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Descriptor Term:  
**CODE OF STUDENT CONDUCT  
& OPTIONS FOR EFFECTIVE DISCIPLINE AND CONTROL**

Descriptor Code:  
**4.3600**

Legal References: Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d-2000d7; Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. § 1681; Gun-Free Schools Act of 1994, 20 U.S.C. § 8921; Equal Employment Opportunity Commission's "Final Amendment Guidelines on Discrimination Because of Sex"; G.S. 14-33, -35, -36, -60, -67, -69.1 - 69.2, -132, -132.2, -134, -269.2, -284.1, -288.4; 115C -36, -45, -47, -112, - 288(g), -307, -390, -391, -392, G.S. 18B-300 to 302

Cross References:

## I. PURPOSE

An educated citizenry, which is essential to good government in this country, cannot exist without effective public schools. The effectiveness of the public schools depends in large part on the maintenance of discipline and good order in the schools. In its effort to maintain order and safety in the school system, the board earnestly solicits the cooperation of every student, every parent, and the community at large.

The purpose of this Code of Student Conduct is to outline the proper conduct and behavior expected, required and prohibited of and from any student in the Catawba County Board of Education (hereinafter "CCBOE") school system.

## II. DEFINITIONS AND TERMS WHICH APPLY TO THIS POLICY

- A. Administrator is defined as a principal, assistant principal, or their designee.
- B. Parent is defined as the student's biological parent(s), adoptive parent(s), legal guardian(s), legal custodian or other caregiver adult who is acting in the place of a parent and is entitled to enroll the student in school pursuant to Article 25 of N.C.G.S. 115C.
- C. School employee(s) shall include, for purposes of this policy, all school employees, all authorized school volunteers, student teachers, substitute teachers, substitute cafeteria workers, non-faculty coaches, school resource officers, sports officials, all persons authorized by a school employee to have authority and control over a student any person working on school grounds or at a school function under a contract or written agreement with the public school system to provide educational or related services to students, and any person working on school grounds or at a school function for another agency providing educational or related services to students.
- D. School property shall included any premises, facility or property, real or personal, which is owned, leased, used, operated or provided by the board.
- E. Superintendent is defined as the superintendent and the superintendent's designee.

## III. APPLICATION

Unless otherwise specified, **this Code of Student Conduct shall apply to all students enrolled in the CCBOE school system as follows:**

- A. at all times before, during and after school hours while on any school property;
- B. at all times before, during and after school hours while on any motor vehicle owned, leased, used, operated or provided by CCBOE for transportation of students to and from school or school

- activities or events;
- C. at all times before, during and after school hours while on any motor vehicle or mechanical equipment owned, leased, used or operated by CCBOE;
- D. at all times before, during and after school hours at and during any and all school-related events, functions, field trips, and any function or activity sponsored or conducted by the CCBOE or in which CCBOE is involved or participating regardless of the location of the event, function or activity;
- E. at all times before, during and after school hours during any period of time when students are subject to the authority of school personnel; and-
- F. at all times before, during and after school hours while not on school property, provided the student's behavior violates this Code of Student Conduct and the conduct has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the school or the safety of individuals in the school environment.

This Code of Student Conduct is not intended to restrict the authority of administrators or teachers to make rules that regulate the operation of their respective schools or classes. All students shall comply with all policies, laws, rules and regulations governing student behavior and conduct and all directives and rules issued or imposed by individual schools, teachers, administrators and other authorized school employees. Any student who refuses to comply with board policies, rules or regulations, the Code of Student Conduct, directives and rules issued or imposed by individual schools, teachers, administrators and other authorized school employees, or the North Carolina General Statutes shall be held in violation of this Code of Student Conduct and such violations may result in disciplinary action to the student including, but not limited to, in-school discipline, out-of-school suspensions, expulsions or assignments to alternative settings or programs.

School administrators shall have the authority to impose disciplinary actions upon students pursuant to this Code of Student Conduct. The complete circumstances and the degrees of involvement with regard to any incident may lessen a serious offense or make a minor offense more serious. Each administrator has the authority to modify the discipline recommended in this Code of Student Conduct when, in his/her opinion, the facts and circumstances justify a less or more severe penalty. This policy does not prohibit the superintendent and school administrators from considering the student's intent, disciplinary and academic history, the potential benefits to the student of alternatives to suspension, and other mitigating or aggravating factors when deciding whether to recommend or impose long-term suspension. School administrators are encouraged to use a full range of responses to violations of disciplinary rules, such as conferences, counseling, peer mediation, behavior contracts, instruction in conflict resolution and anger management, detention, academic interventions and other similar tools that do not remove a student from the classroom or school building.

While this policy attempts to address inappropriate student conduct, the Board of Education recognizes that all inappropriate behaviors cannot be defined within the context of these sections. Therefore, the Board of Education delegates to the school administrators the authority to determine the appropriate discipline and consequences for inappropriate behaviors not specifically addressed in this policy and for student violations of other CCBOE policies.

#### IV. OPTIONS FOR EFFECTIVE DISCIPLINE AND CONTROL

School personnel should make every effort to develop and implement behavior management techniques and strategies unique to the student and his or her specific disciplinary problem. When appropriate, and as a part of the continuum of disciplinary options, the student's behavior management plan might incorporate contact with the school counselor, school psychologist, school social worker, school behavior management consultant, etc, and/or staffing by the school assistance team.

When corrective actions are necessary, the following options are available to those authorized to discipline or control students. This list is not intended to restrict in any way the authority of teachers and principals to discipline and control students in a manner consistent with board policies. The board encourages and supports the right of administrators to employ a variety of control techniques and disciplinary actions with respect to students including, but not limited to, the following:

- A. Reasonable Force: School employees may use physical restraint only in accordance with N.C.G.S. 115C-391.1. School personnel may use reasonable force to control behavior or to remove a person from a scene in those situations when necessary for any of the following reasons:

1. to correct students;
2. to quell a disturbance threatening injury to others;
3. to obtain possession of a weapon or other dangerous object on the person, or within the control of, a student;
4. for self-defense;
5. for the protection of persons or property; or
6. to maintain order on educational property, in the classroom, or at a school-related activity on or off educational property.

