2026-2027
SCHOOL DISTRICT CODE OF CONDUCT
STUDENT HANDBOOK

MARLBORO COUNTY SCHOOL DISTRICT
HOME OF THE BULLDOGS



Academic Excellence | Character | Responsibility | Safety

www.marlboro.k12.sc.us

Marlboro COUNTY SCHOOL DISTRICT
CODE OF CONDUCT ACKNOWLEDGEMENT AND SIGNATURE FORMS

2026-2027 important forms to read are located in the index.

PLEASE REVIEW THIS BOOK SO THAT YOUR FAMILY IS AWARE OF WHAT IS AND IS NOT APPROPRIATE IN-SCHOOL, DURING SCHOOL-SPONSORED ACTIVITIES AND ON SCHOOL TRANSPORTATION.

Since *parent(s) can be held responsible for the actions of their child, it is important that they are aware of the rules and the consequences if their student breaks the rules. However, parents also have the right to advocate for their child. Therefore, the school system must have proof that every student and every parent has had a chance to read this Student Discipline Code of Conduct. **In an effort to consolidate signature pages, your signature confirms that you have read and agreed to the following. References to each are located in the indices located at the back of this book.**

1. **The Acknowledgement Form confirms that you received the book, and you know what the rules are**. Your signature does not mean that you agree or disagree with the rules, but rather that you have received a copy of these rules. A copy of the Acknowledgement Form should be retained for your records.

2. **Choose your options for Media Release**. You must select one option in Section A and another option in Section B. If you do not choose an option in either section, you will default to allow the school to photograph your child, videotape your child, or for your child to be interviewed by the news media or the Marlboro County School District.

3. **For 11th and 12th grade students who do not wish to share directory information with armed services/military recruiters and/or postsecondary educational institutions, complete the Directory Information Opt-Out Form.**

4. **Please indicate your child's race and ethnicity on the Required Data from Parents.**

5. **The Acceptable Use Policy for Marlboro County School District Students** acknowledges that you have reviewed and discussed this document with your child. This will ensure that your child understands the expectations and responsibilities associated with the proper care and handling of personal electronic devices while at school.

The District's Disciplinary Code assigns specific consequences for violating the rules of the Code of Student Conduct and is part of the school's discipline plan. A copy is now located in this booklet. Please review the Disciplinary Code with your child. For more information on the code, talk with a school administrator.

*The term "parent" refers to either or both parents, any guardian of a students, any person in a parental relationship to a student, or any person exercising supervisory authority over a student in place of a parent.

1. ACKNOWLEDGEMENT FORM

Your signature below confirms that you received the book, and you know what the rules are. Your signature does not mean that you agree or disagree with the rules, but rather that you have received a copy of these rules.

_____ _____
Student Name (PRINT) Student Signature

_____ _____ _____
School Date Parent Signature

2. MEDIA RELEASE <u>You Must Mark a Choice in Both Section A and Section B</u> SECTION A Please Check Choice #1 or Choice #2

News Media *(if no choice is marked, then it will default to Choice #1.)*

1. ____**I WILL** permit my student to be photographed, filmed or interviewed by the <u>news media</u> or by the District to promote Marlboro County School District.

2. ____**I WILL NOT** permit my student to be photographed, filmed or interviewed by the news media or by the District to promote Marlboro County School District.

SECTION B Please Check Choice #1 or Choice #2
School District *(if no choice is marked, then it will default to Choice #1.)*

1. ____**I WILL** permit my student to be photographed, videotaped or interviewed for school publications such as school yearbooks, school newspapers, class pictures, or other school communication tools. I understand the District is required to release this information if requested by the media or other members of the public (i.e. public records requests).

2. ____**I WILL NOT** permit my student to be photographed, videotaped or interviewed for school publications such as school yearbooks, school newspapers, class pictures, or other school communication tools. I understand the District is required to release this information if requested by the media or other members of the public (i.e. public records requests).

3. DIRECTORY INFORMATION OPT-OUT

For 11th and 12th grade students who **<u>do not</u>** wish to share directory information with armed services/military recruiters and/or postsecondary educational institutions, complete the Directory Information Opt-Out Form. Pursuant to federal law, I request that my son's/ daughter's Directory Information NOT BE DISCLOSED to the following entities without my prior permission.

_____ Armed Services/Military Recruiters

_____ Post-secondary Educational Institutions

Student Name _____

High School _____

Parent/Guardian Name _____

Parent/Guardian Signature _____

4. REQUIRED DATA FROM PARENTS

Please indicate your child's race and ethnicity below.

Student's Name: _____ Grade: _____

Please answer **BOTH** questions 1 and 2.

1. Is your child Hispanic or Latino? (**Please mark only one.)**

_____ No, my child is not Hispanic or Latino

_____ Yes, my child is Hispanic or Latino- A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish Culture or origin, regardless of race.

2. What is your child's race? (**Please mark <u>all</u> that apply.)**

_____ American Indian or Alaska Native- A person having origins in any of the original peoples of North and South America (including Central America) and who maintain tribal affiliation or community attachment.

_____ Asian- A person having origins in any of the original peoples of the Far East, southeast Asia, or the Indian subcontinent, e.g., Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

_____ Black or African American- A person having origins in any black racial groups of Africa.

_____ Native Hawaiian or Other Pacific Islander- A person having origins in any of the original peoples of Hawaii, Guam, Samoa, other Pacific Islands.

_____ White- A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Parent/ Guardian Signature: _____ Date: _____

5. ACCEPTABLE USE POLICY FOR MARLBORO COUNTY SCHOOL DISTRICT STUDENTS

I have read, understand, and will abide by all the guidelines set forth above regarding the use of District computers/network/internet and personal electronic devices in the District. I understand that violations of these guidelines may result in the loss of District network and/or computer privileges either temporarily or permanently, as well as any other disciplinary action in accordance with the Student Discipline Code of Conduct.

Signature of Student:	Printed Name of Student:	Date:

I have reviewed and discussed this document with my child. My child understands the expectations and responsibilities associated with the proper care and handling of personal electronic devices while at school. My child is clear that the consequences of not upholding his/her responsibilities may result in disciplinary actions in accordance with the Student Discipline Code of Conduct.

Signature of Parent/Guardian:	Printed Name of Parent/Guardian:	Date:

DISTRICT HANDBOOK STUDENT CODE OF CONDUCT

Marlboro County School District provides this discipline handbook to all students to familiarize them with school rules and practices. The **District Handbook**: ***Student Discipline Code of Conduct*** and its contents are not intended to replace the actual policies, rules and administrative procedures established by the Marlboro County Board of Education and/or the Superintendent. If a policy, rule or administrative procedure contained in this handbook is abbreviated or in error, the document in the official Board Policy Manual and/or Administrative Procedures Manual will always take precedence.

Copies of the Board Policy Manual and the Marlboro County School District Administrative Rules and Procedures are kept at the District Office, 122 Broad Street, Bennettsville, South Carolina 29512. These manuals are updated periodically and are available on the Internet at ***http://www.marlboro.k12.sc.us/*** Computer access is available at each school's media center as well as at Marian Wright Edelman Public Library.

MARLBORO COUNTY SCHOOL DISTRICT

Physical Address
122 Broad Street
Bennettsville, South Carolina 29512

Mailing Address
Post Office Box 947
Bennettsville, South Carolina 29512

"An Equal Opportunity Employer"

Marlboro County School District does not discriminate on the basis of race, color, national origin, religion, sex, age, disability or citizenship status in employment or in any of its education programs or activities or offerings. The following administrator has been designated to handle inquiries or complaints regarding the non-discrimination policies, rules and procedures: Sterling Mosby, Marlboro County School District, P.O. Box 947, Bennettsville, South Carolina, 299512, or at (843) 479-4016.

STUDENT BEHAVIOR CODE

In order to maintain an appropriate educational climate, it may be necessary to apply disciplinary sanctions to students, including their removal from the learning environment. These sanctions will occur only for good cause and in accordance with applicable state and federal law.

The following regulations are designed to protect all members of the educational community in the exercising of their rights and responsibilities. These regulations are effective during the following times and places:

On school grounds before, during or after school hours.
On school grounds at any other time when the school is being used by a school group. Off the school grounds at any school and/or school-related activity, function, or event.
At a school bus stop, on a school bus or other school vehicle (including school bus safety rules).
At any time or in any place (including off school grounds and during non-school hours) where student conduct has a direct effect on the school's ability to maintain an orderly and safe learning environment.

Students and parents are encouraged to become familiar with the rules and regulations contained in this booklet.

If you have any questions, please talk with your building level administrator(s).

In determining whether a student has violated the Discipline Code, the principal or his/her designee will consider all the facts and circumstances of the particular situation and may consider, but will not be limited to, verbal and/or written statements of admission; witness statements from others; video surveillance, et al.

NONDISCRIMINATION/ EQUAL OPPORTUNITY

The Board of Education and the Superintendent believe that the District must provide public education in an atmosphere where differences are understood and appreciated. The District will treat all people fairly, with respect, and without discrimination or threats of violence or abuse.

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

This concept of equal educational opportunity serves as a guide for the board and the staff in making decisions related to school facilities, employment of personnel, selection of educational materials, equipment, curriculum and rules affecting students. Each building principal will be responsible for working with the staff and students in his/her school to ensure equal opportunity for all students in all building level programs and activities.

VISION & MISSION STATEMENT

VISION: The mission of Marlboro County School District is to provide a quality education and create and enable all students to achieve their highest potential.

MISSION: The School District of Marlboro County will partner with all stakeholders to develop citizens, lifelong learners and global leaders.

PHILOSOPHY

Students in Marlboro County Schools, like members of any community, have both rights and responsibilities. The District must protect those rights and insist upon those responsibilities.

The purpose of this Student Discipline Code of Conduct is to ensure that all students understand their rights and responsibilities, as well as the procedures for dealing with any violations. In addition, this Student Discipline Code of Conduct identifies classifications of violations and standard disciplinary actions and procedures.

It is expected that all teachers and administrators will faithfully enforce the Student Discipline Code of Conduct and abide by its intent and spirit and that parents will support the efforts of the school to provide a safe learning environment.

The Marlboro County Board of Education does not condone the removal of students from classes for punishment except in extreme situations.

Dear Parents, Guardians, Students, and Members of the Marlboro County School District Community,

At Marlboro County School District, our commitment is to ensure that every student has the opportunity to learn in a safe, secure, and supportive environment. Every child deserves to attend a school where they feel valued, respected, and protected so they can focus on learning, growing, and reaching their fullest potential.

Creating and maintaining safe schools is a shared responsibility among our students, families, educators, and community. To foster positive learning environments, we must work together to promote respect, responsibility, and accountability while addressing behaviors that interfere with teaching and learning. These behaviors include bullying, intimidation, harassment, classroom disruptions, fighting, possession of weapons, physical aggression, and any other actions that threaten the safety or well-being of others.

The Code of Conduct serves as an important resource outlining the expectations for student behavior and the consequences for violations of district policies. More importantly, it reflects our commitment to creating learning environments where every student can thrive academically, socially, and emotionally. I encourage every parent, guardian, and student to review this handbook carefully each year and discuss its expectations together. When families and schools work in partnership, we build a stronger foundation for student success.

Safe and orderly schools are essential to academic success. Marlboro County School District expects every student to demonstrate integrity, respect, responsibility, and good citizenship. These values help create a positive school culture where teaching and learning remain the focus. The Student Discipline Code of Conduct is reviewed and updated annually to ensure it remains aligned with current laws, Board policies, and best practices. The most current version will always be available on the Marlboro County School District website for your reference.

Thank you for partnering with us in creating schools where every student feels safe, supported, and inspired to succeed. Together, we will continue to foster learning environments that develop responsible citizens, lifelong learners, and future-ready leaders prepared to make a positive impact in their communities and beyond.

Best,

Dr. Elizabeth M. McDonald
Superintendent
Marlboro County School District

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STUDENT RIGHTS

A right is a privilege to which one is justly entitled.

DUE PROCESS *

Students facing disciplinary action are entitled to fair procedures to determine if they are at fault. Students are entitled to appeal decisions resulting in major disciplinary action such as suspension from school or transportation, expulsion or transfer to another school.

EQUAL EDUCATIONAL OPPORTUNITY

Schools must provide all students with the chance to receive a quality education. This means that every student has the right to attend public school until graduation from high school or the age of 21 as prescribed by law. No student may be prevented from participating in any program solely because of his/her race, ethnic origin, sex or religion. Students have the right to equal educational opportunities without interference.

EXERCISE FREE EXPRESSION/ FREEDOM OF SPEECH

Students are entitled to express their verbal opinions, as long as they maintain dignity and respect for others and such speech does not disrupt or threaten to disrupt the school environment.

FREEDOM OF ASSEMBLY

Students are entitled to hold meetings with the approval of authorized school personnel at a time, place and manner that do not disturb classroom instruction.

INFORMATION ABOUT THEIR ACADEMIC WELFARE

Grades should reflect a teacher's objective evaluation of students' academic achievement. Students are entitled to be informed of the academic requirements of their courses and to be advised of their progress in a timely manner.

KNOW WHAT BEHAVIOR IS EXPECTED

Students have the right to be informed of Board and administrative policies, rules, and procedures and individual school, classroom and school transportation rules.

OTHER FORMS OF EXPRESSION

Vulgar, profane or symbolic expressions or items advertising drugs, alcohol and/or tobacco of any type are prohibited. No form of expression shall interfere with the rights of others to express themselves or with the conduct of school, classroom and transportation activities.

PRIVACY AND PROPERTY RIGHTS

Students are entitled to maintain privacy of personal possessions **within certain limits and are responsible for them**; however, no substance, object or material prohibited by law or Board or administrative policy, rule, or procedure is permitted on school property, which includes off-campus school-sponsored activities and school vehicles. Lockers and desks and privately-owned cars parked on school property may be searched randomly and unannounced. Searches of students' belongings by school officials must be reasonable, i.e., based on a reasonable suspicion and reasonably related in scope. Additionally, searches of cars, lockers, book bags/purses and other items may be conducted by trained dogs under the direction of authorized handlers. The use of personal electronic devices by students during school hours is not permitted. Cameras and cell phone cameras are prohibited in all locker rooms, bathrooms and other areas with an expectation of privacy. All such unauthorized equipment shall be confiscated by school officials in a manner depending on whether the offense is the first, second or third offense.

WRITTEN EXPRESSION AND CIRCULATION OF PETITIONS

Students are entitled to express their written opinions and to circulate petitions with the prior written permission of authorized school officials. Students are entitled to use designated bulletin boards for the posting of notices concerning school activities, so long as these notices do not disrupt or threaten to disrupt school activities. School publications (newspapers, yearbooks, etc.) are not public forums, and school officials reserve the right to exercise reasonable editorial control over the style and content of materials submitted for publication.

*****- Before contacting the Office of Student Services, appeals must be made first to the Principal of the building, unless that person is responsible for giving the consequence. There will be no appeals for any consequence resulting in 3 days or less of out-of-school suspension beyond the Principal.

STUDENT RESPONSIBILITIES

A responsibility is an obligation one has to ensure that the rights of all are protected.

ALL STUDENTS HAVE THE RESPONSIBILITY TO...

- **Attend school to receive an education**
  No one has the right to interfere with the education of others.

- **Attend school daily unless ill or legally excused**
  South Carolina law requires a student to attend school until the age of 17. Schools cannot educate students who do not attend class.

- **Be on time for all classes**
  Students who enter a classroom after a lesson has begun are interfering with the rights of others to learn and study. Punctuality is a habit that students must develop if they are to succeed in the world of work.

- **Come to class with necessary materials**
  A teacher should not have to delay instruction because a student has come to class unprepared. This is interfering with the rights of others to learn and study.

- **Complete all in-class and homework assignments and meet deadlines**
  Full responsibility for student learning does not rest solely with the teacher. There can be no effective education unless students participate in class and complete outside assignments.

- **Obey school rules and school personnel**
  Rules are designed to allow a school to meet its obligation to educate students. Students are required to obey and be courteous to everyone who works in our schools.

- **Respect the person and property of others**

- **Respect school property and carefully use and return all materials and equipment**
  Schools are a community gift to young people. People who damage school property will be held responsible.

- **See that school correspondence to parents reaches home**
  Education is a partnership between home and school. Students must do their part by not intercepting or destroying progress reports, attendance information and report cards and by delivering any school correspondence home.

