Student Code of Conduct

MITCHELL COUNTY SCHOOLS

Approved August 18, 2023

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Amber Young, Gouge Primary School (Pre K-2)…….…… 828-766-2260
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Our Vision:

Mitchell County Schools will be a school district in which every student will graduate, become locally and globally competitive, and be college/career ready.

Our Mission:

Our mission is to collaborate with families and community partners to provide a safe, caring, and engaging learning environment that prepares graduates to become responsible citizens in a diverse, global society.

INTRODUCTION

The Mitchell County Board of Education is committed to discipline practices that encourage the development of self-control, personal responsibility, and respect for the dignity of all individuals. The Board is committed to maintaining effective discipline in order to establish positive learning environments within which students have the opportunity to receive an appropriate public education. In order for effective discipline to be maintained in each school, the Board acknowledges that cooperative relationships must be established among students, parents, and school personnel.

Each is expected to work positively toward this goal and to respect the individuality and the rights of all people. Parent/Guardian, student, and school personnel are also expected to deal effectively with behavioral concerns. To carry out this commitment, the Board established the following responsibilities and student behavior guidelines for all students system-wide in grades K-5 and 6-12.

Efforts will be made to identify at-risk students early for potential disciplinary problems. When it is recognized that a student is behaving in a manner, which indicates potential disciplinary problems, school personnel shall make reasonable efforts to initiate preventive measures. Preventive interventions should attempt to identify and address the sources and causes of the potential discipline problems. North Carolina MTSS is a multi-tiered system of support framework which promotes school improvement through engaging, research-based academic and behavioral practices. NC MTSS employs a systems approach using data-driven problem solving to maximize growth for all.

Possible preventive intervention procedures may include but are not limited to:

- Conferences with parents/guardians and school personnel
- Conferences with students
- Change of schedule or teacher
- Change of instructional methods
- Change of educational setting
- Use of daily or weekly progress reports to parents
- Visit by parents in the classroom
- Referral to building assistance teams (if available)
- Referral to appropriate support personnel (counselor, school psychologist, attendance counselor, school resource officer, social worker, juvenile justice)
- Referral to school-based assessment committee
- Referral to and/or consultation with community agencies
- Referral to the Mitchell County Alternative School
- Use of Peer Mediation (if available)

STUDENT CODE OF CONDUCT

It is the belief of the Mitchell County Schools that every child has the right to learn in a safe and orderly environment. The school board, the superintendent, school administrators, teachers, parents, and students share the responsibility of providing that environment. The following student code of conduct has been developed to provide a comprehensive list of expectations for student behavior and consequences for violating those expectations. The regulations have been written in accordance with N.C. General Statutes 115C-390 and 391.

RESPONSIBILITIES

Board of Education Responsibilities

1. To adopt a fair and consistent student code of conduct, which establishes clear standards of student behavior.

2. To ensure, through the superintendent of schools, that there is a fair and consistent application of the student code of conduct by school employees.

Parent/Guardian Responsibilities

Parents are responsible for providing a home atmosphere that enhances the child's total development. Parents should know the school's rules and regulations and support the school's discipline efforts. Parents should see that their child attends school regularly, and parents should regularly schedule and attend parent-teacher conferences. Parents should contact school officials whenever the need arises (Policy Code #1310/4002 – *Parental Involvement*).

1. To assume legal responsibility for the child's behavior as determined by law and community practice and to ensure that the child is familiar with the discipline policy and regulations.

2. To teach the child self-discipline, respect for authority, and the rights of others.

3. To make sure that the child attends school regularly and that the school receives the notification of the reason for absences when the child cannot attend.

4. To work to the best of his/her ability to provide the materials and a positive home learning environment for the child to succeed in school.

5. To maintain communication with the school and provide the school with a current address and a current telephone number through which he/she may be reached during the school day.

6. To respond quickly and come to school to get the child when called upon.

7. To be available for conferences when requested.

8. To cooperate with the school staff to develop strategies to benefit the child.

Student Responsibilities

Each student has the right to attend the public schools of Mitchell County and must accept the consequences for his/her actions. Each student is responsible for knowing all regulations and policies, which may affect him/her, and for following those regulations. 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 (Policy Code #4310 – *Standards of Expected Student Behavior*). In addition to any standards established by the school, the following behaviors are specifically prohibited as a violation of the standards of integrity and civility:

- Cheating, including the actual giving or receiving of any unauthorized assistance or the actual giving or receiving of an unfair advantage on any form of academic work;

- Plagiarizing, including the copying of the language, structure, idea and/or thought of another and representing it as one's own original work;

- Cursing, or using vulgar, abusive or demeaning language towards another person, and

- Playing abusive or dangerous tricks or otherwise subjecting a student or personnel to personal indignity or harm.

1. To be aware of and abide by system-wide policies, regulations, and school guidelines regarding acceptable behavior.

2. To be responsible for one's own behavior.

3. To conduct oneself in a manner that is conducive to learning and does not interfere with the teacher's right to teach or the student's right to learn.

4. To refrain from disruptive behaviors which violate the personal, civil, and property rights of all members of our school community; including the use of physical force, verbal abuse, sexual harassment, blackmail, the use, sale

or exchange of alcohol or drugs, stealing, vandalism, and other illegal activities.

5. To seek clarifications from school personnel concerning the appropriateness of any action.

6. To attend school and classes regularly, on time, and prepared with the necessary learning materials.

7. To know and follow the policies and regulations for every event considered part of the school program regardless of the time or place.

8. To immediately comply with any staff members' reasonable request to carry out school rules.

STUDENT EXPECTATIONS

All students are expected to demonstrate integrity, civility, responsibility, and self-control. This expectation is related directly to the Board's educational objectives for students to learn to be responsible for and accept the consequences of their behavior and for students to respect cultural diversity and ideological differences. Integrity, civility, responsibility, and self-control also are critical for establishing and maintaining a safe, orderly, and inviting environment (Policy Code #4310 – *Standards of Expected Student Behavior*).

Teacher Responsibilities

The teacher has the authority and responsibility to manage student behavior in the classroom and while students are under his/her supervision. When given authority over some part of the school program by the principal or supervising teacher, it shall be the duty of all teachers, including student teachers and assistants, to maintain good order and discipline in their respective schools. The teacher may develop other standards or rules consistent with the direction provided by the Board and school. Every teacher, student teacher, substitute teacher, voluntary teacher, or teacher assistant must report to the principal all acts of violence occurring in school, on school grounds, or at any school-related activity. The teacher has the authority to manage or remove disruptive or dangerous students. School personnel may use reasonable force to control behavior or to restrain or remove a person from the scene in those situations when necessary (Policy Code #7300 – *Staff Responsibilities*): To quell a disturbance threatening injury to others; to obtain possession of a weapon or other dangerous object on the person, or within the control, of a student; for the protection of persons or property, self-defense.

1. To provide opportunities for all students to develop self-discipline and respect for the rights of others.

2. To accept and share responsibility for controlling and disciplining students throughout the school building and property.

3. To consider the students' physical, social, intellectual, and emotional development.

4. To establish and inform students of individual classroom behavior expectations and maintain discipline within the classroom.

5. To provide appropriate learning opportunities for all students.

6. To be aware of and abide by system-wide policies, regulations, and school guidelines for discipline.

7. To confer with support personnel for possible solutions to inappropriate student behavior.

8. To use positive reinforcement, NC MTSS, and not ridicule or use negative comparison when correcting a student.

9. To report to the parent/guardian at regular reporting periods and at other times, when appropriate, regarding the acceptability of a student's behavior.

10. To protect the rights of all students, including the responsibility to initiate action to remove dangerous or disruptive students. To refer in writing a disruptive student to the principal or his/her designee when teacher-initiated strategies have been unsuccessful, or the severity of the offense makes it necessary.

11. To attend conferences upon request.

Principal Responsibilities

The principal has the authority and responsibility to investigate and take appropriate action regarding any antisocial or criminal student behavior and any other behavior appropriately referred to him/her. The principal is responsible for informing students and parents of any standards or rules that, if violated, could result in short-term or long-term suspension, 365-day suspension, or expulsion. 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, recommend long-term suspension, or recommend a 365-day suspension or expulsion of a student. The principal shall use reasonable force to discipline students and shall assign duties to teachers with regard to the general well-being and the medical care of students, pursuant to the provisions of G.S. § 115C-390 and G.S. § 115C-307 (Policy Code #7300 – *Staff Responsibilities*).

1. To assume the overall responsibility for the implementation of those procedures and rules that are necessary to establish standards of acceptable student behavior in the school.

2. To be readily available to handle disruptive behavior, discipline, and emergency situations.

3. To appoint a designee in the principal's absence to assume authority and carry out the principal's responsibilities.

4. To develop with the staff individual school procedures and rules in accordance with these regulations and the General Statutes of North Carolina.

5. To inform and disseminate to parents, students, and faculty policies and school rules relating to standards of student behavior.

6. To ensure that all system-wide regulations and school rules regarding standards of behavior are applied consistently.

7. To take prompt action for referred violations of discipline regulations.

8. To inform expeditiously the parent/guardian and the involved staff member in writing or verbally of administrative actions taken for referred violations.

9. To make a reasonable effort to inform parents verbally of an out-of-school suspension prior to the suspension.

10. To provide advice and support to staff members on appropriate discipline strategies.

11. To maintain a file of all discipline referrals for each student.

12. To report suspected illegal activities to the appropriate authorities and to cooperate fully with these authorities and law enforcement agencies.

13. To make appropriate referrals to intervention teams and other support groups that can assist a student with disciplinary behavior.

Superintendent's Responsibilities

1. To give counsel, advice, and appropriate support to school principals and staff.

2. To ensure the consistent application of procedures and rules that are established as standards of acceptable student behavior.

3. To provide due process right of appeal for disciplinary actions.

4. To appropriately investigate and respond to parent concerns regarding disciplinary action.

FOCUS ON STUDENTS

The Board recognizes that students must be the primary focus of each school, the school district, and the board. To support students in their formal education, each school should strive for a learning environment in which: school grounds, buildings, and classrooms are safe, orderly, clean, and inviting -students learn and practice responsible behavior -students are treated fairly; and -students have input in decisions affecting them when feasible (Policy Code #4000 – *Focus on Students* – Legal Reference G.S. 115c-36).

PURPOSE

The basic purpose of the Student Code of Conduct for elementary and secondary schools is to help establish and maintain a safe and orderly environment that must prevail if learning occurs. As it applies to these guidelines, the term schools' refers to all school buildings, parking areas, and properties. These rules are in effect at any school function or a school-sponsored activity and while students are waiting for, riding, or leaving the bus.

ADMISSION TO THE MITCHELL COUNTY SCHOOLS

Persons under the age of twenty-one (21) years who are domiciled in the Mitchell County School System Administrative Unit (Policy Code #4120 – *Domicile or Residence Requirements*), who have not been removed from any school for cause, or who have not obtained a high school diploma, are eligible for enrollment in the Mitchell County School System.

No student currently under suspension or expulsion from either a public or private school for any action that would have resulted in a suspension or expulsion from the Mitchell County Schools will be admitted into the Mitchell County School System until he is eligible for readmission at his previous school (Policy Code #4115 – *Behavior Standards for Transfer Students*).

The Mitchell County School System reserves the right to place any transferring student into the Mitchell County Grad Center, Mitchell County Distance Learning Center, or the Mitchell County Alternative Learning Center whenever it matches the student's most recent school placement; giving the student the best possibility of earning credit; or is in the best interest of school operations.

STUDENT BEHAVIOR GUIDELINES

Ensuring the safe, secure, and orderly operation of the Mitchell County School System while maintaining an atmosphere conducive to teaching, learning, and quiet study, is a major responsibility of school administrators teachers, parents, and students.

Each school campus will operate by a mutual "Code of Respect." This "Code of Respect" states: All students will have respect for themselves and respect for others and their rights. All students will respect the diversity of others. All students will not cheat or engage in any other inappropriate activity. All students will utilize appropriate language. All students will dress appropriately. *(The principal at each school will determine appropriate dress, but students are not permitted to wear/display symbols or other items that are or would be perceived to be disruptive.)* All students will contribute to a safe and positive climate. All students will act in a manner conducive to learning.

Each school administrator has the authority to remove any student from any elected/appointed school leadership position or from any school team or club (athletic or otherwise) if the student's actions, on or off the campus, are of such nature that in the eyes of the principal, the student would not be a good representative of the school to the public.

ROLE OF TEACHERS AND ADMINISTRATORS IN SCHOOL SAFETY AND STUDENT DISCIPLINE

State law requires a principal or designee to immediately report to law enforcement agencies (sheriff or police) certain acts that occur on school property. When the principal has personal knowledge or actual notice that one of the acts listed below has occurred on school property, the principal shall immediately report the act to the appropriate local law enforcement agency. For purposes of this subsection, "*school property*" shall include any public school building, bus, public school campus, grounds, recreational area, or athletic field in charge of the principal. (G.S. § 115C-307(a). Teachers and other school employees have a legal obligation to report these same acts to the principal. (G.S. § 115C-288(g). Required reportable acts are as follows:

- Assault resulting in serious injury
- Assault involving the use of a weapon
- Possession of a weapon

- Assault on school personnel
- Robbery
- Bomb threat
- Robbery without a dangerous weapon
- Burning of a school building
- Sexual assault (not involving rape)
- Death by other than natural causes
- Sexual Offense
- Kidnapping
- Rape
- Possession of alcoholic beverage
- Taking indecent liberties with a minor
- Possession of a controlled substance
- Possession of a firearm or powerful explosive

DISCLAIMER

School-based administrators reserve the right to handle any incident that is not covered or mentioned in this handbook in a timely and appropriate manner. Serious or repeated violation of one or more rules would suggest a need for strong parent-student-administrator communication, coordination, and consideration of outside assistance, and may result in suspension and possible recommendation for long-term suspension or expulsion. The severity of the offense will be taken into consideration when determining consequences.

SYSTEM-WIDE UNIFORM CONSEQUENCES FOR MISCONDUCT

The principal or his designee shall investigate and deal with incidents of alleged misconduct of students whenever:

- a student discipline problem is referred, or
- the alleged misconduct violates the Student Code of Conduct, or
- the principal determines that a situation exists which could pose a danger to persons or property or which seriously disrupts the learning environment.

