

Code of Student Conduct

Goal:
“All Students Can and Will Learn”

Sumter County Public Schools
“Committed To Leaving No Child Behind”

Sumter County Schools
Livingston, Alabama

SUMTER COUNTY BOARD OF EDUCATION

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MISSION STATEMENT

“ALL STUDENTS CAN AND WILL LEARN”

The Sumter County School System



The Sumter County Public Schools are 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.

EQUAL EDUCATIONAL OPPORTUNITIES

It shall be the policy of the Board that the School District shall provide, on a non discriminatory basis, educational opportunities for children. No person shall be denied the benefits of any education program or activity on the basis of race, color, handicap, creed, national origin, age or sex. All programs offered by schools within the School District shall be open to all students in compliance with statutory and judicial requirements.

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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 ay

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 RESPONSIBILITY

- 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

A. Attendance

All persons between the ages of seven and sixteen years of age are required by state law to attend school for the minimum number of scholastic day prescribed by the State Board of Education. All laws regarding school attendance shall be strictly enforced by the Sumter County Board of Education.

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 16 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 school. Parents are legally responsible for ensuring that their children attend school as prescribed above. Any parent who does not comply with compulsory attendance laws may be subject to criminal prosecution.

B. 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 absence from school is sometimes necessary, but absences from school will only be allowed for good and justifiable reasons.

C. Written Explanation for All Absences Required

Every student who is absent from school must present to the school principal or his/her designee a written explanation for the absence. A parent may request from the principal permission for a student to be absent prior to the date of the absence. Any student who is absent and who did not receive permission before the absence, must submit a written explanation of the absences from the parent, guardian or other person having control of the student to school official upon the student's return to school.

The principal will have the opportunity to review the written permission request or the written 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:

- a. Student illness
- b. Inclement weather which makes it dangerous for students to attend school
- c. Legal quarantine
- d. Death in the immediate family
- e. Emergency condition as determined by the principal or superintendent
- f. Absence to observe traditional religious holidays of a local, national or international origin when verified by the student's minister or religious leader.

Any absences not falling into the categories listed above, or otherwise excused by the principal or the superintendent or his/her designee, will be unexcused.

D. Excessive Absences

Any student with 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.

E. Makeup Work

A student shall have the opportunity to make up examination or work 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 parents 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 auspices 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 and 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 variety of viewpoint; 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 ad 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 Code of Student 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 and 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 Superintended 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 on the basis of 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 may be subject to disciplinary action in accordance with the Code of Student 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 forgoing 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. 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 Code of Student Conduct. Accordingly, each classroom teacher may deal with general classroom disruption by taking in-class disciplinary action, by making oral 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 principal or his or her designee.

When a student is referred to the principal or his or her designee, the principal will then 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.

For any offense which an in-school parental conference is required, it is the parent's or guardian 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 and review of the facts surrounding the charge, if the principal or his/her designee believes 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 will determine whether a student is guilty of the charge offenses 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 DEVIVE 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**, cyberstalking or cyber**bullying**. 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;
- 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;

- Cyberstalking 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 the Director of Compliance at 205/652-2271 ext. 1 or e-mailing kjpowell@sumter.k12.al.us.

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 disciplinary action, up to including termination of employment.

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, or to applicable city police 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 **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 cyberstalking. Retaliation against persons who oppose or complain about **bullying**, cyber**bullying** or cyberstalking 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 cyberstalking, making a complaint regarding or assisting in an investigation of **bullying**, cyber**bullying** or cyberstalking. 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 cyberstalking.

Students and employees are protected against retaliation for his or her opposition to **bullying**, cyber**bullying** or cyberstalking as long as they have a reasonable and “good faith” belief that the complained of conduct constitutes **bullying**, cyber**bullying** or cyberstalking, 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 Director of Compliance or the Superintendent. Complaints of retaliation will be immediately investigated using the same procedure established for the investigation of complaints of **bullying**, cyber**bullying** or cyberstalking 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 from **harassment**, violence, threats of violence and intimidation. The Board believes that all students are entitled to a safe, harassment free school experience in which students can realize their maximum potential and engage fully in the learning 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 calling the Director of Compliance at 205/652-2271 ext. 1 or e-mailing kjpowell@sumter.k12.al.us.