B. Searches of Students, Student's Property, Student Lockers and Student Desks

1. Student Lockers and Desks. Student lockers and desks are the property of CCBOE and may be searched or inspected at any time without prior notice to or consent of the student or student's parent and without a search warrant. While students may store books, papers, clothing and other personal items in their assigned locker or desk, students shall not place any item or substance that is prohibited on school premises in any desk or locker. Students shall at all times keep their locker and desks in a neat, clean and orderly manner.
2. Student's Person, Motor Vehicle or Possessions. A school official may search a student's person, possessions (such as a pocket book, book bag, gym bag, electronic device) or motor vehicle if reasonable grounds exist for suspecting the search will turn up evidence that the student has violated or is violating either the law or the policies, regulation or rules of the board or the student's school. A search will be permissible in its scope when the manner in which the search is conducted is reasonably related to the objectives of the search and not excessively intrusive in light of the student's age and sex and nature of the infraction.
3. Reasonable Suspicion. Reasonable suspicion may be based on information provided by a confidential informant, circumstantial evidence and/or the administrator's "common-sense conclusions about human behavior" upon which "practical people," including government officials, are entitled to rely in making decisions.
4. Plain View. Anything seen by a school employee, official or school resource officer in plain view, including items in plain view inside a student's vehicle, may be used as evidence to discipline, suspend or expel a student. Otherwise, a school employee or official needs reasonable suspicion to search a student's person, motor vehicle or possessions.
5. Bombs, Explosive Devices and Firearms. If any school employee, official or school resource officer has any reason to suspect a bomb or firearm is on the premises of any school and students are at risk of serious bodily injury or death, the administration or its designee may conduct a complete search of the school as well as student vehicles and student possessions for any weapon, bomb or other explosive device.
6. Drug Dogs. The use of trained drug or bomb sniffing dogs to detect the presence of a controlled substance or explosives in a student's desk, locker, vehicle or personal possessions is acceptable. If a dog "hits" on an item, such a "hit" constitutes reasonable suspicion that the item contains a controlled substance or explosive and the item may be searched.

C. Corporal Punishment: Corporal punishment may not be used by any school employee under any circumstances.

D. In-school discipline (ISD) includes the discipline of a student that occurs during school hours or on school property. Students shall be supervised at all times during any period of in-school discipline. Types of in-school discipline include, but are not limited to, the following:

1. Warning includes a school employee giving a verbal or written warning to a student that the student's behavior has violated a board policy and that future violations may result in discipline to the student.

2. Conference(s) with Administrator includes requiring a student to respectfully meet with an administrator regarding the student's behavior or violation of the Code of Student Conduct.
3. Conference(s) with Parents includes an administrator meeting with a student's parent(s) regarding the student's behavior or violation of the Code of Student Conduct.
4. Suspension from School Transportation includes the temporary or permanent suspension from any bus or motor vehicle owned, leased, used, operated or provided by the board for transportation of students to and from school or school activities or events at any time before, during and after school hours.

APPROVAL: Suspension from School Transportation requires administrator approval.

NOTICE TO PARENT: In the event a school administrator suspends a student from school transportation, the student's parent(s) shall be notified of the suspension and the reason for the revocation prior to the suspension.

5. "Timeout" / "Lunch Detention" or its equivalent is the separation of a student from other students for a period of time less than one (1) class period to a monitored setting on school property or the removal of a student from his or her assigned classroom or activity to another designated monitored setting on school property for a period of time less than one (1) class period.
6. Service to School is service provided by a student to the school in lieu of other disciplinary sanctions that a teacher or administrator is authorized to impose. The teacher or administrator may require the student to perform specified school service for a period of time in lieu of other disciplinary sanctions. If the student does not complete the assigned school service, the teacher or administrator may invoke other disciplinary sanctions appropriate for the original violation.
7. Restitution includes an administrator requiring a student who removed, took, stole, secreted, lost, destroyed or damaged the personal or real property of another person or entity to give back, return, reimburse the cost of or reimburse for damages the student caused to any personal or real property of another person or entity. An administrator may require restitution by a student if the student's behavior directly resulted in or was a proximate cause of the property of another person or entity being removed, taken, stolen, secreted, lost, destroyed or damaged.
8. Confiscation includes a school employee or administrator taking temporary or permanent possession of any item of personal property from a student when such personal property is, in the discretion of a school employee or administrator, potentially dangerous, used inappropriately, prohibited or relates to any investigation by the board or its employees.
9. Loss of Driving/Parking Privileges is the revocation for any period of time of a student's privilege to drive to and from school and park a vehicle at school during the school day.

APPROVAL: Loss of Driving/Parking Privileges requires administrator approval.

NOTICE TO PARENT: In the event a school administrator revokes a student's driving/parking privileges, the student's parent(s) shall be notified of the revocation and the reason for the revocation prior to the revocation of driving/parking privileges.

10. In-School Suspension (ISS) is the removal of a student from his or her assigned classroom to a designated in-school suspension classroom for a period of time equal to or greater than one (1) class period.

APPROVAL: The imposition of ISS with respect to any student requires administrator approval.

NOTICE TO PARENT: In the event a school administrator imposes ISS upon a student, the student's parent(s) shall be notified of the imposition of and the reason for ISS.

AFFECT ON EXTRACURRICULAR AND CO-CURRICULAR ACTIVITIES:

Any student who is assigned ISS for a period of time equal to one (1) school day is, on the day such ISS occurs, prohibited from participating in, but may attend, any extracurricular activity conducted or sponsored by the school, board or in which the school or board is participating or involved. In addition, the administrator may prohibit such student from participating in any co-curricular activity conducted or sponsored by the school or board or in which the school or board is participating or involved.

11. Detention is requiring a student to report to and remain at a specific area on school property for a designated period of time prior to the beginning of or after the conclusion of a school day or on a Saturday. The student and parent(s) shall be given at least 24 hours notice that the student is to report to a specific area for detention. The parent(s) is/are responsible for transportation. If the parent(s) cannot or will not provide transportation, the administrator shall substitute another disciplinary action.

APPROVAL: Detention requires administrator approval.

NOTICE TO PARENT: In the event a school administrator imposes detention upon a student, the student's parent(s) shall be notified of the imposition of and the reason for the detention prior to the student serving the assigned detention.

12. Exclusion from Extracurricular and Co-Curricular Activities. Participation in extracurricular or co-curricular activities is a privilege that may be withheld as a measure to maintain effective discipline and control.

Any student who is assigned ISS for a period of time equal to one (1) school day is, on the day such ISS occurs, prohibited from participating in, but may attend, any extracurricular activity conducted or sponsored by the school or board or in which the school or board is participating or involved. In addition, the administrator may prohibit such student from participating in any co-curricular activity conducted or sponsored by the school or board or in which the school or board is participating or involved.

Any student who is assigned OSS is prohibited on any day during which the student is assigned OSS from attending and participating in any extracurricular or co-curricular activities that are conducted or sponsored by the school or board or in which the school or board is participating or involved.

In compliance with the North Carolina High School Athletic Association (NCHSAA) By-laws, any student who is convicted of a crime classified as a felony under North Carolina or federal law or is an adjudicated delinquent for an offense that would be a felony if committed by an adult is NOT eligible to participate in any school sponsored sports program.

E. Out-of-School Suspension (OSS) and Expulsion

1. Short-Term Out-of-School Suspension Less Than or Equal to 10 school days (OSS $\leq$ 10 days) is the exclusion of a student from school attendance at the school to which the student was assigned at the time of the disciplinary action for disciplinary purposes for up to and including 10 school days.

APPROVAL: OSS $\leq$ 10 days requires administrator approval.

