

**“Preparing Students for  
Success in a Changing World”**



**Code of  
Student Conduct  
and  
Selected Policies**

August

**2016**

# TABLE OF CONTENTS

<b>I. Introduction</b> .....	<b>3</b>
<b>II. Definitions</b> .....	<b>3-4</b>
<b>III. General Provisions</b> .....	<b>4</b>
<b>IV. Disciplinary Measures</b> .....	<b>9</b>
<b>V. Violations/Code of Conduct</b> .....	<b>12</b>
<b>VI. Due Process</b> .....	<b>21</b>
<b>VII. Selected Policies Related to Student Behavior</b> .....	<b>26</b>

---

---

## GREETINGS FROM THE OFFICE OF SUPERINTENDENT

The Person County Schools' Board of Education and staff are committed to maintaining a safe and orderly climate in our schools and at all school activities. This booklet includes our expectations for proper conduct as well as consequences for inappropriate behavior.

We place the highest priority on giving every student the opportunity to achieve at the highest level. School environment is an important element in this goal. To allow every student to succeed, our schools must be places where each individual is honored and respected. This creates a climate that nurtures individual learning and achievement.

Remember — the actions you choose today determine the future you will have and the standard of living which you will enjoy. Make wise decisions and careful choices, so that you may walk into a bright future.

In order to provide a positive and productive learning environment for all students, this code of conduct has been developed and is applicable to all students. This Code of Student Conduct provides clear guidelines for students, school officials, and parents regarding appropriate student behavior.

The Student Code of Conduct allows teachers and principals to employ disciplinary measures appropriate to the age and development of each student. It also establishes procedures for student and parental appeals of administrative decisions.

In addition, principals and teachers may develop rules which are necessary for the efficient operation of their schools and classrooms as long as such rules are not in conflict with this Code.

It is my sincere hope you will make a deliberate choice to create and sustain classroom environments free from disruption.

I wish you a successful school year; learn and achieve to the best of your ability.

Danny Holloman  
Superintendent

---

---

**Report threats to school safety by calling  
WAVE - 1-888-960-9600**

---

---

## PERSON COUNTY BOARD OF EDUCATION

**Gordon Powell**  
*Chairman*

**Margaret Bradsher**  
*Vice-Chairman*

**James Wilkins**  
*Member*

**Freda Tillman**  
*Member*

**Jennifer Kafer**  
*Member*

# Central Services Staff (336) 599-2191

Danny Holloman, *Superintendent*

Jarrold Dennis, *Assistant Superintendent*

Dr. Wendy Staskiewicz, *Chief Academic Officer*

Larry King, *Executive Director of Auxiliary Services*

Melanie Hester, *Executive Director of Exceptional Children & Support Services*

Lori Stacey, *Director of Human Resources*

Paula Chandler, *Director of Elementary Education*

Julie Masten, *Finance Director*

Judy Bradsher, *Director of Career & Technical Education (CTE), GEAR UP, PECIL*

Jenna Regan, *Director of Secondary Education*

Nikole Schukraft, *Director of School Nutrition*

Gregg Foushee, *Director of Transportation*

Jerry Ball, *Director of Custodial Services*

---

## School Contact Information

School	Principal	Address	Telephone
Earl Bradsher Preschool	Treco Lea-Jeffers leat@person.k12.nc.us	404 S. Morgan Street Roxboro, NC 27573	336/599-7585 ext. 101
Early Intervention	Dana Faulkner faulknerd@person.k12.nc.us	1397 Hurdle Mills Road Roxboro, NC 27573	336/597-2218 ext. 240
Helena Elementary	Chrystal Clayton claytonch@person.k12.nc.us	355 Helena Moriah Road Timberlake, NC 27583	336/364-7715 ext. 8207
North Elementary	Patti Barnes barnesp@person.k12.nc.us	260 Henderson Road Roxboro, NC 27573	336/599-7262 ext. 150
North End Elementary	Sherita Fuller fullers@person.k12.nc.us	378 Mill Creek Road Roxboro, NC 27574	336/599-3313 ext. 128
Northern Middle School	Ashley Warren warrena@person.k12.nc.us	1935 Carver Drive Roxboro, NC 27574	336/599-6344 ext. 223
Oak Lane Elementary	Amy Seate seatea@person.k12.nc.us	2076 Jim Morton Road Hurdle Mills, NC 27541	336/364-2204 ext. 124
Person Early College for Innovation & Leadership	Shirlrona Johnson johnsons@person.k12.nc.us	1717 College Drive Roxboro, NC 27573	336-599-1181 ext. 1050
Person Learning Academy	Joan Kister kisterj@person.k12.nc.us	361 Virgilina Road Roxboro, NC 27573	336/322-1021
Person High School	Nenell Sydnor-Waugh sydnorn@person.k12.nc.us	1010 Ridge Rd. Roxboro, NC 27573	336/599-8321 ext. 1025
South Elementary	Patrick Holmes holmesp@person.k12.nc.us	1333 Hurdle Mills Road Roxboro, NC 27573	336/599-7133 ext. 150
Southern Middle School	Dr. Jonté Hill hillj@person.k12.nc.us	209 Southern Middle School Road Roxboro, NC 27573	336/599-6995 ext. 2104
Stories Creek Elementary	Heather Bowling bowlingh@person.k12.nc.us	133 Stories Creek Road Roxboro, NC 27574	336/503-8071 ext. 8207
Woodland Elementary	Joey Warren warrenj@person.k12.nc.us	7391 Semora Road Semora, NC 27343	336/599-7442 ext. 133

***www. person.k12.nc.us***

### **SECTION 504 & TITLE IX NON-DISCRIMINATORY POLICY PERSON COUNTY SCHOOL SYSTEM**

The Person County School System does not discriminate in hiring or service delivery to any person(s) in accordance with Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973. Persons having inquiries or grievances should contact Melanie Hester at the Person County Board of Education, 304 South Morgan Street, Rm. 25, Roxboro, North Carolina, 27573, 336-599-2191. Inquiries may be forwarded directly to the Office of Civil Rights, 101 Marietta Tower, Atlanta, Georgia, 30323, 404-221-2992.

# I. INTRODUCTION AND STATEMENT OF PURPOSE

An educated citizenry is essential to good government and can be attained only in an atmosphere conducive to teaching and learning; thus, the Person County Board of Education requires the maintenance of good order in the schools.

The purpose of this policy is to provide students, parents, guardians, school personnel, and the public with a concise, comprehensive description of the expectations for the behavior of all students enrolled in the public schools of Person County. This Code contains definitions of inappropriate student conduct and possible courses of action, which may be utilized by school officials to discipline students who behave improperly. The Board places emphasis upon the right of all students to learn in an atmosphere free from disruption by others.

All students shall comply with the Code of Student Conduct, state and federal laws, school board policies and local school rules governing student behavior and conduct. This policy applies to any student who is on school property, including school bus stops; who is in attendance at any school or any school-sponsored activity; or whose conduct at any time or place, on or off campus, has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of any individuals in the school environment.

This policy also applies to regular school buses, school activity buses, other school vehicles or any private vehicle located on property owned by the Person County Board of Education.

Students shall comply with the directions of principals, teachers, substitute teachers, student teachers, voluntary teachers, teacher assistants, bus drivers and any other school personnel authorized to give such directions, during any period of time when they are subject to the authority of such school personnel.

Unless this Code specifically requires that certain punishments be given for misconduct, principals and teachers may use their discretion in deciding which disciplinary actions to take. All minimum disciplinary measures explicitly stated in this Code apply to all students enrolled in grades 6-12.

Elementary principals may use discretion in punishing students who violate these regulations.

This Code of Student Conduct is not intended to restrict in any way the authority of principals to make rules regarding the governance and operation of their respective schools or the authority of teachers to make such rules for their respective classes.

In order to ensure that all students attending the Person County Public Schools receive the full benefits of their education, cooperation between the home and school is essential.

## II. DEFINITIONS

Student – any person attending any of the Person County Public Schools

Board – Person County Board of Education

Principal – the school principal or any other school professional to whom he/she may officially delegate authority

Parent – parent, legal guardian, legal custodian or other caregiver adult who is acting in the place of a parent and is entitled to enroll the student in school pursuant to state law

Classroom – any location over which school officials have supervisory responsibility

Superintendent – the Superintendent of the Person County Schools or his/her chosen designee

- Teacher – the licensed person under contract with the local Board of Education who is responsible for instruction of students
- Substitute Teacher – any person who is approved according to local policy to take the place of the teacher during his/her absence
- Assistant – The paraprofessional employed by the local Board of Education to assist the teacher in non-instructional and instructional tasks
- School Official — principal, assistant principal, School Resource Officer SRO)

## **II. GENERAL PROVISIONS**

### **1. Principal Responsibilities**

The principal shall have authority to exercise discipline over the pupils of the school. The principal may suspend a student for ten (10) days or less or recommend long-term suspension or expulsion of a student following procedures outlined in the section on Due Process. The final responsibility for suspensions of 10 days or less or recommendations for long-term suspension shall rest with the principal.

**The principal shall distribute a copy of the Code of Student Conduct to each student at the beginning of each school year and shall require that each student, and the student's parent, sign and submit a statement acknowledging receipt of such copy.**

### **2. Teacher Responsibilities**

According to G.S. 115C-307(a), teachers have a duty and responsibility to maintain order and discipline. “It shall be the duty of all teachers, including student teachers, substitute teachers, and teacher assistants when given authority over some part of the school program by the principal or supervising teacher to maintain good order and discipline in their respective schools.” A teacher may not suspend a student from school nor may he/she permanently remove a child from a classroom. A teacher shall report serious or repeated misconduct to the principal or designee for appropriate disciplinary action.

Responsibility for supervising each student’s conduct shall be assumed by all teachers of the school. The responsibility shall include supervision of students anywhere in the school building or on school grounds, on the playground or at school sponsored events.

### **3. School Staff Responsibilities**

All staff members shall assume their responsibility as adults to help maintain good order in the school. Consequences for student misconduct will ordinarily be determined by certified employees.

### **4. Parent Responsibilities**

Parents have the responsibility to provide a positive home atmosphere which enhances the total development of the child.

- Parents are expected to know the school’s rules and regulations and support the school’s discipline efforts. The Student Code of Conduct is posted online.
- Parents are expected to ensure that their child attends school regularly.
- Parents are expected to regularly schedule and attend parent-teacher conferences.
- Parents are expected to contact school officials whenever the need arises.

## **ATTENDANCE**

### **Requirements K-12 (Policy 4000)**

North Carolina requires that every child in the State between the ages of 7 (or younger if enrolled) and 16 attend school. Parents or legal guardians have the responsibility for ensuring that students attend and remain at school daily. The state reporting system requires that students must be present for at least 4 hours of the school day to be counted present, whether it is a full school day, an Early Release day or a Delayed

Start. When a student must miss school, a written excuse signed by a parent or guardian must be presented to the student's school on the day the student returns after an absence. Absences due to extended illness may require a statement from a physician. For a list of reasons an absence may be considered excused, please refer to Attendance Board Policy 4400 on the PCS' webpage at <http://www.person.k12.nc.us/>.

### **Parent Contact:**

Initial notification of student absence will be made through an automated calling system. The automated message will remind parents that a written note is required when the child returns to school following any absence. It is the parent's responsibility to provide a working number to the school and update when needed.

Teachers will contact parents when a child is absent 2 consecutive days unless the parent has already contacted the school. The attempt to contact must be documented in the teacher's telephone log. The teacher should also remind the parent that a written note is required when the child returns to school.

Parent/students will receive information on the attendance policy during open house prior to the start of the school year. Reminders will be provided, as needed, throughout the school year. Schools will monitor attendance on a regular basis.

The principal or designee shall notify parents and take all other steps required by G.S. 115C-378 (Compulsory Attendance Law) for excessive absences. PCS procedures include written notification to parents at 3, 6 and 10 days of unexcused absences. After 10 accumulated unexcused absences, the principal or principal's designee can file a complaint with the court for failure to comply with NC Compulsory Attendance Law.

A system-wide letter for parents who wish to request excused absences for educational leave/family trips is posted on the PCS' website. Parents should complete the request form and submit it to the principal 10 days prior to the absence. A written work product describing the educational experience will be required as determined by the principal.

### **High School Attendance Procedures**

Person High School operates on the block schedule. Attendance is taken during each of the four periods of the school day. Students are required to attend 46 minutes of each class period to be counted present. Students will have an opportunity to make up work as assigned by the teacher for absences. If the work is not made up satisfactorily, your student may be assigned a failing grade after the 8th unexcused class period absence as determined by the attendance committee.

### **School Attendance Committee Procedures**

Each school will form an Attendance Committee each year.

Members of the attendance committee are assigned by the principal and will meet based on the individual needs of students or when a student has (5) five or more days of absences in grades K-8 and (5) five or more class period absences in grades 9-12 in a semester.

As needed, the school social worker will discuss the student's attendance record with guidance counselors, teachers, the nurse, and/or principal to determine the reasons for the absences. The social worker will also contact the parent as needed.

Parents will meet with the attendance committee when the student reaches (6) six unexcused absences or has excessive absences of any kind. These meetings will be scheduled when convenient for the parent. The school social worker will attend the meeting when possible.

If a student is absent from school for (5) five or more days in grades K-8 in a semester or (5) five or more class period absences in grades 9-12 in a semester, the principal or a committee established by the principal shall consider whether the student's grades should be reduced because of the absences. The principal or committee shall review other measures of academic achievement, the circumstances of the absences, the num-

ber of absences, and the extent to which the student completed missed work. A committee may recommend to the principal and the principal may make any of the following determinations:

1. the student will not receive a passing grade for the semester;
2. the student's grade will be reduced;
3. the student will receive the grade otherwise earned; or
4. the student will be given additional time to complete the missed work before a determination of the appropriate grade is made.

In the case of excused absences, short-term suspensions and failure to submit a health assessment within 30 days of entering school in NC, the student will be permitted to make up his or her work. The teacher will determine when work is to be made up. The student is responsible for finding out what assignments are due and completing them within the specified time period.

A student whose parent or legal guardian is (a) an active duty member of the uniformed services as defined by policy 4050 Children of Military Families, and (b) has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting will be granted additional excused absences at the discretion of the superintendent or designee to visit with his or her parent or legal guardian.

Students with excused absences due to documented chronic health problems are exempt from this policy.

Excessive absences may impact eligibility for participation in interscholastic athletics. See Board Policy 3620 Extracurricular Activities and Student Organizations.