- **Volunteer information and cooperate with school staff in disciplinary cases**
  There is a difference between being a “squealer” and a responsible person. Every community depends upon its citizens to uphold the rules by which everyone has agreed to live. Students have the responsibility to provide truthful information when asked by school authorities. If a student refuses to give information that would help another person, that student should not expect help if his rights are violated.

RESPECT FOR PERSONS AND PROPERTY

Character education is woven into the policies and procedures of Marlboro County School District. Responsibility, Citizenship, Kindness, Respect, Honesty, Self- Control, Tolerance, and Cooperation are the foundations of this Student Discipline Code of Conduct.

Rights	**Responsibilities**
Students have the right to be treated with respect and honesty.	Students have the responsibility to demonstrate the character education traits.
Students have the right to privacy.	Students have the responsibility to treat others with respect and honesty.
Students have the right to a safe and orderly school.	Students have the responsibility to respect the rights of others.
Students have the right to due process.	
Students have the right to receive a quality education.	Students have the responsibility to treat school property and the property of others with respect and to act in a way that does not interfere with the rights of others and is not harmful to the health and safety of others.

Rule

It is important for students to know their rights and responsibilities, which include obeying teachers and all other school employees, obeying each individual rule as defined by the school, and obeying bus drivers. Students are expected to honor their responsibilities and behave in ways that respect the rights of all. Consequences for unacceptable behaviors are found in the District Disciplinary Code.

ATTENDANCE

The parent of a child of compulsory school age is responsible for the child's daily school attendance. School staff, parents, students, and appropriate state agencies are expected to work together to ensure that laws are obeyed including, but not limited to, referral to the state designated agency for possible court action for extended absence or truancy. Student Services Administrative Rule SS-5 outlines the rules that apply to attendance and attendance procedures. You may view this policy and all School Board policies on the Web at ***http://www.marlboro.k12.sc.us/*** .

S.C. Code Ann **§** 59-65-30(f) A child who has reached the age of sixteen years and whose further attendance in school, vocational school, or available special classes is determined by a court of competent jurisdiction to be disruptive to the educational program of the school, unproductive of further learning, or not in the best interest of the child, and who is authorized by the court to enter into suitable gainful employment under the supervision of the court until age seventeen is attained. However, prior to being exempted from the provisions of this article, the court may first require that the child concerned be examined physically and tested mentally to assist the court to determine whether or not gainful employment would be more suitable for the child than continued attendance in school. The examination and testing must be conducted by the Department of Youth Services or by any local agency which the court determines to be appropriate. The court shall revoke the exemption provided in this item upon the finding that the child fails to continue in his employment until reaching the age of seventeen years.

Any disputes on excused and unexcused absences will be determined at the discretion of the Principal.

A student's presence in class is required to maximize the attainment of instructional objectives. For students who demonstrate patterns of non-attendance, interventions may be recommended.

Rights

Students have a right to know how the District defines and handles excused absences, unexcused absences, and tardiness. The District's Disciplinary Code that assigns specific consequences for misbehavior is part of the school's discipline plan.

Students have a right to make-up work they missed during an excused absence or suspension.

Students who are married, are parents, or are expectant mothers have a right to remain in the regular school program or to attend a special program designed to meet their needs.

Students have a right to be protected from exposure to communicable diseases and infestations when in school.

Responsibilities

Students have a responsibility to attend all classes.
Students have a responsibility to be on time for school and all classes.
Students have a responsibility to ask their parents to notify the school when they are absent.
Students have a responsibility to ask teachers for, and to complete, make-up assignments.
Students have a responsibility to get medical advice and/or counseling about how to adjust their schooling for marriage, pregnancy, and parenthood.
Students having or suspected of having a communicable disease are not allowed to attend school. In order to return to school, parents must obtain a doctor's note stating that the student is no longer contagious. Chickenpox is the only infectious disease that does not require a doctor's note.

NON-ATTENDANCE AND EARLY SIGNS OF TRUANCY

IT IS IMPORTANT TO BE IN SCHOOL EVERY DAY. If your child is not in school, he or she MAY BE showing early signs of truancy through a pattern of non-attendance. In South Carolina, attendance and truancy issues are governed by S.C. Code Ann § 59-65-10 to 59-65-280 (2004) and 24 S.C. Code Ann, Regs. 43-275 [hereinafter Reg. 43-274].

WHAT IS TRUANT?

A student may be establishing a pattern of non-attendance when:

1) A child at least 6 but not yet 17 years old meets the definition of a truant when the child has three consecutive unlawful absences or a total of five unlawful absences.

2) A "habitual" truant is a child at least 12 but not yet 17 years old who (1) fails to comply with the intervention plan developed by the school, the child and the parent(s) or guardian(s) and (2) who accumulates two or more additional unlawful absences.

3) A "chronic" truant is a child at least 12 but not yet 17 years old who (1) has been through the school intervention process, (2) has reached the level of a "habitual" truant, has been referred to the Family Court and placed on an order to attend school; (3) and continues to accumulate unlawful absences.

Consequence- Offenders will be dealt with on an individual basis using the following range of consequences: parent notification and/or parent conference, detention (during and/or after school and on Saturdays), restriction from participation in extracurricular activities, in-school suspension, work assignment, referral to school resources or community agencies or recommendation for expulsion. School officials may develop an intervention plan consistent with Board and administrative policies, rules, and procedures and State Law. Truancy may be introduced as part of the evidence in expulsion cases involving other violations.

ABSENCE REPORTS

Absences may be reported by telephone, e-mail, or written notes. The reports must come from a parent and give the date(s) of the absence(s) and the reason for the absence(s). Parents MUST report these absences within three (3) days, although school principals MAY make exceptions in cases of need. School staff members have a legal right to ask for a written medical excuse.

The Truancy Intervention Program (TIP) is designed to provide District level interventions for families of truant students in elementary, middle and high schools. The program will provide an Educational Participation Plan (EPP) for families prior to court intervention. Families will be referred to a review team at the District level. The case status is presented by the school social worker. The review team will hear from the family and develop an EPP for the family.

EPP Plans would include but would not be limited to the following:

Family Attendance Charting- daily charting of school attendance with parent signatures.
Parent Call-In Program- Parent contacts School Social Worker each morning to report the student's attendance.
Parent Sessions-Video based programs that are designed to empower parents with the knowledge, arm them with the necessary skills and motivate by positive beliefs, so that they become capable of extraordinary action. School Social Workers will facilitate the programs.
Parent Seminars- The seminars could include but would not be limited to components such as time management, organizational skills, homework planning, building your child's self-esteem and creating a positive environment for your child.

EXCUSED ABSENCES

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

Any disputes on excused and unexcused absences will be determined at the discretion of the Principal/ building level supervisor.

In order to receive credit for a high school course, a student must attend at least 85 days (for a 90-day semester course) or 170 days (for a 180-day year course).

The board may grant approval of excessive absences in accordance with board policy.

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

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

Any student who misses school must present a written excuse within 3 days of returning to school, signed by his/her parent/legal guardian. The excuse will contain such other information as directed by the administration. The school administration will keep all excuses confidential.

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

The District will consider students lawfully absent under the following circumstances. (Note: board may include other reasons here.)

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

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

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

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

MAKE- UP WORK

In order to receive one Carnegie unit of credit, a student must be in attendance at least 120 hours per unit, regardless of the number of days missed. Therefore, Districts should allow students whose excessive absences are approved to make up work missed to satisfy the 120-hour requirement. Examples of make-up work that address both time and academic requirements of a course may include the following.

after-school and/or weekend make-up
programs extended-year programs

All make-up time and work must be completed within 30 days from the last day of the course. The board or its designee may extend the time for completion of the requirements due to extenuating circumstances as prescribed by state board of education guidelines.

For excused (Lawful) absences, students will be granted the opportunity to make up any missed assignments and /or work due to the absence(s). This will include quizzes, tests, writing assignments etc. The period for making up the work will be a minimum of one (1) class day for each class day missed to a maximum of one week. For example, if a student misses two days of school (Mon, Tues) and returns on Wednesday, Thursday and Friday will be granted as make-up days for missing Monday and Tuesday (one day for each day missed). In this example, all missed assignments or work (test, quiz etc.) would not be due until Monday.

The District will consider students unlawfully absent under the following circumstances:

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

TARDINESS

Tardiness is disruptive to the learning environment and can have a negative impact on student achievement. A pattern of non-attendance may be established by an accumulation of tardiness, absences (excused and unexcused), and early sign outs that exceed five (5) days in a marking period or ten (10) days in two (2) marking periods.

1) A tardy is excused for the same reasons that an absence is excused. Excused absences/ tardiness include illness, illness of an immediate family member, death in the family, religious holidays of the student's faith, required court appearance or subpoena by a law enforcement agency, special event, scheduled doctor or dentist appointments, or communicable disease. In extenuating circumstances, principals and/or their designee may also excuse a tardy for reasons other than those stated if documentation is provided. Parents must follow the same process to excuse a tardy as they would to excuse an absence.

2) Tardiness is defined as a student not being in the classroom when classes are scheduled to begin. A student who has an excused tardy (note or telephone call) should report directly to class after checking in at the designated check-in area of the school.

3) Excessive early sign outs will be addressed on a case-by- case basis to determine if there is a pattern of non-attendance and may be referred to the District's Truancy Intervention Program (TIP).

4) Tardiness to any class without documentation may be considered unexcused.
5) The Principal has final say on tardies, excused or unexcused.
6) Schools will determine definition of tardies.

EARLY SIGN OUTS

When students are signed out early on an ongoing basis, their academic performance may be negatively impacted. The school system strongly encourages parents to ensure their students are in school for the full school day every day. Signing out early may count toward establishing a pattern of non-attendance that may indicate early signs of truancy. A pattern of non-attendance may be established by an accumulation of tardiness, absences (excused and unexcused), and early sign

outs that exceed five (5) days in a marking period or ten (10) days in two (2) marking periods.

1. All schools will establish procedures for early release that ensure that all students are treated consistently.

2. Students shall not be released within the final 30 minutes of the school day unless the principal/designee determines that it is an emergency or the student has a medical/dental appointment that cannot be reasonably scheduled at another time.

STUDENT CONDUCT ON BUSES

Admin. Reg. SS-19

I. Purpose and Introduction.

A. To establish the basic structure for safe student transportation.

B. Safety is of prime importance for the Marlboro County School District ("MCSD") students as they are transported to and from school and school-sponsored activities. Safety requires the cooperation of students, parents/legal guardians and school personnel. The use of video technology on MCSD buses is intended to enhance a safe and orderly environment while transporting students to and from school and school related activities by maximizing appropriate student behavior.

C. The school bus is an extension of school activities. Therefore, the MCSD expects students to conduct themselves on the bus in a manner consistent with the established standards for safety and classroom behavior. All bus riders must cooperate fully with the bus driver and bus monitor and observe the bus rules.

D. The bus driver and bus monitor, if any, are responsible for supervision of students on the bus. The driver may stop the bus at any time when misbehavior or threatened misbehavior presents a hazard to safe driving.

E. The driver will report students who create a disturbance on school buses. The Principal or an Assistant Principal may suspend or deny bus transportation to a student whose conduct is persistently and/or flagrantly detrimental to safety and order on the bus in addition to or as an alternative to school-based discipline as set forth in Administrative Regulation SS-18, Code of Student Conduct.

II. Sanctions for Student Code of Conduct Violations on Buses. The MCSD recognizes student disciplinary infractions on school buses pose a great potential for harm to those people on the school buses, other motorists, and property. In addition to those sanctions set forth in MCSD Administrative Regulation SS-18, Code of Student Handbook, school administrators may suspend a student violating the Code of Student Conduct from riding the school bus. Students who have three (3) or more violations of the Code of Student Conduct on a school bus in a school year may be suspended from riding the school bus for the remainder of the school year.

III. Use of Video Cameras. The MCSD supports the use of video cameras as a means to monitor and maintain a safe environment for students and employees. The MCSD may use video cameras on all buses used for transportation to and from school, field trips, curricular and extracurricular events. The contents of the videotapes may be used as evidence in a student disciplinary proceeding.

IV. Student Records. The content of the videotapes is a student record subject to federal law and regulation and board policy and administrative regulations regarding confidential student records which may be reviewed and/or disclosed as allowed by law, policy or regulation.

V. Notice.

A. The MCSD will annually provide the following notice to students and parents:
The Marlboro County Board of Trustees has authorized the use of video cameras on school district buses. The district will use video cameras to monitor student behavior to maintain a safe environment. Students and parents/legal guardians are hereby notified that the content of the videotapes may be used in a student disciplinary proceeding. The content

of the videotapes is a confidential student record. The district will retain the videotapes with other student records only if necessary for use in a student disciplinary proceeding or other matter as determined by the administration. Parents/Legal guardians may request to view videotapes of their child if the district uses the videotapes in a disciplinary proceeding involving their child.

B. The following notice will be placed on all school buses equipped with a video camera.

This bus is equipped with a video/audio monitoring system.

VI. Video Monitoring System Procedures. The Superintendent, in consultation with the Principal and MCSD Transportation Director, will determine how video cameras will be used and which school buses will be equipped with video equipment. The following procedures must be followed:

A. The installation and removal of all video recordings or digital data from the video unit is the responsibility of the Office of Transportation supervisory personnel or the owner, manager, or supervisor of a contracted vehicle. The school bus driver is prohibited from installing or removing video recordings and the operation of the video camera.

B. The safekeeping of all video unit keys is the responsibility of the Office of Transportation supervisory personnel or the owner, manager, or supervisor of a contracted vehicle.

C. Each video recording or data file will be labeled with the date, time and bus number when removed from a video unit.

D. Each video recording or data file removed for viewing shall remain in the possession of the Office of Transportation or authorized school-based personnel.

E. The Office of Transportation and authorized school-based personnel shall determine when a video recording or data file removed for viewing shall be re-wound for re-use or when a digital data file shall be deleted.

F. Video recording and data files will be viewed by authorized MCSD personnel. The confidentiality of all persons on video recording or data file shall be protected as allowed by law, policy and/or regulation.

G. Video recordings or data files removed for viewing shall be maintained in a secure location.

H. Video recordings and data files may be viewed and used by appropriate MCSD administrators as part of student and/or employee disciplinary hearings.

I. Staff, students, and MCSD employees are prohibited from tampering or otherwise interfering with the video camera equipment.

J. Drivers shall be responsible for ensuring the video system is operating properly prior to beginning assigned route/trip. Any malfunctioning system should be immediately reported to his/her supervisor.

K. Camera systems will be inspected and maintained on a quarterly basis by a member of the MCSD Transportation Department.

L. Random audits shall be performed quarterly by a member of the Office of Student Services to ensure proper operating conditions of the bus camera systems. The audits should be documented and available for review.

VII. Student Conduct. The MCSD prohibits students from tampering with video cameras on the school buses. Students who violate this regulation shall be subject to discipline in accordance with Administrative Regulation SS -18, Code of Student Conduct. Students and/or parents/guardians will reimburse the MCSD for any repairs or replacement necessary as a result of student damage to school bus video equipment.

Adopted: August 19, 1987

Revised: July 2000; October 2017

Legal references:

A. S. C. Code, 1976, as amended:

1. Section 59-67-100 - Seating space; aisle; seats; number and location of students.
2. Section 59-67-180 - General supervision of bus by driver.
3. Section 59-67-240 - Disciplinary powers of bus driver.
4. Section 59-67-250 - Posting of copies of relevant statutes.

Section 59-67-470 - Superintendent to supervise conduct of pupils riding buses.

TRANSPORTATION RULES & NOTIFICATIONS

The bus ride to and from school should be a safe one. All bus riders are required to follow bus safety rules at all times. It is a privilege to ride the bus and students who disregard the rules will have that privilege suspended. The District's goal is to promote Safety, Order, Attitude and Respect.

ATTITUDE - Students need to be aware of how their attitude affects the behavior of all students.

ORDER - Students need to be aware that school rules and expectations are heightened on the school bus due to the environment.

RESPECT - Students need to be aware that everyone deserves the proper treatment from others.

NOTICE: Students who attempt to board the bus while suspended, or adults who attempt to board or interfere with the operation of the bus, may be prosecuted under the applicable South Carolina law.

Section 59-67-245

NOTICE: District boards of school trustees may authorize school administrators to suspend or expel pupils from riding a school bus for misconduct on the bus or for violating instructions of the driver.