NOTICE TO PARENT: In the event a school administrator imposes OSS  $\leq 10$  school days upon a student, the student's parent(s) shall be notified of the imposition and the reason therefore in accordance with state law and board policy.

AFFECT ON EXTRACURRICULAR AND CO-CURRICULAR ACTIVITIES:

Any student who is assigned OSS  $\leq 10$  school days is prohibited on any day during which the student is assigned OSS from being on any school property and from attending and participating in any extracurricular or co-curricular activities that are conducted or sponsored by the school or board or in which the school or board is participating or involved.

2. Long-Term Out-of-School Suspension (OSS  $> 10$  school days) is the exclusion of a student from school attendance at the school to which the student was assigned at the time of the disciplinary action for disciplinary purposes for a period of in excess of 10 school days. If the offense leading to the long-term suspension occurs before the final quarter of the school year, the exclusion of the student from school attendance shall be no longer than the remainder of the school year in which the offense was committed. If the offense leading to the long-term suspension occurs during the final quarter of the school year, the exclusion of the student from school attendance may include a period up to the remainder of the school year in which the offense was committed and the first semester of the following school year.

APPROVAL: Long Term OSS (OSS  $> 10$  school days) requires approval by the superintendent.

NOTICE TO PARENT: In the event a superintendent approves OSS  $> 10$  school days, the student's parent(s) shall be notified of the imposition and the reason therefore in accordance with state law and board policy.

AFFECT ON EXTRACURRICULAR AND CO-CURRICULAR ACTIVITIES: Any student who is assigned OSS  $> 10$  school days is prohibited on any day during which the student is assigned OSS  $> 10$  school days from being on any school property and from attending and participating in any extracurricular or co-curricular activities that are conducted or sponsored by the school or board or in which the school or board is participating or involved. Provided, however, a student who is assigned to an alternative school setting on any day during which the student is assigned OSS  $> 10$  school days is allowed to be on school property on which the alternative school setting is located and operated and allowed to participate in extracurricular and co-curricular activities operated in conjunction with the alternative school setting.

3. 365 Day Suspension is the exclusion of a student from school for a full calendar year.

APPROVAL: 365 Day Suspension requires approval by the superintendent.

NOTICE TO PARENT: In the event a superintendent approves a 365 Day Suspension upon a student, the student's parent(s) shall be notified of the imposition and the reason therefore in accordance with state law and board policy.

AFFECT ON EXTRACURRICULAR AND CO-CURRICULAR ACTIVITIES:

Any student who is assigned a 365 Day Suspension is prohibited on any day during which the student is assigned the 365 Day Suspension from being on any school property and from attending and participating in any extracurricular or co-curricular activities that are conducted or sponsored by the school or board or in which the school or board is participating or involved. Provided, however, a student who is assigned to an alternative school setting on any day during which the student is assigned a 365 Day Suspension is allowed to be on school property on which the alternative school setting is located and operated and allowed to participate in extracurricular and co-curricular activities operated in conjunction with the alternative school setting.

4. Expulsion is the indefinite exclusion of a student from school enrollment for disciplinary purposes. During any period of expulsion, the student is not considered a student enrolled in the school system. Expulsion may only be exercised if:
  - a. the student is at least fourteen (14) years or older; the student's continued presence at school constitutes a clear threat to the safety of other students or employees; and, after a hearing, the board approves the expulsion based upon clear and convincing evidence and upon recommendation of the principal and superintendent; OR
  - b. the board determines that a student is a registered sex offender and should be expelled based upon clear and convincing evidence pursuant to N.C.G.S. 14-208 et al.

APPROVAL: Expulsion can only be authorized by the board upon recommendation of the superintendent.

NOTICE TO PARENT: In the event the board approves the expulsion of a student, the student's parent(s) shall be notified of the expulsion and the reason therefore in accordance with state law and board policy.

**AFFECT ON EXTRACURRICULAR AND CO-CURRICULAR ACTIVITIES:**

Any student who is expelled is prohibited on any day during which the student is expelled from being on any school property and from attending and participating in any extracurricular or co-curricular activities that are conducted or sponsored by the school or board or in which the school or board is participating or involved. Provided, however, a student who is assigned to an alternative school setting on any day during which the student is expelled is allowed to be on school property on which the alternative school setting is located and operated and allowed to participate in extracurricular and co-curricular activities operated in conjunction with the alternative school setting.

5. Immediate Removal of a Student From School Grounds is the immediate removal of a student from school or premises owned or operated by the board. During the school day, the principal may, under the following circumstances, remove from school property a student upon whom out-of-school discipline has been imposed:
  1. the parent is notified and is able to make arrangements for the student to leave the school or school premises or agrees to the student's using public transportation or driving himself or herself home;
  2. the parent is notified and is available to receive the student and the principal is able to arrange for transportation of the student from the school or school premises to the student's home; or
  3. the principal involves law enforcement in the removal of the student from school or school premises because this action is necessary to provide a safe or orderly school environment.

If none of these circumstances exists, the out-of-school suspension may begin on the next school day, provided all the requirements of state law and board policy have been met.

- F. Alternative School Setting or Program is the assignment of a student by the superintendent or Board to a school setting or educational environment other than the student's school setting or educational environment existing at the time of the disciplinary action. Alternative education services may include part or full-time programs wherever situated, providing direct or computer-based instruction that allows a student to progress in one or more core academic courses. Furthermore, alternative education services include programs established by the local board of education in conformity with N.C.G.S. 115C-105.47A and local board of education policies. A principal may recommend and a superintendent or board may authorize a student's assignment to

an alternative educational class or program in lieu of or in order to reduce any disciplinary action imposed upon the student. Any assignment of a student to an alternative school setting or an alternative school program must be made in accordance with board policy and state and federal law.

Students who receive OSS > 10 school days shall be offered alternative education services unless the superintendent provides a significant or important reason for declining to offer such services. The following may be significant or important reasons, depending on the circumstances and the nature and setting of the alternative education services:

1. The student exhibits violent behavior.
2. The student poses a threat to staff or other students.
3. The student substantially disrupts the learning process.
4. The student otherwise engaged in serious misconduct that makes the provision of alternative educational services not feasible.
5. Educationally appropriate alternative education services are not available in the school system due to limited resources.
6. The student failed to comply with reasonable conditions for admittance into an alternative education program.

**APPROVAL:** Assignment to an Alternative School Setting or Program, except when assigned in lieu of expulsion, requires recommendation by the school principal and approval by the superintendent. Assignment to an Alternative School Setting or Program in lieu of Expulsion requires board approval.

**NOTICE TO PARENT:** In the event the superintendent or board approves an Assignment to an Alternative School Setting for a student, the student's parent(s) shall be notified of the assignment and the reason therefore in accordance with state law and board policy.

V. Calculation of Days. The number of days for any disciplinary action refers to the days when schools are in session for students except for reference to a 365 Day Suspension. A 365 Day Suspension refers to calendar days.