The use of the following disciplinary consequences is based on the assumption that teachers and/or other student support personnel have utilized reasonable and available disciplines alternatives and preventive measures prior to referring the student to the principal or that the student's behavior presents harm or a significant risk of harm or a threat to the orderly operation of the school.

The principal or his/her designee shall have the authority to suspend for ten days or less any student who violates the Student Code of Conduct by applying the System-wide Uniform Consequences for Misconduct. The principal or his/her designee may suspend a student for more than ten days with prior approval of the superintendent following an infraction of the Student Code of Conduct. School personnel may use reasonable force to control behavior or to remove a person from the scene in those situations when necessary:

- to quell a disturbance threatening injury to others;
- to obtain possession of weapons or other dangerous objects on the person, or within the control of, a student;
- for self-defense; or
- for the protection of persons or property.

GENERAL STATEMENTS

a. Parents will be held personally and financially responsible for any cost associated with the injury and/or damage that result from inappropriate behavior of their minor children.

b. The Mitchell County Board of Education will not permit a student to pose a threat or constantly disrupt the learning environment in a school.

c. Repeated violations or very serious occurrences of infractions listed below may result in harsher remedies than those prescribed below.

ATHLETIC PARTICIPATION

Students assigned in Out-of-School Suspension (OSS), or are enrolled in the Mitchell County Alternative School may not participate in or be in attendance at any extracurricular activities, including athletic practices and club activities, whether home or away, during the period of suspension.

Any student who is subject to the NCHSAA eight-semester rule who (1) is convicted of a crime classified as a felony under North Carolina or federal law, or (2) is adjudicated delinquent for an offense that would be a felony if committed by an adult, is not eligible to participate in the North Carolina High School Athletic Association sports program.

A student transferred from one high school to another forfeits, for one year, varsity athletic eligibility in any sport in which the student was on a varsity eligibility roster at their former high school during the immediately preceding year to the transfer approval. This does not apply to students who make a legitimate change of domicile to another school attendance zone. Complete athletic guidelines are addressed later in this handbook (Policy Code #4375 – *Athletic Discipline*).

THREE LEVELS OF INTERVENTION

Level 1—All Students

Focus on:

- general curriculum enhanced by acknowledgments of positive behaviors, and clearly stated expectations that are applied to all students
- general expectations are taught to all students by telling, showing, and allowing practice

Level 2—Selected Interventions

Focus on:

- specific interventions for students who do not respond to universal efforts
- targeted groups of students who require more support
- interventions that are part of a continuum of behavioral supports needed in schools

Level 3—Individualized Interventions

Focus on:

- the needs of individual students who exhibit a pattern of problem behaviors
- diminishing problem behaviors and increasing the student's social skills and functioning
- interventions involving functional behavioral assessments and behavioral intervention plans

The Three Levels of Intervention

Interventions may include (but are not limited to) the examples below.

Level 3

Behavioral Contracts

Behavioral Intervention Plan (BIP)

Multidisciplinary Comprehensive Assessments – Functional Behavior Assessments (FBA)

Collaboration with or linkage to Community resources, Agencies, or groups

3

2

Level 2

Referral to Student Support Service Personnel
(guidance, school psychologist, school social worker, behavior support liaison

Social Skill or Guidance groups-
(anger management, peer mediation, etc.)

Check-in/out Support Plan

Social and Emotional Counseling groups

Mentoring

Level 1

Universal (All Students)

Positive Supports
Bullying Supports
Class Meetings
Classroom Rules
Positive Supports within the Classroom
Reinforcement of Appropriate Behaviors
Guidance Referral
Use of Student Problem-Solving Supports
Verbal Warnings
Student-Teacher-Parent Conferences

The Code of Student Conduct shall apply to all students at all times on all Board of Education property, including:

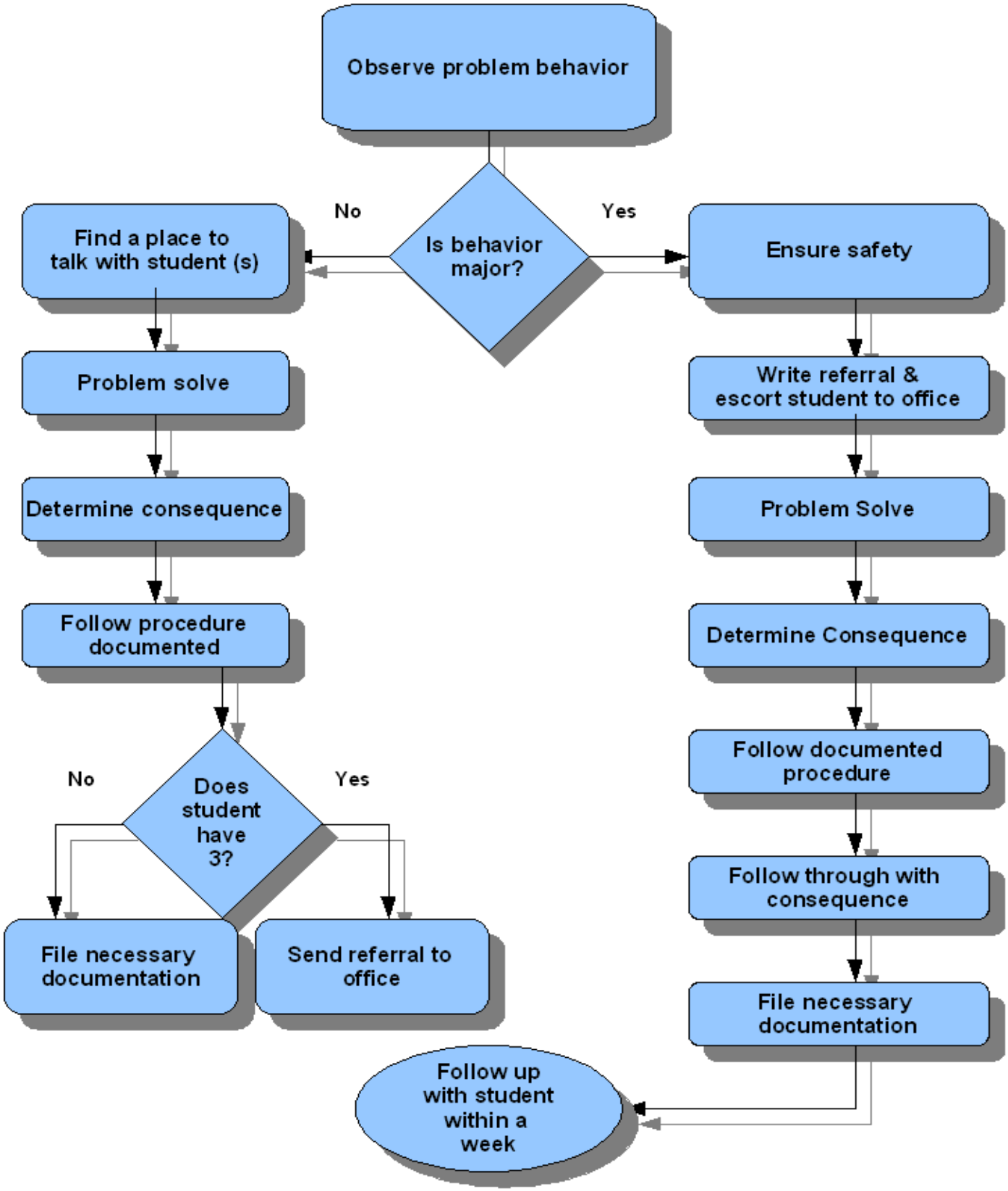
- in school buildings
- on school grounds
- in all school vehicles
- at all school, school-related, or Board-sponsored activities, including but not limited to:
- school field trips
- school sporting events (whether such activities are held on school property or at locations off school property, including private business or commercial establishments)

Levels of Interventions and Consequences for Violations of the Code of Student Conduct

As with any incident of student behavior, school administrators must exercise informed judgment as to whether a student's actions constitute a violation of the Board Policy and/ or the Code of Student Conduct. The level of acceptable consequences shown on the following page guide administrators to use *progressive interventions* to change student behaviors when needed. The administrator always has the option to use an intervention from a subordinate level, however, the disciplinary options suggested within the considered level of behavior are recommended. Moreover, if a behavior is deemed a criminal offense by local authorities and such offense are not identified in this *Code of Student Conduct*, the consequence may be expulsion from Mitchell County Public Schools. Restitution for loss or damage will be required in addition to any other prescribed consequences.

Level	Disciplinary Options	
1	**Classroom Level interventions/consequences** *Teachers use the following interventions to help the students change behavior in the classroom. If these interventions are successful, referral to the school administrator may not be necessary.*	
	Warning Letter of apology Loss of privileges Use of Student Problem-Solving worksheet Seat change Parent contact Teacher conference with student Confiscation of item	In-class time out Reinforcement of appropriate behaviors Written reflection about incident Before or after school detention Behavior contract Mentoring/ Referral to school counselor Other conferences between any involved parties Detention
2	**Appropriate when Level 1 intervention/consequence has been ineffective.** *Teachers use the following interventions to help the students change behavior in the classroom. Referral to the school administrator may be necessary.* **(May use Level 1 interventions)**	
	Parent/guardian involvement Phone call/ letter to parent or guardian Referral to school counselor Referral to Behavior Intervention Specialist Confiscation of item Supervised time-out outside of classroom Conference with parent or guardian Behavior agreement between teacher/student Teacher and/ or administrator conference with student and/or parent	Parent contract Parent or guardian accompany the student to school or classes Conflict resolution Peer mediation Class or schedule change Restricted activity In-school intervention (ex: work assignment, behavior essays, transportation restriction Lunch Detention Loss of parking privilege
3	**Appropriate when Level 2 intervention/ consequence has been ineffective.**	
	Office referral required **Parent/ guardian notification required** Referral to school social worker Detention Restitution In-school suspension Restricted activity	Alternative Intervention Programs: (SOAR, Tobacco Awareness, Behavior Intervention Services, After School) Search of individual, possessions, lockers, desk or vehicle Metal detector scan or canine search **Suspension (1-5 days)**
4	**Appropriate when Level 3 intervention/ consequence has been ineffective.**	
	Office referral required **Parent/ guardian notification required** Modified school day	Alternative Intervention Programs: (SOAR, Tobacco Awareness, Behavior Intervention Services, After School,) Referral to the Alternative school-based program **Suspension (6-10 days)**
5	**Appropriate when Level 4 intervention/ consequence has been ineffective**	
	Office referral required Parent/ guardian notification required Criminal charges possible	**Extended Suspension (10 days)** Referral to the Alternative school-based program
6	**Appropriate when Level 5 intervention/ consequence has been ineffective**	
	Office referral required Parent/ guardian notification required Possible long term suspension-up to 10 days	Referral to Alternative school-based program These levels of consequence are levied only by the Superintendent/ Designee.

Office Referral Flow Chart



Office Referral Definitions

MINOR BEHAVIORS:
Discipline incidents that can be handled by the classroom teacher and usually do not warrant a discipline referral to the office.

Minor Problem Behavior	Definition
Inappropriate verbal language	Student engages in a low-intensity instances of inappropriate language (ex. "*stupid*")
Physical contact/ aggression	Student engages in non-serious, but inappropriate physical contact (ex. flipping, pushing)
Defiance/ disrespect/ non-compliance	Student engages in brief or low-intensity failure to respond to adult requests (ex. not following directions, rolling eyes)
Disruption	Student engages in low-intensity, but inappropriate disruption (ex. talking out of turn)
Dress Code	Student wears clothing that is near, but not within, the dress code guidelines defined by the school/district.
Information and Other Electronics Technology Violation	Student engages in non-serious but inappropriate (as defined by the school) use of cell phone, pager, music/video players, camera, and/or computer.
Property misuse	Student engages in low-intensity misuse of property (ex. marking on a desk)
Tardy	Student arrives at class after the bell (or signal that class has started).
Other	Student engages in any other minor problem behaviors that do not fall within the above categories

Note: examples are not all-inclusive

Office Referral Definitions continued…

MAJOR BEHAVIORS:
Discipline incidents that may be handled by the administration. Major behavior may also include chronic or repetitive minor behaviors.

Major Problem Behavior	Definition
Abusive language/ inappropriate language/ profanity	Verbal messages that include swearing, name-calling, or use of words in an inappropriate way.
Alcohol	Student is in possession of or is using alcohol.
Arson	Student plans and/or participates in malicious burning of property.
Bomb threat/ False alarm	Student delivers a message of possible explosive materials being on-campus, near campus, and/or pending explosion.
Combustibles	Student is in possession of substances/objects readily capable of causing bodily harm and/ or property damage (matches, lighters, firecrackers, gasoline, lighter fluid).
Defiance/disrespect/ insubordination/ non-compliance	Refusal to follow directions, talking back and/or socially rude interactions.
Disruption	Behavior causing an interruption in a class or activity. Disruption includes, but are not limited to, sustained loud talk, yelling, or screaming; noise with materials; horseplay or roughhousing; and/or sustained out-of-seat behavior.
Dress Code Violation	Student wears clothing that does not fit within the dress code guidelines practiced by the school/district.
Fighting/ physical aggression	Actions involving serious physical contact where injury may occur (e.g., hitting, punching, hitting with an object, kicking, hair pulling, scratching, etc.).
Forgery/ theft	Student is in possession of, having passed on, or being responsible for removing someone else's property or has signed a person’s name without that person’s permission.
Harassment/ tease/ taunt	Student delivers disrespectful messages (verbal or gesture) to another person that includes threats and intimidation, obscene gestures, pictures, or written notes. Disrespectful messages include negative comments based on race, religion, gender, age, and/or national origin; sustained or intense verbal attacks based on ethnic origin, disabilities, or other personal matters.
Inappropriate Display of Affection	Student engages in inappropriate (as defined by the school) verbal and/or physical gestures/ contact, of a sexual nature with or to another student/adult, either consensual or non-consensual.