### **Sign-In for Students Who Are Tardy to School**

Parents must come into the office to sign in a tardy student at both elementary and middle schools.

### **Early checkouts**

Early checkouts will be excused for the same reasons that absences are excused. All others will be unexcused. When possible, parents should send a written note to the teacher(s) in the morning if the child will need to be checked out early.

If someone other than the parent will be picking the child up, please include that information in the note. That individual should be on your approved list and should be prepared to show identification with a photograph. We understand that emergencies may occur that require you to pick your child up early, but this should be infrequent. Children will not be called early to come to the office and wait for the parent to arrive to check them out.

### **School Health Screening Notification**

The Person County School System is dedicated to the concept that the health and wellness of students directly impacts educational success. In an effort to keep students healthy and ready to learn and as part of the Coordinated School Health Program, the system may provide the following school health screenings for students:

1. **Vision Screenings**
  - a. 1st, 3rd and 5th grades and any student referred to the school nurse. Other grades may be added for mass vision screening as deemed necessary by the school nurse. Screenings will be conducted at each school site using Prevent Blindness standards. Screeners may consist of district school nurses and trained volunteers. Parents will be notified by the school nurse if student fails vision screening.
2. **Height/Weight/BMI Screenings**
  - a. K through grade 8 as part of the Fitness-gram physical education program. Screenings will be conducted at each school site per Fitness-gram guidelines. Results will be sent home from physical education teachers to parent via the student.

Additional screenings may be conducted per board policy and exceptional children guidelines. The Person County School District currently works in conjunction with the Person County Health Department, Person County Lions Club volunteers and Piedmont Community College School of Nursing volunteers to provide various health screenings throughout the school year in order to promote good health amongst our students.

**If you do not want your child to participate in health screenings, you must notify the school principal in writing.**  
**School Meal Charges**

The PCS' School Nutrition Services' Department is responsible for maintaining account records and in conjunction with school cafeteria managers and school administration, notifying the student's parent/guardian of outstanding balances. The parent/guardian is responsible for immediate payment of any outstanding balances in their child's account. (Policy 6226)

**Student Responsibilities**

Each student attending the public schools of Person County must accept the consequences for his/her actions. Students are responsible for knowing and adhering to all regulations and policies that may affect him/her.

Students share with school officials the responsibility of maintaining order at school through their compliance with all lawful directions of principals, teachers, substitute teachers, teacher assistants, and other school personnel authorized to give directions.

Each student shall receive a copy of the Code of Student Conduct at the beginning of each school year and shall sign an acknowledgement to that effect.

**STUDENT DRESS AND APPEARANCE (Policy 4316 Student Dress Code)**

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

The principal or principal's designee shall address student violations of this policy.

Reasonable accommodation will be made by the principal or principal's designee for those students who, because of a sincerely held religious belief, cultural or medical reason, request a waiver of a particular guideline for dress or appearance. Reasonable accommodations shall be made by the principal to accommodate students involved in special duties, activities, or projects approved by the school. This would include but is not limited to: athletics, vocational classes and projects, special events, or other activities that would allow for non-conforming dress on school campus.

Principals will maintain guidelines to assist students in determining appropriate dress and appearance for school, and copies will be made available for parents and students.

Items listed below shall be included in all guidelines and shall apply to all students.

- Clothing must not be disruptive to the teaching-learning process and cannot be provocative, revealing, indecent, vulgar, obscene, profane, lewd, and legally libelous, promote gang affiliation, or promote any activity prohibited by the Student Code of Conduct. Any clothing, manner of grooming, jewelry, accessories, backpacks, visible tattoos, and/or visible body piercing that could be construed as a weapon or contain any advertisement, symbols, words, slogans, patches, or pictures that refer to drugs, tobacco, alcohol, or

weapons; or are of a sexual nature are prohibited.

- Hats, caps, rags, wraps, sweatbands, bandanas, wave caps, towels, sunglasses, goggles, or other forms of headgear will not be worn inside the school buildings.
- Pants must be worn on the waist, with no undergarments visible (no sagging). Shorts and skirts may not be higher than three (3) inches above the knee—height of an ID card. In addition, no clothing may be ripped, torn, slit, or contain holes higher than three (3) inches above the knee—height of an ID card.
- Sleeveless shirts, blouses, and dresses must come up to the armpit. All shirts and blouses must go past the waistline to overlap pants/skirts, covering the back, with no cutouts or see-through elements. Undergarments are not to be visible.
- Also prohibited are inappropriately sheer, tight or low-cut clothing such as halter tops, backless clothing, tube tops, garments made of fishnet, mesh or similar material, muscle tops, and spaghetti straps. This also includes all sleep attire.
- Clothing must be worn appropriately at all times.

Other concerns, not clearly defined in the policy, will be determined at the discretion of the local school administrator.

## **WIRELESS COMMUNICATION DEVICES**

### **(Policy 4318 Use of Wireless Communication Devices)**

The board recognizes that cellular phones and other wireless communication devices have become an important tool through which parents communicate with their children. Therefore, students are permitted to possess such devices on school property so long as the devices are not activated, used, displayed or visible during the instructional day or as otherwise directed by school rules or school personnel. Wireless communication devices include, but are not limited to, cellular phones, electronic devices with internet capability, paging devices, etc.

### **Authorized Use**

Administrators may authorize individual students to use wireless communication devices for personal purposes when there is a reasonable need for such communication. Teachers and administrators may authorize individual students to use the devices for instructional purposes, provided that they supervise the students during such use.

Although use generally is permitted before and after school, use of cellular phones and other wireless communication devices may be prohibited on school buses when noise from such devices interferes with the safe operation of the buses. In addition, elementary and middle school students who participate in after-school programs are prohibited from using wireless communication devices during such programs.

### **Consequences for Unauthorized Use**

School employees may immediately confiscate any wireless communication devices that are on, used, displayed or visible in violation of this policy. Absent compelling and unusual circumstances, confiscated wireless communication devices will be returned only to the student's parent.

In all cases, confiscated cell phones/wireless devices will only be released to parents or legal guardians and parents or legal guardians will be required to come to the school and sign a statement acknowledging the offense and receipt of the wireless device. Confiscated devices will be released to parents three (3) school days after the first offense; five (5) school days after the second offense; and seven (7) school days after the third and all subsequent offenses. The device will not be released to parents until after the school day has ended.

### **Search of Wireless Communication Devices**

In accordance with policy 4342, Student Searches, a student's wireless communication device and its contents, including, but not limited to, text messages and digital photos, may be searched whenever a

school official has reason to believe the search will provide evidence that the student has violated or is violating a law, board policy, the Code of Student Conduct or a school rule. The scope of such searches must be reasonably related to the objectives of the search and not excessively intrusive in light of the nature of the suspected infraction.

**Liability**

Students are personally and solely responsible for the security of their cell phone /wireless communication devices. The school system is not responsible for such items that are lost or stolen and is not required to investigate claims of loss, damage or theft including when the device is in the possession of school officials due to a student violation.

## **IV. DISCIPLINARY MEASURES AVAILABLE TO SCHOOL AUTHORITIES**

Principals and teachers shall consider the age and developmental stage of the student and the circumstances surrounding an incident of misbehavior before imposing disciplinary measures.

Violation of school policies and regulations may result in one or more of the following:

**A. Pupil Personnel Intervention**

When a student experiences repeated problems in school, school officials may refer the student to a school counselor and/or school social worker.

**B. Student Conference**

Conferences may be held between a student and teacher. If a problem becomes more serious, an administrator may confer with the student and/or teacher. A written notice concerning the student's behavior may be sent to the parents after the conference has been held.

**C. Parent Contact**

Teachers, counselors, and administrators may contact parents by phone or letter in an effort to inform them of student misconduct which should be brought to their attention.

**D. School Conference with Parent**

Parents are encouraged and expected to arrange an appointment with any teacher, counselor or administrator to discuss their child's progress or problems. School officials may request a conference with parents.

**E. Confiscation**

Any student's property that disrupts the learning environment, will be temporarily removed from that student's possession. Said possessions will only be released to parents or legal guardians, after parents or legal guardians come to the school and sign a statement acknowledging the disruption and receipt of the possessions.

**F. Isolation**

Any student may be removed from regular class activities as long as he is placed under adult supervision.

**G. Detention**

Any teacher or principal may detain a student before or after regular school hours as long as the parents have been given one day's prior written notice. In emergency situations, parents must be contacted immediately. Lunch detention is permitted; however, students will be allowed to eat lunch.

**H. In-School Suspension**

During in-school suspension, a student is excluded from attend-

ing regular classes but not from attending school and is required to do assignments developed by his regular teachers. Credit is given for this work. **A student will not be allowed to participate in any extracurricular activity during the period of any in-school suspension. Principals or assistant principals shall notify parents whenever a student is assigned to in-school suspension. Notification may be by electronic or written means, or by telephone.** Infractions of school rules during the last few days of the regular school term or the summer session may result in assignment of in-school suspension to be served at the beginning of the next school year.

**I. Extended Day School**

A student in grades 9-12 may be assigned to extended day school between the hours of 3:00-5:00 p.m. if this service is available. The student is required to do assignments developed by his regular teachers. Credit is given for this work. A student will not be allowed to participate in any extracurricular activity during the period of assignment to extended day school. Principals or assistant principals shall notify parents whenever a student is assigned to extended day school. Notification may be by electronic or written means, or by telephone. Infractions of school rules during the last few days of the regular school term or summer session may result in assignment of extended day school to be served at the beginning of the next school year.

**J. Suspension from Extra-Curricular Activities**

Participation in extracurricular activities is a privilege, which places the student in a position of representing the school to fellow students or to the community. While the Board of Education does not seek or intend to monitor the behavior of students away from school, a student may be suspended from participation in any or all extracurricular activities, including graduation exercises, for a violation of this Code of Student Conduct or of any local, state or federal law which reasonably and adversely affects the ability of the student to positively represent the school through said extracurricular activity.

If a student is not in good standing, whether for academic, disciplinary, or other reasons, the student may be barred from attendance and/or participation in extracurricular activities. A student may be determined to be not in good standing when charges have been brought by law enforcement or sanctions enacted by the courts for activities that did not occur during school hours or on school property.

**K. Law Enforcement Agencies**

As required by state statute, law enforcement agencies shall be contacted immediately when a principal has personal knowledge, a reasonable belief, or actual notice from school personnel that an act has occurred on school property involving assault resulting in serious personal injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a weapon in violation of the law, or possession of a controlled substance in violation of the law. Law enforcement officers also may be contacted in cases of other criminal violations.

**L. Court Referral**

School officials shall request that a student be prosecuted criminally for violations of criminal laws that occur on school grounds.

**M. Restitution**

The replacement of or payment for property taken, damaged or destroyed will be required. Decisions regarding monetary amounts required for restitution will be made by the principal of the school.

**N. Suspension from School**

A student may be suspended from school for sufficient cause in ac-

cordance with state law and local Board of Education policy. A student will not be allowed to participate in or attend any extra-curricular activity during the period of suspension. Suspended students are prohibited from being on school property at any time and shall be charged with trespassing upon violation of this rule unless prior approval has been given in writing by a building administrator. Individual schools will determine procedures and rules governing make-up work for suspended students within guidelines established by the Board. Students suspended for the remainder of the year shall not be allowed to make-up work or earn any course credits, except as allowed by an alternative education programs. Students in grades 9-12 suspended for the remainder of the semester or for the remainder of the year shall not be allowed to make-up work or earn any course credits.

1. Short-Term Suspension - A short-term suspension is removal from school for a period up to and including ten (10) school days.
2. Long-Term Suspension - A long-term suspension is removal from school for a period of more than ten (10) school days. Long-term suspensions for conduct occurring during the first three quarters of the school year shall be no longer than the remainder of the school year in which the offense was committed. If the offense leading to the long-term suspension occurs during the final quarter of the school year, the long-term suspension may include a period up to the remainder of the school year in which the offense was committed and the first semester of the following school year.
3. 365-day Suspension - Suspension from school for one calendar year.

**O. Suspension from Summer School**

When a student is given a long-term suspension or a 365-day suspension during summer school, the period of suspension will extend through the following regular school year.

**P. Expulsion**

Any student fourteen (14) years of age or older whose continued presence in school constitutes a clear threat to the safety of other students or employees may be permanently excluded from attending the Person County Public School System. The procedures outlined in state law and Board of Education policies shall be followed in the expulsion of any student.

**Q. Students Attending a School Outside of Their Assigned Attendance Zone**

Students receiving an approved transfer and attending a school other than the school specified by the location of their legal residence must maintain good standing, as determined by the principal of the school to which they have received a transfer. Providing a 5-day written notice, the principal may revoke an approved transfer if a student has continuing discipline, attendance, tardy, or other disruptive issues.

# V. VIOLATIONS OF THE CODE OF STUDENT CONDUCT

Violations of the Code of Student Conduct, other Board of Education policies, rules and regulations issued by the individual school, or the North Carolina General Statutes may result in disciplinary actions as described in Section IV of this Code. Students may also be assigned to an alternative program approved by the Board of Education for certain violations. All such assignments will be made by the Superintendent or his designee on a case-by-case basis and shall only be done under conditions of probation. Violation of this probationary status while assigned to an alternate learning program may result in long-term suspension.

Principals and other school officials are authorized to involve law enforcement in serious violations in any category and are required to involve law enforcement in cases of certain alleged criminal acts. In such cases, school officials shall cooperate fully with the law enforcement agency. Internal disciplinary proceedings shall take place independently from the criminal investigation and prosecution.

Students not in good school standing, whether from academics, attendance, or discipline, or other issues can be denied participation in and attendance at after school activities including clubs, athletic events, etc.