Section 59-67-240

The following behaviors are not permitted:

Riding the bus when the student has been suspended

Riding a bus other than that assigned unless appropriate permission from his/her principal has been granted

Disobeying the instructions of the driver, physical or verbal abuse of the driver, or displays of disrespect

Physical or verbal abuse of another student

Possession of weapons or other dangerous objects; drugs, alcohol, lighters or other ignitable

Leaving a seat while the bus is in motion

Failure to sit properly in a seat and/ or failure to sit in assigned seat

Throwing objects on the bus or out of the windows and/ or placing any part of body outside bus windows and/ or yelling out of the windows

Fighting, horseplay, spitting, profanity, making obscene gestures, making excessive noise or engaging in disruptive behavior

Eating or drinking, selling candy, donuts, etc.

Using or playing with any kind of aerosol spray

Failure to cross a road as directed by the driver and/ or failure to move away from the bus after getting off or getting on at an improper stop

Damage to school bus or vandalism

Some actions that usually result in immediate suspension of a student from the bus include:

Fighting

Direct disobedience of directives from the driver and/or physical or verbal abuse or sexual harassment of students or driver

Smoking and/or playing with matches or lighters

Throwing objects on the bus or out of the windows

Possession of drugs, alcohol, weapons or dangerous objects

Riding another bus while under suspension

All buses will be equipped with video surveillance cameras. Refer to Student Conduct on Buses, for clarity regarding videotaping of students in MCSD.

SAFETY- Students need to load and unload the school bus quietly using the available handrails. Conversations should be limited to the students' direct neighbors.

VIOLATION PROCEDURE:

Verbal warning

Written report of misbehavior

Bus suspension, per Code of Conduct manual

School administrative staff are available to answer questions students or parents may have about inappropriate student behavior. Bus riders will be denied the privilege of riding the bus if their behavior is unacceptable or infringes on the rights of other bus riders. It will be the responsibility of the parent or guardian to see that the student is transported to and from school during bus suspensions. Students and parents should not attempt to discuss the rule violations or suspension matters with the bus driver at a bus stop.

STUDENT DRESS CODE

Statement of policy

It is the policy of the Marlboro County School District to regulate reasonable attire of students during the school day. Students in all schools will wear an approved school uniform with only legally-mandated exceptions. To maintain an educational environment that is safe and conducive to the educational process, students in all grades shall abstain from wearing or possessing specified items during the school day. **School administrators reserve the right to make final decisions on appropriate attire.**

Statement of purpose

The Marlboro County School District has determined that reasonable regulation of school attire can promote important educational interests, including:
reducing distraction and loss of self-esteem caused by teasing or competing over clothing
minimizing disruption from wearing inappropriate clothing or possessing inappropriate items at school
providing an environment where students can focus more on learning
enhancing school safety by making it harder to conceal weapons or contraband
enhancing school safety by helping teachers and administrators identify individuals that are not enrolled in the school when they encounter them on school grounds
enhancing school safety by prohibiting gang colors and paraphernalia
reducing the cost of school clothing
providing an educational environment where financial disparities between students, as reflected in clothing, are minimized
creating a greater sense of community and school pride among the students
instilling discipline in students
helping students and parents to avoid peer pressure
helping prepare students for future roles in the workplace
creating an atmosphere reflecting seriousness of purpose about education.

Requirements

Shirts, Sweaters and Sweatshirts (tops)

Shirts must be tucked into the extent that belts or waistbands are clearly visible at all times. (exceptions may be made for Pre-school and kindergarten students as needed by administration).
Shirts may not exceed one size larger or smaller than necessary as determined by the school administrator.
Sleeveless attire cannot reveal undergarments. Shirts cannot be tight (excessive form fitting), low cut or show cleavage. Tank tops, halter tops, shirts with spaghetti straps will not be allowed. No transparent or mesh clothing will be allowed without an appropriate shirt underneath. No exposed undergarments. Clothing must cover waist, shoulders and back with no skin showing between the top garment and bottom garment.

Pants, Skirts, Skorts, Jumpers, Capris and Shorts (Bottoms)

Lower garments should be of adequate length to assure modesty when the student is seated or engaged in school activities. Shorts and skirts must be long enough to extend below the extended fingertips of the wearer or 2 inches above the knee. Any slits in the garment must open below the fingertips.

Pants must be worn at the natural waistline, and undergarments are not to be visible. Students' pants are to have no holes or rips of any kind. If they do not fit properly, a belt must be worn to keep them in place. Pants and slacks must not touch the floor (no bagging, sagging, or dragging clothing). Yoga, jogging, or biker pants will not be allowed.

Shorts, skirts, skorts, and jumpers shall be modest and of sufficient length. The length of these articles of clothing shall be no shorter than three (3) inches above the top of the knee when standing.

Belts must be worn if pants, skirts, skorts or shorts have belt loops (exceptions may be made by administration). Belt buckles must not be oversized, computerized or have any writing that is considered offensive.

Coats and Jackets (Outerwear)

Outerwear may not be worn inside the school building during the school day.

Outerwear may be worn during a class change if the student is exiting the building.

Outerwear may be worn to school and placed in the student's locker. If a locker is not available, it may be hung in the classroom or other location designated by the principal and/or the principal's designee. The principal and/or the principal's designee may make an exception if the building or classroom is unusually cold.

Shoes, Sneakers and Boots (Footwear)

Footwear must be worn at all times. Shoes shall conform, as needed, to special requirements such as P.E. classes, ROTC, science labs, etc.

Laces on shoes and sneakers must be tied.

Flip flops, crocs, and slippers are not permitted.

Heelies are not permitted.

Other Clothing Items or Accessories

Students may not wear large pendants or medallions. School administration has the final say on determining whether a pendant or medallion is large or not.

Any adornment that could be perceived as, or used as, a weapon such as chains, spikes, etc. is not permitted.

Gang-related clothing, accessories, symbols or intimidating items of dress, as identified by local law enforcement agencies, are not permitted.

Head coverings of any kind, including but not limited to, hats, caps, bandanas, curlers, masks, visors, kerchiefs, athletic sweatbands, earmuffs or sunglasses are not permitted. Head coverings shall not be worn, carried, hung on belts or around the neck or kept in classrooms during regular school hours.

Other Dress Requirements

Students are expected to be dressed according to the dress code standards at all times when school is in session.

Students who are taking classes that require a special dress code, such as JROTC or career and technical education internships, may wear that uniform to other classes.
Principals may make exceptions to the uniform policy for special events, such as picture day, and may allow a different standard for athletic teams or other school clubs or activities.
Clothing designed for school athletic events, such as cheerleader outfits, that do not meet the above guidelines, shall not be worn during the instructional day unless appropriate additional garments are worn with the outfit.

Enforcement

First Offense: Students will be informed that they have violated the policy. They will be given an opportunity to change into acceptable clothing by using available clothes at school or by calling a parent/guardian to bring clothes. If neither of these options are used, students may be placed in an in-school suspension alternative setting for the remainder of the day.

Second Offense: A second infraction of the policy shall be considered as defiance. In addition to the disciplinary actions available for a first offense, a parent/guardian conference shall be held.

Third Offense and Additional Offenses: A third or additional infraction of the dress code shall be categorized as a Level 1 Offense as outlined in the Marlboro County School District Code of Student Conduct, subject to the consequences outlined therein, including out-of-school suspension. Disciplinary action may vary when a student has a record of other student conduct violations during a current school year.

Students who do not comply with the dress code may be excluded from participating in certain extracurricular school programs. Copies of the dress code shall be made available to students and parents.

Reasonable consideration shall be made for those students who, because of a sincerely held religious belief or medical reason, request a waiver of a particular guideline for dress or appearance. The waiver request shall be in writing from the parent or guardian and approved by the principal and/or principal's designee on an annual basis. In considering a waiver request, the principal and/or principal's designee has the right to request additional documentation from medical officials and/or religious leaders.

BULLYING, HARASSMENT OR INTIMIDATION

The District believes that a safe and civil environment in school is necessary for students to learn and achieve high academic standards.

Harassment, intimidation or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment. Accordingly, the District prohibits acts of harassment, intimidation or bullying on school property, at District or school sponsored functions, on school buses or other District vehicles and at school bus stops.

The District expects students to conduct themselves at all times in an orderly, courteous and dignified manner and to respect the rights and welfare of other students, school staff members, parents/legal guardians and volunteers.

Definitions

"Harassment, intimidation or bullying" is defined as a gesture, an electronic communication or a written, verbal, physical or sexual act that a reasonable person should know will have the effect of either of the following.

harming a student, physically or emotionally or damaging a student's property or placing a student in reasonable fear of personal harm or damage to his/her property

insulting or demeaning a student or group of students in such a way as to cause substantial disruption in or substantial interference with the orderly operation of the school

Reporting

Any student who feels he/she has been subject to harassment, intimidation or bullying is encouraged to file a complaint with the principal or other designated contact person. Such a complaint may also be filed by a student's parent/legal guardian. If an employee receives a complaint of harassment, intimidation or bullying or observes any behavior which could amount to harassment, intimidation or bullying, the employee **must** transmit the complaint to the school's principal or other designated contact person as soon as practicable.

Although reports by students or employees may be made anonymously, formal disciplinary action may not be taken solely on the basis of an anonymous report.

The District will be responsible for ensuring that reasonable efforts are made to prevent public disclosure of the names of all parties involved in harassment, intimidation or bullying allegations, except to the extent necessary to carry out an investigation and comply with statutory obligations.

Investigations

All complaints will be investigated promptly, thoroughly and confidentially. The investigation will include appropriate steps to determine what occurred and to take actions reasonably calculated to end the harassment, intimidation or bullying and prevent such misconduct from occurring again. The student and his/her parent/legal guardians will be informed that appropriate actions were taken and will be advised how to report any subsequent problems.

Consequences of engaging in harassment, intimidation or bullying

If the investigation determines that harassment, intimidation or bullying has occurred, the administration will take reasonable, timely, age-appropriate and effective corrective action. Examples of corrective action include, but are not limited to, disciplinary action against the aggressor up to and including termination of an employee or expulsion of a student, special training or other interventions, apologies, dissemination of statements that the school does not tolerate harassment, intimidation or bullying, independent reassessment of student work, and/or tutoring.

Individuals, including students, employees, parents/legal guardians and volunteers, may also be referred to law enforcement officials. The District will take all other appropriate steps to correct or rectify the situation.

Consequences for retaliation or false accusations

The District prohibits retaliation or reprisal in any form against a student or employee who has filed a complaint or report of harassment, intimidation or bullying. The District also prohibits any person from falsely accusing another as a means of harassment, intimidation or bullying. The consequences and appropriate remedial action for such conduct will be determined by the principal or his/her designee and may range from positive behavioral interventions to disciplinary actions, up to and including suspension or expulsion for students and termination for employees.

Notification and distribution of District expectations

The principal of each school annually will ensure that appropriate staff members review the policy on harassment, intimidation and bullying with all students. Information on these topics should be shared in an age-appropriate manner and may occur during student assemblies, in the classroom setting or in group or individual sessions with a guidance counselor or school resource officer.

Annually, this policy will be disseminated to all staff members, students and parents/legal guardians along with a statement explaining that it applies to all applicable acts of harassment, intimidation or bullying that occur on school property, at District or school sponsored functions, on school buses or other District vehicles and at school bus stops.

Legal references:

A. S. C. Code, 1976, as amended:

6. Section 16-3-510 - Organizations and entities revised.
7. Section 59-19-90 - General powers and duties of school trustees.
8. Sections 59-63-210 through 270 - Grounds for which trustees may expel, suspend or transfer pupils; petition for readmission; notices and parent conferences; expulsion for remainder of year and hearings; transfer of pupils; corporal punishment; regulation or prohibition of clubs or like activities.
9. Section 59-63-275 - Student hazing prohibited.
10. Section 59-67-240 - Other duties of bus driver; discipline of students for misconduct.
11. Section 59-63-110, et. seq. - Safe School Climate Act.

B. State Board of Education Regulations:

6. R43-279 - Minimum standards of student conduct and disciplinary enforcement procedures to be implemented by local school Districts.

ANTI-BULLYING CONTRACT

SOUTH CAROLINA LAW ON BULLYING

Section 59-63-120. "Harassment, intimidation, or bullying" means a gesture, an electronic communication, or a written, verbal, physical or sexual act that is reasonably perceived to have the effect of: (a) harming a student physically or emotionally or damaging a student's property, or placing a student in reasonable fear of personal harm or property damage; or (b) insulting or demeaning a student or group of students, causing substantial disruption.

WHAT IS BULLYING?

Verbal bullying includes name calling, verbal threats, spreading rumors or excluding a student from activities or conversations.

Physical bullying involves one or more students aggressively hitting or attacking another student.

Social/Cyberbullying is electronic aggression using the Internet, social media (Facebook, Twitter, etc.), e-mails and text messaging.

ANTI-BULLYING CONTRACT

This contract is to inform _____ that it has been reported that bullying has been occurring against one or more students in Marlboro County School District. The bullying may have been physical, social, mental or virtual to include cyberbullying or some electronic form of bullying.

By signing this contract, I _____ do acknowledge that all Marlboro County Schools are bully-free zones. I also acknowledge that the consequence of any continued acts of bullying may lead to disciplinary actions. The actions may include loss of Marlboro County School District electronic privileges, in-school suspension, out-of-school suspension, and up to a recommendation for expulsion. I will also report immediately any and all incidents of bullying that take place in my presence. School administration will contact all parties associated with bullying incidents to ensure that all parties are aware of the policy against bullying and the consequences for continuing to bully. Incidents of bullying will be documented and all parents in each case will be contacted individually.

Your signature below confirms your agreement and willingness to adhere to the Marlboro County School District Anti-Bullying Contract.

Student Signature: _____ Date:_____

Parent(s)/ Guardian(s) Signature:_____ Date:_____

School Administrator: _____ Date:_____

CONFLICT RESOLUTION CONTRACT

Information has been brought to the attention of the Administration that you have been involved (*directly or indirectly)* in escalating behavior or inflammatory remakes made toward another student.

Evidence suggests you have contributed to the escalation of a situation as a result that you:

Made threats either directly, electronically, through a friend/relative/acquaintance, or through social media outside of school.
Spread rumors about a possible altercation between students.
Acted as a "Go Between" and communicated from one person to another that one of the parties involved wanted to fight.
Confronted a student about an incident that didn't involve you.
Made remarks that are offensive, prejudiced, or racist to another student.
Made remarks that could possibly be disruptive to the school environment.

In order to de-escalate this situation and any others I, _____, understand that it is my responsibility to refrain from all of the behaviors listed above. I agree to make every effort to avoid conflict, not create conflict, or encourage conflict while on campus, on a school bus, or at a school sponsored event.

I further understand that if I continue this behavior on campus, on the school bus, or at a school sponsored event, that further disciplinary action may occur to possibly include suspension from school up to a possible recommendation for expulsion.

Lastly, I understand that if evidence presents itself that other parties involved are attempting to escalate this situation; I will report the incident to the nearest teacher or administrator immediately.

Student Signature: _____ Date:_____

School Administrator: _____ Date:_____

Witness:_____ Date:_____

Parent Contact: _____ Number:_____ Date: _____ Time: _____

SEXUAL HARASSMENT OF STUDENTS

Purpose: To establish the basic structure for dealing with allegations of sexual harassment of students.

Sexual harassment of students by employees, other students or third parties is prohibited. All employees, students and third parties associated with schools must avoid any action or conduct which could be viewed as sexual harassment. This includes any action or conduct communicated or performed in person, in writing or electronically through such means as a telephone, cell phone, computer or other telecommunication device and includes text messaging and instant messaging.

The Superintendent directs District and school employees to take prompt, appropriate and responsive action to end sexual harassment and to prevent its reoccurrence. Teachers and school administrators are expected to use judgment and common sense, which are important elements of a proper response to a particular allegation of sexual harassment of a student or inappropriate conduct of a sexual nature directed towards a student.

Any student who feels he/she has been subjected to sexual harassment or the parent/legal guardian of a student who feels his/her child has been subjected to sexual harassment is encouraged to file a complaint in accordance with the procedures described in this administrative rule. All allegations will be investigated promptly, thoroughly and impartially to determine what occurred. In the interim and at the conclusion of the investigation, appropriate steps will be taken to effectively address the situation.