Information and Other Electronics Technology Violation	Student engages in inappropriate (as defined by the school) use of cell phone, pager, music/video players, camera, and/or computer.
Lying/Cheating	Student delivers a message that is untrue and/or deliberately violates rules.
Other	Problem behavior causing this referral is not listed above. Staff using this area will specify the problem behavior observed.
Other Drugs	Student is in possession of or is using illegal drugs/substances or imitations.
Out of Bounds/ Off School, Location	Student is in an area that is outside of school boundaries (as defined by the school)
Property Damage	Student deliberately impairs the usefulness of property.
Skip class/ truancy	Student leaves class/ school without permission or stays out of class/ school without permission.
Tardy	Student is late (as defined by the school) to class or the startup of the school day (and Tardy is not considered a minor problem behavior in the school).
Tobacco	Student is in possession of or is using tobacco.
Vandalism/Property Damage	Student participates in an activity that results in substantial destruction or disfigurement of property.
Weapons	Student is in possession of knives or guns (real or look alike), or other objects readily capable of causing bodily harm.

Consequences for Elementary Students

Offense/Violation		Levels of Consequence 1	2	3	4	5	6	Reportable to Police
DISCIPLINE VIOLATIONS								
Bias Behavior *(See Harassment and Intimidation)*				●	●	●	●	If Illegal
Bullying			●	●	●	●	●	If violent
Cyber-bullying (on school property only)			●	●	●	●	●	If violent
Cell Phone Misuse (Offenses beyond 4 may result in OSS and further parental involvement)	*1st Offense: cell phone confiscated for the day and picked up by the student at end of day* *2nd: confiscated, the phone picked up by parent* *3rd: confiscated, privileges revoked for the remainder of the year* *4th: confiscated, must be picked up by a parent, ISS/OSS*	●	●	●	●			
Cheating		●	●	●				
Computer Misuse:	*Criminal Behavior*					●	●	✓
	Malicious Modification				●	●		If Illegal
	Mischievous Modification			●	●			
	Mischievous Use	●	●	●				
Demonstration and Mass Protest		●	●	●				If violent
Disrespect Toward Others		●	●	●				
Disruptive Clothing or Appearance		●	●	●				

Disruption to Classroom/School	●	●	●				
Electronic Device Misuse	●	●	●	●			
False Fire Alarm		●	●	●	●		Call 911
False Information/Accusations	●	●	●				
Fighting: Physical		●	●	●			If causes injury
Fireworks/Explosives		●	●	●	●	●	
Food/Beverage in unauthorized location	●	●					
	●	●					

Levels of Consequence

	1	2	3	4	5	6	Reportable to Police
Inappropriate Language	●	●	●				
Inappropriate Touch / Display of affection		●	●	●	●	●	
Inciting or Participating in a School Disturbance	●	●	●	●			If causes injury
Insubordination	●	●	●	●			
Leaving an Area and/or Leaving Class and/or School Grounds without Permission	●	●	●	●			If unable to locate
Matches/Lighter(s): *Possession of*	●	●	●				
Use of			●	●			✓
Plagiarism	●	●	●				

Personal Property-non-educational		●	●	●	●	●		
Prescribed Medications – handle properly		●	●					
Putting substances in another person's food or drink or on a person's body				●	●	●	●	If causes injury
Tardiness		●	●					
Threatening			●	●	●	●	●	
Tobacco: *Possession, Distribution, Use*	*First Offense*		●	●				
	Second Offense			●	●			
	Third Offense			●	●	●		
Unsafe Action(s)		●	●	●	●			If violent
LAW VIOLATIONS								
Alcohol and Other Drugs *Possession • Consumption • Distribution Possession w/intent to distribute*				●	●	●	●	✓
Ammunition			●	●	●	●		
Arson/ Fire					●	●	●	✓
Attack... *…on Students …on Staff …on Others*	Category I- Threats, Intentionally frightening another	●	●	●				
	Category II-A physical attack w/o injury		●	●	●			
	Category III-A physical attack causing minor physical injury			●	●	●	●	
	Category IV-Physical attack causing serious physical injury.						●	
	Intentional assault on faculty						●	✓
Bomb Threat (zero tolerance)						●	●	✓

		Levels of Consequence						
Offense/Violation		**1**	**2**	**3**	**4**	**5**	**6**	**Reportable to Police**
Destruction of Property/Vandalism				●	●	●	●	✓
Extortion/Strong Arming/Blackmail				●	●	●	●	✓
Forgery/Counterfeit Currency			●	●	●			✓
Gambling		●	●	●	●			
Hazing					●	●	●	If violent
Kidnapping or Unjust Imprisonment			●	●	●	●	●	✓
Pornography: possession or distribution			●	●	●			✓
Search Individual: refusal to comply			●	●	●			
Search: refusal to comply with random			●	●	●			
Sexual Activity		●	●	●	●			If illegal
Sexual Harassment			●	●	●	●	●	If illegal
Stealing and/or Theft		●	●	●	●	●	●	
Trespassing		●	●	●				✓
Weapons *(including look-a-like guns)*	*Possession of: Firearm*			●	●	●	●	✓
	Possession of: Knife (spring loaded, 3" or longer)		●	●	●	●	●	✓

	Possession of: Other weapon		●	●	●	●	●	✓
	Possession and/or use of dangerous implements			●	●	●	●	✓
	Use of Weapon to Cause or Attempt to Cause Injury				●	●	●	✓

Consequences for Secondary Students

		Levels of Consequence						
Offense/Violation		**1**	**2**	**3**	**4**	**5**	**6**	**Reportable to Police**
DISCIPLINE VIOLATIONS								
Bias Behavior *(See Harassment and Intimidation)*				●	●	●	●	If Illegal
Bullying			●	●	●	●	●	If violent
Cyber-bullying			●	●	●	●	●	If violent
Cell Phone Misuse (Offenses beyond 4 may result in OSS and further parental involvement)	*1st Offense: cell phone confiscated for the day and picked up by student at end of day* *2nd: confiscated, phone picked up by parent* *3rd: confiscated, phone picked up by the parent after 10 days* *4th: confiscated, phone picked up by the parent after 45 days*		●	●	●			
Cheating		●	●	●				
Computer Misuse:	*Criminal Behavior*					●	●	✓
	Malicious Modification				●	●		If Illegal
	Mischievous Modification			●	●			
	Mischievous Use	●	●	●				
Demonstration and Mass Protest					●	●		If violent

Disrespect Toward Others	●	●	●				
Disruption to Classroom/School	●	●	●				
Disruptive Clothing or Appearance	●	●	●	●			
Electronic Device Misuse		●	●	●			
False Fire Alarm				●	●		Call 911
False Information/Accusations	●	●	●	●			If Illegal
Fighting: Physical			●	●	●	●	If causes injury
Fireworks/Explosives			●	●	●	●	And 911
Food/Beverage in unauthorized location	●	●					
Harassment / Intimidation		●	●	●	●	●	
Inappropriate Language	●	●	●	●			
Inappropriate Touch / Display of affection		●	●	●	●	●	
Inciting or Participating in a School Disturbance	●	●	●	●			If causes injury
	●	●	●	●			

Levels of Consequence

Offense/Violation	**1**	**2**	**3**	**4**	**5**	**6**	**Reportable to Police**
Insubordination	●	●	●	●			
Leaving an Area and/or Leaving Class and/or School Grounds without Permission		●	●	●			If unable to locate

Matches/Lighter(s):	*Possession of*		●	●				
	Use of			●	●			
Non-compliance		●	●	●				
Plagiarism		●	●	●				
Damage to Personal Property-non-educational		●	●	●	●			
Putting substances in another person's food or drink or on a person's body				●	●	●	●	If causes injury
Tardiness		●	●					
Intimidation or Communicating Threats - verbally or otherwise			●	●	●	●	●	
Tobacco: *Possession, Distribution, or Use*	*First Offense*			●				
	Second Offense			●	●			
	Third Offense and consecutive			●	●	●	●	
Unsafe Action(s)		●	●	●				If violent or inflicting harm to self or others
LAW VIOLATIONS								
Alcohol, Prescribed medications, and over the counter drugs	*Possession*		●	●	●	●	●	✓
	Consumption			●	●	●	●	✓
	Distribution					●	●	✓
	Possession with intent to distribute					●	●	✓
Ammunition				●	●	●	●	If illegal
Arson/ Fire				●	●	●	●	✓

Attack... *…on Students* *…on Staff* *…on Others*	Category I- Threats, Intentionally frightening another	●	●	●				
	Category II-A physical attack w/o injury		●	●	●			
	Category III-A physical attack causing minor physical injury (school nurse could handle).			●	●	●	●	
	Category IV-Physical attack causing serious physical injury (doctor's care needed).						●	✓
	Intentional assault on faculty						●	✓

Levels of Consequence

Offense/Violation	**1**	**2**	**3**	**4**	**5**	**6**	**Reportable to Police**
Bomb Threat (zero tolerance)					●	●	✓
Destruction/Vandalism of School Property			●	●	●	●	✓
Extortion/Strong Arming/Blackmail			●	●	●	●	✓
Forgery/Counterfeit Currency			●	●	●	●	If Illegal
Gambling	●	●	●				
Hazing/Initiations				●	●	●	If violent
Illegal Drugs						●	✓
Kidnapping or Unjust Imprisonment				●	●	●	✓
Pornography: possession or distribution			●	●	●	●	✓
Search Individual: refusal to comply			●	●			

Search: refusal to comply with search				●	●			
Sexual Activity on campus				●	●	●	●	If illegal
Sexual Assault				●	●	●	●	✓
Sexual Harassment				●	●	●	●	If illegal
Stealing and/or Theft				●	●	●	●	Punishment will be based on monetary losses
Trespassing				●	●			
Weapons *(including look-a-like guns)*	*Possession of: Firearm*						●	✓
	Possession of: Knife (spring loaded, 3" or longer)			●	●	●	●	✓
	Possession of: Other weapons				●	●	●	✓
	Possession of dangerous implements				●	●	●	✓
	Use of Weapon to Cause or Attempt to Cause Injury to self or others						●	✓

Bus/Transportation Consequences

<table>
<tr><th colspan="4">Consequences for Violation Related to Transportation for all students include, but are not limited to:</th></tr>
<tr><th>1st Offense</th><th>2nd Offense</th><th>3rd Offense</th><th>4th Offense</th></tr>
<tr><td>Parent notification required

Appropriate action required

Conference with driver, student, and principal

Student conference

One-day suspension from bus

Seat change on bus

Code of Student Conduct implemented as appropriate</td><td>Parent notification required

Conference with driver, student, and principal

One to three-day suspension from bus</td><td>Parent notification required

Conference with driver, student, and principal

Three to five-day suspension from bus</td><td>Parent notification required

Conference with driver, student, and principal

Five-day suspension from bus</td></tr>
<tr><td colspan="4">Fifth Offense – Automatic 10-day suspension from school bus
Sixth Offense – Automatic suspension from the school bus for 9 weeks.

*Appropriate Action Required
Additional Bus or School Suspension commensurate with offense
Implement Code of Student Conduct as Appropriate</td></tr>
<tr><td></td><td colspan="3"></td></tr>
</table>

Behavior or activity jeopardizing the safe operation of the school bus or interfering with the welfare of other vehicle occupants is prohibited. The school bus operator will verbally report promptly to the appropriate administrative staff and document in writing why the conduct requires disciplinary action. After the administrative staff evaluates, appropriate disciplinary action will follow. A copy of the misconduct report will be returned to the school bus operator. Generally, misconduct on a school bus will not deny a student access to the classroom. School suspension, including expulsion, will occur only in special cases of misconduct that warrant this type of action.

Video Cameras

School buses are now equipped with video cameras. This tool monitors the passenger area of the bus. The objective is to provide an important additional tool to assist the driver in managing student conduct on school buses, which is an important safety consideration that benefits all.

Bus Behavior Expectations & Safety Requirements for All Students	
Students are expected to observe the following rules for safety and courtesy on the bus. Parents are responsible for the supervision and safety of students from home until they board the bus, and from the bus stop to home.	
1. At the Bus Stop	**2. When the Bus Arrives**
• Exercise safe pedestrian practices while on the way to the waiting area for the bus stop. • Arrive at the waiting area for the bus stop ten (10) minutes before your designated bus pickup time. • Wait in a quiet and orderly manner. • Stay on your side of the roadway controlled by the bus warning lights. (Not sure what this means, but needs revision) • Be aware, cautious, and respectful of traffic. • Wait in a safe place, clear of traffic, and away from where the bus stops. • Respect private property.	• Remain in the waiting area until the bus comes to a complete stop. • Look for traffic in all directions, and check again to make sure all vehicles are stopped. • Before walking from the waiting area to the entrance of the bus, be certain that the bus warning lights are activated and that all traffic in all directions has stopped. • When safe to board, do so promptly. • When boarding, be aware of and avoid the "danger zone," which is the ten-foot area immediately surrounding the stopped school bus. Be sure that you can see the bus driver's eyes when in the vicinity of the school bus. • If crossing a street controlled by bus warning lights is necessary, cross promptly after checking that all traffic in all directions has stopped. Cross in front of the bus only. • Upon entering the bus proceed directly to an available or assigned seat.
3. On The Bus	**4. Exiting the Bus**
• Follow the instructions of the bus personnel. • Be respectful of all people, including all bus personnel. • Use language appropriate for the school setting. • Keep the bus neat and clean. • Do not eat or drink. • Talk quietly and politely. • Sit in your assigned seat, if one has been assigned by bus or school personnel. • Stay in your seat; keep aisles and exits clear. • Carry-on items are limited to those that can be held in your lap. No hazardous materials, nuisance items, or animals are permitted on the bus. • Be respectful of the rights and safety of others. • Do not extend your head, arms, or objects out of bus windows. • Cell phones are allowed, but should not present a distraction. (off and out of sight) • Remember that school rules apply to the school bus. For example, the use or possession of tobacco, alcohol, and other drugs is not allowed. The school dress code is also enforced.	• Remain seated until the bus comes to a complete stop. • Exit the bus and the bus stop area in an orderly manner. • Exit at your assigned bus stop. Provide the bus driver with a note or text message from your parent or guardian if you are to be dropped off at a different location. • Check traffic from all directions, and then check again before exiting. • Be certain that all traffic in all directions has stopped. • When safe to exit, do so promptly. • Be aware of and avoid the "danger zone," the ten-foot area immediately surrounding the stopped school bus. Be sure that you can see the bus driver's eyes while in the vicinity of the school bus. • If crossing a street controlled by bus warning lights, cross promptly after checking that all traffic in all directions has stopped. Cross in front of the bus only. • Exercise safe pedestrian practices while on the way from the bus stop to your home.