## A. Level One Violations

The following conduct is prohibited as outlined below:

1. **Gambling** – Participation in any unauthorized games of chance in which money or items of value may be won or lost.
2. **Inappropriate Language** – Participation in persistent verbal action that prevents an orderly and peaceful learning environment. Cursing, using vulgar, obscene, or abusive language and/or signs including, but not limited to slurs or insults intended to mock a person's race, religion, sex, national origin, disability or intellectual ability; or using sexually offensive or degrading language are specifically prohibited. Such behavior exhibited toward school employees may result in a more severe punishment.
3. **Peer Relations** – Engaging in behavior that is immoral, indecent, overly affectionate, or of a sexual nature while in the school setting.
4. **Academic Integrity** – Engaging in or attempting to engage in cheating, plagiarism, falsification, violation of software or print copyright laws, or violation of computer access regulations. Students are subject to disciplinary action as outlined in this policy and/or academic penalty.
5. **Conduct on the School Bus** – Failing to follow the directives of the school bus driver and the rules and regulations of school bus safety as well as the rules of this policy while at a school bus stop, or in the school bus parking lot, or while riding on a school bus or other school vehicle. Violation of these rules may result in temporary or permanent suspension from the privilege of school transportation services as well as from the school.
6. **Skipping School or Class** – Being tardy to class, leaving school grounds during the instructional day without prior approval from the site administrator or being in a location on school grounds other than in the assigned class without the permission of the teacher.
7. **Insubordination** – Refusal to comply with any appropriate and reasonable directive from an administrator, SRO, teacher, and all other school officials (including volunteers) who are authorized to give such directions during any time when a student is subject to the authority of school personnel.

## Penalty for Class I Violations

- Gambling
- Inappropriate Language
- Peer Relations
- Integrity
- Conduct on the School Bus
- Skipping School or Class

Grade	First Offense	Second & Subsequent Offense(s)
K-5	Administrative conference and parent contact. In school disciplinary action	ISS or Extended Day School (not to exceed 3 days). Possible loss of bus privileges for bus incidents.
6-8	Warning and/or student conference.	ISS or Extended Day School (not to exceed 3 days) and conference with a parent/guardian. Multiple offenses could result in short term OSS. Possible loss of bus privileges for bus incidents.
9-12	Warning and/or student conference. Possible ISS or EDS (not to exceed 3 days).	ISS or Extended Day School (not to exceed 3 days) and conference with a parent/guardian. Multiple offenses could result in short term OSS. Possible loss of bus privileges for bus incidents.

## B. Level Two Violations

The following conduct is prohibited as outlined below.

1. **Damage to Property and Vandalism** – Intentionally damaging or vandalizing or attempting to damage or vandalize or deface school property or private property.
2. **Threat / False Threat** – Making any threat through written or verbal language, sign or act which conveys a serious expression of intent to cause harm or violence. Furthermore, no student shall make a false threat of harm or violence, even in jest, which causes or is reasonably likely to cause fear or a disruption to school activities.
3. **Hazing** – Requiring a fellow student to wear abnormal dress, playing abusive or ridiculous tricks on a fellow student, frightening, scolding, swearing, harassing, or subjecting a fellow student to personal indignity.
4. **Extortion** – Extorting or attempting to extort money, personal property, or personal services.
5. **Disruptive Protests** – Engaging in any protest, march, picket, sit-in, or similar activity, either on or off any school campus, which has as its purpose the disruption of any lawful function, mission, or process of the school or which, in fact, creates such a disruption.
6. **Boycotts** – Participating in any boycott or walk-out of any lawful school function at which attendance is required.
7. **Disruptive or Obscene Literature and Illustrations** – Possessing or distributing literature or illustrations that are obscene or that significantly disrupt the educational process. This includes inappropriate material on clothing or other student property. Administrators will offer a student a chance to correct the clothing infraction prior to suspension.
8. **Tobacco Products (Including e-cigarettes)** – Using or possessing any tobacco products in any school building or school bus at any time or on the school premises. Possession of lighters or matches by students is prohibited. The penalties for violation of these regulations are as follows:
  - First Offense: One (1) day ISS.
  - Second Offense: Three (3) days ISS.
  - Third Offense: Two (2) days out-of-school suspension.
  - Fourth and Subsequent Offenses: Five (5) days mandatory out-of-school suspension.

9. **Harassment/Bullying** – Engaging in any offensive verbal, non-verbal or physical conduct that is sufficiently severe, persistent or pervasive to interfere with a student’s ability to participate in or benefit from an educational program or activity, or to create a hostile learning environment. Prohibited conduct may include, but is not limited to, abusive jokes, insults, slurs, name-calling, threats, bullying or intimidation, pushing or shoving.
10. **Disruptive Behavior** – Using passive resistance, noise, threat, fear, intimidation, coercion, force, violence or any other form of conduct that causes the disruption of any lawful function, mission or process of the school, or urging any other student to engage in such conduct.
11. **Trespassing** – Being on the campus of any school except the one to which the student is assigned during the school day without the knowledge and consent of the officials of that school. Students who loiter at any school after the close of the school day without special need or proper supervision are trespassers and may be prosecuted if they fail to leave when instructed to do so. A student who has been suspended or expelled from school is trespassing if he or she appears on the property of any Person County school or at any school-sponsored activity during the suspension or expulsion period without the express permission of the principal.
12. **Sexual Harassment (Non-Physical)** – Engaging, verbally or through other non-physical means, in sexual harassment as defined in the Sexual Harassment Policy, retaliating against someone for reporting alleged sexual harassment, or intentionally filing a false claim of sexual harassment.
13. **Aggressive Behavior** – when a student behaves in such a manner as could reasonable cause physical injury to any student or staff member.

**Penalty for Class II Violations**

- Damage to Property & Vandalism
- Threat/False Threat
- Hazing
- Extortion
- Disruptive Protests
- Boycotts
- Disruptive or Obscene Literature & Illustrations
- Tobacco Products (Including e-cigarettes)
- Harassment/Bullying
- Disruptive Behavior
- Trespassing
- Sexual Harassment (Non-Physical)
- Aggressive Behavior

Grade	First Offense	Second & Subsequent Offense(s)
K-5	Parent conference with administration. Possible ISS or EDS (not to exceed 3 days).	ISS or EDS (not to exceed 3 days) and possible OSS up to 5 days for the second offense. OSS for up to 10 days for subsequent offenses.
6-8	Parent conference with administration. Possible ISS or EDS (not to exceed 3 days).	OSS up to 5 days for the second offense. OSS for up to 10 days, or recommendation for LTS for subsequent offenses.
9-12	Parent conference with administration and ISS or EDS (not to exceed 3 days). Possible OSS for up to 3 days.	OSS up to 5 days for the second offense. OSS for up to 10 days, or recommendation for LTS for subsequent offenses.

### C. Level Three Violations

The following conduct is prohibited as outlined below.

1. **Fireworks or Ammunition** – Possessing, distributing, igniting or using any fireworks or ammunition on school premises, or in any vehicles on school premises.
2. **Possession of Weapons Other Than Firearms** – Possessing, handling, transferring or bringing onto school property any items including, but not limited to, any knife, razor, replica firearm, replica weapon, BB gun, air rifle, air pistol, sling shot, blackjack, brass knuckles, taser, or facsimile of the aforementioned, or other item that could be considered a weapon or dangerous instrument.
3. **Fire Alarms** – Setting off, attempting to set off, or aiding and abetting anyone in giving a false fire alarm. It shall also be prohibited to interfere with or damage any part of a fire alarm, fire detection, smoke detection, or fire extinguishing system.
4. **Failure to Comply with Lawful Directive** – Failing to follow a directive that comprises safety of students or staff after being personally notified by any school employee.
5. **Threats** – Threats of death or bodily injury communicated toward any student, school employee, or school volunteer by verbal, written or other communication.
6. **Sexual Acts** – Engaging in any consensual sexual act while on school property or at a school-sponsored activity or event.
7. **Fighting** – Assaulting or attacking, or causing or attempting to cause physical injury to another student or intentionally behaving in such a manner that could reasonably cause physical injury to any student. Hitting, shoving, scratching, biting, blocking the passage of, or throwing objects at another person. Taking any action or making comments or writing messages which might reasonably be expected to result in a fight. However, a student who is attacked may use reasonable force in self-defense, but only to the extent to free himself from the attack and notify proper school authorities.
- 7a. **Instigating or attempting to instigate a fight**
- 7b. **Attempting to fight**
  - Grades 6-8**  
First Fight – Up to 5 days ISS and 5 days OSS or any combination thereof as determined by the principal. Criminal charges may be filed for any fight.
  - Grades 9-12**  
First Fight – Up to 10 days OSS  
Subsequent Fight — 10 Days OSS and possible recommendation for long term suspension.  
Criminal charges may be filed for any fight.
  - Group Fighting**  
As determined by the principal. For students in grades 6 through 12, criminal charges will be filed in any group fight situation.
  - Grades 6-12**  
10 days OSS and possible recommendation for long term suspension.
8. **Theft** – Stealing, attempting to steal, or knowingly being in possession of stolen property.
9. **Arson** – Burning or attempting to burn any school building or property. Possessing incendiary material, (i.e., gasoline, kerosene, or other flammable liquid,) for the purpose of burning or attempting to burn school property.
10. **Use of a Weapon** – Using in a threatening or dangerous manner any weapon, or other object that can reasonably be considered a weapon, replica or a facsimile of a weapon.
11. **Sexual Harassment (Physical) or Sexual Assault** – Engaging in physical harassment as defined in the Sexual Harassment Policy or offensively touching another person’s private parts, including

the buttocks or breasts, or forcing or attempting to force another to engage in a sexual act against his/her will.

- 12. Drugs or Alcohol** – Possessing, using, distributing, transmitting, attempting or conspiring to possess, use, distribute, or transmit, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, anabolic steroids, marijuana, or any other controlled substance, drug, or any medication that is not authorized by a valid medical prescription from a registered physician for use by the student, including Ritalin, any over-the-counter medication, or any other pill, tablet, or capsule of any kind, or any beverage with alcoholic content, alcoholic beverage, malt beverage, or fortified wine or other intoxicating liquor, or possessing, using, distributing or transmitting drug paraphernalia or counterfeit drugs or counterfeit controlled substances, or inhaling or ingesting any chemicals or products with the intention of bringing about a state of exhilaration or euphoria or otherwise altering the student's mood or behavior while in any school building, on any school premises, on any school bus, or off the school grounds at any school activity, function, or event before, during or after school hours, or during any period of time when he/she is subject to the authority of school personnel, unless such possession, use, or transmission is authorized by law and school regulations. Use of a drug as authorized by valid medical prescription from a registered physician shall not be considered a violation of the rule when the drug is taken by the person for whom the drug is prescribed.

Possession of more than one dosage of an over the counter medication will be interpreted as violation of this policy and may result in disciplinary action.

### **Definitions:**

Possession – Having the prohibited substance on the student's person or in another place where the student, either alone or jointly with others, has control over it. This may include, but is not limited to, possession of a prohibited substance in an automobile, locker, book bag, or desk.

Use – The consumption, injection, inhalation, or absorption of a prohibited substance into a student's body by any means.

Under the influence – The use of any prohibited substance when the prohibited substance would influence the student's mood, behavior, or learning to any degree.

Counterfeit substance – Any substance that is described or presented with the intention of deceiving another into believing that it is a substance prohibited under this policy.

Unauthorized prescription drug – Any drug or medication that has not been prescribed for the student.

Drug paraphernalia – Objects used for ingesting, inhaling, or otherwise introducing controlled substances into the body, or objects used in the manufacture or sale of controlled substances, e.g., pipes, rolling papers, roach clips, scales, vials, baggies. Relevant evidence may be considered in determining whether an object is drug paraphernalia.

Conspiracy – An agreement by two or more persons to commit an act in violation of this policy.

Sell – The exchange of a prohibited substance for money, property, or any other benefit or item of value.

Possess with intent to distribute/sell – Intent to distribute or sell may be determined from the amount of the prohibited substance found, the manner in which it was packaged, the presence of packaging materials such as scales, vials, baggies or other containers, or from statements or actions of the student that demonstrate an intent to distribute or sell. For purposes of this definition, a student

has not “distributed” a prohibited substance (but may be guilty of “possession” or “use”) if the student’s only involvement is to share or pass a prohibited substance with other students in the course of using it, so long as the student was not the one who brought the prohibited substance onto school property or otherwise made it available to other students. A student may be guilty of “distributing” a prohibited substance even if the substance is given freely rather than exchanged for something of value.

**13. Gangs and Gang-related Activity (Policy 4317, 4328)**

Students and staff in Person County deserve to be safe and secure in their persons, on school property, on the school bus, and at school activities, whether on or off campus. The Board of Education is aware that threats and messages of violence have the capacity to profoundly disrupt an otherwise effective learning environment, and, furthermore, school dress, particularly gang-related apparel, significantly influences pupil behavior. As such, the Board of Education elects to publish these Guidelines in an effort to assist school staff in preventing gang-related activity in the school setting.

It is important that parents, students and school officials understand that the particular brands, styles and subtleties of apparel and other items which indicate a student’s membership in, affiliation with, or support for a gang are ever-changing and, therefore, these guidelines must remain fluid to meet practical changes as they arise within the schools.

- A. Conduct Prohibited.** No student shall commit any act furthering gangs or gang-related activities.
- B. Definition of Gang.** A gang is any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts and having a common name or common identifying signs, colors, or symbols. As used herein, the phrase “gang-related” shall mean any conduct engaged in by a student (1) on behalf of an identified gang, (2) to perpetuate the existence of any identified gang, or (3) to effect the common purpose and design of any identified gang.
- C. Conduct prohibited by this policy includes:**
  - 1. Communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.), with the intent to convey or promote
    - a. membership in or affiliation
    - b. with a gang;
  - 2. Tagging or otherwise defacing school or personal property with graffiti, symbols or slogans intended to convey or promote membership in or affiliation with a gang;
  - 3. Requiring payment of protection, insurance, or otherwise intimidating or threatening any person related to gang activity;
  - 4. Inciting other students to intimidate or to act with physical violence upon any other person related to gang activity;
  - 5. Soliciting others for gang membership; or
  - 6. Committing or conspiring to commit any other illegal act or other violation of school district policies in connection with gang-related activity.

The Superintendent or his designee shall regularly consult with law enforcement officials to maintain current examples of gang-related activities, including but not limited to gang names and particularized examples of potential gang indicators including symbols, hand

signals, graffiti, clothing/accessories, and behaviors.

Each principal shall maintain current examples of gang-related activities in the main office of the school to assist students, parents, and teachers in identifying gang symbols and practices. Not being included in the examples maintained by the principal is not conclusive evidence that any particular symbol, hand signal, graffiti, clothing/accessory, or behavior is not a gang indicator. In providing this information for students and parents, the Board acknowledges that not all potential gang indicators connote actual membership in a gang. This policy shall be applied in a non-discriminatory manner based on the objective characteristics of the student's conduct in light of the surrounding circumstances. The Superintendent is authorized to develop any rules necessary to implement this policy.