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

These procedures are intended to do the following:

- discourage employees, students and third parties from subjecting District students to sexual harassment
- promote a harassment-free school environment
- establish ongoing education and awareness of the problem of sexual harassment
- provide information about how to report allegations of sexual harassment
- ensure a prompt, thorough and impartial investigation of sexual harassment allegations
- effectively and appropriately address all sexual harassment found to have occurred or be occurring

Types of behavior which constitute sexual harassment

Quid pro quo sexual harassment

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

Hostile environment

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

Preventive action

The District's designated Title IX coordinators are Sterling Mosby and Hazel Elliso. The name, address and business telephone number of the coordinator will be disseminated throughout the District and be made available to students and/or parents/legal guardians.

Periodically, the District will ensure the following:

Information is made available to students about the nature of sexual harassment, the procedures for making a complaint and the possible redress which is available. Such information will stress that the District does not tolerate sexual harassment and that students can report inappropriate behavior of a sexual nature without fear of adverse consequences. The information provided will take into consideration and be appropriate to the ages of students. Written summaries of sexual harassment procedures are included in student/parent handbooks or other appropriate documents distributed to students and/or parents/legal guardians.

Each school has selected a male and a female administrator or faculty member to serve as the school's sexual harassment contact person.

All administrators and designated sexual harassment contact persons are informed of the District's sexual harassment procedures and understand how to implement them. For example, they will be made aware of the conduct that constitutes sexual harassment, the District's commitment to eliminating and avoiding sexual harassment in the schools, the penalties for engaging in harassment, the procedures for reporting incidents of sexual harassment and the procedures for conducting a sexual harassment investigation.

All certified and classified employees are informed about the nature of sexual harassment and the District's general procedures for handling and reporting student complaints.

Information from the office of civil rights (OCR) about filing claims of sexual harassment with OCR is made available to students and parents/legal guardians.

Reporting and response procedures

Any student who feels that he/she has been the object of sexual harassment is encouraged to file a complaint with his/her principal or one of the designated school contact persons (except for situations covered below). Such a complaint may also be filed by the student's parent/legal guardian.

Under no circumstances will a student be required to first report allegations of harassment to the principal or a school contact person if that person is the individual who is accused of the harassment. In such cases, the student or the student's parent/legal guardian will file the complaint with another contact person at the student's school or with the District Title IX coordinators, Sterling Mosby and Hazel Ellison. In cases where the contact person is subordinate to the person accused of harassment, the complaint will be forwarded directly to the District Title IX coordinator.

If any employee receives a complaint of sexual harassment or observes any behavior which could amount to sexual harassment, the employee will transmit the complaint to one of the school's designated contact persons or report the behavior to the principal or one of the school contact persons as soon as practicable. Conduct to be reported includes sexual graffiti on school property, hazing of students, *text messaging*, etc. All principals and/or school contact persons will report any incident of alleged sexual harassment reported to them to the District Title IX coordinators, Sterling Mosby and Hazel Ellison as soon as practicable.

If a student alleges that he/she is the victim of sexual harassment, the school should promptly attempt to notify the student's parent/legal guardian. The principal, school contact person and/or the Title IX coordinator(s) should initially discuss with the student and if appropriate, his/her parent/legal guardian what actions are being sought and the investigation procedures that will be followed. Interim measures designed

to protect the student from further harassment during the investigation of a complaint should be taken where appropriate.

In cases involving potential criminal conduct or where a child's physical or mental health or welfare has been or may be adversely affected by sexual abuse, appropriate school personnel should report the situation to appropriate authorities in accordance with South Carolina Code Ann. Section 20-7-510 and/or Section 59-24-60.

The Title IX coordinator and the school principal and/or one of the school contact persons will promptly initiate an investigation of the alleged sexual harassment. The investigation will include appropriate steps to determine what occurred and to take actions reasonably calculated to end the harassment, eliminate the hostile environment if one has been created and prevent harassment from occurring again. The school will take steps to assist in remedying the effects of harassment on the individual student or students subjected to the harassment. However, the District is not obligated for any expenses associated with a student's participation in private counseling or medical services.

The District will be responsible for ensuring that reasonable efforts are made to prevent public disclosure of the names of all parties involved in the sexual harassment allegation, except to the extent necessary to carry out an investigation and comply with statutory obligations.

If the investigation determines that sexual harassment has occurred, the District or school administration will take reasonable, timely, age-appropriate and effective corrective action.

Examples of corrective action include, but are not limited to, the following:

disciplinary action against the harasser, up to and including termination of an employee or expulsion of a student
special training or other interventions
apologies
dissemination of statements that the school does not tolerate sexual harassment
independent reassessment of student work
tutoring
referrals to counseling services

The principal or the Title IX coordinator will report the general results of any investigation of sexual harassment, including corrective action taken, to the Superintendent or his/her designee. The student and his/her parents/legal guardians will be informed that appropriate actions were taken and will be advised how to report any subsequent problems.

All principals and/or school contact persons will follow up periodically on any incident of sexual harassment they were involved in investigating to determine whether the student has been subjected to any further sexual harassment since the corrective action was taken.

In the event that a school learns of possible harassment through other means than a student, parent/legal guardian or employee complaint, such as a witness to an incident or anonymous letter or telephone call, the administration will consider the following factors in formulating an appropriate response:

source and nature of the information
seriousness of the alleged incident
specificity of the information
objectivity and credibility of the source of the report
whether any individuals can be identified who were subjected to the alleged harassment
whether those individuals want to pursue the matter

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

Additional obligations of all employees and students

All employees and students will report to the principal, school contact persons or in appropriate cases the employee's immediate supervisor, any conduct on the part of third parties, such as sales representatives or service vendors, which is believed to constitute sexual harassment.

All employees and students will cooperate with and maintain the confidentiality of any investigation of alleged acts of sexual harassment conducted by the District or by an appropriate governmental agency. Failure to do so could result in disciplinary action against the individual who failed to cooperate or who violated the confidentiality of the matter.

No employee or student of this District will take any action to discourage any student from reporting alleged sexual harassment. However, any person who intentionally provides false information in connection with a report or investigation of sexual harassment may be subject to disciplinary action.

No employee or student of this District will retaliate in any way against an employee or student who has provided information regarding an incident of sexual harassment.

Legal references:

A. Federal statutes:
1. Title VI of the Civil Rights Act of 1964 - Prohibits discrimination on the basis of race, color, national origin, religion or sex.
2. Title IX of the Education Amendments of 1972, 20 USC Section 1681, et seq, - Prohibits discrimination on the basis of sex.

B. U. S. Supreme Court:

1. Morse v. Frederick, 127 S. Ct. 2618 (2007).
2. Plyler vs. Doe, 1982.

SEXUAL HARASSMENT COMPLAINT FORM

Name of Student Complainant: _____

Address: _____

Phone Number: _____

Parent's Name: _____

School: _____

Grade: _____

Name(s) of Alleged Harasser(s): _____

Approximate date(s) of alleged harassment or when harassment began, if ongoing: _____

Location or situation where alleged harassment occurred, or is occurring: _____

Nature of the harassment: _____

_____

Other individuals in whom you have confided about the alleged sexual harassment:

_____

_____

Individuals who you believe may have witnessed, or been subjected to, the alleged sexual harassment:

_____

Remedy sought: _____

_____

Signature of Complainant or Complainant Parent: _____

Date: _____

Signature of Individual Receiving Complaint: _____

Date: _____

TOBACCO FREE ENVIRONMENT POLICY

Purpose: According to the U.S. Surgeon General's Report of 2006, the Environmental Protection Agency of 1992, the South Carolina Clean Indoor Air Act of 1990, and the Federal Pro-Children Act of 1994, tobacco use and exposure to secondhand smoke (environmental tobacco smoke) are hazardous to the health of human beings, especially children. The Marlboro County School District Board of Education reaffirms that one of the best methods of instruction is one that is provided with a 100% tobacco-free, smoke-free environment.

Goals: The goal of this policy is to provide 100% tobacco- free, smoke- free environment for all students, staff and visitors within all of its facilities, vehicles, and grounds and at all school and District-sponsored events. This goal will be achieved by:

exhibiting healthy behavior for all students, staff, visitors, and the entire community
utilizing proved and effective science- based tobacco use prevention curricula; and
providing access to cessation counseling or referral services for all students and staff.

Procedures: As a school District within the State of South Carolina, we will:

prohibit the use and/or possession of all tobacco products or paraphernalia including but not limited to cigarettes, cigars, pipes, bidis, kreteks, smokeless tobacco and snuff **by all students, staff and visitors.**
ensure that tobacco use prevention programs, as recommended by the South Carolina Department of Health and Environmental Control, the South Carolina Department of Alcohol and Other Drug Abuse Services and the South Carolina Department of Education, are an integral part of its substance abuse prevention efforts.
provide and/or refer to cessation services separately for students and staff.
ensure that violations of the SC Youth Access to Tobacco Prevention Act of 2006 are communicated to appropriate law enforcement agencies.

Enforcement

The Marlboro County School District will enforce this policy by determining appropriate disciplinary actions for violators (students, faculty, visitors, etc.). Actions may be inclusive of the following:

Students: parent/ administrator conferences, mandatory enrollment in a tobacco prevention education program, community service, in-school suspension, out of school suspension, and suspension from extracurricular activities.
Staff: verbal reprimands, written notification placed in personnel file, suspension, and mandatory enrollment in a tobacco education program or voluntary enrollment in a cessation program.
Visitors: verbal requests to leave school property, forfeiture of any fee charged for admission and prosecution for disorderly conduct after repeated offenses.

Education and Assistance

As a school-based institution, we will be responsible for utilizing proven and effective science-based tobacco use prevention curricula to educate all students and provide assistance and/or make cessation referrals.

Tobacco Industry Marketing or Sponsorship

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

Legal references:

A. United States Code:

1. 20 U.S.C. 6081 - Pro-Children Act of 1994.

B. S.C. Code, 1976, as amended:

1. Section 16-17-490 - Contributing to the delinquency of a minor (school board rules and regulations may be exempt under certain circumstances).
2. Section 16-17-500 - Supplying minors with tobacco or cigarettes.
3. Section 59-67-150 - Qualifications of bus driver; drinking or smoking on bus.
4. Sections 16-17-500 and 501 - Youth Access to Tobacco Prevention Act of 2006.

ACCEPTABLE USE POLICY FOR TECHNOLOGY

I. Guiding Principles.

A. Technology includes, but is not limited to, computer hardware, peripherals, network and communications equipment, software, web sites, mobile Internet connections, and audio and video.

B. All MCSD technology is the property of the MCSD, thus all MCSD employees, students and visitors are responsible for following and complying with any and all MCSD rules, regulations, policies and procedures pertaining to technology.

C. Any person, vendor or outside agency bringing technology into a MCSD building or connecting to or through a MCSD network shall adhere to MCSD rules, regulations, policies and procedures.

D. MCSD technology rules, regulations, policies and procedures shall be included in MCSD student and staff handbooks as appropriate.

E. Failure to follow MCSD rules, regulations, policies and/or procedures may lead to disciplinary measures against the MCSD employee or student, removal from the approved substitute teacher list, removal from the approved volunteer list, termination of contracts with vendors or contracted personnel, or any other action appropriate for the infraction and for the individual. The MCSD further reserves the right to notify law enforcement and/or seek criminal prosecution for violators, impose monetary penalties equal to the cost to repair or replace technology items, or impose any other appropriate sanction.

II. District Technology Resources.

A. MCSD technology resources include, but are not limited to, hardware items, such as computers, cell phones, printers, netbooks, laptops and projectors.

B. MCSD technology resources also include all software applications and tools available for use at any location in the Marlboro County School System.

C. Users of MCSD technology resources shall accept all conditions pertaining to software license agreements and copyright laws.

D. Unauthorized use of MCSD computers and hardware items is not permitted.

E. No one shall cause the disruption of MCSD technology resources through the deliberate introduction of a "virus".

F. Access of personal information or confidential MCSD information that becomes available to a computer user must be treated as privileged information. Copying, modifying, disseminating or using this information is prohibited and subjects the offender to disciplinary action up to expulsion (for students), dismissal (for employees) and/or criminal prosecution (for other persons).

G. No user shall willfully or deliberately damage or remove MCSD computer or network resources.

H. Any willful act or omission that could cause either general loss of service or interference with the work of another computer user shall be subject to disciplinary action.

I. In the event a person causes intentional damage to MCSD computer files, hardware, software or other computer related equipment, the MCSD will seek from such person full restitution for the actual replacement cost to the MCSD, including but not limited to labor, parts, materials and related costs.

III. Software Management.

A. Purchases of technology resources shall be made in accordance with MCSD.

B. The MCSD shall maintain a detailed list of application software and programs approved for use on the MCSD computers. This list will be posted for MCSD staff to view on the MCSD website. All installation materials will be maintained by the MCSD Technology Department.

C. No software or programs shall be installed on MCSD computers or servers without the proper license or permission.

D. Only software and programs purchased, owned or explicitly authorized by the MCSD, shall be installed on MCSD computers. No personal software may be installed and used without prior authorization from MCSD Technology Department. This includes, but is not limited to, games, screen savers, utilities and communication software.

E. Copying and duplication of MCSD software and/or programs for any reason is expressly prohibited.

F. The MCSD will remove any non-approved software or applications discovered on MCSD computers or networks. Removed software and/or applications will not be returned to the installing user or the person to whom the MCSD device on which the installed software or program was issued. The person will receive written notice of said violation and may be subject to disciplinary action up to and including expulsion (for students) or dismissal (for employees).

G. MCSD approved and purchased systems/software that are no longer in compliance with current security patches and policies will be removed/discontinued at the discretion of the Technology Services Officer. All systems that require service contracts to maintain compliance shall be purchased by the original budgeting department until such systems are no longer in use.

H. E-Mail

A. Email is a business communications tool, and users are obligated to use this tool in a responsible, lawful manner.
B. Any mass email sent to over 100 users must first be approved by the Superintendent or the Director of Communication. Any attempt to circumvent this policy may lead to disciplinary measures against the MCSD employee.
C. It is strictly prohibited to:
    i. Send or forward emails containing libelous, defamatory, offensive, racist or

obscene remarks.

ii. Forward a message with sensitive information, including credit card numbers, social security numbers or any HIPAA/FERPA sensitive information. Information containing Social Security or Credit Card numbers may be blocked by the Systems Administrator.

IV. Technology Network.

A. The MCSD Technology Services Officer or his/her designee will provide all MCSD users with an access account to the MCSD Network.

B. Any and all activity on the MCSD Network conducted under a password is the responsibility of the owner of the password.

C. Users on the MCSD Network may access only those files for which they have specific authorization.

D. The MCSD Technology Services Officer will set quotas for disk usage space for all users on the MCSD Network.

E. MCSD Students shall not attempt to bypass or interfere with security systems on the MCSD Network.

F. All copyright laws shall be followed. Making or distributing copies of copyrighted material that includes text, pictures, video, and digital media without authorization is prohibited.

G. The use of the MCSD Network to obtain, distribute, or store inappropriate materials is prohibited.

H. Files created, stored, received, deleted, looked at or sent using the MCSD Network are considered the property of the MCSD and are not considered private. The MCSD reserves the right to monitor, access, use and/or remove and files, documents, things, materials or otherwise from the MCSD Network at any time and for any reason, with or without notice to any user.

V. MCSD Web Site.

B. Approval of Content.

1. Web pages created for publication on MCSD-hosted website shall be approved by the MCSD Director of Communication or his/her designee before being placed on the MCSD web server.

2. Web pages created for publication on MCSD school websites maintained by the MCSD shall be approved by the Principal before being placed on the MCSD web server. The MCSD Director of Communication or his/her designee shall monitor and have the authority to review, remove, add, and/or revise content on MCSD school websites maintained by the MCSD.

C. The Director of Communication or his/her designee shall be responsible for maintaining,

monitoring and uploading all MCSD web activity to the MCSD website.

D. All pages on the MCSD website and MCSD school websites maintained by the MCSD are property of the MCSD and must follow all MCSD policies and administrative regulations regarding copyright and nondiscrimination.

E. Pages on the MCSD website and MCSD school website maintained by the MCSD may include links to websites outside the MCSD if the site is of benefit to students, staff members, or the community. All content and webpages on the MCSD maintained websites shall comply with the Children's Internet Protection Act (CIPA) Rules of Content (i.e., no information that is inappropriate, obscene, racist, sexist, contains obscenities or inflammatory/abusive language). Sites on the MCSD webpages shall not be linked to sites that do not meet the same criteria.