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 Director of Compliance or 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: _____

CLASS I DISCIPLINARY ACTIONS/MINOR OFFENSES

ELEMENTARY STUDENTS

Class I Sanctions

1. Conference with the student
2. Verbal reprimand
3. Withdrawal of privileges
4. Parent conference(s)
5. Temporary removal from class
6. Detention
7. In-school suspension
8. Other sanction(s) as approved by the Board

First Offense

In-school conference and parental contact when warranted

Second Offense

Parental contact and disciplinary action

Subsequent Offenses

In-school disciplinary action such as probation, detention, completion of extra academic assignments, work assignments before or after school, corporal punishment, or suspension at the discretion of the principal or his/her designee.

SECONDARY STUDENTS

First Offense

In-school conference and parental contact when warranted. Special circumstances may warrant disciplinary action as outlined under subsequent offenses.

Subsequent Offenses

In-school disciplinary action such as probation, detention, completion of extra academic assignment, work assignments before or after school, in school suspension, corporal punishment, or suspension at the discretion of the principal or his/her designee.

MINOR OFFENSES—CLASS I

- 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, chewing gum, 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 for a School Board Employee**
- 1.06 Horseplay/Running/Shoving**
- 1.07 Possession of Beepers, Cellular Phone or Other Similar Devices**
- 1.08 Any other violation which the principal may reasonably deem to fall within this category**

CLASS II DISCIPLINARY ACTION/INTERMEDIATE OFFENSES

ELEMENTARY STUDENTS

Class II Sanctions

1. Temporary removal from class
2. Detention
3. In-school
4. Out-of-School suspension
5. Referral to outside agency
6. Expulsion
7. Any sanction(s) included in Class I and other sanction(s) as approved by the Board

First an Second Offense

Parental contact and disciplinary action Subsequent Offenses

Suspension for one (1) to five (5) school days

SECONDARY STUDENTS

First Offense

In-school suspension, and/or extended work assignments before or after school, and/or suspension for one (1) to three (3) school days.

Subsequent Offenses

Suspension for three (3) to five (5) school days. Special circumstances may warrant a recommendation for alternative education or expulsion. If so recommended, the expulsion procedure will be followed.

INTERMEDIATE OFFENSES—CLASS II

- 2.01 Disrespect to a Board employee**
Any verbal or nonverbal conduct and/or behavior directed toward a Sumter County Board employee that is rude or 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**
- 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 Inciting or participating in minor student disorder**
- 2.12 Non-conformity to dress code (See Additional Policies: (“Dress Code”).**
- 2.13 The use of a laser pointer or other similar devices**
- 2.14 Offensive Touching of Another Person**
- 2.15 Unsolicited Written or Verbal Propositions to Engage in Sexual Acts**
- 2.16 Possessing and/ or igniting Fireworks, Firecrackers or Smoke Bombs**
- 2.17 Inciting or Participating in Major Student Disorder**
Leading, encouraging or assisting in (major) disruptions which result in destruction or damage of private or public property or personal injury to participants or other.
- 2.18 Unjustified Activation of a Fire Alarm System**
- 2.19 Continued Failure to Bring Materials to Class/Complete Class Assignment**
- 2.20 Possession of Obscene, Pornographic or Sexually Explicit Materials**
- 2.21 Any other offense which the principal may deem reasonable to fall within this category after considerations of extenuating circumstances.**

**CLASS III
DISCIPLINARY ACTION—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. 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

- 3.1 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.
- 3.2 Stealing-Larceny-Grand Theft**
The intentional unlawful taking and/or carrying away of property valued at \$100.00 or more belonging to or in the lawful possession or custody of another.
- 3.3 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.
- 3.4 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.
- 3.5 Aggravated Battery**
Battery upon students/fighting, intentionally causing great bodily harm, disability or permanent disfigurement: use of a deadly weapon
- 3.6 Inciting or Participating in Major Student Disorder**
Leading, encouraging or assisting in (major) disruptions which result in destruction or damage of public property or personal injury to participants or others.