## VI. INFRACTIONS

### A. BUS/VEHICLE MISBEHAVIOR

Students shall obey all directives of any school bus driver, school employee or any driver of any vehicle owned, leased, operated or provided by the board while riding any school bus or any vehicle owned, leased, operated or provided by the board. School transportation is a privilege, not a right. The following conduct is specifically prohibited by any student riding any school bus or any vehicle owned, leased, operated or provided by the board:

1. delaying any bus or transportation schedule;
2. refusing to obey the driver's or school employee's instructions or directives;
3. tampering with or willfully damaging any vehicle owned, leased, operated or provided by the board;
4. getting off at an unauthorized bus stop;
5. distracting the driver's attention by participating in disruptive behavior while the vehicle is in operation;
6. failing to observe established safety rules and regulations;
7. willfully trespassing upon a school bus or any vehicle owned, leased, operated or provided by the board;
8. attempting to open an emergency door; or
9. violating any other rule of the Code of Student Conduct while on the any school bus or other vehicle owned, leased, operated or provided by the board.

Violation of this section may result in disciplinary action to the student as determined by the school

administrator which shall include the following Recommended Discipline:

First Offense: Temporary or permanent suspension from school transportation services; or ISD

Second Offense: ISD; or OSS  $\leq$  10 school days

Subsequent Offenses: ISD; or OSS  $\leq$  10 school days; or Assignment to Alternative Program; OSS  $>$  10 school days or expulsion may be imposed upon a student if

- (a) the student's violation under this section is deemed by the principal to be a serious violation of this policy that either threatens the safety of students, school employees or school visitors or threatens to substantially disrupt the educational environment; and
- (b) the provisions of Section IV.F. of this policy are satisfied.

Any school administrator may impose discipline on any student for any student misbehavior under this section in addition to any discipline that may be imposed for violation of any other provision of the Code of Student Conduct.

## **B. CLASS I VIOLATIONS**

### **1. Recommended Discipline for Class I Violations**

Violations of this section (Class I Violations) may result in disciplinary action to the student as determined by the school administrator which shall include the following Recommended Discipline:

First Offense: ISD

Second Offense: ISD; or, except for violations of VI.B.2.b. and c. of this policy, OSS  $\leq$  3 school days

Subsequent Offenses: ISD; or, except for violations of VI.B.2.b. and c. of this policy, OSS  $>$  3 school days and  $\leq$  10 school days; or Assignment to Alternative Program; OSS  $>$  10 school days or expulsion may be imposed upon a student if

- (a) the student's violation under this section is deemed by the principal to be a serious violation of this policy that either threatens the safety of students, school employees or school visitors or threatens to substantially disrupt the educational environment; and
- (b) the provisions of Section IV.F. of this policy are satisfied.

With regard to tardiness and violations of VI.B.2.b. and c. of this policy, no principal shall impose more than two (2) days OSS on a student for such offenses.

Any school administrator may impose discipline on any student for any student behavior that violates this section in addition to any discipline that may be imposed for violation of any other provision of the Code of Student Conduct.

Any school administrator may impose discipline under this section on any student if the student aides, abets or encourages another student to violate this section.

### **2. Class I Violations**

The following violations shall be classified as Class I Violations:

#### **a. Insubordination / Compliance with Directions of School Personnel**

Students shall comply with all directions of administrators, teachers, school

employees and all other school personnel who are authorized to give such directions during any period of time in which students are subject to the authority of such school personnel.

**b. Failure to Attend Assigned Classes or Activities**

No student shall fail or refuse to attend an assigned or scheduled class or activity or fail or refuse to attend the school to which he or she is assigned on any school day without permission from the school administrator or without good reason sufficient to constitute an excused absence.

**c. Unauthorized Leaving of School**

No student who attends school during any portion of any school day shall leave the school grounds prior to the end of the school day without permission from the school administrator.

**d. Use of Tobacco Products and Tobacco Paraphernalia**

Students are prohibited from possessing, using, smoking, chewing, dipping or otherwise consuming any tobacco product or tobacco paraphernalia. The term "tobacco paraphernalia" shall include, but is not limited to, rolling papers, matches and lighters.

**e. Falsification / Providing False Information**

No student shall falsify information that is in any way presented to any school employee. Falsification includes the electronic, verbal or written statement, communication or creation of any untruth or any act or electronic, verbal or written statement or communication intended to give a wrong impression or deceive, including, but not limited to, forgery of any person's signature.

No student shall make or publish false statements on the Internet, electronically or by any other means of communications that defame the character or reputation of a school employee or student. While students have a constitutional right to criticize school personnel or students, that right does not include making false statements or making statements intended to injure, harass and/or harm an individual.

**f. Dress and Appearance**

Except as specifically authorized by the principal or his/her designee, no student shall wear (as defined herein) clothing or any other garment or item or cause him/her self to have an appearance that is not compatible with an effective learning environment or that is inappropriate to the learning process. For purposes of this policy, the term "wear" shall also mean adorn, don, carry, decorate and/or display. The following is expressly prohibited:

- The creation of an appearance or the wearing of clothing or any other garment or item that is provocative, obscene, vulgar, indecent, sexually suggestive, lewd, transparent, profane, or which displays, suggests, promotes or reveals nudity, violence or an immoral, harassing, bullying, provocative, obscene, profane, indecent, lewd, vulgar, slanderous, libelous, intimidating, insulting, degrading, disrespectful, abusive, disruptive, unsafe, violent, sexually suggestive or sexual message through language, images and/or symbols;
- The wearing of hats, bandannas and headgear of any kind and any garment or item that covers the student's face or conceals the student's identity within any building except for established medical reasons;
- The wearing or removal of clothing in a manner that reveals, exposes or allows the following to be seen: undergarments, cleavage, bare midriffs or any private body

- part that is inappropriate for display in a school setting;
- The wearing of pants or shorts in such a manner that undergarments or private body parts are exposed, they drag on the floor, they sag below the waist or they are excessively baggy;
- The wearing of clothing or any other garment or item containing, advertising, naming, or referencing any alcoholic product, tobacco product, controlled substance, firearms or weapons;
- The wearing of chains, jewelry, including those that hang from wallets, studded collars or bracelets that may be used as a weapon, cause injury, hinder movement or are unsafe as declared by the principal;
- The wearing of dark glasses within any building except for established medical reasons;
- The failure to wear shoes or appropriate foot covering;
- The wearing of any clothing or any other garment or item in any manner or style or containing any symbol reflecting, promoting or associated with gangs, intimidation, violence or violent groups;
- The wearing of halters, spaghetti strapped tops, tank tops, tube tops, strapless tops, bras or undergarments outside of clothing, pajamas, lounge pants or bedroom shoes as well as shorts and skirts that the principal or his/her designee determines are too short; and
- The creation of an appearance or the wearing of clothing or any other garment or item that is reasonably foreseeable to cause or, in fact, causes, a material or substantial disruption or that is reasonably foreseeable to endanger or be detrimental or, in fact, is dangerous or detrimental to the health or safety of the student or others or that is reasonably foreseeable to cause a fight or, in fact, causes a fight or that creates or is likely to create a hostile learning environment

The foregoing list is not intended to be exhaustive. The CCBOE hereby delegates to the school administrators the authority to determine the appropriateness or inappropriateness of any student's dress or attire that is not specifically addressed in this section. In addition, the CCBOE hereby delegates to the school administrators the authority to make exceptions to this policy and/or reasonable accommodations as are appropriate for medical, religious or special observances.