F. To publish discernable pictures of students on MCSD and school webpages, a release must be obtained from a parent/legal guardian of the student.

G. MCSD webpages shall not violate state law with respect to privacy. No personal telephone numbers, addresses or e-mail addresses shall be listed on MCSD or school webpages.

H. Directories of MCSD or school staff e-mail addresses may be maintained on the MCSD and/or school webpages.

VI. Data & Records Retention

A. **Purpose.** To establish the Superintendent's expectations for the retention of the data and records of the Marlboro County School District ("MCSD").

B. The MCSD recognizes the importance of maintaining complete and accurate records in compliance with all applicable law and regulations.

C. The MCSD will establish and maintain a system for the securing, cataloging and storing of all records in compliance with state and federal law. Such system will include the suspension of routine record destruction practices, as applicable.

D. The Superintendent or his/her designee will establish procedures in compliance with the South Carolina Public Records Act, South Carolina Freedom of Information Act and/or the electronic records management guidelines established and recommended by the South Carolina Division of Archives and Records Management.

E. The MCSD records management manual, incorporated in administrative rule, describes the MCSD procedures for the retention of MCSD data and records. Any additional and appropriate forms and guidelines may be published as separate documents. Copies of the MCSD rule, forms and guidelines will be available at each school and the district office.

F. In the event that any state and/or federal program rules, regulations and policies conflict with the MCSD records retention guidelines, the state and/or program rules, regulations and policies will supersede and take precedent over the MCSD guidelines.

G. MCSD records are open to the public in accordance with the South Carolina Freedom of Information Act ("FOIA"). Persons who wish to view those records must forward their requests to the MCSD FOIA Officer.

Legal references:

A. S. C. Code, 1976, as amended:
   1. Section 30-4-10, et seq. - South Carolina Freedom of Information Act.
   2. Sections 30-1-10 through 30-1-140 - Public Records Act.
   3. Sections 26-6-10 through 26-6-210 - South Carolina Uniform Electronic Transactions Act.

B. South Carolina Department of Archives and History Regulations:
   1. Regulation 12-901 through 12-906.6 - Article 9 - General retention schedules for school districts.

C. Guidelines:
   1. South Carolina Department of Archives and History - Electronic Records Management Guidelines (E-Mail Management).

POSSESSION/USE OF ELECTRONIC COMMUNICATION DEVICES IN SCHOOL

Purpose: To establish the basic structure for student possession/use of electronic communication devices in the schools of the District.

For purposes of this policy, electronic communication devices are defined as any device that has the capability of electronically communicating by means of sending, receiving, storing, recording, reproducing, and/or displaying information and data. Examples of electronic communication devices include computers, tablets, e-readers, cellular telephones, pagers, portable media players, video gaming systems, GPS instruments, and digital cameras and camcorders.

Students use of electronic communication devices while on school property (including school buses), attending school-sponsored activities, or using the District technology system may only be done in accordance with *Student Acceptable Use Guidelines for Technology*.

Consequences

Violations of this policy will be handled in accordance with the *Student Acceptable Use Guidelines for Technology.*

Use Guidelines for Technology

Additionally, a student in possession of an electronic communication device in conflict with this policy may have the device confiscated and is subject to discipline as provided under the Student Discipline Code of Conduct. The student's parent/legal guardian may pick up the confiscated device from the school at the convenience of the administration, within 10 days of confiscation. The school or school District assumes no responsibility for electronic devices brought to school or on the bus.

Legal references:
S.C. Code of laws, 1976, as amended:
Section 59-63-280 - Possession of paging devices by public school students; mobile telephones included; adoption of policies.

CONTINUUM OF DISCIPLINE FOR INAPPROPRIATE USE OF TECHNOLOGY

Mobile devices are powerful tools which can transform the learning environment and maximize learners outcomes. However, they can represent potential obstacles for teachers, creating sources of disciplinary problems in the classroom. It is important to note that many of the same issues that teachers report in traditional classrooms are those that occur in technology-infused learning environments. In all cases, the key to successful student learning is consistent and effective classroom management. This document has been developed to better prepare teachers for managing and teaching in a 1:1 classroom.

Classroom teachers are responsible for maintaining a classroom environment which is conducive to learning. We recommend teachers engage in the following best practices:

Communicate clear and explicit expectations

Stay mobile/use proximity

Create truly engaging activities - limit 'play' time Be

consistent in implementing your discipline plan

Classroom Managed Incidents

Classroom-managed incidents include those which are relatively minor in scope, and as such can be handled in accordance with the teacher's classroom-based discipline plan. Examples of classroom-managed incidences include, but are not limited to:

Off-task behavior (i.e. browsing the internet or visiting sites other than those instructed)

Playing games

Use of the device or its apps in non-educational ways (recording device used in ways other than instructed, messaging, chatting, etc.)

Suggestions for discipline for classroom managed incidents

Utilize PBIS Matrix

proactively Verbal Warning

Student Conference

Loss of device for remainder of class period and parent contact/conference

Office referral

School Managed Incidents (Referral-Based)

Incidents of a more serious nature should be managed in accordance with school and district policies. Additionally, repeated classroom-managed offenses should be considered acts of defiance and can also be handled with a referral to administration. School-managed incidents include (but are not limited to):

Sexually explicit content, searches and/or photos

Weapons, gangs, and/or drug related content or searches

Network security violations, including attempts to bypass, interrupt, or disable district security, filtering, or data-protection measures; hacking.

Intentionally causing damage to technology equipment or infrastructure.

Cyberbullying or using a device to record a bullying incident, online harassment, cyberbaiting, catfishing, etc.

Discipline for school management incidents is outlined in the code of conduct.

CODE OF STUDENT CONDUCT

I. Introduction.

A. The purpose of this Code of Student Conduct is to notify students and parents of the standards of behavior expected of students, conduct that may subject students to discipline, and the range of disciplinary measures to be used by school officials in enforcing Board policies, administrative regulations, school rules, and classroom rules. It is important parents, students and school officials understand these are guidelines and not prescribed actions that must be followed in each and every instance of student misconduct. School administrators may impose more or less severe disciplinary actions based on mitigating and aggravating factors and in keeping with the principles set out in Board policy and administrative regulations.

B. A school is a community. It is responsible for educating those children who attend and, therefore, it must establish and enforce guidelines and procedures that provide for reasonable order and an atmosphere where learning can take place

C. In keeping with the philosophy that discipline is a means of teaching and that most effective teaching is done in a positive manner, disciplinary efforts are to be as positive as possible. Positive means of working with students include individual discussion and counseling, involvement of students in defining acceptable behavioral standards and involvement of parents/legal guardians.

D. Under the direction of the Superintendent, school personnel will establish, periodically review and, if necessary, revise procedures for disciplining students.

E. All procedures and guidelines will be fair, just, flexible and in the best interests of individual students and the school community. In addition, all procedures and guidelines will comply with the appropriate statutes and constitutional provisions.

II. Discipline of Students with Disabilities. The procedures set forth in the Individuals with Disabilities Act (IDEA) and its implementing regulations, Chapter 33 of Title 59 of the South Carolina Code of Laws, and its implementing regulations, shall be followed when disciplining students with disabilities.

III. Definitions. For purposes of this code of conduct manual, the following terms shall be defined as follows:

A. Aggravating factors. Factors that may be considered by a school official which would increase the severity of a student's punishment for violating the Code of Student Conduct.

B. Alcoholic beverages shall be defined in accordance with Chapter 6 of Title 61 of the South Carolina Code of Law, and includes any spirituous malt, vinous, fermented, brewed, or other

liquor or a compound or mixture of them which contains alcohol and is used as a beverage. This definition also includes powdered alcohol and any substance which, when mixed with another substance or in its original form, has the same or similar effect as an alcoholic beverage.

C. Alternative school program. The MCSD's part- or full-time programs, wherever situated, provide appropriate services to students who, for behavioral or academic reasons, are not benefitting from the regular school program or may be interfering with the learning of others. Alternative school programs include programs established by the local board of education in conformity with Chapter 63, Article 13 of Title 53 of the South Carolina Code of Laws.

D. Controlled substance. Includes marijuana, heroin, LSD, methamphetamine, cocaine, or any other drug, substance or immediate precursor listed in Schedules I – V in S.C. Code Ann. §§ 44-53-190, 44-53-210, 44-53-230, 44-53-250 and 44-53-270.

E. Corporal punishment. The intentional infliction of physical pain upon the body of a student as a disciplinary measure.

F. Educational property or school property. Any school building or bus, school campus, grounds, recreational area, athletic field, or other school property under the control of the MCSD or any property temporarily being used for or incidental to the instruction of MCSD students. When applicable, this definition includes MCSD owned personal property, including but not limited to MCSD issued electronic devices.

G. Expulsion. The disciplinary exclusion of a student from enrollment in all MCSD schools and educational programs for the remainder of the school year. Expulsion is to be construed as prohibiting a student from entering a MCSD school or school grounds, except for a prearranged conference with an administrator, attending any day or night school functions, or riding a school bus. It is not meant to preclude enrollment and attendance in any adult or night program operated by the MCSD.

H. Firearm. Shall be defined in accordance with S.C. Code Ann. § 16-8-10, and includes the following:

1. A weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive.

2. The frame or receiver of any such weapon.

3. Any firearm muffler or firearm silencer.

4. A firearm does not include an inoperable antique firearm, a BB gun, stun gun, air rifle, paintball gun, or air pistol.

I. Gang. Shall be defined in accordance with S.C. Code Ann. § 16-8-230.

J. Mitigating factors. Factors that may be considered by a school official which would decrease the severity of a student's punishment for violating the Code of Student Conduct.

K. Narcotics. Shall be defined in accordance with S.C. Code Ann. § 44-53-110(29), and includes any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

1. opium, coca leaves, and opiates;

2. a compound, manufacture, salt, derivative or preparation of opium, coca leaves, or opiates; or

3. a substance (and any compound, manufacture, salt, derivative, or preparation thereof) which is chemically identical with any of the substances referred to in K.1. or 2. This term does not include decocainized coca leaves or extracts of coca leaves, which extracts do not contain cocaine or ecgonine.

L. Parent. Includes a parent, legal guardian, legal custodian, or other caregiver adult who is acting in the place of a parent and entitled to enroll a student in school.

M. Destructive device. Shall be defined in accordance with S.C. Code Ann. § 16-23-710(7) and means:

1. a bomb, incendiary device, or anything that can detonate, explode, be released, or burn by mechanical, chemical, or nuclear means, or that contains an explosive, incendiary, poisonous gas, or toxic substance (chemical, biological, or nuclear materials) including, but not limited to, an incendiary or over-pressure device, or any other device capable of causing damage, injury, or death;

2. a bacteriological weapon or biological weapon; or

3. a combination of any parts, components, chemical compounds, or other substances, either designed or intended for use in converting any device into a destructive device which has been or can be assembled to cause damage, injury, or death.

N. Principal. Includes the principal and the principal's designee.

O. School Personnel. Includes any of the following:

1. An employee of the Board of Education, including but not limited to the Superintendent, and a Principal, Assistant Principal, teacher, and teacher assistant;

2. Any person working on school grounds or at a school function under a contract or written agreement with the Board and/or the MCSD to provide educational or related services to students;

3. Any person working on school grounds or at a school function for another agency providing educational or related services to students; and

4. Any school volunteer.

P. Serious Personal Injury. Includes, (1) substantial risk of death, (2) serious permanent disfigurement, (3) a coma, (4) a permanent or protracted condition that causes extreme pain, (5) permanent or protracted loss or impairment of the function of any bodily member or organ, or (6) an injury that results in prolonged hospitalization.

Q. Short-term suspension. The exclusion of a student from school attendance for disciplinary purposes for up to ten (10) school days from the school to which the student was assigned at the time of the disciplinary action.

R. Substantial evidence. Such relevant evidence as a reasonable person might accept as adequate to support a conclusion; it is more than a scintilla or permissible inference.

S. Superintendent. Includes the Superintendent and his/her designee(s).

T. Weapon. Shall be defined in accordance with S.C. Code Ann. § 16-23-405, and as set forth in Administrative Regulation SS-26.

IV. Disciplinary Measures that May be Used for Violating the Code of Student Conduct. When considering the appropriate disciplinary measure for a student, school officials should utilize sanctions authorized by the Code of Student Conduct for the given offense. Sanctions are organized by level as described herein. Guideline sanctions are found in Section VII hereinbelow; however, school officials may aggravate or mitigate sanctions as described in Section VI hereinbelow. Pursuant to MCSD policy, corporal punishment is not authorized as a disciplinary measure in the MCSD. The procedures for disciplining regular education students are found in MCSD policy JICDA, Suspension, Expulsion & Alternative Education Assignment of Students. The procedures for disciplining students with disabilities are found in MCSD JICDA, Discipline of Students with Disabilities.

A. **Level I Offenses - Discipline that does not remove a student from the classroom for an**

extended period of time or from the school. This non-exhaustive list of interventions is not appealable pursuant to the student discipline appeal procedures found in MCSD JICDA Suspension, Expulsion & Alternative Education Assignment of Students.

1. parental involvement, such as conferences;
2. positive behavior interventions;
3. behavior improvement agreements;
4. reduction in student's grade (for academic misconduct);
5. instruction in conflict resolution and anger management;
6. peer mediation;
7. individual or small group sessions with the school counselor;
8. academic intervention;
9. detention before and/or after school or on Saturday;
10. silent lunch;
11. community service;
12. loss of parking privileges;
13. exclusion from graduation or promotion ceremonies;
14. exclusion from extracurricular activities;
15. suspension from bus privileges;
16. participation in a gang awareness program;
17. submission to random, mandatory drug tests for one calendar year;
18. participation in a drug, alcohol and/or tobacco treatment or education program; and/or
19. In-School Suspension ("ISS"). ISS is a form of discipline in which a student maintains classroom assignments and remains in school but in a separate location than the student's regular classroom. The student's teacher will continue to provide coursework for the student to complete while in ISS. Period ISS is preferred to day-long ISS. ISS should be used as a short-term solution. ISS assignment is not appealable pursuant to the student discipline appeal procedures found in Administrative Regulation SS-39, Suspension, Expulsion & Alternative Education Assignment of Students.

B. **Level II Offenses – Up to Four (4) Days Short-Term Suspension.** A student committing a Level II offense may be short-term suspended out-of-school for up to four (4) days (at a time) for willfully engaging in conduct that violates the Code of Student Conduct. Administrators are to utilize non-suspension alternatives where appropriate prior to suspending a student out of school. Students shall not be short-term suspended for truancy or tardiness offenses.

C. **Level III Offenses – Up to Six (6) Days Short-Term Suspension.** A student committing a Level III offense may be short-term suspended out-of-school for up to six (6) days (at a time) for willfully engaging in conduct that violates the Code of Student Conduct. Administrators are to utilize non-suspension alternatives where appropriate prior to suspending a student out of school. The rules governing out of school suspension and non-suspension alternatives in Section B, above, shall apply.

D. **Level IV Offenses – Expulsion or Alternative School Recommendation.** A school administrator may suspend a student committing a Level IV offense for up to ten (10) school days and recommend the student be expelled OR assigned to a MCSD alternative school. The

procedures for recommending a student be expelled or assigned to alternative school are set forth in MCSD JICDA, Suspension, Expulsion & Alternative Education Assignment of Students.

E. **Level V Offenses – 365 Calendar Day Suspension.** A school administrator may suspend a student committing a Level V offense for up to ten (10) school days and recommend the student be suspended out of school for 365 calendar days. The procedures for recommending a student be suspended for 365 calendar days shall be the same as for an expelled student as set forth in MCSD JICDA, Suspension, Expulsion & Alternative Education Assignment of Students.

V. Aiding or Assisting. A student shall not aid or assist another student to violate board policy, administrative regulation, school rules, or classroom rules. A student commits this offense if he or she knowingly advises, induces, encourages, aids or assists another student to commit an offense OR shares in the purpose of the act (to commit the offense) and aids or is in a position to aid the other student when the offense is committed. A student committing this offense may be disciplined in the same manner as those students actively committing the offense.

VI. Aggravating and Mitigating Circumstances. When considering the appropriate sanction for specific student conduct, the Principal, Assistant Principal, or teacher should consider aggravating and mitigating circumstances relating to the offense. In addition, any other circumstances related to the offense, and which are reasonably related to the purposes of discipline may be considered.