3.7 Sexual Acts

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

3.8 Arson

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

3.9 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 expulsion; the frame silence; any similar destructive device.

3.10 Bomb Threat and/or Threats of Expulsion

3.11 Drugs

Unauthorized possession, transfer, use or sale of drugs or drug paraphernalia (including, but not limited to, water pipes, roach clips, pot pipes, bong, 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.

3.12 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.

3.13 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.

3.14 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.

3.15 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 a bodily harm to a School Board employee.

- 3.16 Threat to a School Board Employee**
Threatening to injure or to do harm of any kind to a School Board employee.
- 3.17 Refusal by student to honor the lawful request made by the Administration**
- 3.18 Being under the influence of drugs and/ or alcoholic beverages**
- 3.19 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.
- 3.20 Leaving Class or Campus Without Permission**
- 3.21 Possession or use of mace, pepper spray or other substances which has the potential to cause serious bodily harm.**
- 3.22 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)*
- 3.23 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)*
- 3.24 Multiple Class II Offenses**
Three (3) Class Ii offenses will result in a Class III offense
- 3.25 Any other offense which the principal may deem necessary to fall within this category.**

DISCIPLINARY ACTION

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 from all days missed due to the suspension and will not be entitled to make up work for the missed days. 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.
- ❖ **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 expected to dress according to the uniform code.

1. Students must be clean and well groomed.
2. Hats, caps, headbands, sweatbands, bandanas, visors, and sunglasses must be removed and placed in the locker or designated area and remain during the school day.
3. Hair must be clean and well groomed, and should not impair vision
4. 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. Sagging of the pants **will not be tolerated**. Shirts **must** be tucked in.
5. No button-down shirts may be worn over the official uniform shirt.
6. All pants, skirts, shorts, jumpers, dresses shall be khaki, worn with the school shirt.

7. 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.
8. All shirts must bear the official school logo.
9. 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.
10. Students may be permitted to wear regular attire as an incentive, a maximum of three times per semester as determined by the building principal.
11. Bracelets, belts, and other clothing with spikes, studs or chains are not allowed.
12. Only clear or mesh book bags are allowed during the school day.
13. 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.
14. 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 or 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. If necessary, parents will be called to bring proper clothes to school. Until proper clothing can be secured, the student will be isolated and will be responsible for all class work missed. Nonconformity to dress code is a Class II offense.

UNIFORM DRESS CODE

=> **Shoes:**

All students in grades K-12 will wear low top gym shoes, Shoes must be 90% black or 90% white in color.

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

The length for skirts, skorts, and jumpers for all girls in grades 6-12 must be worn

at or below the knee.

The length for shorts for all boys and girls in grades 6-12 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. and Shorts**

Pants, skirts, skorts, jumpers, and shorts must be **khaki (or black twill as an option. - No knit, stretch, denim, spandex, or dress slacks).**

**NOTE:

Shirts

Long or short sleeve polo shirts must bear school logo. **The color options are red, black, white, gold, 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 of the school day. The principal or his or her designee will then make a decision.
- (3) 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 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 tutor, 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 of damage.

Drugs, Alcohol, Weapons, Physical Harm, o 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 incendiary device; a pistol, rifle, or 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 or 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 or 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.

ACKNOWLEDGEMENT

I, _____ enrolled in
Name of student

Name of School School and my

Parent(s) guardian hereby acknowledge by our signatures that we have received and read, or had read to us, the foregoing *Code of Student Conduct and appendix*.

(Signed) _____ Date _____
Student

(Signed) _____ Date _____
Parent/Guardian

(Signed) _____ Date _____
Parent

Telephone _____
Home Alternate contact number

Contact Persons

Name	Relationship	Telephone number
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____

Note: The student is to sign the above statement. If the student lives with both parents/guardian, both are to sign the statement. If the student lives with only one parent/guardian, only one is to sign. A separate statement is to be signed for each student.

****Please sign this page and have the student return it to the homeroom teacher. Keep the accompanying information for future reference.**