**14. Bomb Threat or Hoax (Policy 4333):**

- A.** Communicating by any means to any person or group of persons, a report, knowing or having reason to know the report is false, that there is located on educational property any device designed to destroy or damage property by explosion, blasting, or burning; or
- B.** With intent to perpetrate a hoax, concealing, placing, or displaying a device, machine, instrument, or artifact on educational property or at a school-sponsored curricular or extra-curricular activity off educational property, so as to cause any person reasonably to believe the same to be a bomb or other device capable of causing injury to persons or property.

**15. Explosives (Policy 5027/7275):**

Possessing or placing on educational premises any explosive device, including, but not limited to, dynamite, dynamite cartridge, bomb, grenade, mine, nitroglycerine, or any other powerful explosives capable of causing injury or damage to persons or property.

**16. Terrorist Threat or Hoax (Policy 4333):**

- A.** Communicating by any means to any person or group of persons, a report, knowing or having reason to know the report is false, that there is located on educational property or at a school-sponsored curricular or extra-curricular activity off educational property any device, substance or material designed to cause harmful or life-threatening illness or injury to another person;
- B.** With intent to perpetrate a hoax, concealing, placing or displaying a device, machine, instrument, artifact, letter, package, material or substance on educational property or at a school-sponsored curricular or extra-curricular activity off educational property, so as to cause any person reasonably to believe the same to be a substance or material capable of causing harmful or life-threatening illness or injury to another person.
- C.** Threatening to commit, on educational property or at a school-sponsored curricular or extra-curricular activity off educational property, an act of terror that is likely to cause serious injury or death, when that threat is intended to cause a significant disruption to the instructional day or school-sponsored activity, or causes such disruption.
- D.** Making a report, knowing or having reason to know the report is false, that there is about to occur or is occurring on educational property or at a school-sponsored

curricular or extra-curricular activity off educational property, an act of terror that is likely to cause serious injury or death, when that report is intended to cause a significant disruption to the instructional day or school-sponsored activity, or causes such disruption.

- E.** Conspiring to make a terrorist threat or hoax within the meaning of this policy.
- 17. Assaults and Serious Injuries on any Teacher or Other School Personnel**  
Physically assaulting and causing serious injury to a teacher or school personnel or to a volunteer or other adult who is not a student.
- 18. Other Assaults on Teachers or Other Adults Who are not Students and Assaults on Another Student**
- A. Physically assaulting or assaulting a teacher or other adult who is not a student;
  - B. Physically assaulting another student if the assault is witnessed by school personnel;
  - C. Physically assaulting and seriously injuring another student.
- 19. Assault on School Employee Engaged in Breaking-Up an Altercation** – Hitting, pushing, shoving, kicking or otherwise assaulting, intentionally or unintentionally, a teacher or other school employee engaged in breaking up an altercation.
- 20. Attempted Assault on a School Employee** – Attempting to cause physical injury to a school employee or school volunteer, or behaving in such a manner that could reasonably cause physical injury to any school employee or school volunteer. This includes but is not limited to attempting to hit, push, shove, kick, or otherwise assault intentionally or unintentionally, a teacher or other school employee engaged in breaking up an altercation.
- 21. Kidnapping** – Causing or attempting to cause the abduction, unwilling transport, unwilling removal, or unwilling detention of a student. Law enforcement and school officials acting in their official capacity to remove a student from school grounds or a school event are exempt from this section.

### **Penalty for Class III Violations**

- Fireworks or Ammunition
- Possession of Weapons Other Than Firearms
- Fire Alarms
- Failure to Comply with Lawful Directives
- Threats
- Sexual Acts
- Fighting (Includes Instigating or Attempting to Fight)
- Theft
- Arson
- Use of a Weapon
- Sexual Harassment (Physical) or Sexual Assault
- Drugs or Alcohol
- Gangs and Gang Related Activity
- Bomb Threat or Hoax
- Explosives
- Terrorist Threat or Hoax
- Assaults and Serious Injuries on any Teacher or Other School Personnel
- Other Assaults on Teachers or Other Adults Who are not Students and Assaults on Another Student
- Assault on School Employee Engaged in Breaking-Up an Altercation
- Attempted Assault on a School Employee
- Kidnapping

Grade	First Offense	Second & Subsequent Offense(s)
K-5	OSS for up to 10 days.	OSS for up to 10 days. Possible recommendation for LTS.
6-8	OSS for up to 10 days. Possible recommendation for LTS.	OSS for up to 10 days. Possible recommendation for LTS. Law Enforcement may be contacted if required by Law.
9-12	OSS for up to 10 days. Possible recommendation for LTS.	OSS for up to 10 days. Possible recommendation for LTS. Law Enforcement may be contacted if required by Law.

#### D. Level Four Violations

The following conduct is prohibited as outlined below:

- Possession or Use of a Firearm, Facsimile of a Weapon, or Destructive Device** — Possessing, handling, using, transferring or bringing onto educational property, or to a school-sponsored curricular or extra-curricular activity on or off school property a firearm, facsimile of a weapon, or destructive device.

Definitions:

**Firearm** – 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; the frame or receiver of any such weapon; or any firearm or muffler or firearm silencer. The term shall not include an inoperable antique firearm, a BB gun, stun gun, air rifle, or air pistol.

**Destructive Device** – An explosive, incendiary, or poison gas; bomb; grenade; rocket having a propellant charge of more than four ounces; missile having an explosive or incendiary charge of more than one-quarter ounce; mine; or device similar to any of the devices listed in this definition.

#### Penalty for Class IV Violation

- Possession or Use of a Firearm, Facsimile of a Weapon or Destructive Device

Grade	Disciplinary Action
K-12	Possession or use of a firearm, facsimile of a weapon, or destructive device shall result in suspension for 365 calendar days from the Person County Schools in accordance with G.S. 115C-390.10 and may result in expulsion. The Superintendent or Board may modify the 365-day suspension on a case-by-case basis. The 365-day suspension does not apply to any student who finds the weapon on school property or receives it from another person on school property and who delivers the weapon, immediately, to school or law enforcement authorities, provided that the student did not have the intent to use the weapon in any harmful or threatening way

#### E. Expulsion

A student fourteen (14) years of age or older may be expelled for a violation of this Code of Conduct if the Board determines that the student's behavior indicates that the student's continued presence in the school constitutes a clear threat to the safety of other students or employees, and that there is no appropriate alternative education program. Additionally, any student who is a registered sex offender under N.C. General Statutes 14-208 may be expelled.

# VI. DUE PROCESS

Students may be suspended or expelled from school only in compliance with law and Board policy. Furthermore, all schools shall develop and implement viable alternatives to out-of-school suspension or expulsion for Level One offenses and other lesser offenses. The Board encourages the use of in-school alternatives as preferable to out-of-school suspension. The superintendent is authorized to develop rules to implement this policy. When student discipline is recommended, the following procedures shall apply:

## A. In-School Discipline

When a student is subject to in-school suspension, after-school detention, or loss of transportation or other privileges, the student shall be told the accusation against the student and be given a chance to respond. The exchange may be informal and need not be in writing.

## B. Short-Term Suspension (Policy 4351)

Principals are authorized to suspend students for periods of ten (10) school days or less for violations of the Code of Student Conduct or local school rules when the Code of Student Conduct requires or when the principal has notified students that violation of the local school rules may result in suspension. **Any short-term suspension is not appealable beyond the principal.** Principals shall defer the beginning of any suspension to the day following the decision to suspend, unless immediate suspension is necessary to avoid disruption of school. In suspending a student for ten (10) school days or less, the principal shall investigate the alleged misconduct promptly and give the student oral notice of the accusation and evidence against the student and an opportunity to respond. If the student denies the conduct or identifies witnesses who could exonerate the student, the principal shall make reasonable efforts to follow up or contact possible exculpatory witnesses.

In all cases of suspension, a written notice of suspension, including the reasons for the suspension and a description of the alleged student behavior upon which the suspension is based, shall be provided to the student's parent. **The notice shall be given by the end of the workday during which the suspension is imposed when reasonably possible, but in no event more than two days after the suspension is imposed. The notice shall be given by certified mail, telephone, facsimile, e-mail, or any other method reasonably designed to achieve actual notice.**

The notice shall be in plain language and shall be easily understandable. If English is the second language of the parent/guardian, the notice shall be written in the parent/guardian's first language when the appropriate foreign language resources are readily available. The notice shall also be provided in English. The notice shall also identify the information to be included in the student's official record and the procedure for challenging the information as provided in the *Confidentiality Of and Access to Student Information policy*.

A short-term suspension is not appealable to the Superintendent or to the Board of Education under this policy. Any student suspended short-term shall be permitted to take textbooks home for the duration of the suspension; 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 the opportunity to make up any quarterly, semester or grading period exams missed during the period of suspension.

## C. Emergency Suspension (Policy 4352 Removal of Student During the Day)

In extraordinary circumstances, a principal may suspend a student from school immediately if the student's presence at school poses a danger to persons or property or an ongoing threat of disrupting the academic process. The principal shall give the student notice of the

charges against the student and an opportunity to respond as specified under the procedures for short-term or long-term suspension as soon as possible and no later than two (2) days after the emergency suspension. If the principal determines that emergency circumstances require that a student be suspended immediately and sent home during the day, and if a parent/guardian, or other responsible adult designated by the parent/guardian, is unable to come for the student or cannot be reached, the student may be given over to the appropriate civil or law enforcement agencies. The age of the student and the seriousness of the offense should be considered.

**D. Long-Term Suspension or 365-Day Suspension and Expulsion (Policy 4353)**

If the principal, following an investigation, determines that a recommendation for long-term suspension is appropriate or that a 365-day suspension is required, or that expulsion is appropriate, the principal shall invoke a short-term suspension of ten (10) days and inform the student, parent and superintendent of the recommendation for long-term or 365-day suspension or expulsion.

The parent shall be provided written notice that includes:

- (1) An explanation that the document is a long-term or 365-day suspension notice, and, where appropriate, that expulsion is being recommended.
- (2) A description of the incident and the student's conduct that led to the suspension recommendation.
- (3) A reference to the provisions of the Code of Student Conduct that the student is alleged to have violated.
- (4) The specific process by which the parent may request a hearing to contest the decision, including the number of days within which the hearing must be requested.
- (5) The process by which a hearing will be held.
- (6) Notice that the parent is permitted to retain an attorney to represent the student in the hearing process.
- (7) Notice that the parent has the right to review and obtain copies of the student's educational records before the hearing.
- (8) A reference to Board policy 4345, Student Discipline Records, which sets forth the process for the expungement of discipline records.
- (9) For a 365-day suspension, or expulsion recommendation, information about the process by which the student may petition the Board for readmission, as described below.
- (10) The identity and phone number of a school employee whom the parent may call to obtain assistance in understanding the English language will be included with the document.

The notice shall be given by the end of the workday during which the suspension is imposed when reasonably possible, but in no event more than two days after the suspension is imposed. The notice shall be given by certified mail, telephone, facsimile, e-mail, or any other method reasonably designed to achieve actual notice.

If a formal hearing is not requested, the Superintendent shall review the circumstances of the recommended suspension and (i) impose the suspension, (ii) impose another appropriate penalty authorized by Board policy, or (iii) decline to impose any penalty. Where no formal hearing is requested, the student and parent shall be notified of the Superintendent's decision in writing within 10 school days of the issuance of the Notice of Suspension.

If a formal hearing is requested, the student or parent must notify the principal in writing within three (3) school days following receipt of the notice of suspension. The notice shall state the issues for the hearing, including concerns regarding the severity of the penalty, if any. If the student is to be represented by counsel at the hearing, the hearing

request shall specify that the student will have counsel present and shall provide the name and telephone number of the student's attorney.  
Long-Term Suspension Appeal Hearings

If a hearing is timely requested, it shall be held and a decision issued before the long-term suspension is imposed, except that if the student or parent requests a postponement of the hearing or the student or parent makes an untimely request for hearing, the hearing shall be scheduled but the student shall not have the right to return to school pending the hearing.

Suspension hearings will be conducted in accordance with the following provisions:

- (1) The student shall have the right to be represented at the hearing by counsel.
- (2) The student shall have the right to be present at the hearing, accompanied by his or her parents.
- (3) The student, the student's parent, and the student's representative shall have the right to review before the hearing any audio or video recordings of the incident and, consistent with federal and State student records laws and regulations, the information supporting the suspension that may be presented as evidence at the hearing.
- (4) At the hearing, the principal shall present testimony and other evidence supporting the suspension decision.
- (5) The student, parent, or the student's representative has the right to question witnesses appearing at the hearing.
- (6) The student shall have the right to present evidence on his or her own behalf, which may include written statements or oral testimony, relating to the incident leading to the suspension, as well as evidence of the student's intent, disciplinary or academic history, benefits to the student of alternatives to suspension, and any mitigating factors.
- (7) Formal rules of evidence will not apply, and the superintendent may consider the testimony of any witnesses, including hearsay evidence, as he deems reliable.
- (8) The superintendent may also consider the school records of the student in making his decision. No record shall be considered for any purpose unless it is made available to the student or his/her representative.
- (9) A record will be made of the hearing, and the student shall have the right to make his or her own audio recording of the hearing.

The Superintendent shall issue a written decision, based on substantial evidence presented at the hearing, either upholding, modifying, or rejecting the principal's recommendation of suspension and containing at least the following information:

- (1) The basis for the decision, including a reference to any policy or rule that the student is determined to have violated.
- (2) Notice of what information will be included in the student's official record pursuant to G.S. 115C 402.
- (3) The student's right to appeal the decision and notice of the procedures for such appeal.
- (4) If the student or parent is not satisfied with the results of the hearing before the superintendent, an appeal may be made to the Board within five (5) school days of the notice from the superintendent. The appeal shall be in writing. Long-term suspensions appealed to the Board will be considered by a panel of Board members within ten (10) school days of the notice of appeal to the extent practical and a final written decision will be sent not more than 30 calendar days following the notice of appeal. The Board will review and consider the entire record of the proceedings, including all of the evidence offered by the school administration and the student. Ordinarily,

the Board will not hear witnesses or consider new or additional evidence beyond what was presented at the earlier hearing. However, in extraordinary circumstances and in the exercise of its discretion, the Board by majority vote may permit either party to call witnesses or offer new or additional evidence. The decision of the Board shall be final, except an adverse decision by the Board may be appealed by the student to a court of law pursuant to state law.

### **Expulsion Hearings**

Upon recommendation of the principal and superintendent, the Board may expel a student who is fourteen (14) years of age or older and whose behavior indicates that the student's continued presence in school constitutes a clear threat to the safety of other students or employees.