**g. Gambling**

No student shall participate in gambling, betting money, wagering anything on the outcome of a game, contest or other event or participate in any unauthorized event, action or statement that relies on chance for the monetary advantage of one participant at the expense of others. This includes exchanging items of value as well as currency and extends to keeping score for later settlement.

**h. Inappropriate Speech, Signs, Gestures and Behavior/Disruptive Behavior**

No student shall create or engage in any communication, whether by electronic, verbal, photographic or written means or by signs, gestures, displays or other acts, that is or conveys, suggests or promotes a message that is immoral, harassing, bullying, vulgar, indecent, provocative, sexually suggestive, lewd, slanderous, libelous, intimidating, insulting, degrading, disrespectful, abusive, profane, obscene, unsafe, violent, disruptive, interrupts or interferes with or prevents an orderly and peaceful learning environment, obstructs or disrupts any lawful function or mission or process of any school, causes or is reasonably foreseeable to cause a material or substantial disruption of the school environment, endangers or is detrimental to or is reasonably foreseeable to endanger or be detrimental to the health or safety of the student or others or that causes or is reasonably foreseeable to cause a fight or create a hostile learning environment.

No student shall engage in sexual conduct or in behavior that is of an overly romantic or sexual nature or in inappropriate displays of affection including, but not

limited to, hugging, embracing, kissing, groping or petting.

**i. Inappropriate Literature and Illustrations**

Except as specifically authorized by the principal or his/her designee or for instructional purposes, no student shall possess, display, distribute, disseminate or transmit literature, words, photographs, recordings, or illustrations, whether in electronic, physical or documentary form, that are illegal or that convey, suggest or promote a message that is immoral, harassing, bullying, vulgar, indecent, provocative, sexually suggestive, lewd, slanderous, libelous, intimidating, insulting, degrading, disrespectful, abusive, profane, obscene, unsafe, violent, disruptive, interrupts or interferes with or prevents an orderly and peaceful learning environment, obstructs or disrupts any lawful function or mission or process of any school, causes or is reasonably foreseeable to cause a material or substantial disruption of the school environment, endangers or is detrimental to or is reasonably foreseeable to endanger or be detrimental to the health or safety of the student or others or that causes or is reasonably foreseeable to cause a fight or create a hostile learning environment.

**j. Honor Code Violations**

No student shall commit any act in violation of any school's honor code. Cheating, plagiarism, dishonesty, falsification of assignments, falsification or forgery of signatures, violation of software regulations, violation of copyright laws, violation of the acceptable use policy and inappropriate computer access are prohibited and are considered honor code violations.

**k. Conducting or Soliciting Business on Campus**

Except for charitable solicitation approved by the principal or his/her designee and permitted by CCBOE policy, students shall neither engage in any corporate, business or financial enterprise, solicit any person or entity to purchase anything, nor sell anything to any person or entity.

**C. CLASS II VIOLATIONS**

**1. Recommended Discipline for Class II Violations**

Violations of this section (Class II Violations) may result in disciplinary action to the student as determined by the school administrator which shall include the following Recommended Discipline:

First Offense: ISD; or OSS  $\leq$  10 school days  
Second Offense: OSS  $\leq$  10 school days  
Subsequent Offenses: OSS  $\leq$  10 school days; or Assignment to Alternative Program; OSS  $>$  10 school days or expulsion may be imposed upon a student if

- (a) the student's violation under this section is deemed by the principal to be a serious violation of this policy that either threatens the safety of students, school employees or school visitors or threatens to substantially disrupt the educational environment; and
- (b) the provisions of Section IV.F. of this policy are satisfied.

Any school administrator may impose discipline on any student for any student behavior that violates this section in addition to any discipline that may be imposed for violation of any other provision of the Code of Student Conduct.

Any school administrator may impose discipline under this section on any student if the student aides, abets or encourages another student to violate this section.

## 2. Class II Violations

The following violations shall be classified as Class II Violations:

### a. Aggressive Behavior

No student shall create or engage in any communication, whether by electronic, verbal, photographic or written means or by signs, gestures, displays or other acts, that is or conveys, suggests or promotes a message that is aggressive or threatening.

No student shall engage in any behavior or conduct or commit any act that could reasonably result in or cause physical injury to any student or other person.

**It shall be considered a Class III Violation if a student engages in behavior, conduct or actions that could reasonably result in or cause physical injury to a school employee.**

### b. Assault / Fighting

No student shall assault another student or other person.

An assault is defined as an overt or deliberate act or attempt or appearance of attempt to commit an overt or deliberate act with force and violence in order to immediately physically injure another person and with the show of force or menace of violence being sufficient to put a reasonable person in fear of immediate physical injury. An assault shall include, but is not limited to, fighting, intentionally hitting, striking, kicking, shoving, scratching, biting, blocking, emitting bodily fluids upon, using force upon, or passing or throwing objects, items or fluids at a student or other person who is not a school employee.

A student who is assaulted may use reasonable force in self-defense but only to the extent necessary to free himself/herself from the assault and notify proper school authorities. A student who exceeds this reasonable force may be disciplined even though he/she may not have provoked the assault or fight.

**It shall be a Class III Violation if a student commits an assault upon a school employee.**

**It shall be a Class III Violation if a student commits a sexual assault upon a student or other person or school employee.**

**It shall be a Class IV Violation if a student commits an assault upon any person that causes serious injury to another person.**

**It shall be a Class IV Violation if a student commits an assault upon any person involving the use of a weapon or other object that could reasonably be considered a weapon.**

### c. Theft or Damage to Property

No student shall steal or attempt to steal school property or the private property of any individual, organization or entity or knowingly be in possession of stolen property.

No student shall damage or attempt to damage any school property or the private property of any individual, organization or entity.

**It shall be a Class III Violation if any student robs any person.**

**d. Incendiary Devices / Combustible Materials / Devices Causing a Noise or Disturbance**

Unless specifically authorized by school personnel, no student shall possess any material, item or substance or use any material, item or substance in a manner that causes or is capable of or reasonably likely to cause a noise or disturbance, is or is reasonable likely to be combustible, is capable of or is reasonably likely to start or result in a fire or explosion, or in fact, starts a fire or causes an explosion.