A. Aggravating factors which may be considered include, but are not limited to:

1. Blatant disrespect for authority;

2. Inducing others to take part in the prohibited behavior or occupying a position of leadership or dominance of other participants;

3. Attempting to flee or conceal guilt or to sit blame on an innocent party;

4. Receiving money or something of value from the misbehavior;

5. Victimizing a significantly younger or smaller student or mentally or physically disabled/handicapped person;

6. Taking advantage of a position of trust or confidence to commit the offense;

7. Committing the same or similar offense (during the student's grade span). For purposes of this Code of Conduct manual, "grade span" shall be defined as grades K-5, 6-8, or 9-12;

8. Having other disciplinary issues this school year;

9. The misconduct was associated with gang activity; or

10. The victim of the misconduct is a teacher or other staff member.

B. Mitigating factors which may be considered include, but are not limited to:

1. Being an elementary school student;

2. Having no history of disciplinary problems;

3. Having a significant amount of time pass since the student's last disciplinary problem;

4. Having the parent(s) of the student cooperate with the school and share in the imposition of disciplinary measures at home and at school;

5. Being a passive participant or playing a minor role in the offense;

6. Reasonably believing the conduct was legal;

7. Acting under strong provocation;

8. Aiding in the discovery of another offender;

9. Making a full and truthful statement admitting guilt at an early stage in the investigation of the offense;

10. Displaying an appropriate attitude and giving respectful cooperation during the investigation and discipline process;

11. Making appropriate restitution; or

12. Having the parent(s) and/or student participate in counseling.

VII. Guideline Sanctions for Violations of the Code of Student Conduct. The following guidelines are recommendations for discipline and should not be construed as mandatory discipline actions. Administrators may combine sanctions from different levels where appropriate (i.e. a short term suspension and recommendation for expulsion). Administrators should also review aggravating and mitigating factors to determine if reducing or increasing the recommended sanction for a particular committed offense is appropriate.

LEVEL I. Non-Suspension Alternatives: Administrative Conference, Counseling, Parent Conference, Detention, ISS, Bus Suspension, Community/School Service, Reprimand, Behavior Contract, Mandatory Behavior Contract after 3rd Offense		
101	006- Dishonesty	Giving false information, verbally or in writing, to

		school personnel
102	420- Disrespect	Disrespect to school personnel
103	270- Refusal to Obey	Persistent disobedience
104	022- Inappropriate Physical Contact	Horseplay
105	017- Inappropriate Behavior 023- Property Misuse 220- Computer Violation	Unauthorized or inappropriate use of school equipment, including, but not limited to, computers
106	180- Tardy	Excessive tardiness
107	018- Inappropriate Materials	Possession, sale or distribution of unauthorized materials at school, excluding drugs or alcohol
108	012- Harassment 650- Intimidation	Harassment, Bullying – 1st Offense, whether verbal or physical
108	012-Harassment	HSR-Due to Race or Victim HSD-Due to Disability of Victim HSG-Due to Gender of Victim HSG-Due to Religion of Victim HNO-Due to National Origin of Victim HSO-Due to Sexual Orientation of Victim HSU-Other/Unknown
109	300- Parking Violation	Violation of parking and driving regulations
110	017- Inappropriate Behavior	Violation of cafeteria rules
111	150- Cutting School 160- Cutting Class	Being in an unauthorized area or inappropriate use of facilities; exiting class without teacher permission; attempting to leave school; cutting class or school
112	015- Inappropriate Affection	Public display of affection between students
113	190- Cheating	Cheating
114	390- Unauthorized Device 220- Computer Violation	Possession or use of electronic devices not related to instruction during school hours, including cell phones, pagers, beepers; Unauthorized storage, access, duplication, and/or loading of computer program, system or data file; Use of any computer access accounts other than those assigned to the individual (ES)
115	390- Unauthorized Device	Possession/use of annoyances at school such as laser lights, water pistols, water balloons, whistles, etc.
116	390- Unauthorized Device	Use of skateboards, rollerblades, skates, Heelys or scooters on school property.
117	018- Inappropriate Materials	Unauthorized card playing (not gambling)
118	028- Throwing Objects	Throwing rocks or other objects
119	370- Littering	Littering school grounds
120	280- Dress Code	Dress code violation
121	017- Inappropriate Behavior	Violation of safety rules, including propelling objects i.e. rocks, spitballs, or food items, and science lab rule violations
122	210- Profanity 290- Obscene Gesture	Profanity/obscene gesture directed toward another student or directed toward no one in

		particular.
123	018- Inappropriate Materials 390- Unauthorized Device	Possession of a lighter or matches; Unauthorized striking or lighting a match/lighter

		or igniting caps or use of poppers on school Property
124	270- Refusal to Obey	Failure to obey school personnel (ES)
125	005- Detention Violation	Failure to attend/complete after-school detention, Saturday detention, or in-school suspension.
126	430- Contract Violation	Violation of a behavior contract
127	250- Gang Activity	Participation in gang/gang-related activity. 1st Offense
128	340- Bus Violations	Any behavior or act interfering with safe operation of a school bus
LEVEL II. Grades K-5: Up to 2 days OSS Grades 6-12: Up to 4 days OSS		
201	740- Stolen Property	(16-13-180) (A) It is unlawful for a person to buy, receive, or possess stolen goods, chattels, or other property if the person knows or has reason to believe the goods, chattels, or property is stolen. A person is guilty of this offense whether or not anyone is convicted of the property theft.
202	630- Gambling	Gambling (games of chance for money or profit).
203	230- Tobacco Violation	Possession, use, or distribution of tobacco, tobacco related products, electronic or alternative nicotine devices (e-cigarettes, e-hookahs, vaporizers), or similar product or device
204	011- Forgery	Tampering with, changing or altering records or documents of the school or MCSD by any method, including, but not limited to, computer access or other electronic means.
205	270- Refusal to Obey	Refusal to obey school personnel (MS/HS)
206	007- Disrupting Class 560- Disturb School	Creating or participating in a school or classroom disturbance interfering with the instructional process
	560-Disturb School	(16-17-420) (A) It is unlawful for a person who is not a student to willfully interfere with, disrupt, the normal operations of a school or college in this State by: (1) Entering upon school or college grounds or property without the permission of the principal or president in charge; (2) Loitering upon or about school or college grounds or property, after notice is given to vacate the grounds or property and after having reasonable opportunity to vacate; (3) Initiating a physical assault on, or fighting with, another person on school or college grounds or property; (4) Being loud or boisterous on school or

		college grounds or property after instruction by school or college personnel to refrain from the conduct; (5) Threatening physical harm to a student or a school or college employee while on school or college grounds or property; or (6) Threatening the use of deadly force on school or college property or involving
207	420- Disrespect 210- Profanity	Engaging in verbal or written abuse, name calling, i.e., ethnic or racial slur, or derogatory statements addressed publicly to others that may disrupt the school educational program or incite violence.
208	009- Fighting	Provoking or simulating a fight
209	390- Unauthorized Device 220- Computer Violation	Possession or use of electronic devices not related to instruction during school hours, including cell phones, pagers, beepers; unauthorized storage, access, duplication, and/or loading of computer program, system or data file; use of any computer access accounts other than those assigned to the individual (MS/HS)
210	710- Pornography	Possession/distribution of pornographic or obscene material

211	210- Profanity 290- Obscene gesture	Profanity/obscenity, racial or ethnic slurs directed to school personnel
212	290- Obscene Gesture	Sexual gestures and/or behavior, i.e. sexually suggestive language, movements, writings, drawings, including sexting
213	520- Assault Simple 014- Hit/ Kick/ Push	Inappropriate physical contact, including, but not limited to pushing or shoving
214	151- Truant 152- Habitual Truant 153- Chronic Truant	Truancy; Habitual Truancy; Chronic Truancy
215	650- Intimidation	Hazing
216	760- Vandalism 670- Larceny/ Theft	Vandalism or theft of school or personal property where value is $50.00 or less.
217	310- Leaving School	Leaving school property without permission, including unauthorized driving/riding to an off-campus class
LEVEL III. Grades K-5: Up to 4 days OSS Grades 6-12: Up to 6 days OSS		
301	590- Embezzlement 670- Theft 730- Robbery 760- Vandalism	Vandalism, robbery, or theft of personal or school or MCSD property where value is more than $50.00.
302	600- Extortion 650- Intimidation	Threatening or intimidating students; extortion or attempting to extort through threat of force
303	027- Threat	Making serious threats to school personnel
304	750- Trespassing	Trespassing; being on any school property or present at any school-sponsored event while under suspension
305	010- Fireworks 390- Unauthorized Devices	Possessing or detonating (in any way) fireworks, live ammunition, or other incendiary devices, including stink/smoke bombs and vials of noxious gases/ liquids
306	520- Assault Simple 510- Aggravated Assault 003- Bite/Pinch/Spit	Assault of a student; spitting or urination on a Student
307	789- Weapons (then select 786 if knife < 2 in.)	Possession and/or of a knife with a blade two inches or less, starter pistol, replica weapon/device, or bat, or any other item not generally considered as a weapon but used as a weapon to inflict bodily harm
308	004- Contraband	Possession of drug paraphernalia
309	560- Disturb School	Any other behavior, whether on or off campus, that threatens the safety of students or staff members (regardless of where behavior takes place) or disrupts the operation or function of

		the school. This does include coming on school/MCSD property after consuming non-prescribed controlled substances and/or illegal Drugs
310	390- Unauthorized Device	Possession or use of mace or pepper gas or Spray
311	013- Sexual Harassment	Sexual harassment
312	019- Indecent Exposure	Indecent exposure
313	270- Refusal to Obey	Direct refusal to obey school personnel in a crisis situation
314	620- Fraud	Fraudulent request for emergency services
315	009- Fighting	Fighting
316	690- Non-Forced Sexual Activity	Consensual sexual conduct or contact
317	012- Harassment 650- Intimidation	Harassment, Bullying – 2nd and subsequent offenses, whether verbal or physical
318	020-Major Disruption	Any other behavior, whether on or off campus, that threatens the safety of students or staff members (regardless of where behavior takes place) or disrupts the operation or function of the school.
LEVEL IV. Up to 10 Days OSS with Recommendation for Expulsion or Assignment to Alternative School		
401	789- Weapons (then select 784 if knife > 2 in.)	Possession, transfer, or use of prohibited weapon other than firearm, including knife with blade over 2 inches, BB gun, paint ball gun, pellet gun, air-soft pistol, razor, razor blade, martial arts throwing star and metal knuckles. Box cutters and utility or exacto knives containing any size blades are also considered a violation of this section.
402	570- Drug distribution 575- Drug Usage 580- Drug possession 680- Alcohol/Liquor Law Violation	Use, being under the influence at school, possession, sale, distribution, or possession with the intent to distribute alcohol, marijuana (including marijuana seeds and/or oil), hallucinogenic drugs, inhalants, or any other controlled or illegal substance without regard to amount, counterfeit controlled substance, or another's prescription drug, regardless of whether such prescription is a controlled substance
403	610- Forced Sex Offense	Non-consensual sexual conduct or contact; sexual assault; rape
404	510- Aggravated Assault 520- Simple Assault	Assault of school personnel
405	500- Arson	Arson or attempted arson of school property
406	001- Aiding Others 260- Bomb Threat	Communicating, writing, threatening, or transmitting to a person or school facility that there is, or will be, a destructive device, bomb, shooting, or dangerous event, with the intent of

		intimidating, threatening, or interfering with government functions or school activities; or harboring one who is guilty of this offense
407	789- Weapons	Possession or transfer of dangerous explosives, plastic explosives, or chemical reaction-type and pipe bomb materials including, but not limited to, Molotov cocktails and dynamite
408	510- Aggravated Assault 009- Fighting	Active participation in an act of mob violence. A mob is described as two or more people.
409	350- Fire Alarm	Unauthorized tampering with security, fire, access control or surveillance system or alarms.
410	540- Burglary	Burglary of a school, portable classroom, MCSD building, or any structure on MCSD property
411	770- Vehicle Theft	Auto breaking unlawful entry into a motor vehicle on school property or into a MCSD vehicle at any location
412	660- Kidnapping	Unlawful seizing, confining, abducting or carrying away of another person from school property by any means
413	250- Gang Activity	Gang activity – 2nd and subsequent offenses
414	020-Major Disruption	Any other behavior, whether on or off campus, that threatens the safety of students or staff members (regardless of where behavior takes place) or disrupts the operation or function of the school.
LEVEL V. 10 Days OSS with Recommendation for Suspension for 365 Calendar Days		
501	789- Weapon (then select 781- Handguns, 782- Rifles/Shotguns, or 783- Other Firearms)	Possession, transfer or use of a firearm

VIII. Special Provisions for Drug & Alcohol Offenses.

A. In addition to the sanctions set forth in Section VII., *supra*¸ a student found to have committed a drug or alcohol offense pursuant to this Code of Conduct manual shall be referred to Care South or other similar intervention programs. Any costs associated with such program shall be borne solely by the student and his/her parents/guardians and the MCSD shall have no responsibility therefore.

B. Although not mandated or required, it is anticipated school administrators will recommend assignment to alternative school rather than expulsion for students under the influence of drugs or alcohol at school, if such is the student's first alcohol or drug offense during the current school year. However, the circumstances of each individual offense will control the appropriate discipline recommendation.

Legal references:

A. S.C. Code, 1976, as amended:

1. Section 59-19-90(3) - Gives district trustees authority to prescribe rules of pupil conduct including provisions for suspension or dismissal of those failing to comply with such rules.
2. Section 59-63-210 - Grounds for suspension, expulsion or transfer.
3. Section 59-63-220 - Suspension by administrators.
4. Section 59-63-230 - Notice of suspension, conferences with parents.

MAJOR PROVISIONS OF THE SOUTH CAROLINA SAFE SCHOOLS ACT OF 1990

The State of South Carolina has passed a law, the Safe Schools Act of 1990, to protect schools, students and school officials from harm. This statute sets tough penalties for buying or dealing drugs at school, carrying weapons to school or threatening school personnel. Violators will be prosecuted by the Marlboro County School District and local authorities.

OFFENSE	**PENALTY**
Making, selling, distributing, or possessing illegal drugs in, on or within a one-half-mile radius of school grounds.	$10,000 fine, or up to 10 years in prison or both. If the illegal drug involved is “crack” cocaine minimum $10,000 fine and 10 to 15 years in prison
Buying an illegal drug in, on or within a one-half-mile radius of school grounds.	$1,000 fine or up to one year in prison, or both.
Concealing/carrying a weapon on school property.	$1,000 fine or up to five years in prison, or both.
Threatening death or bodily harm to a teacher, principal or school official, or to a member of their families.	$5,000 fine or up to five years in prison, or both.

SCHOOL RELATED LAWS

Section 16-17-420. Disturbing Schools

It shall be unlawful (1) for any person willfully or unnecessarily (a) to interfere with or to disturb in any way or in any place the students or teachers at any school or college in this State. (b) to loiter about such school or college premises or (c) to act in an obnoxious manner thereon: or (2) For any person to (a) enter upon any such school or college premises or (b) loiter around the premises on business, without the permission of the principal or president in charge.

Section 16-3-1700. Harassment and Stalking

Harassment in the first degree means a pattern of intentional, substantial, and unreasonable intrusion into the private life of a targeted person that serves no legitimate purpose and causes the person and would cause a reasonable person in his position to suffer mental or emotional distress (following, visual or physical contact, surveillance, vandalism, written or electronic contact maintained or repeated).

Section 59-63-120. Bullying

"Harassment, intimidation, or bullying' means a gesture, an electronic communication, or a written, verbal, physical or sexual act that is reasonably perceived to have the effect of: (a) harming a student physically or emotionally or damaging a student's property, or placing a student in reasonable fear of personal harm or property damage; or (b) insulting or demeaning a student or group of students causing substantial disruption.

SUSPENSION, EXPULSION AND ALTERNATIVE EDUCATION ASSIGNMENT OF STUDENTS

I. **Purpose.** To establish the procedure to be followed by school administrators when suspending a student out of school, expelling a student or assigning a student to an alternative education assignment. It is MCSD policy to provide due process of law to students, parents/legal guardians and school personnel through procedures for the suspension of students pursuant to the requirements of federal law, state law and regulations and MCSD administrative rules.

II. **Introduction.** A safe and orderly environment is necessary in order to support student learning in schools. The Board may authorize or order the expulsion, suspension, or transfer of any student for committing any crime, gross immorality, gross misbehavior, persistent disobedience, or for violation or written rules and regulations established by the Board or State Board of Education. The Board may also authorize or order the expulsion, suspension, or transfer of any student when the presence of the student is detrimental to the best interest of his/her school.