Prior to the expulsion of any student, the Board shall hold a hearing to determine whether the student's continued presence in school constitutes a clear threat to the safety of other students or school staff.

The procedures described above for long-term suspension hearings shall apply to students facing expulsion pursuant to this section, except that the decision to expel a student by the Board shall be based on clear and convincing evidence that the student's continued presence in school constitutes a clear threat to the safety of other students and school staff. The Board also may consider the State Board of Education guidelines defining acts and conduct that are considered a clear threat to the safety of students or employees. Prior to ordering the expulsion of a student, the Board shall consider whether there is an appropriate alternative program offered by the Board that may provide education services to the student. The decision of the Board under this provision is final, subject only to judicial review in accordance with Article 4 of Chapter 150B of the General Statutes.

### **E. Alternative Education Services**

Students who are long-term suspended shall be offered alternative education services unless the superintendent provides a significant or important reason for declining to offer such services. Depending on the circumstances, significant or important reasons for denying alternative education services may include, but are not limited to, the following:

- a. The student exhibits violent behavior.
- b. The student poses a threat to staff or other students.
- c. The student substantially disrupts the learning process.
- d. The student otherwise engaged in serious misconduct that makes the provision of alternative education services not feasible.
- e. Educationally appropriate alternative education services are not available due to limited resources.
- f. The student failed to comply with reasonable conditions for admittance into an alternative education program.

If the superintendent declines to provide alternative education services to the suspended student, the student may appeal the superintendent's decision to the Board. If the student appeals, the superintendent shall provide to the student and the Board, in advance of the Board's review, a written explanation for the denial of services together with any documents or other information supporting the decision.

### **F. Suspension of Children With Disabilities (Policy 4353)**

In all actions involving the long-term suspension of a student with a disability, the student will be provided with the protections outlined in federal and state statutes regarding students with disabilities.

### **G. Requests for Readmission (Policy 4362)**

All students suspended for 365 days or expelled may, 180 calendar days from the date of the beginning of the student's suspension or expulsion, request in writing readmission to the Person County Schools.

- (1) 365-Day Suspended Students

- Students who have been suspended for 365 days shall submit written requests for readmission, as well as any supporting documents, to the Superintendent, who shall offer the student an opportunity for an in-person meeting. Within five (5) business days of the meeting, the Superintendent shall issue a written notice, informing the student and his parents of the Superintendent's decision on the request for readmission and, if necessary, of the right to appeal the Superintendent's decision to the Board.
  - The student shall be readmitted if the student demonstrates to the satisfaction of the superintendent that the student's presence in school does not constitute a threat to the safety of other students or staff.
  - Should the Superintendent decide not to readmit the student, the Superintendent's decision may be appealed to the Board by submitting a written appeal within five (5) business days of the issuance of the Superintendent's decision. The Board may designate a hearing panel composed of not less than two (2) members to hear and act upon the appeal in the name and on behalf of the Board. The Board shall issue its decision within 30 days of the initial request for readmission. There is no right to judicial review of the board's decision.
- (2) Expelled Students
- Students who have been expelled shall submit written requests for readmission, as well as any supporting documents, to the Superintendent, who shall offer the student an opportunity for an in-person meeting. Within five (5) business days of the meeting, the Superintendent shall issue a written recommendation, which shall be provided to the Board with the student's request for readmission and any supporting records.
  - The Board shall request a hearing on the request for readmission and may designate a hearing panel composed of not less than two (2) members to hear and act upon the appeal in the name and on behalf of the Board.
  - The student shall be readmitted if the student demonstrates to the satisfaction of the Board that the student's presence in school no longer constitutes a clear threat to the safety of other students or staff.
  - The Board shall issue its decision within 30 days of the initial request for readmission. There is no right to judicial review of the board's decision.
  - An expelled student may subsequently request readmission not more often than every six months. The local board of education is not required to consider subsequent readmission petitions filed sooner than six months after the previous petition was filed.
  - If a student who has been suspended for 365 days or expelled is readmitted, the Board and the superintendent may assign the student to any program within the school system and place reasonable conditions on the readmission.

## **I. Maintenance of Discipline Data**

The superintendent shall maintain data on each student who was suspended for more than ten (10) days, who was reassigned for disciplinary reasons, or who was expelled. This data shall include the race, gender, age, grade level, ethnicity, and disability status of each student, the duration of suspension for each student, whether alternative education services were provided for each student, and whether a student had multiple suspensions in that academic year. (Policy 4345 Student Discipline Records)

# VII. Excerpts from Selected School Board Policies and Regulations Related To Student Behavior

(Please see PCS Policy Manual for complete policy)

The complete policy manual can be found under Board Policies at [www.person.k12.nc.us](http://www.person.k12.nc.us).

## Abuse of Sports Officials

It is against state law for anyone to commit assault and battery against a sports official when that official is discharging official duties at a sports event or immediately following a sports event at which the official discharged official duties.

## Admission To Athletic Events & Extra Curricular Events

If a student is not in good academic or disciplinary standing as determined by the principal of the school, the student may be denied access to athletic and extra-curricular events.

## Advanced Placement Courses and Exams

All students taking an Advanced Placement course(s) must also take the appropriate Advanced Placement examination(s). (Policy 3411)

## Asbestos Notification Parent, Employees, and Organizations

(Federal Requirement)

The **Environmental Protection Agency (EPA)** issued regulations called the **Asbestos Hazard Emergency Response Act (AHERA)** in October 1987, in order to reduce risk to human health from exposure to asbestos-containing materials in school buildings. The purpose of this notice is to inform you of the school system's response to these regulations and of the system's attempts to provide for the safety of students and employees. **AHERA** regulations required that all facilities used by the school system be inspected and a plan for managing all asbestos-containing materials be developed. These activities occurred during the summer of 1988. In 1988 the Board appropriated funds to remove asbestos-containing materials that would be difficult to monitor and manage properly.

This work was completed in August 1989 by an accredited abatement firm. Any asbestos-containing materials remaining in the schools are generally inaccessible and are monitored periodically by certain maintenance employees who have completed comprehensive employee training regarding the handling of asbestos materials.

**AHERA** also required that a complete re-inspection by an accredited firm and an update of the management plan occur every three years after the initial inspection. These were completed during the summers of 1991, 1994, 1997, 2000, 2003, 2006, 2009, 2012 and 2015. A specific description of the location of asbestos-containing materials and of the school system's plan to manage these materials is contained in management plans located in each principal's office and the Executive Director of Auxiliary Services office. These plans can be reviewed during normal business hours. Copies are available at a cost of ten cents per copied page. **AHERA** requires that a person called the **LEA AHERA Designee** be appointed to administer the management plan. **Larry King is the Designee for Person County Schools.**

Should you have questions about **AHERA** or the management plan, please contact **Mr. King at 336-599-0223. (Policy 1310/4002 Parent Involvement)**

## **Athletics**

The Person County Board of Education believes that participation in the interscholastic sports program provides students with an opportunity for competitive skill building and character development. Such participation is a privilege granted to students who meet the eligibility criteria of the North Carolina High School Athletic Association (NCHSAA) and who follow policies adopted by the Board of Education and rules established by the schools and individual coaches. Regulations developed by individual coaches must not conflict with NCHSAA policies nor with Board of Education policies and rules and must be approved by the district Athletic Director, the principal, and the Superintendent or designee. Prior to the beginning of each sports season, coaches shall meet with athletes and their parents to discuss pertinent NCHSAA rules, Board policies, school rules and regulations and coach's expectations. Parents and students will be provided written copies of such policies, rules and expectations and must sign an acknowledgment of receipt and understanding of those policies, rules and expectations before the student is allowed to participate in any sport. Disagreements with coaches regarding athletic procedures and events will be resolved at the school level between the coach, student, and principal, unless the incident in question is considered a violation of the Student Code of Conduct; in which case those rules and processes specified in the Student Code of Conduct will apply. In addition to the policies, rules, regulations and expectations mentioned above, the following regulations shall apply to all athletes:

- An athlete who is suspended from school during his participation in a sports season will be suspended automatically from the first athletic contest following his/her suspension, unless an athletic contest was missed during the term of the suspension.
- Coaches shall report immediately to the district Athletic Director and principal any incident in which an athlete is ejected from an athletic contest. The principal shall determine any disciplinary action to be taken against the student for the behavior which resulted in the ejection.
- A student athlete must be in attendance the full day, as defined by Board policy, in order to participate in an athletic contest scheduled for that day.
- A student athlete charged with a criminal offense (excluding a minor traffic offense) will be suspended from participating in interscholastic athletics until such time as the charges are satisfactorily resolved as determined by the principal.

## **Attendance Assignments**

The Board of Education has adopted policies regarding student assignments. Students are assigned to schools based on the location of the legal domicile of their legal custodian. Questions about the Board's attendance policies should be referred to the superintendent. Students receiving an approved transfer and attending a school other than the school specified by the location of their legal residence must maintain good standing, as determined by the principal of the school to which they have received a transfer. Providing a 5 day written notice, the principal may revoke an approved transfer if a student has continuing discipline, attendance, tardy, or other disruptive issues. (Policy 4150 School Assignment)

## **Behavior Standards For Transfer Students (Policy 4115)**

This policy applies to transfer students seeking admission to the Person County School System. Transfer students are students who have been enrolled in or attended a private school or a public school system in this state or another state. If a student has been long-term suspended or expelled from any other school system, the Board authorizes the superintendent to deny admission to the student until the suspension is completed or for a period of 365 days from the original date of the suspension.

In accordance with state law, the student's parent, guardian or custodian must provide a statement made under oath or affirmation before a notary indicating:

- (1) whether at the time of the admission request, the student is under suspension or expulsion from attendance at a private or public school in this or any other state and:
- (2) whether the student has been convicted of a felony in this or any other state. If false or inaccurate information is given, the student will be denied enrollment, or if already enrolled, expelled from the Person County School System.

## **Students Under Suspension/Expulsion or Convicted of a Felony**

If at the time of the admission request, the student is under suspension or expulsion or has been convicted of a felony, the parent, guardian or custodian must provide to the school system all requested information related to the conduct. The Board authorizes the superintendent to review the information and determine whether the student should be admitted and whether any reasonable conditions should be imposed.

**Suspension:** The Board authorizes the superintendent to deny admission to a student who is under suspension for conduct that could have led to a suspension from a school within the Person County School System, or from any other public school system. Admission may be denied until the suspension has expired.

**Expulsion:** The Board authorizes the superintendent to deny admission to a student who has been expelled from school pursuant to G.S. 115C-391 or who has been expelled from a school for behavior that indicated the student's continued presence in the school constituted a clear threat to the safety of other students or employees. The student may request reconsideration of the decision in accordance with G.S. 115C-391(d).

**Felony Conviction:** The Board authorizes the superintendent to deny admission to a student who has been convicted of a felony in this state or any other state. The student may request reconsideration of the decision in accordance with G.S. 115C-391(d).

The Board authorizes the superintendent to deny admission to a student who has been charged with a felony, or a significant misdemeanor (as determined by the superintendent) until such charges are resolved in court.

In any of the above – described circumstances in which admission may be denied, the Board alternatively may place reasonable conditions on the admission of the student. Such conditions include, but are not limited to behavior contracts, alternative school placement, and limits on free time and extracurricular activities. Drug testing and weapon searches may also be reasonable conditions so long as they meet any constitutional requirements.

## **Short-Term Suspension**

A short-term suspension is the denial to a student of the right to attend school and to take part in any school function for any period of time up to and including 10 consecutive school days.

The principal or designee has the authority to determine when a short-term suspension is an appropriate consequence and to impose the suspension, so long as all relevant board policies are followed. A short-term suspension is not appealable.

Before a short-term suspension is imposed, all due process rights outlined in Policy 4351 must be followed.

The principal or designee shall give notice to the student's parent or guardian when a student receives a short-term suspension. Initial notice to the parent that the principal or designee has imposed a short-term suspension may be given by telephone, fax, e-mail or any other method reasonably designed to achieve actual notice to the parent. School officials also shall

send the parent written notice and maintain a copy of the written notice in the student's educational record.

Multiple short-term suspensions for a student with disabilities will be addressed in accordance with the *Policies Governing Services for Children with Disabilities* and other applicable state and federal law.

Before returning to a classroom or school setting from an out of school suspension, the student will participate in a re-entry process as determined by the principal. (Policy 4351)

### **Long-Term Suspension**

A long-term suspension is a denial to a student of the right to attend school and to take part in any school function for any period in excess of 10 school days, up to the remainder of the school year. A long-term suspension may be recommended by the principal to the superintendent upon a student who willfully violates policies of conduct established by the board of education. (Policy 4353)

### **365 Day Suspension**

A 365 day suspension is a denial to a student of the right to attend school and to take part in any school function for 365 days. The superintendent may impose a 365 day suspension only for certain weapons and bomb or terrorist threat violations, as defined in policy 4333, Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety, or for certain types of assaults, described in policy 4331, Assaults, Threats and Harassment. Modifications to the 365 day suspension may be made by the board upon the recommendation of the superintendent. (Policy 4353)

### **Expulsion**

An expulsion is the permanent removal of a student from school and all the rights and privileges related to school attendance. A student who is 14 years of age or older may be expelled for misbehavior s provided in policies 4331, 4333 and 4335, Criminal Behavior. A student subject to policy 4260, Student Sex Offenders, may be expelled as provided in policy 4333. An expulsion may only be imposed by the board. (Policy 4353)

### **Early Arrivals**

**Person County School officials are not responsible for students before 7:50 a.m. or before the first bus arrives. School doors will not be opened until teachers and/or aides are available to supervise students. (Policy 4211)**

### **Emergency Care for Injury and Sudden Illness**

Parent(s)/guardian(s) of every student will be required to provide the following emergency information:

- Parents'/guardians' location and phone number during the school day;
- Name, address, and phone number of the student's physician;
- Name and phone number of a relative or neighbor who may be contacted in an emergency; and
- Information concerning a student's particular physical disability or medical condition.

In the event of serious injury or illness to a student, the parent(s) will be notified as to whether to pick up the child at school or meet the child at the hospital. If the parent(s) cannot be reached, the student will be transported to the hospital emergency room and the physician identified on the emergency information card will be notified. Efforts to notify the parent(s) will continue until they are completed. Principals will inform the superintendent immediately of any serious injuries suffered by students or teachers while under the jurisdiction of the school. A report of such injury will be filed in the offices of both the principal and the superintendent. Forms for reporting injuries are available from the central office. In all injuries serious enough

to require medical attention or requiring the student to be taken home, or in all cases that the staff member in charge deems desirable, reports will be made and filed as stated above.