A Parent and Student's Guide to

Absence Related Infractions

In Elementary, middle, and high school

(Board Policy # 4400)

Expected student behaviors:

Attending school regularly and being on time
Remaining on school grounds unless I have permission to leave school

Lawful Absence

The Code of Student Conduct defines lawful absences as those including illness, a death in the family, court order, other emergencies, or activity previously approved by the principal. Religious absences are not considered for attendance review provided they are not excessive. The Code defines absence for a day or part of a day for any other reason as unlawful.

Excessive Absence

The Code of Student Conduct requires an elementary school student to be in attendance for a minimum of 960 hours to be considered for promotion to the next grade, a middle school student to be in attendance for a minimum of 960 hours to be considered for promotion to the next grade, a high school student on the block schedule be in attendance for a minimum of 120 hours per class to obtain credit for each course, and a high school student on the traditional schedule be in attendance for a minimum of 120 hours per class to obtain credit for the course.

A. Tardiness: Failure to be in place of instruction at the assigned time without a valid excuse.
Excessive tardiness may result in progressive suspension.

B Class Cutting: Failure to report to class without proper permission, knowledge, or excuse by the school or teacher.

C. School Cutting: Failure to report to school without prior permission, knowledge, or excuse by the school or the parent(s)/guardian(s).

D. Excessive Absences (Truancy): Excused or unexcused absences, which are felt to adversely affect the student's education.

Consequences (See pages 41-42 for Compulsory Attendance Policy)

Letters will be sent from the principal or principal's designee after a student misses 3, 6, and 10 days of school. . Parents/guardians are legally responsible to see that children in their custody between the ages of 7 and 16 attend school regularly, unless otherwise enrolled in private school, approved home instruction, or receiving home instruction through the school system.

Elementary and Secondary Students

Tardiness- Levels 1-2

A Parent's and Student's Guide to

Academic Dishonesty

In Elementary, Middle, and High School

AKA: Integrity and Civility (Board Policy #4310)

Expected student behaviors:

Completing my own school work and homework.
Following school rules and school staff directions.
Keeping my eyes on my own paper when taking quizzes and tests

What is the difference between cheating and plagiarism?

The Code of Student Conduct defines **cheating** as providing, receiving, or viewing answers to a quiz or test items, or independent assignments. This also includes having books, notes/notebooks, or electronic information out during a quiz or test without permission. **Plagiarism,** on the other hand, involves deliberately copying or presenting the ideas, works, or statements of another as one's own, without acknowledgment of the source.

Expectation: A student will not lie or cheat.

A. **Altering Report Cards or Notes:** Tampering with report cards, official passes, and notes in any manner, including changing grades or forging names on excuses.

B. **False Information:** Making false statements, written or oral, to anyone in authority.

C. **Cheating:** Violating rules of honesty such as plagiarism, copying another student's test, assignment, etc.

Consequences

Elementary Students
Cheating: Levels 1-3
Plagiarism: Levels 1-3

Secondary Students
Cheating: Levels 1-3
Plagiarism: Levels 1-3

A Parent and Student's Guide to

Alcohol and Other Drugs

In Elementary, Middle, and High School

(Board Policy #4325)

Expected student behaviors:

Choosing not to bring alcohol and other drugs to school

Not bringing dangerous things, such as alcohol, drugs, and medicine not prescribed for me, to school

Expectation: A student will not use, purchase, sell, distribute, be under the influence of, or possess any kind of alcoholic beverage or any kind of controlled substance as defined by state law on school property. This prohibition includes but is not limited to, anabolic steroids, counterfeit or imitation controlled substances,vapes/E-cigarettes, and drug paraphernalia. This prohibition includes vapes and tobacco products sold or distributed to underage students.

What are the rules about alcohol and other drugs?

The Code of Student Conduct addresses possession, consumption, distribution, and possession with intent to distribute. Alcohol and other drugs are defined as alcoholic substances, inhalants or other intoxicants, and controlled dangerous substances, including prescription drugs, over-the-counter medications, look-alikes, and substances represented as controlled substances, and drug paraphernalia.

Alcohol

A. Alcohol: Use/Under the Influence: Drinking any alcoholic beverage in school, on school grounds, to and from school, and on the school bus or at any school function, or coming to school or school activities after consumption
B. Possession: Possessing any alcoholic beverages in school, on school grounds, to and from school, on the school bus, or at any school function
C. Sale/Distribution: Distribution or attempting to distribute any alcoholic beverage in school, on school grounds, to and from school, on the school bus, or at any school function.

Illegal Substances

D. Use/Under the Influence: Using any narcotic, illegal or controlled drug, an anabolic steroid, or any illegal substance, on school grounds, to and from school, on the school bus, or at any school function, or coming to school or school activities after consumption.

E. Possession/Attempt: Possessing, or attempting to possess any illegal or controlled substance or any action that contributed to the possession of any illegal or controlled substance.
F. Paraphernalia: Possessing, distribution, or using any drug-related paraphernalia.
G. Inhalants/Vapes: Possessing, distribution, or inhaling any substance/product (off-the-shelf, controlled, or illegal) for mind-altering effects.
H. Sale/Distribution (Attempting or Actual): Distribution or selling any illegal, controlled, or counterfeit substance, attempting to sell or distribute any illegal, controlled, or counterfeit substance, or any action that contributes to the sale or distribution of any illegal, controlled, or counterfeit substance. This prohibition will include the sale/distribution of tobacco products to underage student(s.)

Consequences

Elementary Students
Alcohol and other drugs: Levels 3-6
Prescribed Medications-handle properly-Levels 1-2

Secondary Students
Alcohol, prescribed medications, and over-the-counter drugs

Possession- Levels 2-6
Consumption- Levels 3-6
Distribution- Levels 5-6
Possession with intent to distribute- Levels 5-6
Illegal Drugs- Level 6

A Parent's and Student's Guide to

Attack and Fighting

In Elementary, Middle, and High Schools

AKA: Assaults, Threats, and Harassment (Board Policy #4331)

Expected student behaviors:

- Treating others like I want to be treated.
- Working together and/or with adults to manage negative behaviors and emotions.
- Keeping my hands to myself.

What is an attack and how is it different from fighting?

Attack on Students, Staff, or Others

The Code of Student Conduct defines an attack as any unprovoked aggressive action toward another person. There are four categories of attacks:

Category I: Threats, intentionally frightening another.
Category II: A physical attack without injury.
Category III: A physical attack causing minor physical injury.
Category IV: Physical attack causing serious physical injury.
Intentional assault on faculty

Fighting

The Code of Student Conduct defines fighting as "Exchanging mutual physical contact between students by pushing, shoving, or hitting with or without injury. Verbal fighting is further defined as "a verbal confrontation with no physical contact."

Consequences

Attack on Students, Staff, or Others

Elementary Students
Category I- Level 1-3
Category II- Level 2-4
Category III – Level 3-6
Category IV – Level 6
Intentional assault on faculty- Level 6
*Category IV- will be reported to the police

Secondary Students
Category I- Level 1-3
Category II- Levels 2-4
Category III- Levels 3-6
Category IV- Level 6
Intentional assault on faculty- Level 6
*Category III & IV- criminal charges possible
*Category IV- will be reported to the police

Fighting:
Elementary Students
Levels 2-4

Fighting:
Secondary Students
Levels 3-6

A Parent's and Student's Guide to

Bias Behaviors

in Elementary, Middle, and High School

AKA: Prohibition Against Discrimination, Harassment, and Bullying (Board Policy # 4021)

Expected student behaviors:

- Treat others as I want to be treated
- Using a respectful, positive, and considerate tone of voice and body language when I am speaking to others
- Working with others in positive ways

What is bias behavior? What should my child do if he/she is the target of any of these behaviors?

The Code of Student Conduct defines bias-motivated behaviors as behavior offenses committed against a person or property which is motivated by the offender's bias, a negative opinion or attitude toward a group of persons based on their race, religion, disability, sexual orientation, or ethnicity/national origin.

Disability bias is defined as a bias based on physical or mental impairments/challenges, temporary or permanent congenital or hereditarily acquired, accident, injury, advanced age, or illness.

Ethnicity/National Origin Bias is defined as a bias toward a group of persons of the same race or national origin who share common or similar traits, languages, customs, and traditions.

Hate crime is defined as biased behavior that is a criminal offense. Racial bias is a bias toward a group of persons who possess common physical characteristics, i.e., the color of skin, eyes, hair, and facial features, genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.

Religious bias is defined as a bias toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or non-existence of a supreme being.

Sexual-Orientation bias is defined as a bias toward a group of persons based on their sexual attraction toward and responsiveness to members of the opposite or same sex.

**If your child is a target of any of these behaviors, encourage him/her to report it to an adult in the school. Student Services personnel, such as School Counselors, School Social Workers, and School Nurses, are available to help your child deal with these types of situations. Additionally, teachers and administrators are always available to assist your child.*

Consequences

Elementary
Levels 3-6 and reportable to police if illegal

Secondary
Levels 3-6 and reportable to police if illegal

A Parent and Student's Guide to

Bullying Behaviors

in Elementary, Middle, and High Schools

AKA Discrimination, Harassment and Bullying Complaint Procedure (Board Policy #4021)

Expected student behaviors:

- Not bullying or threatening
- Treating others like I want to be treated
- Using positive words with others (no putdowns)
- Being understanding of others' feelings

What is bullying? What is cyber-bullying?

The Code of Student Conduct defines **bullying** as repeated, willful, and deliberately direct or indirect behaviors intended to physically or psychologically intimidate or distress, with negative intent, a person in a less powerful position than the bully.

Cyberbullying is the use of information and communication technologies, such as email, cell phones, text messaging, etc., by an individual or group of individuals to bully another person.

**If your child is a target of any of these behaviors, encourage him/her to report it to an adult in the school, as these types of behaviors do not typically stop without significant intervention. Student Services personnel, such as School Counselors, School Social Workers, and School Nurses, are available to help your child deal with these types of situations. Additionally, teachers and administrators are always available to assist your child.*

Consequences

Elementary

Bullying: Levels 2–6, and are reportable to the police if violent.
Cyber-bullying (on school property only): Levels 2–6 and are reportable to police, if violent.
Hazing- Levels 1-4

Secondary

Bullying: Levels 2–6, and are reportable to the police if violent.
Cyber-bullying (on school property only): Levels 2–6 and are reportable to police, if violent.
Hazing- Levels 4-6

A Parent and Student's Guide to
Infractions Related to

Destruction of Property

in Elementary, Middle, and High School

(AKA: Damage of Property, Board Policy #4330)

Expected student behaviors:

- Taking care of things in my school and on school grounds

What is the destruction of property?

1. Expectation- A student will respect all property belonging to the school or others.

2. **Destruction of Property-** is defined as damage, destruction, or defacement of property belonging to the school or others.

* Parents will pay for damages or defacement of property belonging to the school.

Arson: A student will not intentionally damage any school building or property by starting a fire or causing an explosion. This also includes attempting to, aiding in, or unauthorized possession of a flammable liquid or materials with intent to set fire to a dumpster, trash can, locker, etc."

Extortion: A student will not take or threaten the property of others through intimidation.

Trespassing: A student will not enter any school property or school facility without proper authority (including entering any school during a period of suspension or exclusion).

Reckless Vehicle Use: A student will not operate any motorized or self-propelled vehicle on school grounds in a manner that is a threat to health, or safety, or is a disruption to the educational process. *The use of a motor vehicle in coming to school is considered a privilege that may be limited or revoked at any time by the principal of the school*.

Vandalism: A student will not willfully or maliciously damage or destroy property belonging to another, including school or private property. A student or parent(s)/guardian(s) will be held financially responsible, as allowed by North Carolina Law, for willful or malicious destruction of property. *(Time frame for restitution to be set by the principal.)*

A. Defacing Walls, Mirrors, Desks, Lockers, Computers, or Any Other School Equipment.

B. Damaging Another Person's Property: Including, but not limited to, clothing, class projects, automobiles, etc.

Graffiti: Willful or malicious defacing of public property.

Consequences

Elementary Students	**Secondary Students**
Use of Matches/Lighter	Use of Matches/Lighter
- Possession of- Levels 1-3	-Possession of- Levels 2-3
- Use of- Levels 3-4	-Use of- Levels 3-4
Arson/Fire- Levels 4-6	Arson/Fire- Levels 3-6
Destruction of property/Vandalism- Levels 3-6	Destruction of property/Vandalism- Levels 3-6
Trespassing- Levels 1-3	Trespassing- Levels 3-4

A Parent and Student's Guide to

Disrespectful Behaviors, Including Sexual Harassment

in Elementary, Middle, and High School

(Board Policy # 4315, 4021)

Expected student behaviors:

- Being understanding of others' feelings
- Treating others like I want to be treated
- Using a respectful, positive, and considerate tone of voice and body language when speaking to others

What is meant by inappropriate language, disrespect toward others, and sexual harassment, it seems like they could all mean the same thing?

Students shall not direct insulting, abusive, profane, obscene words, signs, gestures, and other acts toward other students, visitors, school employees, and other persons.

The Code of Student Conduct defines **inappropriate language** as vulgar or abusive spoken language or written language, such as cursing or swearing. It does not necessarily have to be directed at a person to be considered as such.

A student will not use profane or obscene language or make obscene gestures.

A. Swearing: Saying anything that conveys an offensive, racial, obscene, or sexually suggestive message.
B. Obscene/Offensive Gestures: Making any sign that conveys an offensive, racial, obscene, or sexually suggestive message.
C. Derogatory Written Materials: Having any written material or pictures that convey an offensive, racial, obscene, or sexually suggestive message.
D. Directed at Staff Member: Writing, saying, or making gestures that convey an offensive, racial, obscene, or sexually suggestive message toward a staff member.

Disrespect toward others is defined as inappropriate comments or physical gestures directed toward other persons.