**e. Discrimination, Bullying, Harassment and Hazing**

All forms of discrimination, harassment, bullying, sexual harassment, gender-based harassment or hazing are prohibited. Discrimination, harassment, bullying, sexual harassment and gender-based harassment are defined in policy 1.7100.

All complaints of discrimination, harassment or bullying against students will be investigated promptly and thoroughly in accordance with policies 4.3501/7.1512. Violations will be deemed to be serious disciplinary infractions.

Consequences for offenders who are not students are to be determined as appropriate within the context of the law and policy.

Hazing is defined as a group or individual requiring any student to wear abnormal dress or costume on campus, annoying another student by playing abusive or ridiculous tricks on him or her, intimidating, frightening, scolding, beating or harassing the student or subjecting him/her to personal indignity or personal injury.

**It shall be a Class II Violation if discrimination, sexual harassment, harassment, bullying or hazing is committed verbally, symbolically, electronically, in writing or by gesture.**

**It shall be a Class III Violation if discrimination, sexual harassment, harassment, bullying or hazing is committed by any means that result in physical contact or sexual harm to any person.**

**f. Communicating Threats**

No student shall communicate any threat of force or violence in any form to or about any student or other person.

It shall be considered a Class III Violation if a student communicates any threat of force or violence in any form to or about a school employee.

**g. Use of Counterfeit Items**

No student shall use any counterfeit item to obtain or attempt to obtain money, property or services.

**It shall be a Class III Violation if the counterfeit item is a counterfeit drug, medication or illegal substance.**

**h. Extortion**

No student shall engage in extortion. Extortion is defined as the use of one's position or power to obtain property, funds or patronage.

**i. Unauthorized Use or Possession of Medication or Foreign Substances**

No student shall possess or administer any medication to his/her own person except as provided in policy 4.4340/6.1250.

No student shall administer any medication to any other person.

No student shall insert a foreign substance into the food or drink of another person with the intent to injure or harm or that, in fact, injures or harms the other person or causes an adverse reaction including, but not limited to, alteration of the mind, hallucinations, sleep or euphoria.

## **D. CLASS III VIOLATIONS**

### **1. Recommended Discipline for Class III Violations**

Violations of this section by students (Class III Violations) shall be reported to law enforcement and may result in disciplinary action to the student as determined by the school administrator which shall include the following Recommended Discipline:

First Offense:	OSS $\leq$ 10 days; or OSS > 10 school days
Second Offense:	OSS > 10 school days; or Assignment to Alternative Program; or Expulsion
Subsequent Offenses:	OSS > 10 school days; or Assignment to Alternative Program; OSS > 10 school days or expulsion may be imposed upon a student if:

- (a) the student's violation under this section is deemed by the principal to be a serious violation of this policy that either threatens the safety of students, school employees or school visitors or threatens to substantially disrupt the educational environment; and
- (b) the provisions of Section IV.F. of this policy are satisfied.

Any school administrator may impose discipline on any student for any student behavior that violates this section in addition to any discipline that may be imposed for violation of any other provision of the Code of Student Conduct.

Any school administrator may impose discipline under this section on any student if the student aides, abets or encourages another student to violate this section.

### **2. Class III Violations**

The following violations shall be classified as Class III Violations:

#### **a. Disorderly Conduct**

No student shall engage in disorderly conduct or encourage any other student to engage in such conduct or behavior. Disorderly conduct includes, but is not limited to, any act, conduct, behavior, physical, written, verbal or electronic communication or the use of passive resistance, noise, threat, fear, intimidation, coercion, force or violence by a student that interrupts, interferes with or prevents an orderly and peaceful learning environment, interrupts, interferes with, obstructs or disrupts any lawful function or mission or process of any school or activity, causes or is reasonably foreseeable to cause a material or substantial disruption of the school environment or activity, endangers or is detrimental to or is reasonably foreseeable to endanger or be detrimental to the health or safety of the student or others or that causes or is reasonably foreseeable to cause a fight or create a hostile learning environment.

**Disorderly or disruptive behavior related to Section VI. B. 2. subparagraphs f. Dress and Appearance, h. Inappropriate Speech, Signs, Gestures and Behavior/Disruptive Behavior and i. Inappropriate Literature and Illustrations may be considered, in the administrator's discretion, a Class I Violation.**

**b. Assault on a School Employee / Sexual Assault**

No student shall assault a school employee.

No student shall commit a sexual assault upon a student or other person or school employee.

An assault is defined as an overt or deliberate act or attempt or appearance of attempt to commit an overt or deliberate act with force and violence in order to immediately physically injure another person and with the show of force or menace of violence being sufficient to put a reasonable person in fear of immediate physical injury. An assault shall include, but is not limited to, fighting, intentionally hitting, striking, kicking, shoving, scratching, biting, blocking, emitting bodily fluids upon, using force upon, or passing or throwing objects, items or fluids at a student or other person who is not a school employee.

A student who is assaulted may use reasonable force in self-defense but only to the extent necessary to free himself/herself from the assault and notify proper school authorities. A student who exceeds this reasonable force may be disciplined even though he/she may not have provoked the assault or fight.

**It shall be a Class IV Violation if a student commits an assault upon any person involving the use of a weapon or other object that could reasonably be considered a weapon.**

**c. Sexual Acts**

No student shall engage in sexual acts. Sexual acts shall include, but are not limited to, the touching or groping of his/her own private parts or sexual organs or the private parts or sexual organs of another person, the use of any object or item in any sexual manner and sexual intercourse.

**d. Commission of a Crime**

No student shall commit a state or federal crime.

**e. Attempted Arson or Explosion**

No student shall use any material, item or substance in any manner in an attempt to cause or start a fire or explosion or in a manner that could reasonably cause or start a fire or explosion.

**It shall be considered a Class IV Violation if any student intentionally sets a fire on any school property, burns any school property or causes any school property to be burned.**

**It shall be considered a Class IV Violation if any student intentionally causes an explosion on school property.**

**f. Trespassing**

No student shall be on the campus of another school in this school system during the school day without the knowledge and consent of the officials of the school he/she is visiting.

No student shall be on any school property after the close of the school day without specific and legitimate permission, need or supervision.

No student shall be on any school property or shall attend any school activity after being prohibited to do so.

Any student who acts in violation of this provision will be considered a trespasser and may be prosecuted.

**g. Breaking and Entering School Property**

No student shall commit a breaking and entering upon any school property, real or personal.

**h. Robbery**

No student shall rob any person. Robbery is defined as the taking of anything of value from any person or from the areas under the immediate bodily control of a person, by force or by an act threatening force or violence that puts the victim in fear.

**i. False Fire Alarms**

No student shall deliberately "pull", initiate or make a false fire alarm.