III. **Student Behavior Interventions.** Where appropriate, school administrators are to review and implement behavior modification procedures and review response to intervention (RTI) data in an effort to avoid suspending students out of school and to address repeat misbehaviors. Unless otherwise dictated by the seriousness or egregiousness of an offense, out of school suspension of students should not occur without review and implementation of behavior modification procedures and RTI.

IV. **Short-Term Suspensions (Fewer than Ten (10) School Days).**

A. The Superintendent delegates the power to suspend a student up to ten (10) school days for a single offense, consistent with Policy JICDA, Code of Student Conduct, to school principals and their designee(s). A school principal or assistant principal may suspend a student for the commission of any crime, gross immorality, gross misbehavior, persistent disobedience or the violation of MCSD or state board of education policies, rules or regulations. A school principal or assistant principal may also suspend a student when the presence of the student is detrimental to the best interest of the district or one of its schools. A student may not be suspended from school for more than thirty (30) days in one school year.

B. During an out of school suspension, a suspended student may not attend school or be on MCSD or school property, may not attend any school-related events or activities, whether on or off campus, and may not ride a school bus.

C. Upon determining whether a student shall be suspended for violation of the Code of Student Conduct, the suspending principal or assistant principal shall notify the student's parent/legal guardian in writing, of the reasons for such suspension and of a time and place when the suspending principal or assistant principal is available for a conference. The conference must be scheduled within three (3) days of the date of the suspension. If, after conference with the suspending

administrator, if not the Principal, the parent/legal guardian believes the student's suspension was unjustified, an appeal of the suspension may be made to the Principal. To request a suspension appeal, the parent/legal guardian must contact the Principal within three (3) days after the conference with the school administrator, advising the Principal why it is believed the suspension was unfair, unwarranted or not allowed by policy JICDA, Code of Student Conduct. The appeal will be conducted as an informal hearing before the Principal. The suspending administrator, parent/legal guardian and student may be present. If the Principal and the parent/legal guardian agree, the student may be dismissed during portions of the hearing. The parent/legal guardian, student and administrator will be allowed to address the Principal. Within three (3) school days of the suspension appeal, the Principal shall render a decision as to whether the suspension was upheld. The decision will be provided in writing to the parent/legal guardian. If the Principal decides the suspension was unfair, unwarranted or not allowed by the Code of Student Conduct, all absences resulting from the suspension shall be excused and the record cleared. The student will be allowed to make up all missed work. The decision of the Principal ends the appeals process for short term suspensions, and there shall be no further appeals.

D. The only short–term suspensions the Chief Auxiliary Services Officer ("CASO") or designee will review are suspensions occurring within the last ten (10) school days of the school year, if the suspension will make a student ineligible to receive credit for the school year, unless the presence of the student constitutes an actual threat to a class or school or unless a hearing by the district hearing officer is granted within 24 hours of the suspension.

E. A student subject to short-term suspension shall be provided the following:

   a. The opportunity to take textbooks and other materials home for the duration of the suspension;

   b. Upon request, the right to receive all missed assignments, and to the extent practicable, the materials distributed to students in connection with the assignment; and

   c. The opportunity to take any quarterly, semester, or grading period examinations missed during the suspension period.

V. Expulsion.

A. In the event an administrator decides to recommend a student be expelled from the MCSD, the parent(s) of the student shall be notified in writing of the time and the place of a hearing either before the board's designated hearing officer or hearing panel. At the hearing the parents or legal guardian shall have the right to legal counsel and to question all witnesses appearing. The hearing shall take place within ten (10) school days of the written notification at a time and place designated by the MCSD and a decision shall be rendered within five (5) school days of the hearing. The student will be suspended from school and all school activities during the time of the expulsion procedures.

B. In the event the MCSD hearing officer upholds the administrator's recommendation for expulsion, the student may appeal the decision to the Superintendent's designee, who shall review the whole record in the matter without an additional hearing. In the event the Superintendent's designee upholds the decision of the hearing officer to expel the student, the student may appeal the decision to the Board. In such event, the hearing shall take place within fifteen (15) school days of the written notification at

a time and place designated by the Board. A decision shall be rendered within ten (10) business days of the hearing. The school administrator recommending expulsion and/or the student's Principal are required by the Board to attend the Board hearing and to be knowledgeable and fully aware of the matter being heard by the Board.

C. During the expulsion and all expulsion hearing procedures, the student is not entitled to be present on any MCSD property or any MCSD school bus and is not considered a student of the MCSD.

D. A student with disabilities may be expelled only if the student's IEP team determines the student's misconduct was not caused by or related to the student's disability as required by state and federal law. If a student with a disability is lawfully expelled, the school system shall continue to provide the student with a FAPE, in a home-based or alternative school or program setting as required by state and federal regulations.

VI. Alternative School Assignment.

F. The Superintendent shall designate one (1) or more district administrators and, where necessary, the student discipline hearing officer, to review school administrator recommendations for a student be assigned to an alternative school.

G. As alternative to suspension and expulsion, an administrator may recommend to the designated district administrator(s) that a student receive a disciplinary assignment to **Bridge to EEE Alternative School,** the MCSD alternative program for middle school and high school students, for at least thirty (30) school days. If the offense leading to the recommendation occurs before the final quarter of the school year, the assignment shall be no longer than the remainder of the school year. If the offense leading to the recommendation occurs during the final quarter of the school year, the assignment may be for the remainder of the school year and the first academic quarter of the following school year.

H. Before approving the recommendation, the designated district administrator(s) should ensure MCSD disciplinary policies have been followed and consider whether other non-disciplinary interventions have been properly and effectively utilized by the school and/or would be successful in improving the student's behavior.

I. In the event the designated district administrator(s) uphold(s) the school administrator's recommendation for assignment to alternative school, the student may appeal the decision to the MCSD student discipline hearing officer. The decision of the hearing officer shall be final.

J. In the event the designated district administrator upholds the school administrator's recommendation for assignment to alternative school, the student and his/her parent/legal guardian may begin the alternative school intake process during the term of the student's suspension.

K. If a teacher is assaulted or injured by a student and as a result the student is expelled or reassigned to alternative education services, the student shall not be returned to that teacher's classroom unless the teacher consents.

VII. Year-Long Expulsion for Firearm Possession.

A. Pursuant to Weapons in School, and JICDA, Code of Student Conduct, a MCSD administrator must recommend a student who is determined to have brought a firearm to a school or any setting under the jurisdiction of the Board be expelled for no less than one (1) calendar year.

B. The hearing procedures for a one (1) calendar year expulsion for possession of a firearm shall be as set forth in Section V, hereinabove.

C. The Superintendent or his/her designee may modify the one (1) calendar year expulsion on a case-by-case basis.

D. Students expelled pursuant to this section are not precluded from receiving educational services in an alternative setting.

VIII. Investigation of Misbehavior. If it appears a student may have engaged in misbehavior in violation of Code of Student Conduct, a school principal or assistant principal will investigate the matter and question those persons who may have knowledge about what occurred. The student will be advised, verbally or in writing, of the accusations against him/her. The school principal or assistant principal also will advise the student of the evidence against him/her and provide the student with an opportunity to tell his/her side of the story. If the student asks the administrator to speak to other witnesses, the administrator will do so, if possible. After completing the investigation, the school principal or assistant principal will determine whether the student violated Code of Student Conduct and determine the appropriate sanction.

IX. Summary Suspension.

A. If a school principal or assistant principal witnesses or is advised of any student misbehavior and concludes the student should be removed from school immediately in order to restore order or protect others at the school, the school principal or assistant principal may summarily suspend the student for up to two (2) school days. In these cases, the school principal or assistant principal does not have to investigate the matter first. By the end of the next school day following the summary suspension, however, the school principal or assistant principal should investigate the matter as outlined above and determine what, if any, additional consequence should be implemented and/or recommended in accordance with Code of Student Conduct.

B. If the school principal or assistant principal determines the student should not have been suspended, arrangements will be made for the student to make up any work he/she misses while on summary suspension. The suspension shall be removed from the student's record.

X. Notification to Parent/Legal Guardian.

A. By the end of the school day of the suspension, the school principal or assistant principal administering the suspension shall notify the parent/legal guardian in writing of the following:

the act(s) committed by the
student; the rule(s) violated;
the length of the suspension; and

the time and place when he/she will be available to meet with the parent/legal guardian for a conference.

B. The conference shall be set within three (3) school days of the date of the suspension. If the parent/legal guardian is unable to meet at the scheduled time and upon request, the suspending principal or assistant principal will establish a mutually agreeable time for the conference.

XI. Sending a Suspended Student Home During the School Day.

A. When a student is suspended, the suspending principal or assistant principal will attempt to contact the parent/legal guardian to request he/she pick up the student from school. If a parent/legal guardian refuses or is unable to pick up the student, the school may take the student home as long as a parent/legal guardian is at home to take charge of the student. If the suspending principal or assistant principal cannot reach the parent/legal guardian, the student must stay at school until the end of the school day.

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

XII. Student Suspension(s) from School Activities.

A. A student who is suspended from school shall not practice, play, dress out, travel or attend any meeting during his/her suspension. If the suspension includes the last day of school before a vacation or weekend, the student's eligibility is restored the next calendar day.

B. A student who is absent from school will not be allowed to practice, play, dress out, travel or attend any meeting of the team or group on the day of the absence. Exceptions such as funerals, field trips and college visitations must be approved by the principal in advance.

XIII. Missed School Work. It is the responsibility of suspended students to complete all make-up work in accordance with MCSD policy on Student Absences and Excuses.

XIV. Controlled Substance Abuse. When a suspension case involves controlled substance abuse, the student will, in addition to his/her suspension, be referred to an appropriate community agency for assessment and, if necessary, treatment. The student will be required to successfully complete any recommendations of the agency in addition to discipline imposed.

Legal references:

A. S. C. Code, 1976, as amended:

- Section 59-19-90(3) - Gives district trustees authority to prescribe rules of student conduct, including provisions for suspension or dismissal of those failing to comply with such rules.
- Section 59-63-210, *et seq.* - Grounds for suspension, expulsion or transfer.
- Section 59-63-240 - Expulsion hearings - times, procedures, legal rights appeals.

DISCIPLINARY HEARING APPEAL REQUEST FORM

I, _____ the parent/guardian *(circle one)* of

_____, wish to appeal the results of the hearing

of my son/ daughter. My reason for appealing is

Violation of due process (Please explain)

_____

_____

_____

The date of the original disciplinary hearing was _____, 20_____.

Parent/ Guardian Contact Information

Name _____

Address _____

_____

Telephone _____

I UNDERSTAND THAT IF I CHOOSE, I MAY BE ACCOMPANIED BY LEGAL COUNSEL, HOWEVER I MUST NOTIFY THE OFFICE OF STUDENT SERVICES AT LEAST TWO (2) DAYS PRIOR TO THE HEARING DATE SCHEDULED FOR THIS CASE.

_____

(Parent Signature)

_____

(Date)

Please mail this form to:

Marlboro County School District
Disciplinary Hearing Appeals Panel
P.O. Box 947
Bennettsville, SC 29512

DISCIPLINARY HEARING APPEALS PANEL DECISION FORM

Facilitator: _____

Panel Member: _____

Panel Member: _____

Panel Member: _____

Student: _____ DOB: _____

School: _____ Grade: _____

Parent(s)/ Guardian(s): _____ Present:_____

Hearing panel: _____ Present:_____

Disciplinary Violation: _____

Description: _____

Hearing Disposition: _____

Disciplinary Hearing Appeals Panel Decision

To reverse the decision of the Hearing panel
To uphold the decision of the Hearing panel
To modify the decision of the Hearing panel
Modification:_____

_____

_____

The signatures of the Disciplinary Hearing Appeal Panel members indicate agreement with the decision of the panel.

Signature _____ _____ Date _____

Signature _____ _____ Date _____

Signature _____ _____ Date _____

ALTERNATIVE EDUCATION PROGRAMS

Currently Marlboro County School District has the following alternative education (school) programs in place to include sites separate from regular school settings: **Bridge to EEE Alternative School**. The mission of the programs is to provide academic support in conjunction with individual socialization skill sets development devoid of students who may have exhibited challenges related to positive behaviors in schools. Students are placed at various sites by the District's Hearing panel. Students recommended for expulsion who have been granted a stay by the hearing panel are provided with an atmosphere previously not met by the traditional school setting. The goal is for students to successfully complete a period of time where several factors are monitored closely on a daily basis. These goals are achieved through the innovative use of technology; broad-based curricula, diverse teaching strategies, community service and related social services by counselors in and outside of the District. For all programs, MCSD also partners with the Department of Juvenile Justice, Marlboro County Sheriff's Office, and Department of Social Services, Marlboro County Alcohol & Drug Abuse Prevention Department, Tri-County Mental Health and Wright Directions Mental Health. All students assigned to an Alternative Education Program may be dismissed by the program's director for non-compliance. All appeals will be in writing within ten days to the Chief Auxiliary Services Officer or designee.

BARRING ENROLLMENT OF STUDENT

SECTION 59-63-217

GROUNDS

(A) In determining whether or not a student meets the standards of conduct and behavior promulgated by the board of trustees necessary for first time enrollment and attendance in a school in the District, the board shall consider non-school records, the student's disciplinary records in any school in which the student was previously enrolled as these records relate to the adjudication of delinquency in any jurisdiction, within or without this State, of violations or activities which constitute violent crimes under Section 16-1-60, adjudications for assault and battery of a high and aggravated nature, the unlawful use or possession of weapons, or the unlawful sale of drugs whether or not considered to be drug trafficking. Based on this consideration of the student's record, the board may bar his enrollment in the schools of the District.

NOTICE AND HEARING

(B) If the board bars a student from enrolling pursuant to this section, notice must be provided to the student's parent or legal guardian, and the student is entitled to a hearing and all other procedural rights afforded under state law to a student subject to expulsion.

DURATION OF BAR

(C) The bar to enrollment allowed by this section applies for a maximum of one year. After the bar is lifted, a student may reapply for enrollment, and the board shall order the student enrolled if he otherwise meets enrollment criteria.

HISTORY: 1992 Act No. 506, Section 1; 1993 Act No. 117, Section 2.

GLOSSARY

AIDING AND/OR ABETTING WITH A RULE VIOLATION: Assisting with or intentionally being in the presence of another student when a violation of policy occurs.

ARSON: To intentionally damage any real or personal property by fire or incendiary device.

ASSAULT OF A STAFF MEMBER: Any deliberate inappropriate physical contact with a staff member. Any adult who has been authorized by the school to supervise students is considered a staff member in case of an assault. In determining whether an assault has occurred, the principal or his/her designee will determine the level of injury to the staff person, as well as the specific facts and circumstances of the incident.

AUTO BREAKING/TAMPERING: Entry into any type of motor vehicle parked on school District property, or a vehicle that is owned, stored, or used by the school District, with the intent to commit a crime. This includes, but is not limited to, vehicles belonging to faculty, students, parents, visitors, school buses, and Driver Education vehicles. Entering an open or unlocked vehicle without permission with intent to commit a crime constitutes auto breaking/tampering. Forced entry is not required.

BURGLARY: Entry at any time of the day into any school, portable classroom, school District building, or structure on school property without consent with the intent to commit a crime. Forced entry is not required in burglary violations.

CONTROLLED SUBSTANCE: A drug, substance, or immediate pre-cursor as defined in SC Code of Laws, Section 44-53-190 - 44-53-270. Prescription medications are considered controlled substances and any person who knowingly or intentionally possesses dispenses or uses the substance unless the substance was obtained directly from his/her valid prescription, will be considered in violation of the policy.

CRISIS: A situation that may result in the disruption of the safe and orderly operation of the school or school bus.

DRUG PARAPHERNALIA: Any instrument, device, article or contrivance used, designed for use, or intended for use in ingesting, smoking, administering, or preparing marijuana, hashish or cocaine. Examples of paraphernalia include, but are not limited to smoking screens, marijuana or hashish pipes or bowls, rolling papers, chamber pipes, drug scales and roach clips.

EXTRACURRICULAR ACTIVITIES: Any and all school-sponsored activities, clubs, and organizations that meet for the purpose of representing the school or District in competitions, awards ceremonies, or community appearances. This would also include athletic programs, band, chorus, and social functions, i.e., proms and school dances.