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, academic progress or completion of a school-related activity;
2. submission to or rejection of such conduct it used in evaluating the individual's performance within a course of study or other school-related activity; or
3. such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student's educational performance; limiting a student's ability to participate in or benefit from an educational program or environment; or creating an abusive, intimidating, hostile, or offensive work or educational environment

A. Offensive Touching: Inappropriate fondling: placing of hands on another person's private parts.
B. Sexual Harassment: Verbal or physical abuse of a sexual nature.
C. Consensual Sex: Sexual activity involving willing participants.
D. Indecent Exposure: Intentional exposure of private parts of one's body (including "mooning").
E. Rape or Attempted Rape: Unlawful sexual intercourse or attempted sexual intercourse by force, threat, or fear.

Consequences

Elementary Students

Disrespect toward others- Levels 1-3
Inappropriate Language- Levels 1-3
Inappropriate Touch/Display of affection- Levels 2-6
Sexual Activity- Levels 1-4
Sexual Harassment- Levels 2-6
Pornography: possession or distribution- Levels 2-4

Secondary Students

Harassment/Intimidation- Levels 2-6
Disrespect toward others- Levels 1-3
Inappropriate Language- Levels 1-4
Inappropriate Touch/Display of Affection- Levels 2-6
Sexual Activity- Levels 3-6
Sexual Harassment- Levels 3-6
Pornography: possession or distribution- Levels 3-6

A Parent and Student's Guide to

Disruption

in Elementary, Middle, and High Schools

(AKA: Disruptive Behavior, Board Policy # 4315)

Expected student behaviors:

- Will not disrupt the class or school activity
- Practicing positive behavior choices

What is a major disruption of the school environment?

Students shall not lead, participate in, or encourage others to participate in major group disruptions, which adversely affect the educational process. Law enforcement and parents shall be notified.

Students shall not lead, participate in, or encourage others to participate in a gang or gang activity. (A "gang" is defined as a group that organizes unlawful activities or harasses or intimidates others.) Law enforcement and parents shall be notified.

Students shall not activate any fire alarm unless authorized to do so by school employees, or unless there are reasonable grounds for the student to believe an actual emergency condition exists. At no time shall a student call in or in any other manner communicate a false report concerning a bomb, other explosive devices, or any emergency situation. Law enforcement and parents shall be notified.

Students shall respect school property and the personal property of other students, school employees, and other persons. Students shall not steal, rob, attempt to burn, or convert school property and property of any other person or entity, nor cause damage to such property. Law enforcement and parents shall be notified.

A. Chronic Talking: Repeated talking in the classroom without permission.

B. Throwing Objects: Throwing any object in any part of the school, bus, or school grounds, unless directed by a staff member pursuant to instructional purposes.

C. Horse playing: Rough or noisy play or pranks.

D. Harassing/Teasing: Pestering or tormenting other students.

E. Refusing to Remain in Seat: Getting out of the seat or moving seat without the permission of a staff member.

F. Rude Noises: Making any unnecessary noise.

G. Leaving Without Permission: Leaving the classroom, building, or assigned area without obtaining the approval of the teacher and/or an administrator.

H. Chronic Lack of Supplies: Repeatedly reporting to class lacking necessary material such as books, class supplies, etc.

I. Shoving and/or Kicking: Willfully pushing and/or kicking anyone.

J. Throwing Objects at Someone: Willfully throwing anything that could serve to harass or harm another.

K. Gambling: A student will not play games of skill or chance for money or property.

Consequences

Elementary Students	**Secondary Students**
Disruption to classroom/school- Levels 1-3	Disruption to classroom/school- Levels 4-5
Demonstration and mass protest- Levels 1-3	Demonstration and mass protest- Levels 1-3
Inciting or participating in a school disturbance- Levels 1-4	Inciting or participating in a school disturbance- Levels 1-4
Gambling- Levels 1-4	Gambling- Levels 1-3
Stealing and/or theft- Levels 1-6	Stealing and/or theft- Levels 3-6
Forgery/Counterfeit Currency- Levels 2-4	Forgery/Counterfeit Currency- Levels 3-6
False Information/Accusations- Levels 1-3	False Information/Accusations- Levels 1-4

A Parent and Student's Guide to

Dressing Appropriately

in Elementary, Middle, and High Schools

(AKA: Student Dress Code, Board Policy #4316)

Expected student behaviors:

- Choosing not to wear clothing that may distract from learning and teaching
- Practicing positive behavior choices

What are the expectations about Student Dress?

The Mitchell County Board of Education believes that the dress and personal appearance of students greatly affect their academic performance and their interaction with other students. The Board requests that parents outfit their children in clothing that is conducive to learning. A student will maintain personal attire and grooming standards that promote safety, health, and acceptable standards of social conduct, and are not disruptive to the educational environment. Appearance or clothing which is disruptive, provocative, indecent, vulgar, obscene, which advertises illegal drugs or displays obnoxious or indecent signs, symbols, or drawings, or which endangers the health or safety of the student or others is prohibited by the Mitchell County Board of Education. Articles of clothing, which are offensive to race, creed, color, or sex will not be permitted.

Students are expected to dress in a manner that is neat, clean, and proper for a learning environment. Clothing styles are constantly changing; therefore, it is impossible to list all dress and grooming trends that are inappropriate for school wear. Students shall not wear clothing or hairstyles that distract other students, interfere with the classroom participation of other students, or present a health or safety hazard. If a student's dress or appearance is distractive, disruptive to the school climate, or detrimental to his health and safety, the principal may require the student and the student's parent(s), legal custodian(s), or legal guardian(s) to take appropriate action to remedy this situation. Following are examples of dresses that are considered not appropriate for school. This list is not intended to be inclusive. Schools may formulate expectations. The interpretation of inappropriate clothing rests with the local school administration. Failure to comply with dress code standards shall be handled by the local school administration, in accordance with their school rules. The principal may require a student to change his/her dress or appearance for failure to comply with the dress code.

Dress Considered Inappropriate

(This is not an all-inclusive list and pertains to the regular school environment)

1. Halter Tops
2. Tank tops and shirts altered to resemble tank tops (Unacceptable Tank Top: T-shirt with narrow straps and large arm holes). Minimum of 2" coverage on shoulders.
3 . Bare midriff tops
4. Bare-back tops
5. Shorts, skirts, and dresses should not be shorter than the length of the extended arm and fingertip length.
6. Sagging pants and/or pant legs that excessively drag the floor
7. Underwear is worn as outerwear
8. Clothing with alcohol, tobacco, or controlled substance advertisement or reference
9. Clothing displaying vulgar writing or symbols, sexual reference, or racial comments
10. Exposed undergarments
11. See-through clothing
12. Biker tights are worn as outerwear
13. No headgear, hats, hoods, or bandanas are to be worn inside a school building unless prior approval by the school administration
14. Roller shoes of any nature
15. Any hairstyle, clothing, piercings, or attire that is disruptive
16. Clothing or symbols that might be disrespectful, insulting, or promoting an organized social group

17. Leggings that are not worn under shorts or with a shirt long enough to cover the mid-thigh area all around, front to back

A student who is not in compliance with this policy or a school dress code will be held to the levels of disciplinary action as listed in the "Student Code of Conduct".

Consequences

Elementary Students	**Secondary Students**
Disruptive Clothing or Appearance- Levels 1-3	Disruptive Clothing or Appearance- Levels 1-4

A Parent and Student's Guide to

Insubordination

in Elementary, Middle, and High Schools

Expected student behaviors:

- Following school rules and school staff directions
- Listening when others are speaking to me
- Being honest, by telling the truth and admitting to things I have done

How is Insubordination Defined?

The Code of Student Conduct defines insubordination as refusing to follow a reasonable request to a specific direction/instruction of an adult through disobedience, defiance, unruliness, or noncompliance. This can include but is not limited to, walking away when an adult is speaking to you, talking back to an adult, refusing to work in class, refusing to report to the office, and refusing to allow a search.

A student will obey the lawful direction of any authorized staff member during the time the student is in school, participating in a school activity, or on school property.

A. Failure to comply with a proper and authorized direction or instruction of a staff member: Failure to follow any authorized direction given by a staff member.

B. Refusal to work in class: Failing to do assigned work during class.

C. Refusal to participate in detention In-School Alternatives: Failure to report to in-school alternatives as directed by a staff member.

D. Refusal to report to office: Failure to report to the administrative office as directed by a staff member.

E. Walk Away: Leaving while a staff member is talking to you.

F. Talking Back: Responding in a rude manner to a staff member.

Consequences

Elementary Students	**Secondary Students**
Insubordination- Levels 1-4	Insubordination- Levels 1-4
Search Individual: refusal to comply- Levels 2-4	Search Individual: refusal to comply- Levels 3-4

A Parent and Student's Guide to

Infractions Related to

Leaving or Being out of an Assigned Area

in Elementary, Middle, and High Schools

Expected student behaviors:

- Attending school regularly and being on time
- Remaining on school grounds unless I have permission to leave

What is meant by Leaving an Area, Leaving Class, and Leaving School Grounds Without Permission?

The Code of Student Conduct defines leaving an area without permission and/or leaving class or school grounds without permission as leaving an assigned area without permission from the adult in charge of leaving the classroom or school grounds during regular school hours without a parent or guardian or someone else listed on the emergency card.

Consequences

Elementary Students

Leaving an area/or leaving class and/or school grounds without permissions- Level 1-4
Food/beverage in unauthorized location – Levels- 1-2

Secondary Students

Leaving an area/or leaving class and/or school grounds without permissions- Level 2-4
Food/beverage in unauthorized location – Levels- 1-2

A Parent and Student's Guide to

Personal Property

in Elementary, Middle, and High Schools

(AKA: Use of Wireless Communication Devices, Board Policy # 4318)

Expected student behaviors:

- Choosing not to bring objects that may distract from learning and teaching
- Practicing positive behavior choices

What are the expectations about Personal Property?

Personal Property: A student will not bring or possess any object that has no educational purpose and may distract from teaching and learning.

A. Toys: Possession of any toys, games, etc., without permission of the administration.

B. Radio: Possession of radio, CD players, etc., without permission of the administration.

C. Tape Recorder: Possession of tape recorder or similar device without permission of the administration.

D. Cellular Telephone: Elementary students are not allowed possession of a telephone or similar device on school property. Secondary students are not allowed possession of a telephone or similar device from 8:00 – 3:30. Cell phones must be stored in lockers or cars.

E. Beeper, Pager, and Similar Device: Possession of these devices on school property without permission of the administration.

F. Other: Possession of any object that could disrupt the normal order of school including but is not limited to personal security alarms, look-a-like beepers, etc.

Cell Phone Policy (4318)

The board recognizes that cellular phones have become an important tool through which people communicate with their children. Therefore, students are permitted to possess cellular phones and other wireless communication devices on school property as long as such devices are not activated, used, displayed, or visible during the **instructional day in the elementary schools**, during the **instructional time at the middle and high school**, or as otherwise directed by local school rules or school personnel. Wireless communication devices include but are not limited to, cellular phones, paging devices, two-way radios, and similar devices.

A. 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.

Though generally use is permitted during non-instructional hours, 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 for the duration of such programming.

B. CONSEQUENCES FOR UNAUTHORIZED USE

School employees may immediately confiscate any wireless communication device that is 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 or guardian.
Violations of this policy will result in consequences as provided in the school's student behavior management plan (see policy 4302, School Plan for Management of Student Behavior). Aggravating factors may subject a student to more stringent disciplinary consequences, up to and including expulsion. Examples of such aggravating factors include, but are not limited to, using wireless communication devices: (1) to reproduce images of tests, to access unauthorized school information, or to assist students in any aspect of their instructional program in a manner that violates any school board policy, administrative regulation or school rule; and (2) to take illicit photographs.

Consequences with regard to cell phone use:
1st offense – cell phone confiscated for the day and picked up by the student at end of day
2nd offense – cell phone confiscated and picked up by parent
3rd offense – cell phone privileges revoked for the remainder of the year
4th offense – ISS/OSS
Additional offenses may result in OSS and further parental involvement.

C. LIABILITY
Students are personally and solely responsible for the security of their wireless communication devices. The school system is not responsible for the theft, loss or damage of a cellular phone or any other personal wireless communication device.

Consequences

Elementary Students	**Secondary Students**
Cell Phone Misuse- Levels 1-4	Cell Phone Misuse- Levels 2-4
Electric Device Misuse- Levels 1-4	Electric Device Misuse- Levels 2-4
Personal Property non-educational- Levels 1-5	Personal Property non-educational- Levels 1-4

A Parent and Student's Guide to

Serious Threat and/or Assault

in Elementary, Middle, and High Schools

(Board Policy #4331, 4333)

Expected student behaviors:

- Will not assault or seriously threaten another individual
- Practicing positive behavior choices

What is considered a serious threat and/or Assault

Serious Threat and/or Assault: A student will not assault or seriously threaten another individual. *NOTE: An assault is viewed as one person physically attacking another when there is a clear victim. The victim usually has not retaliated beyond a possible action attempting to get the assailant to stop the assault (not mutual fighting).*

Threats can be made both physically and electronically please reference NC GS 115C-407.16 for more information regarding cyber-bullying/threats

A. Against Student: Unlawful threatening or any physical force or violence, including tearing clothes, striking, or threatening to seize or strike another student either alone or in combination with another student(s).

B. Against Staff or Other Adult on School Property in an Official Capacity: Unlawful threatening or any physical force or violence to include tearing clothes, striking, or threatening to seize or strike an official adult, either alone or in combination with another student(s).

C. Bomb Threat: Any notification, false or otherwise (verbal or written), given to a school official indicating the presence of a bomb or explosive on school grounds, school bus, or at any school activity. *NOTE: A bomb threat requires the total cessation of all educational services for a period of 365 days.*

CLARIFICATION OF SERIOUS THREAT and/or ASSAULT: (Rule 27) An assault is viewed as one person physically attacking another when there is a clear victim. The victim usually has not retaliated beyond a possible action attempting to get the assailant to stop the assault (not mutual fighting). An assault is a law violation and would meet the criteria for criminal charges. The victim's parents may or may not wish to press charges.

Consequences

Elementary Students

Bomb Threat (zero tolerance)- Levels 5-6
Threatening- Levels 2-6
False Fire Alarm- Levels 2-5
Kidnapping or unjust imprisonment- Levels 2-6

Secondary Students

Bomb Threat (zero tolerance)- Levels 5-6
Threatening- Levels 2-6
False Fire Alarm- Levels 4-5
Kidnapping or unjust imprisonment- Levels 4-6

A Parent and Student's Guide to

Nicotine

in Elementary, Middle, and High School

(Board Policy # 4320)

Expected student behaviors:

- Not bringing dangerous things, such as matches, lighters, and tobacco, to school
- Practicing positive behavior choices

What are the rules about nicotine products?