No student will be taken home or sent home unless a parent, or someone designated by the parent(s), is at home to accept the responsibility for the student. Parents who object to the procedures contained in this policy are responsible to submit to the principal a written emergency plan for his/her approval.

## **Final Exam Policy**

All students in grades nine through twelve will take final examinations in all courses, except for those specific courses exempted by action of the Board of Education. Failure to take any required exam will result in an automatic failure for that course. All final examinations for all courses taught at the high school shall count twenty percent (20%) of the students' final grades. Final examinations shall be the State End-of-Course (EOC) test, N.C. Final Exams, CTE post assessments or a local assessment used at the end of the course. Any high school course taught at the middle school for which a state EOC or NC Final Exam test exists must have the EOC test count twenty percent (20%) of the final grade issued for that course. (Policy 4361)

## **Harassment/Bullying**

The Person County Board of Education is committed to providing a nondiscriminatory environment that is conducive to learning. To this end, the Board specifically prohibits harassment on the basis of race, religion, sex, ethnicity, national origin, sexual orientation or disability. This policy is in addition to the Board's Sexual Harassment policy. Harassment means any offensive verbal, nonverbal, or physical conduct that is sufficiently severe, persistent or pervasive to interfere with a student's ability to participate in or benefit from an educational program or activity, or to alter the conditions of an employee's employment and create a hostile working environment. Prohibited conduct may include, but is not limited to, abusive jokes, insults, slurs, name-calling, threats, bullying or intimidation, pushing and/or shoving. Harassment is prohibited at all levels: between students, between employees and students, between peers or coworkers, between supervisors and subordinates, or between non-employees and employees and/or students.

Any student who believes that he or she has been harassed in violation of this policy should report such behavior immediately to a teacher, counselor or administrator at his/her school. A school employee who is notified of or otherwise becomes aware of conduct which may violate this policy shall report the matter to the principal, and failure to do so may subject the employee to disciplinary action. Any employee who believes that he or she has been harassed in violation of this policy should report such behavior to the principal, director of human resources, or the superintendent. Any supervisor who reasonably believes that an employee has been subjected to harassment in the workplace shall report the information promptly to the director for human resources or the superintendent. All complaints of harassment shall be promptly and thoroughly investigated. Evidence of harassment may result in disciplinary action being taken, up to and including dismissal in the case of employees, or up to and including long-term suspension or expulsion in certain cases for students. The Board specifically prohibits retaliation against any individual who makes a complaint or reports an incident of harassment, or who participates in an investigation or grievance proceeding initiated under this policy. Nothing in this policy precludes the school system from taking disciplinary action against a student or employee where the evidence does not establish harassment but the conduct otherwise fails to satisfy the school system's high expectations for appropriate conduct. (Violations of harassment/Bullying may result in consequences associated with Levels I-IV.) (Policy 4021/1710/7230)

## Head Lice Procedures

The following guidelines are in effect relative to head lice:

- A. When parents find lice or lice eggs (nits) in their children's hair, they shall notify their children's school.
- B. When a child is found to have lice or lice eggs, school employees shall:
  - 1. Inspect students in the child's vicinity and others who may have come into close contact with them.
  - 2. If several students in a classroom are infested, all children in the class shall be inspected.
  - 3. Send notes to all families of children in the classroom.
  - 4. Inspect all siblings in other classrooms.
  - 5. Send only infested children home as soon as possible following detection with a note explaining treatment procedures.
- C. Children can return to school only when they have been treated, no longer have live lice and efforts have been made to remove ALL nits to prevent re-infestation.

## Homework

Homework reinforces learning, strengthens skills, provides practice in subjects that already have been taught in class, accommodates for student learning differences, and fosters student independence, responsibility and self-direction.

Principals and teachers determine standards for the appropriate types and amounts of homework for the school and particular grade levels or subjects. (Policy 3135)

## Medicines

### Procedure for Administering Medicines to Students (Policy 6125 & Procedures)

The Board recognizes that students may need to take medication during school hours. School personnel may administer drugs or medication prescribed by a physician upon the written request of the parents. To minimize disruptions to the school day, medicines should be taken at home rather than at school whenever feasible. School personnel may not agree to administer any medication that could be taken at home.

The health and welfare of the student is of paramount concern in all decisions regarding the administration of medicine. Students with special needs are to be afforded all rights provided by federal and state law as enumerated in the Policies Governing Services for Children with Disabilities.

Students with disabilities are to be afforded all rights provided by anti-discrimination laws, including Section 504 of the Rehabilitation Act of 1973 and the American with Disabilities Act. No student may possess, use, or transmit any drug, or counterfeit drug prohibited by policy 4325, Drugs and Alcohol. The board generally encourages school personnel to administer medicine from a centralized location. However, in all instances, whether from a centralized location or multiple locations, any medicines kept at school for a student must be kept in a locked and secure place. Prior to dispensing medication to students pursuant to this policy, school employees shall receive training from a school nurse annually on these procedures. Medication will be dispensed by the principal or principal's designee. The school nurse shall keep a record of those persons who have received the instruction and therefore are permitted to dispense medications.

A Medication Administration Order form must be completed by the physician and the parent and provided to the school principal or his designee before any medication can be distributed. No non-prescription aspirin or aspirin products will be given to any student, even with parental permission, due to the possibility of Reye's syndrome. No medications shall be dispensed without the required written permission. The Medication Administration Order form

is available in the main office at each school, on the school system's website, or directly from the school nurse. This permission form is valid for one school year only. If the student's medication, dosage, or physician changes during the school year, a new order must be completed. All prescription medication shall be kept in a container properly labeled by a pharmacist with the child's name, the name of the medication, and the dosage, time and frequency to be given. All non-prescription medication shall be in the original container, properly labeled with the child's name and instructions for administration. Pillboxes, plastic bags, unlabeled bottles, etc. will not be accepted. At the time a parent brings a drug to school for administration, if school personnel have concerns regarding the appropriateness of a drug or dosage for a student, a confirmation should be obtained from the student's doctor or another doctor prior to administering the medicine or allowing a student to self-administer a medicine. Although efforts should be made not to disrupt instructional time, a parent has the right to administer medicines to his or her child at any time while the child is on school property. Written information maintained by school personnel regarding a students' medicinal and health needs is confidential. Parents and students must be accorded all rights provided by the Family Educational Rights and Privacy Act and State confidentiality laws. The board recognizes that students with asthma and/or subject to anaphylactic reactions may need to possess and self-administer asthma medication on school property. "Asthma medication" is defined as a medicine prescribed for the treatment of asthma or anaphylactic reactions and includes a prescribed asthma inhaler or epinephrine auto-injector. Students who are at risk for medical emergencies, such as asthma and/or severe allergies must have an emergency health care plan developed for them to address emergency administration of medicine.

1. Before a student will be allowed to self-administer medicine pursuant to this section, the student's parent or guardian must provide to the principal or designee all of the documents listed below.
  - a. Written authorization from the student's parent or guardian for the student to possess and self-administer asthma medication;
  - b. A written statement from the student's health care practitioner verifying:
    - 1) That the student has asthma and/or an allergy that could result in anaphylactic reaction;
    - 2) That he or she prescribed medication for use on school property during the school day, at school-sponsored activities, or while in transit to or from school or school-sponsored events; and
    - 3) That the student understands, has been instructed in self-administration of the asthma medication, and has demonstrated the skill level necessary to use the medication and any accompanying device;
  - c. A written treatment plan and written emergency protocol formulated by the prescribing health care practitioner for managing the student's asthma or anaphylaxis episodes and for medication use by the student;
  - d. A statement provided by the school system and signed by the student's parent or guardian acknowledging that the board of education and its agents are not liable for injury arising from the student's possession and self-administration of the asthma medication; and any other documents or items necessary to comply with state and federal laws.

Finally, the student's parent or guardian must provide to the school backup asthma medication that school personnel are to keep in a location to which the student has immediate access in the event of an emergency. All information provided to the school by the student's parent or guardian must be kept on file at the school in an easily accessible location. Any permission granted by the principal for a student to possess and self-administer asthma

medication will be effective only for the same school for 365 calendar days. Such permission must be reviewed annually. A student who uses his or her prescribed asthma medication in a manner other than as prescribed may be subject to disciplinary action pursuant to the school disciplinary policy. No one may impose disciplinary action on the student that limits or restricts the student's immediate access to the asthma medication.

The school will not be responsible for the transportation of asthma medication to and from school.

It is the responsibility of the parent to ensure that proper medication is brought to school and provided to the appropriate school official and to assure that the appropriate written permission is provided.

It is the parent's responsibility to pick up the medication from the school within two days of the discontinued date or within two days from the last date of the school year.

If medication is not picked up within the required time frame, it will be disposed of by the principal or principal's designee.

A Medication Inventory, Audit, and Disposal Documentation form will be filled out when medication is brought to school and when medication is disposed of. That form will indicate the student's name, the type of medication received, the person from whom the medication is received, the date the medicine was received, the amount of medication received, and the signature of the person who received the medication. It will also include the emptying and disposal dates of the medication. The school nurse will conduct quarterly medication audits to ensure that the medication is being dispensed in accordance with the Medication Administration Order and board policy. A Medication Administration Record will be kept to document the administration of all medications which a student has received during school hours. The log shall include: The student's name, date and time of medication administration, the name of medication being dispensed, the dosage of medication given and the signature of the person dispensing the medication. In the event that an error occurs related to the dispensing of medication, a Medication Administration Incident Report form will be completed. The school will notify the parent or guardian of the student involved.

Field Trips are considered a part of the school day and therefore, medication or medical procedures that are required during the school day must also be provided on a field trip.

While on a field trip, the principal or principal's designee trained to administer medication or to perform the medical procedure will accompany the student.

The medication and/or necessary supplies will be removed from the secure location and taken on the trip in a secure, locked location. A Medication Administration Record Field Trip form will be completed for any medication or procedures that are completed on the field trip. This form will be attached to the Medication Administration Record within the school building. The medication must be returned back to the original location immediately following the return from a field trip.

The Board will assume no responsibility for the administration of drugs and medication to a student by the student, the student's parent or legal custodian or any other person who is not authorized by this policy to administer medications to students. School personnel will assume no liability for complications or side effects of medication when administered in accordance with the instructions provided by the parent/guardian, physician or health care practitioner. (Policy 6125)

## **Pupil Transportation (Policy 4301 & 4315)**

### **A. The School Bus**

School bus transportation is provided for many Person County students. This service exists not only for the elementary, middle, and high school-aged youth to and from school, but also is available for instructional field trips, athletic trips, and special after-school activities.

In addition, school buses transport children from their base schools to other locations where particular educational programs are available. As a result, the County's school buses travel thousands of miles annually in service to the youth of Person County. Of foremost importance is the realization that riding the school bus, for whatever purpose, is a privilege. Should that privilege be abused, it may be revoked for a specified period of time or permanently. The safety and well-being of the driver and passengers cannot be jeopardized for any reason. Those few who do not subscribe to the rules governing behavior on the school bus will not ride the bus. The driver's attention should not be distracted, particularly when the bus is in operation. The driver of the bus is responsible for the safe operation of the bus and the enforcement of the Student Code of Conduct. Seating arrangements are the specific responsibility and duty of the driver and will be enforced by the driver. Authority to maintain order and the resultant safe environment rests with the driver. In an effort to ensure the safety and well-being of the bus driver and passengers, video monitors have been installed on buses. Recorded acts of misbehavior or vandalism may be used as evidence during bus disciplinary hearings. When the driver requires assistance to resolve a potentially harmful or negative situation on the bus, the principal of the school(s) served by the driver is/are charged with the obligation of rendering assistance. Proper behavior also is required at bus stops, to ensure that the property rights of others, residential or otherwise, are respected. Although cellphone use generally is permitted before and after school, use of cellular phones and other wireless communication devices may be prohibited on school buses when noise from such devices interferes with the safe operation of the buses.

If a bus driver or other school employee has reason to believe that a criminal offense has occurred on the bus, including illegal possession of firearms, weapons or controlled substances, serious assaults, or any sexual offense he or she shall report this to the school principal as soon as possible. Parents/guardians are not allowed to board a school bus under any circumstance.

The following acts are prohibited and will result in disciplinary action:

1. Refusing to follow bus driver's instructions
2. Fighting
3. Tampering with the bus/vandalism
4. Profanity
5. Failure to remain in assigned seat
6. Failure to keep hands, head, feet, etc., inside the bus at all times
7. Not meeting bus at designated stop or getting off at wrong stop
8. Delaying the bus schedule
9. Behavior that inhibits the safe operation of the bus.
10. Violation of any other rule(s) of the Code of Conduct

**DISCIPLINARY MEASURES** - Administrators may revoke bus riding privileges for any length of time, including the remainder of the school year, depending upon the seriousness of the offense. Students may also be suspended from school for some bus offenses. If a student is fighting on the bus he/she will be suspended from school and criminal charges will be filed.

**INFRACTIONS** at the end of the year or Summer Session: Bus privileges may be suspended at the beginning of the next school year. If a student's bus privilege is suspended, the parent/legal guardian will be responsible for transporting that child to-and-from school according to North Carolina's Compulsory Attendance Law if that child is required by law to attend school.

## PROCEDURES –

1. Principal shall within the first five (5) days of school give to every student a copy of bus regulations regarding student behavior.
2. Principal shall notify parents by written notice and shall make a reasonable effort to contact parents regarding discipline measures used to correct their child's behavior.
3. In case of suspension, the student shall be allowed to ride the school bus on the day of the offense if other arrangements cannot be made with parents.
4. Decisions of the principal to suspend bus privileges may not be appealed.

## CONSEQUENCES FOR STUDENT MISBEHAVIOR ON A BUS OR AT THE BUS STOP

- The first report of misconduct will result in a warning or a change of seating assignment from the driver or principal.
- The second report will result in a minimum of a three (3) day suspension
- The third report will result in a five (5) day suspension from the bus.
- The fourth report will result in a ten (10) day suspension from the bus.
- The fifth report will result in the loss of bus privileges (including activity buses and fieldtrips) for the remainder of the school year. Students will be charged for damages to any school property including any act of vandalism or reckless damage to bus property. A minimum charge of \$35 will be assessed for damage to the bus.