FIGHTING: Mutual combat. This may include pre-meditated attacks or assaults initiated by oral disagreements.

FIREARM: Any device designed, made or adapted to expel a projectile through a barrel by using the energy generated by explosion or burning substance or any device readily convertible to that use.

GRADUATION: The awarding of an academic degree, usually signifying the end or completion of state requirements for a diploma. Participation of any student under suspension or expulsion by a school or the District will be prohibited from graduation exercises, programs, and ceremonies.

HARASSMENT: A pattern of intentional, substantial, and unreasonable verbal, written or physical contact that is initiated, maintained or repeated after being given notice by a teacher/administrator that the conduct is inappropriate.

HAZING: To pursue by requiring unnecessary or disagreeable work; by banter, ridicule, or criticism; or to play abusive and humiliating tricks on someone by way of initiation.

HEALTH CODE VIOLATIONS: For the purpose of this policy, the following are considered health code violations: Deliberate spitting on or at another person or his/her food or beverage. Deliberate urination in a public or inappropriate location and other

such health code violations will be considered as prohibited. (See Level III.)

HONOR CODE: The expectation of the student to demonstrate integrity and individual responsibility, personally and academically, to maintain a fair and honest environment.

INDECENT EXPOSURE: To willfully expose one's private body parts to view of others.

INHALANT: An aromatic hydrocarbon or other such substance used for the purpose of intoxication, or inebriation. Examples of inhalants include, but are not limited to, gasoline, magic markers, glue, whiteout or nitrous oxide.

LYNCHING: Any act of violence inflicted by a mob upon the body of another person and from which death does not result.

MOB: A "mob" is defined for the purpose of this article as the assemblage of two or more persons, without color or authority of law, for the purpose and with the intent of committing an act of violence upon the person of another.

PERSONAL PROPERTY: For the purposes of this policy, all property that is not owned by the District/school is considered personal property.

PHYSICAL ASSAULT: Intentionally, knowingly or recklessly causing bodily injury to another person. This does not include in elementary school a temper tantrum by a child or incidental bodily contact. The principal or his/her designee at the elementary school will make a determination as to whether physical assault has occurred.

POSSESSION: Being in a student's locker, purse, gym bag, backpack, or other item carried by or belonging to the student, on the student's person, or in a car driven by or occupied by the student or items found in a car parked on school property or at a school sponsored activity. In determining whether a student intentionally or knowingly possessed an item, the principal or his/her designee will consider all the facts and circumstances of the particular incident.

PROHIBITED WEAPON: Knife with a blade over two inches long, a blackjack, a dirk (a stabbing knife such as a switchblade), a metal pipe or pole, metal knuckles, razor, razor blade, martial arts throwing star, BB gun, pellet gun, or any other deadly weapon usually used to inflict personal injury. To determine the length of a knife blade, it will be measured from the tip to where the blade and handle (casing) meet. Box cutters and utility knives containing blades are also prohibited on school/District property.

When a weapon is found in a student's possession, it is up to the school principal to determine if the student's possession was knowing or intentional. If the student maintains that he or she did not knowingly have possession, and the explanation is credible to the administrator, the student will not be suspended. If the student's explanation is not deemed credible by the principal, policy requires secondary students to be suspended with a recommendation for expulsion.

Students who realize they have accidentally brought a weapon to school should go immediately to a teacher or administrator and turn the item in. If it is clear the student turned the item in immediately upon discovery, the student will not be suspended. Students who delay turning in such an item, or who turn in an item only after having been discovered, may be suspended with a recommendation for expulsion.

South Carolina Law requires the school to notify local law enforcement officials when a gun, or knife with a blade in excess of two inches, is found in the possession of a student. Law enforcement officials determine if a student is to be charged and taken into custody. (See SC 16-23-430.)

REPLICA GUN: A device which appears to be an operable firearm and is presented as being a real gun, but which lacks the ability to expel a projectile. Replica guns do not include obvious toy guns.

SEARCHES: School administrators have the right to search a student's purse, gym bag, backpack, and any other item carried or possessed by a student, as well as the student's person, pockets, or car upon reasonable suspicion. Metal detectors may be used in accordance with Board policy.

Searches of school property, including lockers and desks, may be conducted in accordance with Board policy. Canine searches are also routinely conducted in accordance with Board policy.

SEXTING: The act of sending sexually explicit messages or photos electronically, primarily between cell phones or internet.

SEXUAL ASSAULT: Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. This definition includes forcible rape, forcible sodomy or forcible rape with an object.

SEXUAL HARASSMENT: Unwelcome sexual advances, sexual gestures, requests for sexual favors, and other verbal or physical conduct of a sexual nature where there is a pattern of harassing behavior or a single significant incident. Such conduct interferes with the student's education or creates an intimidating, hostile, offensive school environment. Sexual harassment may include but is not limited to: verbal harassment, including sexually offensive comments or slurs; physical harassment, physical interference with movement or work; or visual harassment such as sexually offensive cartoons, drawings, or posters. Sexual harassment is prohibited against members of the same sex as well as against members of the opposite sex.

SIMPLE ASSAULT: The intentional injury of another person that does not result in the level of injury of a physical assault. In considering whether a simple assault has occurred, the principal or his/her designee will determine the level of injury and the facts and circumstances of the incident

TRESPASSING: Being on any District property or school campus at an unreasonable hour when not involved in a school activity, when school is out, or present on the campus of a school not enrolled in without school administration or District level authorization. Unreasonable hours in this context include, but are not limited to, after 11:00 p.m. when the school facility is not in use for an approved activity, at any time on school holidays, during summer break, and weekends or at any time someone is found inside a fenced in area that is posted with no trespassing signs. Students who are on suspended or expelled status may also be considered as trespassers if they do not have prior express school administration or District level authorization to be on school grounds.

UNDER THE INFLUENCE: In determining whether a student is under the influence of alcohol, inhalants or controlled substances, the student's appearance/manner, his/her behavior and/or the presence of an alcohol/ drug odor, or statements made by the student as to consumption may be considered. Because any consumption of alcohol or drugs by a minor is illegal, any consumption, without regard to amount, of alcohol or drugs/controlled substances/inhalants will constitute under the influence for the purpose of this policy. Law enforcement and/or the school nurse will assist building administrators in making the determination of whether a student is under the influence.

VANDALISM: Intentionally or recklessly causing damage to or defacing school or personal property, or such action causing disruption to the educational process and/or school activities.

ACKNOWLEDGEMENT

This booklet lists the rules for students in Marlboro County School District. They apply to all activities occurring on school grounds, on other sites being used for school activities, and on any vehicles authorized to transport students. **Your signature below does not indicate that you agree or disagree with the rules, but rather that you received a copy of these rules.** Return this form to school within three (3) days of receipt of the Code.

Parents need to be involved in the education of their children and have the responsibility to:

Know that for school safety, schools are not required to provide supervision more than 30 minutes prior to the official starting time, nor are they required to provide supervision for more than 30 minutes after the official school closing time.

Know that for school safety, for students who ride a school bus, drivers are NOT permitted to let students off the bus except at the designated stop.

Provide the school with the names of current emergency contact person(s) and/or telephone numbers on an annual basis and when there are changes.

Notify the school of anything that may affect their child's ability to learn, to attend school regularly, or to take part in school activities.

Be aware that medicine must be administered in accordance with School Board Administrative Rule SS-46.

Be aware that parents have rights with regard to the privacy and confidentiality of student records that are maintained by schools as defined in this booklet. This includes privacy rights related to protected health information (PHI) found in your child's or your mental health and medical records.

Neither the School Board of Marlboro County nor its employees will be held liable for items that are prohibited and are lost, stolen, or confiscated or for wireless communication devices (e.g., cellular telephones, iPods, and pagers) or other personal technology that are lost, stolen, or confiscated.

Be aware that confiscated items not claimed by the end of the school year will be donated to local charities.

Recognize that they are responsible for their student's behavior on the way to and from school and at the bus stop. A safe and respectful learning environment is key to academic achievement, therefore any student's off campus actions that seriously affect a student's ability to learn or a staff member's ability to teach may be handled as a disciplinary infraction. For serious incidents that occur at bus stops and/or that are not on School Board property, parents should contact law enforcement directly. For bullying incidents, school officials should be notified and will investigate and/or provide assistance and intervention as the principal/designee deems appropriate, which may include the use of the School Resource Officer.

Ensure their child demonstrates legal, ethical and responsible use of technology including networks, digital tools, the Internet, and software, as defined in Section IV of this booklet.

MEDIA RELEASE FORM

As a parent of a student in Marlboro County School District, I understand that my student may be photographed, videotaped or interviewed by the news media or by the school District to promote Marlboro County School District. I understand that pictures and interviews may be used on the District's website, in school District publications, external publications and electronic media, as indicated below.

You Must Mark a Choice in Both Section A and Section B

Section A

Please Check Choice #1 or Choice #2
News Media
(if no choice is marked, then it will default to Choice #1.)

1. ____**I WILL** permit my student to be photographed, filmed or interviewed by the news media or by the District to promote Marlboro County School District.

2. ____**I WILL NOT** permit my student to be photographed, filmed or interviewed by the news media or by the District to promote Marlboro County School District.

Section B

Please Check Choice #1 or Choice #2
School District
(if no choice is marked, then it will default to Choice #1.)

1. ____**I WILL** permit my student to be photographed, videotaped or interviewed for school publications such as school yearbooks, school newspapers, class pictures, or other school communication tools. I understand the District is required to release this information if requested by the media or other members of the public (i.e. public records requests).

2. ____**I WILL NOT** permit my student to be photographed, videotaped or interviewed for school publications such as school yearbooks, school newspapers, class pictures, or other school communication tools. I understand the District is required to release this information if requested by the media or other members of the public (i.e. public records requests).

DIRECTORY INFORMATION OPT-OUT

TO PREVENT RELEASE OF STUDENT DIRECTORY INFORMATION
(11th & 12th Grade Students ONLY)

If you decide to opt out of providing directory information to armed services/military recruiters and/or postsecondary educational institutions, please complete this form and submit it with the Acknowledgment Form and Media Release Form.

Pursuant to federal law, I request that my son's/ daughter's Directory Information NOT BE DISCLOSED to the following entities without my prior permission.

_____ Armed Services/Military Recruiters

_____ Postsecondary Educational Institutions

Student Name _____

High School _____

Parent/Guardian Name _____

Parent/Guardian Signature _____

NOTE: "Opt out" notification **must be a written request provided ANNUALLY and must be submitted to the principal WITHIN 10 DAYS FROM THE DATE OF ENROLLMENT of a student after the start of each school year.**

REQUIRED DATA FROM PARENTS

Every school District in South Carolina is required to report to the South Carolina Department of Education each year student data by race and ethnicity categories that are set by the federal government. The Department of Education does not report individual student data to the federal government but does report the total number of students in various categories in each school. These reports help us keep track of changes in student enrollments and ensure that all students receive the educational programs and services which they are entitled.

The federal government recently changed the reporting categories for student data. As a result, you have the opportunity to update the student data for your child. With the new reporting categories, you may now identify your child by ethnic group (either Hispanic/Latino or not Hispanic/Latino) **and** by *one or more* racial groups (American Indian/ Alaska Native, Asian, Black/African- American, Native Hawaiian/Other Pacific Islander, White). Starting with the 2009-10 school year, all schools in South Carolina will report student data to the Department of Education using new categories.

Please complete the information below and return it to your child's school within three (3) days of receipt of the Student Discipline Code of Conduct booklet. For more information about the student data reporting categories for ethnicity and race, please contact your child's school.

Student's Name: _____ Grade: _____

Please answer **BOTH** questions 1 and 2.

1. Is your child Hispanic or Latino? (**Please mark only one.)**

_____ No, my child is not Hispanic or Latino

_____ Yes, my child is Hispanic or Latino- A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish Culture or origin, regardless of race.

2. What is your child's race? (**Please mark <u>all</u> that apply.)**

_____ American Indian or Alaska Native- A person having origins in any of the original peoples of North and South America (including Central America) and who maintain tribal affiliation or community attachment.

_____ Asian- A person having origins in any of the original peoples of the Far East, southeast Asia, or the Indian subcontinent, e.g., Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

_____ Black or African American- A person having origins in any black racial groups of Africa.

_____ Native Hawaiian or Other Pacific Islander- A person having origins in any of the original peoples of Hawaii, Guam, Samoa, other Pacific Islands.

_____ White- A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) NOTIFICATION

Dear Parents and Students:

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day your child's school or the MCSD receives a request for access. Parents or eligible students should submit to the Principal a written request identifying the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request amendment of the student's education records the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible students who wish to ask the school or MCSD to amend a record should write the principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school or MCSD to comply with the requirements of FERPA. The name and address of the office administering FERPA is:

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

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures

to the parent or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school or the MCSD may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student:

To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(*1*) - (a)(1)(i)(B)(*2*) are met. (§99.31(a)(1))

To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))

To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)

In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))

To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))

To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))

To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))

To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))

To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))

To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10)

Information the school has designated as "directory information" under §99.37. (§99.31(a)(11)).

FERPA allows the MCSD to disclose appropriately designated "directory information" without written consent, unless you have advised the MCSD to the contrary in accordance with MCSD procedures. A Directory Information Opt-Out Form is included in this packet. The primary purpose of directory information is to allow the MCSD to include this type of information from your child's education records in certain school publications including, but not limited to, a playbill showing your student's role in a drama production, annual yearbook, honor roll or other recognition lists, graduation programs; and sports activity sheets showing weight and height of team members.

Directory information, which is information generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965* (ESEA) to provide military

recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent. [1]

If you do not want the MCSD to disclose directory information from your child's education records without your prior written consent, you must notify the MCSD in writing using the form included in this packet. The MCSD has designated information as directory information as set forth in MCSD policy JRA, Student Records, which may be accessed through the MCSD website or upon request.

[1] These laws are: Section 9528 of the Elementary and Secondary Education Act (20 U.S.C. § 7908) and 10 U.S.C. § 503(c).

PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA) NOTIFICATION

The PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

A. Consent before students are required to submit to a survey concerning one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Dept. of Education:
   1. Political affiliations or beliefs of the student or student's parent;
   2. Mental or psychological problems of the student or student's family;
   3. Sex behavior or attitudes;
   4. Illegal, anti-social, self-incriminating, or demeaning behavior;
   5. Critical appraisals of others with whom respondents have close family relationships;
   6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
   7. Religious practices, affiliations, or beliefs of the student or parents; or
   8. Income, other than as required by law to determine program eligibility.

B. Receive notice and an opportunity to opt a student out of -
   1. Any other protected information survey, regardless of funding;
   2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
   3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

C. Inspect, upon request and before administration or use -
   1. Protected information surveys of students;
   2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
   3. Instructional material used as part of the educational curriculum.

These rights transfer to from the parents to a student who is 18 years old or an emancipated minor under State law. The MCSD has adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The MCSD will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The MCSD will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The MCSD will make this notification to parents at the beginning of the school year if the MCSD has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

Collection, disclosure, or use of personal information for marketing, sales or other distribution.

Administration of any protected information survey not funded in whole or in part by ED.

Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-8520

IMPORTANT RESIDENCY NOTICE TO PARENTS

SUBJECT: RESIDENCY

Your child has the right to attend school in the boundary in which you, the parent, reside. It is the responsibility of the parent to provide proper and accurate documentation to the school to prove residency. **The school shall have the right to verify any information that is provided to them.**

Submission of Fraudulent Documentation

Any parent or guardian who submits fraudulent documentation to register a student gives cause for such student ***to be withdrawn immediately*** and referred for enrollment in the appropriate zoned school.

Affidavit Requirements for Enrollment

To qualify under S.C. Code Ann § 59-63-31(A)(1)(c), the school District may require the adult to accept responsibility for making educational decisions concerning the child. The school District must require the adult to complete and sign the affidavit.

S.C. Code Ann § 59-63-32. Upon receipt of the affidavit the school District must enroll the student pending the results of any further procedures for determining eligibility for attendance. If the school District later finds that information is false, the child must be removed from school after notice of an opportunity to appeal the removal pursuant to the appropriate school District grievance policy.

False Information

If there is a determination that the adult willfully and knowingly provided false information in the affidavit, the adult can be prosecuted for providing false information, **a misdemeanor with a penalty of up to $200 or imprisonment for not more than 30 days and required to pay an amount equal to the cost of educating the child.**