The Code of Student Conduct defines nicotine products as tobacco and other tobacco products, including, but not limited to cigarettes, cigars, pipe tobacco, chewing tobacco, or smokeless tobacco, vapes, e-cigarettes, and other nicotine products. There are several offenses related to tobacco.

Possession means that the student has on his or her person, or within his or her personal property, or has under his or her control any of the substances included in this definition.

Use means that the student has consumed or used in some way the substances included in this definition.

Distribution means that a student has distributed any of the substances with or without payment.

Consequences

Elementary Students

Nicotine Product: Possession, distribution, use
First Offense: Levels 2-3
Second Offense: Levels 3-4
Third Offense: Levels 4-5

Secondary Students

Nicotine: Possession, distribution, use
First Offense: Level 3
Second Offense: Levels 3-4
Third Offense: Levels 3-6

A Parent and Students Guide to

Weapons

in Elementary, Middle, and High Schools

(AKA: Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety, Board Policy #4333)

Expected student behaviors:

- Choosing not to bring weapons to school
- Not bringing dangerous things, such as weapons, to school
- Practicing positive behavior choices

What are the rules about weapons?

The Code of Student Conduct defines **weapons** as firearms, any gun of any kind, and any implement which could cause bodily harm. **Weapons Used to Cause Bodily Harm/Injury** is defined as the use of a weapon to injure any person on school property.

Weapons and Dangerous Instruments/Objects:

A student will not possess, handle, transport, or use any weapon, dangerous object, or object that can be reasonably considered a weapon, or substance that could cause harm or irritation to another individual. (This rule does not apply to normal school supplies unless they are used as weapons).

Firearms:

A student will not possess, handle, or transport any pistol, revolver, firearm, or other weapon designed or intended to propel a missile of any kind. All items will be confiscated and will not be returned.

Reference: NC GS 115C-390.10 (365 day suspension for gun possession)

Consequences

Elementary Students

There are several categories of weapons with varying levels of consequences.

Ammunition- Levels 2-5

• Firearm (possession of) – Levels 3-6

• Knife (possession of) – Levels 2-6

• Other Weapons (possession of) – Levels 2-6

• Possession and/or use of dangerous implements – Levels 3-6

• Use of weapon to cause or attempt to cause bodily injury – Levels 4-6

Putting substances in another person's food or drink or on a person's body- Levels 3-6

Secondary Students

Ammunition Levels 3-6

Firearm (possession of) – Level 6
• Knife (possession of) – Level 3-6
• Other Weapons (possession of) – Levels 4-6
• Possession and/or use of dangerous implements – Levels 4-6
• Use of weapon to cause or attempt to cause bodily injury – Level 6
Putting substances in another person's food or drink or on a person's body- Levels 3-6

ATTENDANCE / TRUANCY

Regular school attendance is of crucial importance for educational achievement. The learning experiences that occur in the classroom are essential components of the learning process and time lost from class tends to be irretrievable in terms of opportunity for instructional interaction. Students should attend school every day, and the responsibility for regular attendance resides with the parents/guardians and the individual student. If a parent fails to assure the child's attendance at school, the parent may be prosecuted for violating the compulsory attendance law (Policy Code *#4400 - Attendance*). In order to receive the optimum educational experience, students must be in regular attendance for the entirety of the school day.

Compulsory Attendance Law Reporting

The principal shall notify parents and take all other steps required by G.S. 115C-378 for excessive absences. Students may be suspended for up to two days for truancy.

a. After a student has accumulated three unexcused absences, the principal or his/her designee shall notify the parent/guardian of the child's excessive absences. The principal will explain what is excused and unexcused absences.

b. After not more than six unexcused absences, the principal or his/her designee shall notify the parent/guardian that he/she may be in violation of the Compulsory Attendance Law and may be prosecuted if the absences cannot be justified under the established attendance policies of the state and local boards of education. Once parents are notified, the school social worker shall work with the child and his/her family to analyze the causes of the absences and determine steps to

c. After ten accumulated unexcused absences in a school year, the principal and his/her designee shall review any report or investigation prepared under G.S 115C-381 and shall confer with the student and his/her parent/guardian, if possible, to determine whether the parent/guardian has received notification pursuant to this section and made a good faith effort to comply with the law.

If the principal or his/her designee determines that the parent/guardian has not made a good faith effort to comply with the law, the principal or school social worker shall notify the district attorney and the director of social services of the county where the child resides. Documentation that demonstrates that the parent/guardian was notified and that the child has accumulated ten absences which cannot be justified under the established attendance policies of the local board shall constitute *prima facie* evidence that the child's parent/guardian is responsible for the absences. Upon receiving the notification by the principal by the principal or his/her designee, the director of social services shall determine whether to undertake an investigation under G.S. 7B-302.

If the principal or his/her designee determines that the parent/guardian has made a good faith effort to comply with the law, the principal or school social worker may file a complaint with the juvenile court counselor pursuant to Chapter 7B of the General Statutes that the child is habitually absent from school without a valid excuse.

Elementary School (Grades K-5)

As a local promotion standard, students in Mitchell County elementary schools are required to be in attendance at least 94% of the school year (that is, no more than 10 absences during a 180-day school year) in order to be promoted to the next grade. A student absent for more than ten days shall be referred to the principal/designee for possible retention. Upon the 6th absence (excused or unexcused) the principal or designee will notify the parent of the school's concern and interventions necessary for student success.

If the principal determines retention is necessary based on attendance, the parent/guardian will be notified in writing. The parent/guardian will have five days to appeal the principal's decision. Written documentation must be provided to the principal and must be based on appropriate reasons for the absences and completion of all make-up work. If summer school attendance is determined to be appropriate, a final decision regarding the promotion will be made following the summer school session.

For the purpose of promotion and retention of elementary school students, 10 tardies and/or early dismissals equal one day's absence.

Middle School (Grades 6-8)

As a local promotion standard, a middle student may not miss more than 10 days of school a year or must be present more than 94% of the days he/she is enrolled in a Mitchell County middle school. The student must make up time for each day of absence over ten days during the school year. When a student accumulates more than 5 absences, he/she

may begin to attend make-up sessions/days as designated by the school. Make-up sessions could include before and after school learning labs, workdays, and summer school.

When a student has been absent for more than 10 days and has failed to make up the time missed, he/she will be referred to the principal/designee as a candidate for retention. The principal/designee will notify the parent of the school's concern and will inform the parent of the attendance requirements in regard to the local promotion standard.

If the student has accumulated more than 10 absences and has not made up the required time by the end of the last grading period, he/she will be retained in the current grade. The decision to retain may be re-evaluated before the beginning of the fall term, based on the student's participation in opportunities for make-up time, such as summer school. If the student has fulfilled the make-up requirement, the decision may be made to promote him/her to the next grade level.

For the purpose of promotion and retention of middle school students, 5 tardies and/or early dismissals equal one day's absence.

Parents/Guardians who feel that extenuating circumstances have resulted in their child missing more than 10 days, may request an attendance waiver through the school attendance committee. Waiver requests must be submitted within 5 days of return to school or no later than the current 9 weeks. The committee will review the waiver requests and determine if the student must make up the missed days.

High School (Grades 9-12)

Students absent from school and or individual classes more than three (3) times during any nine-week period or more than 6 per semester (whether excused or unexcused) will receive a "55" for the specific nine-week period. For the "55" (failure due to attendance) to be removed, time and work must be made up by the time specified by the principal.

High school students must make up class time on an hour-for-hour basis. It is important for students to begin making up time immediately after each absence. Make-up classes are organized by the principal and may be offered before school, after school, or on Saturday morning. The school system may provide additional make-up opportunities during the extended days and/or a summer program. Make-up classes will be designed specific to student needs and/or compensate for time missed due to absences.

Parents/Guardians who feel that extenuating circumstances have resulted in their child missing more than 10 days, may request an attendance waiver through the school attendance committee. Waiver requests must be submitted within 5 days of return to school or no later than the current 9 weeks. The committee will review the waiver request and determine if the student must make up the missed days.

The *total* number of absences for a semester cannot exceed six (6) excused or unexcused. If a student is absent from school and/or individual classes more than six times, he/she will not receive credit for the course(s) unless make-up classes are completed or the school attendance committee grants a waiver.

MAKE-UP WORK OPPORTUNITIES

All students are required to make up missed work regardless of whether the absence is excused or unexcused or short-term out-of-school suspensions. (See also policy 4351 Short-Term Suspension). The school will determine when work is to be made up. The student is responsible for finding out what assignments are due and complete them within the specified time period. The principal will implement specific procedures for students to make up work.

OTHER

Occasionally unique or unusual situations arise which are not specifically addressed by this policy. Principals shall consult with the superintendent to develop appropriate alternatives on a case-by-case basis.

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

ATTENDANCE REQUIREMENTS FOR CREDIT AND PROMOTION

- A high school student on the block schedule must be in attendance for a minimum of 120 hours per class to obtain credit in each course.
- A high school student on the traditional schedule must be in attendance for a minimum of 120 hours per class to obtain credit in each course.
- A middle school student must be in attendance for a minimum of 960 hours to be considered for promotion to the next grade.

- An elementary school student must be in attendance for a minimum of 960 hours to be considered for promotion to the next grade.
- Excessive absences can result in high school course failure or non-promotion in grades K-8.
- Educational opportunities will be available for students who need to make up days because of excessive absences. You should contact your school for information on the makeup sessions.

REASSIGNMENT INFORMATION

Individuals who wish to transfer to another school within the county must follow the reassignment process outlined below. While it is our desire to accommodate as many requests as possible, we must be cautious not to exceed the space available at each grade level (Policy Code *#4400 Attendance*).

- Applications – All Mitchell County Schools will have applications available. The application will also be available on the website, www.mcsnc.org, and at the Central Office.
- Submission of application – Mail or hand deliver the completed application, attention principal, to the school requested.
- Timeline – Applications only need to be completed when students are switching schools. An example would be a student moving from an elementary school to a middle school.
- Eligibility – Eligibility means that a student must be in good standing with their previous school, with records of good attendance and good behavior. Both principals must sign the application and then the Mitchell County School Board must approve.
- Athletic eligibility – A student transferred from one high school to another forfeits, for one year, varsity athletic eligibility in any sport in which the student was on the varsity eligibility roster at their former high school during the immediately preceding year to the transfer approval.
- Transportation – The parent/legal guardian custodian shall be responsible for transportation of the student for any approved reassignment request.

DRESS CODE

Students are expected to dress in a manner that is neat, clean, and proper for a learning environment. Clothing styles are constantly changing; therefore, it is impossible to list all dress and grooming trends that are inappropriate for school wear. Students shall not wear clothing or hairstyles that distract other students, interfere with the classroom participation of other students, or present a health or safety hazard. If a student's dress or appearance is distractive, disruptive to the school climate, or detrimental to his/her health and safety, the principal may require the student and the student's parent(s), legal custodian(s), or legal guardian(s) to take appropriate action to remedy this situation. Following are examples of dress that are considered not appropriate for school. This list is not intended to be inclusive. Schools may formulate expectations. The interpretation of inappropriate clothing rests with the local school administration. Failure to comply with dress code standards shall be handled by the local school administration, in accordance with their school rules. The principal may require a student to change his/her dress or appearance for failure to comply with the dress code.

Dress Considered Inappropriate

(This is not an all-inclusive list and pertains to the regular school environment)

1. Halter Tops
2. Tank tops and shirts altered to resemble tank tops (Unacceptable Tank Top: T shirt with narrow straps and large arm holes). Minimum of 2" coverage on shoulders.
3 .Bare midriff tops
4. Bare-back tops
5. Shorts, skirts, and dresses should not be shorter than length of extended arm and fingertip length.
6. Sagging pants and/or pant legs that excessively drag the floor
7. Underwear worn as outerwear
8. Clothing with alcohol, tobacco, or controlled substance advertisement or reference
9. Clothing displaying vulgar writing or symbols, sexual reference, or racial comments
10. Exposed undergarments
11. See-through clothing
12. Biker tights worn as outerwear

13. No headgear, hats, hoods, or bandanas to be worn inside a school building unless prior approval by the school administration
14. Roller shoes of any nature
15. Any hairstyle, clothing, piercings, or attire that is disruptive
16. Clothing or symbols that might be disrespectful, insulting, or promoting an organized social group
17. Leggings that are not worn under shorts or with a shirt long enough to cover mid-thigh area all around, front to back

A student who is not in compliance with this policy or a school dress code will be held to the levels of disciplinary action as listed in the "Student Code of Conduct".

CHEATING
No student shall use unfair or dishonest methods to gain advantages in any test, class work, or project. This includes plagiarism, which is the act of stealing and passing off as one's own, the ideas or words of another. Reduction in grade will be imposed for cheating, plagiarism, or similar offenses. Academic honors are a privilege.

- First Offense – Teacher contacts parent, conference with the teacher, an administrator and the student. A zero for the grade, loss of academic recognition for the course, loss of academic honors recognition for two consecutive semesters. Up to two (2) days of ISS.
- Second Offense – Teacher contacts parent, conference with the teacher, an administrator and the student. A zero for the grade. Loss of academic recognition for the course, loss of academic honors recognition for four consecutive semesters. Up to three (3) days of ISS.
- Third Offense – Conference with the parent, teacher, an administrator and the student. A zero for the grade. Loss of academic recognition for the course, loss of academic honors recognition for the remainder of the student's high school career. Up to three (3) days of ISS
- Offenses are cumulative through high school career.

USE OF TOBACCO PRODUCTS
A student shall not be permitted to smoke, possess, or use tobacco or tobacco products, E-cigarettes, or vapes on the school grounds or in any facility. Mitchell County Public Schools and grounds are "tobacco free" (Policy Code #4320 – *Tobacco Products – Students*).

Board Policy 4318: Wireless Communication and Electronic Devices
The board recognizes that cellular phones have become an important tool through which people communicate with their children. Therefore, students are permitted to possess cellular phones and other wireless communication devices on school property as long as such devices are not activated, used, displayed or visible during the **instructional day in the elementary schools**, during **instructional time at the middle and high school**, or as otherwise directed by local school rules or school personnel. Wireless communication devices include, but are not limited to, cellular phones, paging devices, two-way radios, smart watches and similar devices.