In cases of major infraction of the rules governing bus behavior, the principal may take direct action without following the normal sequence of disciplinary measures.

## **B. Motor Vehicle Drivers**

Motor vehicles of any type are not permitted as means of transportation to and from school when driven by students enrolled in the elementary or middle schools of Person County. High school students who meet the requirements and accept the responsibilities of driving private automobiles to school are permitted to do so, on the condition that they follow the parking and auto usage regulations as prescribed by the high school. Failure to adhere to these regulations could result in forfeiting the privilege of parking a private motor vehicle on school property or, in the case of a parking violation, having one's vehicle towed from the premises at the operator's expense.

## **C. Bicycle Riders**

Bicycles may be ridden to elementary, middle, and high schools. The responsibility for securing bicycles is left to the rider. Improper use of bicycles, such as riding in bus loading areas, constitutes grounds for the loss of bicycle parking privileges at schools.

## **D. Walkers**

Students in elementary, middle, and high schools who live within the designated walk zones are required to arrive promptly at school and to use routes which do not represent a hazardous situation for them.

## **Release of Student Information (Policy 4700)**

Information may be released to the following persons or in the following circumstances without prior written consent:

1. Directory information, including a student's name and grade, date and place of birth, major field of study, the school the student is attending or most recently attended, dates of attendance, honors and awards received, participation in officially recognized activi-

ties and sports, and the weight and height of members of athletic teams. Annually, parents and eligible students will be given an opportunity to object to the release of directory information. If an objection is made, then the directory information about that student will be released.

2. Secondary school students' names, addresses and telephone listings shall be released to military recruiters or institutions of higher education upon request. Annually, parents and eligible students will be given an opportunity to object to the release of name, address, and telephone listing information to military recruiters or institutions of higher education. If an objection is made, then no such information about that student will be released.

The complete policy on the release of student records can be found under Board Policies at [www.person.k12.nc.us](http://www.person.k12.nc.us). (Policy 4700 Student Records)

## **Release of Students to Separated or Divorced Parents (Policy 4210)**

- A. If there is no court order or separation agreement concerning custody of the child, either parent (or legal guardian) has the same right to see the child at school or have the child released to him or her.
- B. Parents must notify school officials of visitation or custodial limits if the school is to be expected to follow them.
  1. Unless notified otherwise, the school assumes that both parents have equal access to the child.
  2. The custodial parent should provide the school a copy of the cover page, pages specifying applicable provisions, and signature page of the court order or separation agreement. In the absence of official documentation, school officials have no authority to deny either parent access to the child.
  3. Out-of-state court orders should be honored by the school.
- C. School officials should carefully read the specifics of the court order or separation agreement.
  1. If a court order or separation agreement awards custody to either parent, the school should follow the wishes of the custodial parent regarding school day visits with the child or release of the child.
  2. When limited visitation privileges are specified, the school should act in accord with the specified provisions (e.g. custodial rights on certain days which allow for eating lunch with the child or picking up the child after school).
  3. Visits with the child during the school day shall conform, not only to the court order or separation agreement, but also to the rules and usual procedures of the school.
- D. When the school has not been provided a court order or separation agreement and a non-enrolling parent seeks physical custody of the child at the school over the objection of the enrolling parent, the school should notify the enrolling parent before releasing the child.
  1. School officials shall clarify with the parents that school officials cannot settle parental disputes and can only follow the provisions of a court order or separation agreement.
  2. When, in the judgment of school officials, the health and/or safety of the child is at issue, the school should not release the child to the non-enrolling parent. In such instances, the principal or designee should notify law enforcement or the Department of Social Services and the enrolling parent to explain the situation.

- E. When the custodial parent is incarcerated and two (2) or more parties present themselves to have the child released to them, school officials will make every effort to ascertain the wishes of the incarcerated custodial parent before releasing the child to the presenting persons. If the wishes of the incarcerated custodial parent cannot be ascertained, the principal must use her/his best judgment in releasing the child to the noncustodial parent or other relative.

### **School Level Investigations (Policy 4340)**

The board is committed to creating a safe, orderly environment for students and staff. Principals are authorized and responsible for investigating conduct that may violate board policies, school standards or rules. All employees and students, including students alleged to have engaged in misconduct, are expected to respond fully and truthfully to any questions or issues raised in the course of the investigation and any other related proceedings. Any student who violates board policy or school standards or rules must accept the consequences for the misbehavior. In administering consequences, all students are to be treated in accordance with accepted standards of fairness and constitutional rights. The school administrator will take the following steps in addressing all cases of alleged misbehavior appropriately referred to his or her office:

1. Investigate the facts and circumstances related to the alleged misbehavior;
2. Offer the student an opportunity to be heard on the matter; and
3. Determine whether board policy or school standards or rules have been violated.

If a violation has occurred, the school administrator is to implement an appropriate consequence in accordance with the school's plan for managing student behavior or applicable board policy. Parents or guardians are to be notified and involved in accordance with board policy 4341 (Parental Involvement in Student Behavior Issues).

- Where the misbehavior may result in suspension or expulsion from school, procedures provided in related board policies also will apply.
- A child with disabilities recognized by Section 504 of the 1973 Rehabilitation Act or the Individuals with Disabilities Education Act (IDEA) will be accorded all rights granted by federal and state laws and regulations.

### **Search and Seizure (Policy 4342)**

To maintain order and discipline in the schools and to protect the safety and welfare of students and school personnel, school authorities may search a student, student lockers or student automobiles under the circumstances outlined below and may seize any illegal, unauthorized or contraband materials discovered in the search. As used in this policy, the term "unauthorized" means any item dangerous to the health or safety of students or school personnel; any item disruptive of any lawful function, mission or purpose of the school; or any item described as unauthorized in school rules available beforehand to the student. A student's failure to permit searches and seizures as provided in this policy will be considered grounds for disciplinary action.

### **Personal Searches**

A student's person and or personal effects (e.g., purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion that the student is in possession of illegal or unauthorized materials. If a pat-down search of a student's person is conducted, it will be conducted in private by a school official of the same sex and with an adult witness of the same sex present. If a school official has reasonable suspicion that the student has, on his or her person, an item imminently dangerous to the student or to others, a more intrusive search of the student's person may be conducted. Such a search may be conducted only in private by a school official of the same sex with

an adult witness of the same sex present, and only upon the prior approval of the superintendent or designee, unless the health or safety of students will be endangered by the delay which might be caused by following these procedures. Students shall be given a receipt for all items impounded. The parent or guardian shall be notified of the search and any items impounded.

## **Locker Searches**

Student lockers are school property and remain at all times under control of the school. Students are expected to assume full responsibility for the security of their lockers. However, school authorities may conduct periodic general inspections of lockers for any reason, at any time, without notice, without student consent, and without a search warrant.

## **Automobile Services**

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of the student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school authority has reasonable suspicion that illegal or unauthorized materials are contained inside. Exterior patrols and inspections, including canine searches, may be conducted without notice, without student consent, and without a search warrant.

## **Use of Metal Detectors**

- A. School officials or law enforcement officers may conduct metal detector checks of groups of individuals if the checks are done in a minimally intrusive, nondiscriminatory manner (e.g., on all students in a randomly selected class; on every third individual entering an athletic event.) Metal detector checks of groups of individuals may not be used to single out a particular individual or category of individuals.
- B. If a school official or a law enforcement officer has reasonable suspicion to believe that a particular student is in possession of an illegal or unauthorized metal-containing object or weapon, he or she may conduct a metal detector check of the student's person and personal effects.
- C. A student's failure to permit metal detector check as provided in this policy will be considered grounds for disciplinary action including possible suspension.

## **Canine Searches**

School officials are authorized to use trained dogs with established reliability and accuracy for detecting the presence of contraband materials. Each dog must be supervised by an authorized and qualified trainer who shall be responsible for the dog's actions. An indication by the dog that contraband is present on school property or in an automobile parked on school property shall be a reasonable basis for a further search by school officials. A dog may not be used to search students.

## **Seizure of Illegal Materials**

If a properly conducted search yields illegal or contraband materials, such property shall be turned over to proper legal authorities for ultimate disposition.

## **Sexual Harassment**

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

against employees and disciplinary action up to and including long-term suspension may be taken against students.

- A. Definition of Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
  - 1. Submission to the conduct is made, either explicitly or implicitly, a term or condition of employment, academic progress, or completion of a school-related activity; or
  - 2. Submission to or rejection of such conduct is used as the basis for employment decisions affecting such individual, or, in the case of a student, submission to or rejection of such conduct is used in evaluating the individual's performance or affecting the individual's opportunities within a course of study or other school-related activity; or
  - 3. Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or a student's educational performance or creating an intimidating, hostile, or offensive environment.
- B. Examples of Sexual Harassment: Sexual harassment includes, but is not limited to, deliberate, unwelcome touching; suggestions or demands for sexual involvement accompanied by implied or overt promises or threats; pressure for sexual activity; continued or repeated offensive sexual flirtations, advances or propositions; continued or repeated verbal remarks about an individual's body; sexually degrading words used toward an individual or to describe an individual; or the display in the work place or school setting of sexually suggestive gestures, objects or pictures.
- C. A hostile environment exists if the conduct of a sexual nature is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from the educational program or creates a hostile or abusive educational or work environment.

Sexual harassment does not include personal compliments welcomed by the recipient or social interactions or relations freely entered into by employees or prospective employees or appropriate social interactions between students that do not violate the Code of Student Conduct. In the case of consensual relations between students, there may be reason to question the consensual nature of the conduct if one or both of the students are very young or there is a large age disparity between the students.

It is possible for sexual harassment to occur at various levels: between peers or coworkers, between supervisors and subordinates, between students and employees, between students or imposed upon employees and/or students by non-employees. Romantic or sexual advances toward students by employees or romantic or sexual relationships between school system employees and students are never appropriate, whether or not they are consensual or otherwise outside the definition of sexual harassment. Such relationships are prohibited and illegal.

Employees engaging in inappropriate relationships with students, or employees who fail to report such relationships to the Superintendent, will be subject to disciplinary action, up to and including dismissal. All complaints of sexual harassment shall be promptly and thoroughly investigated. A student does not have to report an incident of harassment to trigger an investigation if a school official knows or, in the exercise of reasonable care, should have known about the harassment. Suspected sexual harassment shall be investigated using the following procedures:

- A. All complaints and investigations of sexual harassment shall be confidential. Information shall be given only to those individuals who need to have access to it in order to investigate appropriately and address the complaint.
- B. A student who believes that he/she has suffered sexual harassment may report the matter in writing to the school principal. The prin-

principal shall promptly report such complaint to the Superintendent. Written complaints may also be made to the Superintendent's designee for cases of student-to-student harassment and to the Superintendent's designee for complaints of harassment by a school employee. Any teacher or other school employee who receives from a student a report (oral or written) of alleged sexual harassment shall immediately report the same to the school principal, and the principal shall promptly inform the Superintendent of the allegations. Failure by the employee to do so may subject the employee to disciplinary action. If the school's principal is the alleged offender, such report by the student or by other school employee shall be made to the Superintendent or the Superintendent's designee .

- C. An employee who believes that he/she has suffered sexual harassment may report the matter in writing to the Superintendent's designee . However, any school employee who receives from another employee a report, whether oral or written, of alleged sexual harassment shall promptly report the same to the Superintendent or the Superintendent's designee . Failure by such employee to do so may subject the employee to disciplinary action.
- D. In any case involving alleged sexual harassment by the Superintendent's designee, reports shall be made to the Superintendent. In any case involving alleged sexual harassment by the Superintendent, reports shall be made to any member of the Board of Education.
- E. Claims of sexual harassment shall be promptly and thoroughly investigated, and appropriate action shall be taken. The actions taken should be reasonably calculated to end any harassment, eliminate a hostile environment, if one has been created, and prevent harassment from occurring again. Violations shall be deemed to be serious disciplinary infractions.
  - 1. In cases involving students, violation of this policy may result in disciplinary action as outlined in the Student Code of Conduct.
  - 2. In cases involving employees, the first violation of this policy may result in a suspension without pay to dismissal. A second violation of this policy **shall** result in dismissal.
- F. No employee or student shall be subject to negative action in retaliation for reporting alleged sexual harassment in accordance with policy. Such retaliation is against the law and is prohibited by this policy.
- G. The Superintendent may establish such guidelines and additional procedures as he deems necessary for the purpose of implementing this policy.
- H. The Superintendent shall appoint a member of the central office staff to coordinate compliance with Title IX of the Education Amendments of 1972 and this policy.

Anyone who has brought a complaint under this policy and is not satisfied with the results of the investigation may file a formal grievance with the Title IX coordinator, and the results of this review may be appealed to the Board. The Superintendent or designee shall ensure that copies of this policy are distributed to employees and students. (Policy 1710/4021/7230)

## **Solicitation By Private Individuals Or Nonschool Groups**

All solicitations must be approved by the principal according to local policy; therefore, no salesperson shall be allowed to approach teachers or students during school hours. Neither will the selling of products by students to other students be allowed unless officially approved according to Board policy as a fund raising drive. (Policy 5220)

# Student Checkout from School

## General Checkout Procedures

- A. Parents/Legal Guardians must report to the office and have a photo ID available to check a student out of school.
- B. Any person, other than the parent or legal guardian, who wishes to check out a student must have written, parental approval. The person's name must be listed in the child's information in the student management system PowerSchool.
- C. Students may not be picked up directly from the classroom.
- D. Telephone calls will not be accepted as a method of checkout unless verification can be made that the request is from the parent/legal guardian or designated person. Telephone calls will be verified using only those numbers listed in the student information in PowerSchool.
- E. Notes will be verified using only those numbers listed in the PowerSchool.
- F. Schools will not allow students to be checked out during the last twenty minutes of the instructional day unless the principal or his/her designee approves.

## Student Grievance Procedure (Policy 4010/1740)

### Student and Parent Grievance Procedures

The grievance procedure may be used to address any situation occurring within the operation or normal procedures of the school which causes a student and/or parent to believe that (s)he has been wronged (except in cases of long-term suspension or expulsion) including cases of alleged discrimination on the basis of race, color, gender, age, national origin or disability. Grievances that involve an alleged violation of board policy or state or federal law or regulation by a final administrative decision may be appealed to the Board of Education. All other grievances may be appealed to the Superintendent/Designee but are only appealable to the Board at its discretion.

#### 1. Initiation

A student may initiate a grievance procedure when either the student or his/her parent believes that a violation, misapplication or misinterpretation of School Board policy or state or federal law or regulation has occurred.

