITED

Mobile devices such as laptops, tablets, e-readers, are often equipped with 3G/4G wireless capability, which the district is unable to filter or monitor in legal compliance with the Children's Internet Protection Act. Students who bring 3G/4G enabled devices must access the Internet via the District's filtered Wi-Fi connection only. Violators may have their devices confiscated, their participation in the B.Y.O.D. initiative program restricted and be subject to disciplinary action. BRING YOUR OWN DEVICE (B.Y.O.D.)

PARENT AND STUDENT AGREEMENT

FOR PARTICIPATION IN THE DISTRICT B.Y.O.D. 7&8 AND 11&12 GRADE DEVICE INITIATIVE

Any parent permitting their child to use a personally owned technology device in accordance with this agreement on Sumter County Board of Education property, must read, and return this agreement to the school. Each student must be scheduled for and complete a required B.Y.O.D. Orientation workshop prior to bringing their device to class.

1. The student is responsible for keeping his or her device in their possession and properly securing it at all times.
2. The Sumter County Board of Education is not responsible for the security or condition of student's personal devices.
3. The student is responsible for the proper care of personal technology devices, including all maintenance and repair, replacement or modifications, and any software updates necessary to effectively use the device.
4. The Sumter County Board of Education reserves the right to confiscate and/or inspect personal technology devices if there is reason to believe that it was used to violate our policies, administrative procedures, school rules or for general misconduct.
5. Violations may result in the loss of privilege to use personal technology devices in school, and/or disciplinary and legal action as appropriate.
6. The student must comply with the teacher's request to refrain from using a personal technology device, verify/display the authentication login screen, or to power down the device when instructed to.
7. The student may not use any personal technology device to record, transmit or post photos or video of any person without their prior knowledge and consent. Images, video and audio files recorded at school may not be transmitted or posted to any social networking site at any time without the expressed permission of a district faculty member.
8. All students will be required to only use the district's secured wireless network to access the Internet.
9. The use of private 3G and 4G wireless connections is not allowed.

BRING YOUR OWN DEVICE (B.Y.O.D.) BRING YOUR OWN DEVICE USE POLICY AND AGREEMENT

PARENT AND STUDENT SIGNATURE PAGE FOR PARTICIPATION IN THE DISTRICT B.Y.O.D. 7&8 AND 11&12 GRADE DEVICE INITIATIVE

Print Student's Name: _____ Grade: _____

I understand and agree to abide by the B.Y.O.D. Policy of the Sumter County Board of Education. I further understand that violations may result in the loss of my personal technology device privileges, and possibly other disciplinary or legal action.

Student's Signature

Date

As a parent I understand that my child will be responsible for abiding by the above policy and guidelines. I have read and discussed this with her/him and we understand the responsibility they have while using their personal technology devices. In the event that he/she violates this agreement, the district may confiscate and inspect the personal technology device, and appropriately discipline my child.

Parent's Signature

Date