It is unlawful to intentionally point a laser device at the head or face of another person. Students may not possess and/or use in school or on school property any laser pointer or similar device. Devices could be confiscated if found out or in use, including text messaging or taking pictures, during the instructional day. Disciplinary action in this area shall be handled by the local school administration, in accordance with their school rules (Policy Code #3320 – *Technology in the Education Program*). Any violation of this Policy shall be a violation of the Student Conduct/Discipline Code and/or Student Conduct on School Buses Code.

CELL PHONES AND WIRELESS COMMUNICATION (G.S. 115C-391 and G.S. 115C-36)
The Board of Education regards the possession of a wireless communication and/or electronic device as a privilege. The use of these devices can also be a disruption to the instructional process and create a safety hazard.

Students and parents assume the risk of loss when an electronic device is brought onto school grounds for any reason. The school system is not responsible for the loss of, theft of or damage to any wireless communication and/or electronic device, including any such device confiscated by school personnel. Nothing in this policy shall prevent a principal from immediately banning from school the possession of any item or device when used in the violation of a specific provision of the code of student conduct for which a more stringent punishment is warranted.

No elementary student shall have in use or view during the school day any wireless communication and/or electronic device, including but not limited to cell phones, laser pointers, paging devices, two-way radios, iPods, any device possessing photographic capabilities, CD/MP3 players, electronic games, PDA, Bluetooth device, or other communication and/or electronic devices not specified capable of the same or similar functions. All devices shall be stored in such a manner as to make them inaccessible during the instructional day.

Except as provided below, no high school (9^{th}-12^{th} grade) or middle school student (6^{th}-8^{th} grade) shall use or have in view during the instructional time any wireless communication and/or electronic device, including but not limited to cell phones, laser pointers, paging devices, two-way radios, iPods, any device possessing photographic capabilities, CD/MP3 players, electronic games, PDA, Bluetooth device, or other communication and/or electronic devices not specified capable of the same or similar functions. All devices shall be stored in such a manner as to make them inaccessible during the instructional time.

Each principal will adopt rules on the possession and use of wireless communication and/or electronic devices on regular school bus routes. The use of such devices on activity buses is at the discretion of the sponsor/coach in charge of the activity bus.

With prior approval from the principal, elementary, middle, and high school teachers may use and/or lead students in the use of electronic and wireless devices as an instructional tool during the instructional day. Any electronic communications between staff and students should be school related.
School administrators have the right to conduct searches of students upon reasonable suspicion to ensure the enforcement of this Policy. Any school staff member witnessing a violation of this Policy at his/her school shall report it to a school administrator immediately.

An “offense” shall occur each time this Policy is violated regardless of the specific device or devices involved. However, the possession of multiple devices at one time shall be regarded as one offense.

- First offense – return device to the student at the end of the school day
- Second offense – return device to the parent at the end of the school day
- Third offense – return the device after 10 days
- Fourth offense – return the device after 45 days

Violation of North Carolina General Statutes
In cases in which these behaviors are violations of North Carolina General Statutes, involvement of law enforcement officers will be required.

General Statute 115C-288, requires certain acts to be reported by the principal to law enforcement. Those acts are: 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. In addition to those that are specifically spelled out in North Carolina General Statutes all larcenies, extortion as well as extortion attempts, robbery (armed or common law), hate crimes, stalking, possession of any explosive or incendiary device or arson/attempted arson should be immediately reported to law enforcement officials. The superintendent’s office shall be notified.

General Statute 20-11 requires a student’s driver’s permit or license to be suspended one year if a student is given an expulsion/suspension for more than ten (10) consecutive days or an assignment to an alternative educational setting for more than ten (10) days for one of the following reasons:

1. **The possession or sale of an alcoholic beverage or an illegal controlled substance on school property.**

2. **The possession or use on school property of a weapon or firearm that resulted in disciplinary action under G.S. 115C-391(d1) or that could have resulted in that disciplinary action if the conduct had occurred in a public school.**

3. **The physical assault on a teacher or other school personnel on school property.**

TRESPASSING
No student shall be on campus of any school except the one to which the student is assigned during the school day without the prior 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 the proper supervision are trespassers and may be prosecuted if they do not leave when instructed to do so. A student under suspension from school is trespassing if he/she appears on the property of any school during the suspension period without the express permission of the principal (Policy Code #4330 – *Theft, Trespass and Damage to Property*).

Students shall not willfully enter or remain in any school structure, conveyance or property without having been authorized or invited, nor refuse to depart after being directed to leave by authorized personnel. Law enforcement may be notified based on the severity of the act.

MAKING AN/OR POSSESSING EXPLOSIVE OR INCENDIARY DEVICES
Students shall not make or possess firecrackers or pyrotechnic, explosive, incendiary, or smoke-creating devices. Law enforcement and parents shall be notified.

EXPLODING FIRECRACKERS OR IGNITING SIMILAR DEVICES
Students shall not explode firecrackers or ignite pyrotechnic, explosive, incendiary, or other smoke-creating devices. Law enforcement and parents shall be notified.

POSSESSION OR USE OF MARIJUANA, NARCOTICS, STIMULANTS, DEPRESSANTS, ALCOHOLIC BEVERAGES, AND ANY OTHER UNAUTHORIZED OR ILLEGAL SUBSTANCE OR DRUG PARAPHERNALIA, AND COUNTERFEIT FORM OF SAID SUBSTANCE
Students shall not possess or use marijuana, narcotics, stimulants, depressants, counterfeit form of an illegal substance, alcoholic beverages or any other unauthorized or illegal substance or drug paraphernalia. Law enforcement and parents shall be notified (Policy Code #4325 – *Narcotics, Alcoholic Beverages and Stimulant Drugs*). E-Cigarettes and Vapes may be considered as drug paraphernalia.

SALE, DELIVERY, ENDORSEMENT OR DISTRIBUTION OF MARIJUANA, NARCOTICS, STIMULANTS, DEPRESSANTS, ALCOHOLIC BEVERAGES, AND ANY OTHER UNAUTHORIZED OR ILLEGAL SUBSTANCE, DRUG PARAPHERNALIA OR COUNTERFEIT FORM OF SAID SUBSTANCES Students shall refrain from the purchase, possession, distribution or use of any banned or controlled substance including but not limited to: marijuana, narcotics, stimulants, depressants, counterfeit form of an illegal substance, alcoholic beverages or any other unauthorized or illegal substance or drug paraphernalia. Only an individual's prescribed medication administered in a manner consistent with school policy shall be excepted from this policy. Violation of this policy will result in the notification of parents and/or law enforcement (Policy Code #4325 – *Narcotics, Alcoholic Beverages and Stimulant Drugs*).

APPROVED MEDICATION
Students who are on an approved medication must turn in medication to an appropriate school official upon arrival at school. Possession and/or distribution of either prescribed or over-the-counter drugs are considered a violation of the *Student Code of Conduct* and will be handled as set forth in section 17 or 18.

MEDICATION POLICY SUMMARY (Policy Code #6125 – *Administering Medicine to Students*)
This is a brief summary and explanation of Mitchell County Schools' policy with regard to medication. All medication that can be given outside school hours without adversely affecting the health of the student should not be given at school. When it becomes necessary to give medication at school, the following requirements apply:

- Medication must be in the original container or pharmacy bottle and clearly labeled with the student's name, the name of the medicine and how the medicine is to be given.
- Medication can be given only after the parent has signed a permission form.
- All medication that is to be given long-term (more than 14 days) must have authorization from the student's health care provider. This includes over-the-counter and self-administered medication.
- Self-administered medication requires a form signed by the student, parent, principal and school nurse.
- Parents should deliver medication to school rather than have the child carry it to school. Parents should also pick up any remaining medication. All medication will be discarded within seven (7) days after last administration and at the end of the school year. Alternative arrangements can be made on an individual basis if the principal deems undue hardship for the parent (guardian).

Your help by following these requirements is greatly appreciated as we strive to meet your child's health needs while also meeting his/her educational needs.

MAJOR DISRUPTION OF THE SCHOOL ENVIRONMENT (INCITING OR PARTICIPATING IN A STUDENT DISORDER i.e. riots, walk outs, sit-ins, assaults, etc.)
Students shall not lead, participate in, or encourage others to participate in major group disruptions, which adversely affect the educational process. Law enforcement and parents shall be notified.

PARTICIPATION IN A GANG OR GANG ACTIVITY THAT DISRUPTS THE NORMAL SCHOOL ENVIRONMENT
Students shall not lead, participate in, or encourage others to participate in a gang or gang activity. (A "gang" is defined as a group who organizes for unlawful activities or to harass or intimidate others). Law enforcement and parents shall be notified.

BOMB THREAT
(THE BOARD OF EDUCATION SHALL SUSPEND FOR 365 CALENDAR DAYS ANY STUDENT WHO, BY ANY MEANS OF COMMUNICATION TO ANY PERSON OR GROUP OF PERSONS, MAKES A REPORT, KNOWING OR HAVING REASON TO KNOW THE REPORT IS FALSE, THAT THERE IS LOCATED ON EDUCATIONAL PROPERTY OR AT A SCHOOL SPONSORED ACTIVITY OFF EDUCATIONAL PROPERTY ANY DEVICE DESIGNED TO DESTROY OR DAMAGE PROPERTY BY EXPLOSION, BLASTING, OR BURNING, OR WHO, WITH INTENT TO PERPETRATE A HOAX, CONCEALS, PLACES, OR DISPLAYS ANY DEVICE, MACHINE, INSTRUMENT, OR ARTIFACT ON EDUCATIONAL PROPERTY OR AT A SCHOOL-RELATED ACTIVITY ON OR 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 (G.S. 115C-391). ALSO, THE COURTS MUST REVOKE THE PERMIT OR LICENSE OF A PERSON UNDER THE AGE OF 18 PER G.S. 20-13.2. PARENTS CAN ALSO BE HELD RESPONSIBLE FOR ACTUAL COMPENSATORY AND CONSEQUENTIAL DAMAGES RESULTING FROM THE DISRUPTION OR DISMISSAL OF SCHOOL OR THE SCHOOL-SPONSORED ACTIVITY.)

FIGHTING AMONG STUDENTS
Students shall not fight or attempt to cause bodily harm to another student. If a student is a victim of a student, unprovoked attack or fight, he/she may defend himself/herself long enough to disengage from fighting to report it to an appropriate school official. **Students who instigate fights will be subject to the same consequences as those who are actually involved in fighting.** Parents shall be notified.

EXTORTION
Students shall not obtain through verbal or physical threats, coercion, or intimidation anything of value (personal property, money or information) from any other student or school employee. Law enforcement and parents shall be notified).

THEFT, ROBBERY, BURGLARY OR DAMAGE TO SCHOOL OR PERSONAL PRIVATE PROPERTY OR POSSESSION OF STOLEN PROPERTY
Students shall respect school property and the personal property of other students, school employees, and other persons. Students shall not steal, rob, attempt to burn or convert school property and property of any other person or entity, nor cause damage to such property. Law enforcement and parents shall be notified.

VERBAL OR PHYSICAL ASSAULT (INCLUDING THREATS) OR PHYSICAL INJURY TO SCHOOL PERSONNEL (THIS INCLUDES INJURY TO REAL OR PERSONAL PROPERTY)
Students shall not cause, attempt to cause or verbally (written or oral) threaten to cause damage to property, physical or bodily injury to principals, assistant principals, teachers, substitute teachers, teacher aides, student teachers and other school personnel or visitors. Law enforcement should be notified if there is a serious injury or at the discretion of the principal. Parents should be notified. (G.S. 115C-391 states: A local board of education shall remove to an alternative educational setting any student who is at least 13 who physically assaults and seriously injures a teacher or other school personnel. If no appropriate alternative educational setting is available, then the board shall suspend for no less than 300 days but no more than 365 days any student who is at least 13 and who physically assaults and seriously injures a teacher or other school personnel.

SCHOOL PERSONNEL MAY USE REASONABLE FORCE (G.S. & 115C-390)
Except as restricted or prohibited by rules adopted by the local board of education, principals, teachers, substitute teachers, voluntary teachers, teacher assistants, and student teachers in the public schools of this state may use reasonable force in the exercise of lawful authority to restrain or correct pupils and maintain order.

PERSISTENTLY DANGEROUS SCHOOLS

Any student in the Mitchell County Schools who is a victim of a violent criminal offense committed on the grounds of any of our schools shall be allowed to transfer to another school in the Mitchell County Public Schools if there is room at the requested school. Any student requesting a transfer under these conditions must request it in writing to the Superintendent or his designee of the Mitchell County Schools and formally state the reason for the transfer and shall supply documented evidence of the offense that occurred. The Superintendent shall, within five days, make a decision on the transfer. The Mitchell County Schools will report any such student transfer to the State Board of Education in the annual report on school violence.

VERBAL OR PHYSICAL ASSAULT OR PHYSICAL INJURY TO STUDENTS

Students shall not cause, attempt to cause or verbally (written or oral) threaten to cause damage to property, physical or bodily injury to another student. Law enforcement shall be notified if there is a serious injury or at the discretion of the principal. Parents should be notified.

HAZING

Students shall not commit any acts of hazing. Hazing is defined as follows: "To subject another student to physical injury as part of an initiation, or a prerequisite to membership, into any organized school group, including any society, athletic team, fraternity or sorority, or similar group." Any student who aids or abets hazing shall be disciplined as well. Law enforcement and parents shall be notified. Conviction in criminal courts results in automatic expulsion (Policy Code #1735/4026/7236 – *Sexual Harassment Defined*).

HAZING, HARASSMENT, BULLYING and CYBER-BULLYING

The Mitchell County Board of Education believes that <u>all</u> students and employees should be free of unlawful discrimination, harassment, hazing, bullying and cyber-bullying as a part of a safe, orderly, caring, and inviting working and learning environment. The Board commits itself to nondiscrimination in all its educational and employment activities. The Board expressly prohibits unlawful discrimination, harassment, hazing, or bullying, including on the basis of race, color, national origin, sex, pregnancy, religion, age, or disability. The Board also prohibits retaliation against a student or an employee who has exercised any rights made available through state or federal law, including prohibiting retaliation for reporting violations of (Policy Code #1745/4027 - *Sexual Harassment Complaint Procedure for Students)*. Any violation of Policy #4021 is considered serious and appropriate action will be taken in response. North Carolina law makes hazing illegal for any student. Incidents of hazing, harassment, or bullying could lead to short-term suspension, long-term suspension, or even expulsion, depending on the seriousness of the act. (Policy Code #1710/4021/7230 – *Prohibition Against Discrimination and Harassment*).