#### 2. Procedure

The procedure for initiation and conduct of a grievance shall be:

##### a. Step I - Principal Conference

A student, parent, or guardian wishing to invoke the grievance procedure shall make a written request for a conference with the principal to discuss the grievance and seek resolution. The following guidelines shall be observed in Step I:

- (1) A grievance shall be filed in writing as soon as possible but in no event longer than ten (10) school days after disclosure of the facts giving rise to the grievance.
- (2) The request shall include a statement describing the grievance and naming the specific policy, rule, or law believed to have been violated.
- (3) The principal shall grant the conference within five (5) school days following receipt of the request.
- (4) The principal shall state his/her position on the question in writing to the student within five (5) school days following the conference.
- (5) Only the parent, legal guardian, or someone acting in loco parentis shall be permitted to join or represent the student in the conference with the principal.

- b. **Step II - Appeal to the Superintendent**  
If the grievance is not resolved at Step I, the student may appeal the principal's decision in writing to the Superintendent.
- (1) The appeal must be made within three (3) school days following receipt of the principal's position statement on Step I.
  - (2) The superintendent or his designee shall review the grievance within five (5) school days following receipt of the appeal. If the Superintendent or his/her designee determines that additional time is needed to develop the factual record, the grievance may be put on hold for fifteen (15) additional days (or longer if by mutual agreement) to allow time for investigation.
  - (3) A written response from the Superintendent or Designee shall be made to the student, the parent or the guardian and the principal within ten (10) days following the Superintendent's review.
- c. **Step III - Appeal to the Board of Education**  
If the grievance is not resolved at Step II, the student may appeal the Superintendent's decision to the Person County Board of Education in writing within five (5) school days following the response from the Superintendent at Step II. The Board may designate a hearing panel composed of not fewer than two (2) Board members to hear and act on the appeal by majority vote on behalf of the Board. If the Board panel fails to reach a unanimous decision on the grievance, the matter will be reviewed by the full Board for a final decision. The Board shall offer a final written decision within forty-five (45) days of the hearing.

## **Student Publications (Policy 3621)**

### **A. Publications in General**

Students may distribute free publications and literature at reasonable times and places as designated by the principal. The principal shall restrict the distribution of any written matter which:

1. Is vulgar, indecent, or obscene.
2. Contains libelous statements or abusive language such as language defaming a person's character, race, religion, or ethnic origin.
3. Causes or clearly threatens to cause a material and substantial disruption of normal classroom activity, any normal school function, or other school activity.
4. Encourages the commission of unlawful acts or the violation of lawful school regulations.
5. Advertises any product or service not permitted to minors by law.
6. The principal may also restrict the distribution of any school-sponsored student publication which:
  - a. Exposes its particular audience to material that may be inappropriate for its level of maturity.
  - b. Associates the school with any position other than neutrality on matters of political controversy.

### **B. School-Sponsored Publications**

Student newspapers and other school-sponsored publications shall have faculty supervision.

Responsible journalism should be free from libel, obscenities, or personal attacks; student editors and writers should report the news and editorialize in the same manner as other newspapers. Journalism students are responsible for the content of student publications. The faculty sponsor of such publications or school

principal may restrict the distribution of any materials that fail to meet journalistic standards or are inappropriate for the school audience as outlined in Section A of this policy. Students may appeal such a decision to the principal who shall render a written decision within five (5) school days after receiving the appeal. Further appeals shall be made as provided in Section D of this policy.

**C. Review Before Distribution**

Students wishing to distribute any publication on campus must first submit the publication to the principal for review. The principal may prevent distribution of a non-school-sponsored publication if material in the publication falls into one of the five (5) categories of inappropriate speech listed above in Section A. The principal may prevent distribution of a school-sponsored publication if material in the publication falls into one of the seven categories of inappropriate speech listed above in Section A. The principal must decide whether or not to allow the publication to be distributed within five (5) school days of its submission for review. If the principal disapproves or prevents distribution, the principal shall state the reasons in writing. If the principal fails to render a decision within the five-day period, the student(s) may appeal directly to the superintendent. A request for this direct appeal must be made within two (2) school days.

**D. Appeals**

If a student is dissatisfied with the decision of the principal, the student may appeal the decision to the superintendent in writing within two (2) school days of the principal's decision. If the student requests an appeal, an informal hearing shall be held within five (5) school days and a decision by the superintendent or his designee shall be rendered within five (5) school days of the hearing. If the student is dissatisfied with the decision of the superintendent, the student may appeal this decision to the Board of Education. An appeal is taken from the superintendent's decision by notifying the superintendent, in writing, within two (2) school days of the decision, of the student's desire to appeal. The Board of Education shall conduct an informal hearing within ten (10) school days of the notice of appeal and shall render its decision in writing within five (5) school days. If the Board does not issue a decision within this time period, the publication may be distributed. If the Board later decides that the publication is inappropriate under Section A, the distribution may be halted. At every level of the appeal process, the student or representative shall have the right to appear and present the student's case, supported by relevant witnesses and materials, as to why distribution of the student publication is appropriate.

**E. Definitions**

The following terms used in this statement of policy shall be defined as follows:

1. "Obscene": any speech or work which the average person, applying contemporary community standards (as opposed to "national" standards) would find, taken as a whole, appeals to prurient interest, or which depicts or describes, in a patently offensive way, sexual conduct specifically defined by applicable law, and which, taken as a whole, lacks serious literary, artistic, political, or scientific value.
2. "Libelous statements": false and unprivileged statements about a specific individual which injure that person's reputation in the community.
3. "Substantial disruption": any conduct by a student, in class or out, which for any reason including inappropriateness of time, place or type of behavior, significantly interferes with

school functions, classroom instruction or extra-curricular activities, causes or induces disciplinary violations, or interferes with the rights of other students. Examples of substantially disruptive conduct include, but are not limited to, anything that significantly distracts other students from instruction, demonstrations, destruction of property, injury to persons, shouting or boisterous conduct and related activities.

#### **F. Student Productions**

School-sponsored student productions shall have faculty supervision. The faculty sponsor of such productions or the school principal may restrict the presentation of any production, in whole or in part, that is inappropriate for its audience or that falls into any one of the seven (7) categories of prohibited speech listed in Section A of this policy. A student(s) may appeal any restriction of a production following the procedures outlined in Sections C and D of this policy.

## **Technology**

### **School Computers**

School computers and any data they contain remain under control of the school and are subject to inspection at any time.

### **Acceptable Use of Internet, LANS/WANS, and Stand-Alone Computers (Policy 3225/4312/7320)**

Technological resources, including computers, other electronic devices, programs, networks and the Internet, provide opportunities to enhance instruction, appeal to different learning styles and meet the educational goals of the board. All electronic data files stored or transmitted on Person County Schools' computer resources are considered Person County Schools' records.

Use of technological resources should be integrated into the educational program. Technological resources should be used in teaching the North Carolina Standard Course of Study and in meeting the educational goals of the board. Downloading programs from the Internet must have advanced approval from the technology division.

The use of school system technological resources, such as computers and other electronic devices, networks, and the Internet, is a privilege, not a right. Before using the Internet, all students must be trained about appropriate on-line behavior. Such training must cover topics such as cyber-bullying and interacting with others on social networking websites and in chat rooms.

Anyone who uses school system computers or electronic devices or who accesses the school network or the Internet at an educational site must comply with the requirements listed below. Failure to adhere to these requirements will result in disciplinary action, including revocation of user privileges. Willful misuses may result in disciplinary action and/or criminal prosecution under applicable state and federal law.

1. School system technological resources are provided for school-related purposes only. Use of school system technological resources for commercial gain or profit is prohibited.
2. Under no circumstance may software purchased by the school system be copied for personal use.
3. Students and employees must comply with all applicable board policies, administrative regulations, and school standards and rules in using technological resources. Any use that violates state or federal law is strictly prohibited.
4. No user of technological resources, including a person sending or receiving electronic communications, may engage in creating, intentionally accessing, downloading, storing, printing or transmitting images, graphics (including still or moving pictures), sound files, text files, documents, messages or other material that is obscene, defamatory, profane, pornographic, harassing or considered to be harmful to minors.

5. Users of technological resources may not send electronic communications fraudulently (i.e., by misrepresenting the identity of the sender).
6. Respect the privacy of others. When using e-mail, chat rooms, blogs or other forms of electronic communication, students must not reveal personally identifiable, private or confidential information, such as the home address or telephone number, of themselves or fellow students. In addition, school employees must not disclose on the Internet or on school system websites or web pages any personally identifiable information concerning students (including names, addresses or pictures) without the written permission of a parent or guardian or an eligible student, except as otherwise permitted by the Family Educational Rights and Privacy Act (FERPA) or policy 4700, Student Records. Users also may not forward or post personal communications without the author's prior consent.
7. Users may not intentionally or negligently damage computers, computer systems, electronic devices, software or computer networks. Users may not knowingly or negligently transmit computer viruses or self-replicating messages or deliberately try to degrade or disrupt system performance. Users must scan any downloaded files for viruses.
8. Users may not create or introduce games, network communications programs or any foreign program or software onto any school system computer, electronic device or network without the express permission of the technology director or designee.
9. Users are prohibited from engaging in unauthorized or unlawful activities, such as "hacking" or using the computer network to gain or attempt to gain unauthorized or unlawful access to other computers, computer systems or accounts.
10. Users are prohibited from using another individual's computer account. Users may not read, alter, change, execute or delete files belonging to another user without the owner's express prior permission.
11. If a user identifies a security problem on a technological resource, he or she must immediately notify a system administrator. Users must not demonstrate the problem to other users. Any user identified as a security risk will be denied access.
12. Views may be expressed as representing the view of the school system or part of the school system only with prior approval by the superintendent or designee.
13. Distribution of mass electronic mail messages on non-work-related subjects, participation in chain letters, creation of and participation in unauthorized news groups, and storage of electronic data files without proper authorization is prohibited.

Before a student may use the Internet for any purpose, the parent and student must sign a consent form acknowledging that the student user is responsible for appropriate use of the Internet and consenting to monitoring by school system personnel of the student's e-mail communication and use of the Internet. School system personnel shall take reasonable precautions to prevent students from having access to inappropriate materials, such as violence, nudity, obscenity or graphic language that does not serve a legitimate pedagogical purpose.

No right of privacy exists in the use of technological resources. School system administrators or individuals designated by the superintendent may review files, monitor all communication, and intercept e-mail messages to maintain system integrity and to ensure compliance with board policy and applicable laws and regulations. School system personnel shall monitor on-line activities of individuals who access the Internet via a school-owned computer.

Though school personnel generally do not monitor students' Internet activity conducted on non-school system computers during non-school hours, when the student's on-line behavior has a direct and immediate effect on school safety or maintaining order and discipline in the schools, the student may be disciplined in accordance with board policy (see the student behavior policies in the 4300 series).

### **Tobacco-Free (Policy 4320)**

The Person County School System is a tobacco-free school district. Use of tobacco products, including e-cigarettes, is prohibited for all persons at all times on any property owned and operated by the Person County Board of Education or at any school-sponsored events.

### **Temporary Custody**

- (a) Temporary custody means the taking of physical custody and providing personal care and supervision until a court order for non-secure custody can be obtained. A juvenile may be taken into temporary custody without a court order by a law enforcement officer or a department of social services worker if there are reasonable grounds to believe that the juvenile is abused, neglected, or dependent and that the juvenile would be injured or could not be taken into custody if it were first necessary to obtain a court order. If a department of social services worker takes a juvenile into temporary custody under this section, the worker may arrange for the placement, care, supervision, and transportation of the juvenile.
- (b) The following individuals shall, without a court order, take into temporary custody an **infant under seven days of age** that is voluntarily delivered to the individual by the infant's parent who does not express an intent to return for the infant:
  - (1) A health care provider, as defined under G.S. 90-21.11, who is on duty or at a hospital or at a local or district health department or at a nonprofit community health center.
  - (2) A law enforcement officer who is on duty or at a police station or sheriff's department.
  - (3) A social services worker who is on duty or at a local department of social services.
  - (4) A certified emergency medical service worker who is on duty or at a fire or emergency medical services station.
- (c) An individual who takes an infant into temporary custody under subsection (b) of this section shall perform any act necessary to protect the physical health and well-being of the infant and shall immediately notify the department of social services or a local law enforcement agency. Any individual who takes an infant into temporary custody under subsection (b) of this section may inquire as to the parents' identities and as to any relevant medical history, but the parent is not required to provide the information. The individual shall notify the parent that the parent is not required to provide the information.
- (d) Any adult may, without a court order, take into temporary custody an infant under seven days of age that is voluntarily delivered to the individual by the infant's parent who does not express an intent to return for the infant. Any individual who takes an infant into temporary custody under this section shall perform any act necessary to protect the physical health and well-being of the infant and shall immediately notify the department of social services or a local law enforcement agency. An individual who takes an infant into temporary custody under this subsection may inquire as to the

parents' identities and as to any relevant medical history, but the parent is not required to provide the information. The individual shall notify the parent that the parent is not required to provide the information.

- (e) An individual described in subsection (b) or (d) of this section is immune from any civil or criminal liability that might otherwise be incurred or imposed as a result of any omission or action taken pursuant to the requirements of subsection (c) or (d) of this section as long as that individual was acting in good faith. The immunity established by this subsection does not extend to gross negligence, wanton conduct, or intentional wrongdoing that would otherwise be actionable. (1979, c. 815, s. 1; 1985, c. 408, s. 1; 1985 (Reg. Sess., 1986), c. 863, s. 1; 1994, Ex. Sess., c. 27, s. 2; 1995, c. 391, s. 1; 1997-443, s. 11A.118(a); 1998-202, s. 6; 1999-456, s. 60; 2001-291, s. 2.)

### **Use of Seclusion and Restraint**

It is the policy of the Person County Board of Education to promote the safety of all students, staff, and visitors in its schools. To further this policy, school personnel may, in compliance with G.S. 115C-391.1 and state and local policies and procedures, employ reasonable restraint or seclusion techniques with students. Principals shall notify parents of any prohibited use of seclusion, restraint, or aversive techniques and shall provide a written incident report within 30 days of any such incident as required by G.S. 115C-391.1 and applicable policies and procedures. The superintendent or designee shall annually provide a record of reported incidents to the State Board of Education. No employee of the Person County Schools shall retaliate against another employee for making a report alleging a prohibited use of seclusion, restraint, or aversive techniques, unless the employee knew or should have known that the report was false.