**j. Possession of a Weapon Not Included in N.C.G.S. § 115C-391 (d1)**

No student shall possess on their person or within their custody or control, store or carry, whether open or concealed, without the consent of the school administrator, a weapon, defined as follows: Any BB gun, stun gun, facsimile of a gun, ammunition, bows and/or arrows, mace, pepper spray, incendiary device (including, fireworks), air rifle, air pistol, knife, bowie knife, ice pick, switchblade knife, machete, dirk, dagger, slingshot, leaded cane, sword cane, blackjack, synthetic or metallic knuckles, numb chucks, razors, razor blades, box cutter or any other sharp pointed or edged instrument or any other object that can reasonably be considered a weapon or dangerous instrument.

This section shall not apply to a weapon used solely for educational or school-sanctioned ceremonial purposes or used in a school-approved program conducted under the supervision of an adult whose supervision has been approved by the school authority.

**k. Narcotics, Alcoholic Beverages, Controlled Substances, Chemicals and Drug Paraphernalia**

No student shall possess, use, consume, transmit, distribute, sell, exchange or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, or any alcoholic beverage, malt beverage, fortified wine, spirituous liquor or other intoxicating liquor.

No student shall possess, use, consume, transmit, distribute, sell, exchange or be under the influence of any chemical, chemical compound or product with the intention of using it or enabling another student to use it to bring about a state of exhilaration or euphoria or otherwise alter the student's mood or behavior.

No student shall inhale or ingest any chemical or products with the intention of bringing about a state of exhilaration or euphoria or otherwise altering the student's mood or behavior.

No student shall possess, use, consume, transmit, distribute, sell, exchange or be under the influence of any prescription drug or medication that has not been lawfully prescribed for the particular student possessing or using the medication.

No student shall intentionally consume, ingest or inhale an excessive quantity of over-the-counter or prescription medication or drugs sufficient to impair the student's mental and/or physical capability to function in the school environment. An "excessive quantity" shall mean an amount greater than the recommended dosage or the amount prescribed.

No student shall possess, use, transmit, distribute, sell or exchange drug paraphernalia or counterfeit drugs or counterfeit controlled substances.

No student shall plan or participate in any way in the selling, distribution, transmission or exchange of substances, equipment, products or materials that are prohibited herein regardless of whether the sale, distribution, transmission or exchange ultimately occurs on school property.

As used in this policy, the term "controlled substances" includes but is not limited to any form of cocaine, marijuana, heroin, LSD, amphetamine, methamphetamine, barbiturate, hallucinogen and all drugs listed in the North Carolina Controlled Substances Act.

As used in this policy, the term "drug paraphernalia" includes, but is not limited to:

1. Testing equipment that can be used for identifying or analyzing the strength, effectiveness or purity of controlled substances;
2. Scales and balances that can be used for weighing or measuring controlled substances;
3. Diluents and adulterants, such as quinine, hydrochloride, mannitol, mannite, dextrose and lactose that can be used in mixing with controlled substances;
4. Capsules, balloons, envelopes and other containers that can be used for packaging small quantities of controlled substances;
5. Hypodermic syringes, needles and other objects that can be used in parenterally injecting controlled substance into the body;
6. Objects that can be used for ingesting, inhaling or otherwise introducing controlled substances into the body including, but not limited to:
  - a. Rolling papers;
  - b. Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls;
  - c. Water pipes;
  - d. Carburetion tubes and devices;
  - e. Smoking carburetion masks;
  - f. Roach clips or other objects for holding burning material, such as a marijuana cigarette;
  - g. Miniature cocaine or crack spoons and vials;
  - h. Chamber pipes;
  - i. Carburetor pipes;
  - j. Electric pipes;
  - k. Air-driven pipes;
  - l. Chillums;
  - m. Bongs;
  - n. Ice pipes or chillers;
7. All equipment, products and materials of any kind that are used to facilitate, or intended or designed to facilitate, violations of this policy and/or the North Carolina Controlled Substances Act including planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging,

repackaging, storing, containing and concealing controlled substances and injecting, ingesting, inhaling or otherwise introducing controlled substances into the human body; and;

8. All other equipment, products and materials defined or included as drug paraphernalia by the North Carolina General Statutes.

**I. Discrimination, Sexual Harassment, Harassment, Bullying or Hazing Resulting in Physical or Sexual Harm**

No student shall engage in discrimination, sexual harassment, harassment, bullying or hazing as defined in this policy and as defined in policy 1.7100 that results in physical or sexual harm to any person.

All complaints of discrimination, harassment or bullying against students shall be investigated promptly and thoroughly in accordance with policies 4.3501/7.1512.

**m. Gang Activity**

No student shall engage in gang activity. Gang activity shall include any act that furthers gang or gang-related activities including, but not limited to, the following:

- i) communicating either verbally, non-verbally or electronically through hand signs, gestures, handshakes, slogans, words, drawings or electronic means in order to convey membership or affiliation with a gang;
- ii) defacing school property with gang-related graffiti, symbols or slogans;
- iii) requiring payment of protections or insurance or otherwise intimidating or threatening any person in any way relating to gang activity;
- iv) inciting other students to intimidate or to act with physical violence upon any other person in any way relating to gang activity; and
- v) soliciting others for gang membership.

**n. Use of Counterfeit Drugs, Medication or Illegal Substance**

No student shall use any counterfeit drug, medication or illegal substance to obtain or attempt to obtain money, property or services.

**E. CLASS IV VIOLATIONS**

**1. Recommended Discipline for Class IV Violations**

Violations of this section by students (Class IV Violations) shall be reported to law enforcement and may result in disciplinary action to the student as follows:

First Offense: A principal shall recommend to the superintendent the 365 Day Suspension of any student believed to have violated this section. The superintendent has the authority to suspend for 365 days a student who has been recommended for such suspension by the principal when such recommendation is consistent with all board policies and, in particular, the provisions of IV.E.2.c. of this section are satisfied.

With regard to section IV.E.2.c. of this section and notwithstanding the foregoing, the superintendent may modify, in writing, the required 365 Day suspension if the superintendent determines that the student took or received a firearm or destructive device from another person at school or found the firearm or destructive device at school, provided that the student delivered or reported the firearm or destructive device, as soon as practicable, to a law enforcement officer or a school employee and had no intent to use such firearm or destructive device in a harmful or threatening way.

Second Offense: 365 Day Suspension and subsequent Assignment to Alternative Program; or Expulsion; provided, the provisions detailed in the first offense and IV.E.2.c. of this policy are satisfied.

Subsequent Offenses: Expulsion; provided, the provisions detailed in the first offense and IV.E.2.c. of this policy are satisfied.

Any school administrator may impose discipline on any student for any student behavior that violates this section in addition to any discipline that may be imposed for violation of any other provision of the Code of Student Conduct.

Any school administrator may impose discipline under this section on any student if the student aides, abets or encourages another student to violate this section.

## **2. Class IV Violations**

The following violations shall be classified as Class IV Violations:

### **a. Assault with a Weapon/ Assault Causing Serious Injury**

No student shall commit an assault upon any person involving the use of a weapon or other object that could reasonably be considered a weapon.