WEAPONS AND/OR OTHER DANGEROUS INSTRUMENTS

Students shall not possess or conceal any weapon as defined by NC General Statute 14.269.2, or any other instrument that could cause bodily harm or be used to threaten bodily harm. Law enforcement and parents shall be notified.

POSSESSION OF A FIREARM(S)

Students shall not bring to school or possess or conceal any firearm or weapon – "any gun, rifle, pistol, or other firearm of any kind, or any dynamite cartridge bomb, grenade, mine or explosive" on any property owned by the Mitchell County Schools (NC General Statute 14-269.2). Law enforcement and parents shall be notified.

A. If a student brings a weapon to school, confiscate firearm or weapon. Out-of-school suspension for a minimum of 365 days (a calendar year) pursuant to GS 115C-391(d)(1), when authorized by the local board of upon recommendation by the superintendent.
B. If a student possesses a weapon at school; confiscate firearm or weapon. Out-of-school suspension for the remainder of the school year or expulsion for the student who possesses a firearm on any property owned by the Mitchell County Schools.

NORTH CAROLINA STORAGE LAW

Applies to homes in which children reside. If a person who resides in the same premises as a minor leaves a firearm in a manner in which the person knew or should have known that a minor would be able to gain access, it is a class "1" misdemeanor if a minor gains access and does one of the following: *•Possesses it on school property •Exhibits it in public in a careless or angry manner •Uses it to cause personal injury or death, not in self defense, or •Uses it in the commission of a crime.*

SEXUAL ASSAULT, SEXUAL OFFENSE, ETC.
Students shall not commit any sexual offense as defined by the North Carolina General Statutes. (NC General Statutes 14-27.4 and 14-27.5) Law enforcement and parents shall be notified.

INAPPROPRIATE USE OF COMPUTER/INTERNET/EMAIL/NETWORK
Students shall not violate the Mitchell County Schools Acceptable Use Policy (Policy Code #3225/7320 – *Internet Use Agreement*).

OTHER NORTH CAROLINA CRIMINAL STATUTES AND LOCAL ORDINANCES NOT PREVIOUSLY COVERED
Students shall not violate any North Carolina Criminal Statutes or local ordinances not previously covered. A student convicted of a felony or serious misdemeanor may be recommended for expulsion from the Mitchell County Schools (Any plea of nolo contendere or the entry of a "prayer for judgment" shall be deemed as a conviction for the purposes of this policy). Law enforcement officials shall be notified.

CONCERNS OR COMPLAINTS
While it is our goal that each classroom and school campus runs smoothly, it is inevitable that conflicts will arise in the classroom or on the campus. Complaints and grievances are best handled and resolved as close to their origin as possible. We strongly encourage you to speak with your child's teacher or the school principal when an issue arises. The principal is responsible for the operation and supervision of their school. With appropriate cooperation, they will do their best to resolve the issue (Policy Code #4010 - *Grievance Procedure*).

APPENDICES

A. Definition of Terms

1. In-School Suspension (ISS): Usually short-term (1-10 days), but can be longer for special circumstances.

During an in-school suspension, the student will work on his regular school assignments, will be counted in attendance, and will receive his earned grades.

- The decision of the principal is final in terms of ISS suspension.
- Board policy and North Carolina Law do not allow for any appeal of in-school suspensions.
- Time spent in ISS applies only to days school is in session for students. Teacher workdays, weekends, holidays, and school days missed due to inclement weather do not count toward the completion of an ISS.

2. Short-Term Out-of-School Suspension (OSS): Lasts from 1-10 days

The principal shall send a written notification to the parents or guardians informing them of their child's suspension. Short-term out-of-school suspensions for students in grades 6-12 could be served in the Mitchell County Alternative School that is located at the Mitchell County Board of Education. While in attendance at Mitchell County Alternative School, which is located on the Mitchell High School Campus, the student will be counted in attendance, work assignments will be provided, and the student will receive his earned grades.

Following any short-term out-of-school suspension, students shall have the opportunity to take any quarterly, semester, or grading period examinations missed during the suspension. Students shall also have the opportunity to: 1) take their textbooks home for the duration of the suspension; and 2) have access to homework assignments.

- The decision of the principal is final in terms of short-term OSS suspension.
- Board policy and North Carolina Law do not allow for appeal of any short-term (1-10 day) out-of-school suspensions.
- Opportunities may be provided for partial academic credit at the Mitchell County Schools Graduation Center.
- Time spent in OSS or the Alternative School applies only to days school is in session for students. Teacher workdays, weekends, holidays, and school days missed due to inclement weather do not count toward the completion of an OSS or Alternative School assignment.
- Students assigned to OSS or Alternative School are not permitted to participate in or be in attendance at any extracurricular activities during the assigned time. The suspension does not end until midnight of the last day assigned.

3. Long-Term Out-of-School Suspension: Lasts from 11 to remainder of the school year

Following any long-term out-of-school suspension, students shall have the opportunity to take any quarterly, semester, or grading period examinations missed during the suspension. However, announced tests, "pop" tests, and daily grades missed during the suspension are not subject to the required "makeup" opportunities, and zero grades

will be earned.

- The decision for the implementation of a principal recommended long-term suspension rests with the Superintendent.
- Any student receiving a long-term out-of-school suspension shall not return to campus and shall not be on any other property of Mitchell County School System, nor shall he attend any athletic contests or any extracurricular student activities during the suspension period.
- Time spent in OSS applies only to days when school is in session for students.
- Teacher workdays, weekends, holidays, and school days missed due to inclement weather do not count toward the completion of an OSS assignment.

4. Expulsion: The Permanent and Indefinite Exclusion of a Student from School

The decision for the implementation of a principal recommended expulsion rests with the Superintendent and the Board.

An expulsion is the permanent removal of a student from school. The expelled student shall be permanently prohibited from returning to the school system unless the School Board reverses its decision. A student may not apply for readmission until six (6) months have passed. The student may then apply on the following July 1.

A student may be expelled only if:

- the student is at least 14 years of age; and
- the continued presence of the student in school constitutes a clear threat to the safety an
- health of other students or school employees; or
- the student is found guilty of a Felony in North Carolina or any other state.

5. Alternative to Suspension

Students who misbehave may be given the opportunity to take responsibility for the behavior, and to restore damaged relationships and material losses through a variety of agreed upon strategies.

B. Due Process Procedures for Long-Term Suspension and/or Expulsion

The school administrator shall conduct an investigation of the reported incident. The student shall be informed of the charges and of the administrator's decision to issue a ten (10) day Out-of-School Suspension.

Parent(s), legal guardian(s), or legal custodian(s) shall be notified immediately in writing, of the suspension and the additional recommendation of a long-term suspension (remainder of semester/year) to the Superintendent. Information specifying the appeal process shall be included in this correspondence.

The school administrator shall: 1) notify the Superintendent in writing of the recommendation of long term suspension; 2) include a copy of correspondence mailed to the student's parent(s), legal guardian(s), or legal custodian(s); and 3) shall schedule a hearing, at which the administrator's decision may be appealed. The appeal process is required.

A five member Appeal Hearing Committee shall be appointed. The school administrator shall appoint three (3) staff members, one whom will be the committee chair. The student shall choose two (2) additional committee members. If the student refuses to choose any committee members, the school administrator shall choose all five.

The school administrator shall notify the student's parent(s), legal guardian(s), or legal custodian(s) in writing, by letter, of the scheduled time, date, and location of the hearing. The scheduled time shall not exceed ten (10) school days from the date of the first day of the suspension, unless mutually agreed upon by both parties. In addition, notice will advise the student of his rights during the hearing:

a. right to legal advisor at his own expense;
b. right to have and to question witnesses;
c. right to make a statement in his own behalf;
d. right to review any documents being used as part of the hearing; and,
e. right to present evidence on his or her behalf.

The Appeal Committee Chairperson shall convene and conduct the hearing, which shall be recorded by audiotape. The hearing shall be closed to the public. At the conclusion of the hearing, the Committee shall consider all evidence presented and formulate a recommendation, which shall be submitted in writing within 24 hours to the Superintendent. The recommendation may be to uphold or deny the administrator's recommendation.

The Superintendent shall review the committee's report and findings and render a decision communicated in writing, by letter, to the student's parent(s), legal guardian(s), or legal custodian(s) within three (3) school days of receiving the Committee's recommendation.

For long-term suspension, the parents or guardians must request an appeal to the Board of Education, in writing, within

three (3) days of receipt of the Superintendent's decision. For expulsion, the parents or guardians must request a hearing before the Board of Education, in writing, within five (5) days of receipt of the Superintendent's recommendation. If the parents, legal guardians, or legal custodians wish to appeal the Superintendent's decision, they may do so in writing to the Chairperson of the Mitchell County Board of Education. The completed record will be certified to the Mitchell County Board of Education by the Hearing Committee Chairperson. The Board shall consider the matter in closed session at a special called meeting, or at its regularly scheduled meeting, at the discretion of the Board Chair.

The Board shall review the Superintendent's recommendations and the record of the hearing. The student and the parent(s), legal guardian(s), or legal custodian(s) may present a written statement and may be allowed ten (10) minutes to make oral comments to the Board. The Mitchell County Board of Education shall render a written decision by mail within a reasonable period of time. The decision of the Board is final.

C. Disciplinary Suspension of Students with Disabilities

In most circumstances, when a student with disabilities violates a code of student conduct that warrants suspension from school for ten (10) school days or less in a given school year, the school may follow its normal disciplinary procedures. School personnel may consider any unique circumstances on a case-by-case basis when determining whether suspension is appropriate. Circumstances considered should include area of disability, functioning level of the student, intent of the behavior, and other relevant factors.

After a student with a disability has been removed from his or her current placement for ten (10) school days in the same school year, during any subsequent days of removal, the school must provide services to the extent required by N.C. Policies.

In-School-Suspension (ISS) and assignment to Mitchell County Alternative School do not count in the ten (10) days total as long as the student receives his or her special education and related services, as set forth in the child's IEP.

Suspension from bus transportation is counted as any other suspension if the bus suspension results in the student not being able to get to school by other means. Any determination suspending a student from transportation that receives transportation as a related service under the student's IEP can only be made by the student's IEP team.

Suspensions Greater Than Ten (10) Cumulative School Days

If the current removal is for not more than ten (10) consecutive school days, and is not determined to be a pattern of removals that constitutes a change in placement, school personnel, in consultation with at least one of the student's teachers, may determine the extent to which services are needed to enable the student to continue to participate in the general curriculum, although in another setting, and to progress toward meeting the goals of the IEP.

Suspensions Greater Than Ten (10) Consecutive School Days

Within ten (10) school days of any decision to change the placement of a student with a disability because of a violation of a code of conduct, the IEP team must review all relevant information in the student's file, including the student's IEP to determine (1) if the conduct in question was caused by, or had a direct and substantial relationship to the student's disability (a manifestation of the disability) or (2) the conduct in question was the direct result of a failure to implement the IEP.

If the behavior that gave rise to the violation of the school code is determined <u>not</u> to be a manifestation of the student's disability, school personnel may apply the relevant disciplinary procedures in the same manner and for the same duration as the procedures would be applied to students without disabilities. The student must continue to receive educational services and receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation to prevent recurrence.

If the behavior in question was determined to be a manifestation of the student's disability, the IEP Team must conduct or review a functional behavior assessment and implement or continue a behavioral intervention plan. The student must return to the placement from which the student was removed, unless the parent and the LEA, through the IEP process, agree to a change of placement.

Special Circumstances

School personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability, if the violation of the school code involved possession of a weapon; possession, including use or sales, of an illegal drug; or serious bodily injury. Upon the end of the removal, the student shall be returned to the placement from which he or she was removed, unless the parent and the LEA, through the IEP process, agree to a change of placement.

Searches of Students, Students' Possessions and Lockers

Students do not give up their constitutional rights when they come to school or attend school events. The Supreme Court of the United States has established a standard whereby students may be searched. The Mitchell County School System will comply with that standard in all student searches. Students may be searched when a "reasonable suspicion" has been established that the student may have illegal items secreted on their person, in their personal car, or in other personal possessions. Other searches may occur, which include but are not limited to, metal detectors and drug detecting canines. Student lockers are the property of the Mitchell County School System and are subject to routine inspection without student permission. Students do not have an expectation of privacy in a locker issued to them by the school. Searches may be conducted by school administrators in accordance with Board of Education Policy (Policy Code #4340 and #4342 – *School Level Investigations)*.

Lose Control, Lose Your License Legislation

Effective July 1, 2000, students given an expulsion/suspension for more than 10 consecutive days for one of the three reasons listed below are subject to having their permit/license suspended for up to one calendar year. 1) The possession or sale of an alcoholic beverage or an illegal controlled substance on school property. 2) The possession or use on school property of a weapon or firearm that resulted in disciplinary action under G.S. § 115C-391(d1) or that could have resulted in that disciplinary action if the conduct had occurred in a public school. 3) The physical assault on a teacher or other personnel on school property. Students who are at least 14 years old or who are rising 8th graders are subject to this law. This law applies to all students, even to those exempted under Dropout Prevention/Driver's License Legislation. Unlike the Dropout Prevention/Driver's License Legislation law that ends when a student turns 18 years old, the "Lose Control" law does not stop at age 18 nor does it stop when the student graduates. Students who may lose their permit/license under this legislation may be eligible to regain the permit/license after a six-month period by displaying exemplary behavior in an alternative educational setting or having successfully completed a school district approved drug or alcohol treatment counseling program.

Non-Discrimination Statement

It is the policy of the Mitchell County Public School System not to discriminate on the basis of race, ethnic origin, sex, or disability in its educational programs, activities, or employment policies as required by Title IX of the 1972 Education Amendments, Section 504 of the Rehabilitation Act of 1973, and Title II of the 1990 Americans with Disabilities Act (ADA).

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