No student shall commit an assault upon any person that causes or results in serious injury to another person.

An assault is defined as an overt or deliberate act or attempt or appearance of attempt to commit an overt or deliberate act with force and violence in order to immediately physically injure another person and with the show of force or menace of violence being sufficient to put a reasonable person in fear of immediate physical injury. An assault shall include, but is not limited to, fighting, intentionally hitting, striking, kicking, shoving, scratching, biting, blocking, emitting bodily fluids upon, using force upon, or passing or throwing objects, items or fluids at any person.

A student who is assaulted may use reasonable force in self-defense but only to the extent necessary to free himself/herself from the assault and notify proper school authorities. A student who exceeds this reasonable force may be disciplined even though he/she may not have provoked the assault.

### **b. Arson or Explosion**

No student shall intentionally set a fire on any school property, burn any school property or cause any school property to be burned.

No student shall intentionally cause or attempt to cause an explosion on school property.

### **c. Possession of a Firearm or Destructive Device or Powerful Explosive**

Except as specifically provided herein, no student shall possess on their person or within their custody or control, store or carry whether open or concealed, without the consent of the school administrator, a firearm or destructive device defined as follows:

Any gun, rifle, pistol, firearm of any kind or as defined by the North Carolina General Statutes, or any dynamite cartridge, bomb, grenade, mine or other destructive device or powerful explosive as defined in N.C.G.S. 14-284.1 or any other North Carolina General Statute, whether operable or inoperable. Such weapon also includes, but is not limited to, a weapon, including a

starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; and the firearm or receiver of any such weapon; and any firearm muffler or firearm silencer. Such weapon does not include an inoperable antique firearm, a BB gun, stun gun, air rifle or air pistol. A destructive device is defined as an explosive, incendiary or poison gas, which includes, but is not limited to the following:

- a. bomb;
- b. grenade;
- c. rocket having a propellant charge of more than four ounces;
- d. a missile having an explosive or incendiary charge of more than one-quarter ounce;
- e. mine; and
- f. device similar to any of the devices listed in this policy or state or federal law.

This section shall not apply to a weapon used solely for educational or school-sanctioned ceremonial purposes or used in a school-approved program conducted under the supervision of an adult whose supervision has been approved by the school authority.

**d. Bomb Threat or Hoax**

No student shall, by any means of communication make a report, knowing or having reason to know the report is false, that there is located on any school premises a device designed to cause damage or destruction by explosion, blasting or burning.

No student shall place on any school premises with the intent of perpetrating a hoax, any device that would appear to a reasonable person to be a bomb or similar instrument capable of causing injury or damage.

**VII. INAPPROPRIATE CONDUCT, BEHAVIOR THAT CHALLENGES THE INTEGRITY OF THE SCHOOL ENVIRONMENT AND/OR SCHOOL OFFICIALS**

While this policy attempts to address inappropriate student conduct, the Board of Education recognizes that all inappropriate behaviors cannot be defined within the context of these sections. Therefore, the Board of Education delegates to the school administrators the authority to determine the appropriate discipline and consequences for inappropriate behaviors not specifically addressed in this policy and for student violations of other board policies.

## **H. M. ARNDT MIDDLE SCHOOL STUDENT GUIDELINES 2018-2019**

### **I. ATTENDANCE REVIEW**

At the end of the year, a school-based attendance review committee will advise the administration whether circumstances warrant waiver of the non-promotion policy for attendance. Criteria for review will consist of the following information:

1. Comprehensive review of impact of attendance on student's grades
2. Medical documentation
3. Work missed submitted in timely manner
4. Attendance history
5. Achievement level
6. Teacher input
7. Prior grades promotion record

### **II. ACADEMIC INTEGRITY/HONOR CODE**

Each student is bound by a code of honor to insure that all academic work reflects honesty and integrity. Any student who submits work that is not the result of his/her own personal creation has violated this code. Acts of cheating, plagiarism or other dishonest practices shall result in disciplinary action deemed appropriate by the teacher and principal in accordance the Catawba County Schools Code of Student Conduct

### **III. HONOR ROLL**

The Honor Roll will be based on all subjects.

1. Students who have no grade lower than an A will be on the "A" Honor Roll.
2. Students who have no grade lower than a B will be on the "A/B" Honor Roll.

### **IV. DRESS CODE**

Students' dress will be the responsibility of the individual and his/her parents within the following guidelines:

1. Dress will not be such as to disrupt the teaching/learning process.
2. Shirts advertising alcoholic beverages and those having profane or suggestive language or slogans are not allowed.
3. Tank tops, spaghetti straps, bare midriffs, spandex pants, yoga pants, leggings without cover-up, pants worn below the waist, pajamas, writing on back of pants and any other distracting apparel are NOT permitted at H. M. Arndt Middle School. Spandex pants, yoga pants and leggings are not allowed unless the outer garment covers the buttocks.
4. Shorts and skirts should be mid-thigh, anything shorter is not allowed.
5. Holes in pants are allowed only if the holes are below mid-thigh.
6. Shoes or tennis-shoes must be worn at all times during the school day (bedroom slippers are not allowed).
7. Sunglasses, headgear, bandanas and hats are not to be worn inside the building.

### **V. FIRE & TORNADO DRILLS**

Fire and tornado drills are held at regular intervals throughout the school year. Remember these basic rules:

1. Students shall follow all directions quickly and quietly.
2. Check the posted instructions in each classroom indicating how to exit the building in case of fire.
3. Move quickly and quietly to the designated area.
4. Tampering with the fire alarm system is against the law.

## **VI. SCHOOL NURSE/MEDICATION**

Catawba County Schools in partnership with Catawba County Health Department has assigned a School Nurse (RN) to each school to maintain the overall health of students and staff. If it becomes necessary for a student to take any form of medication at school; a note from a doctor must be presented to the office. All medications will be kept in and dispensed through the main office. **Warning:** students are not allowed to have or to distribute any type of medication (including over the counter medications). Please see Section B Class II Violations of the Catawba County Schools Student Code of Conduct: Offenses Reportable to Law Enforcement.

## **VII. ACCIDENTS**

Every accident in the school building, on the school grounds, at practice sessions, or at any athletic event sponsored by the school must be reported immediately to the person in charge and to the school.

In the event of an accident, the school will try to locate the parents or guardians using the contact information on file at the school. It is the parents/guardians responsibility to keep valid working numbers where they can be reached. Depending on the severity of the incident, Emergency Services (911) will be called immediately while the school is simultaneously trying to reach the parents.

## **VIII. ATTENDANCE AND ACADEMIC REQUIREMENTS FOR ATHLETICS/CHEERLEADING**

In order to try out or participate in any sports, all student athletes must not fail two or more subjects during a 9-week grading period. Provided that the student was not retained the previous year, all students may tryout for fall sports. After fall tryouts, a student failing two or more subjects during any grading period is automatically ineligible for participation in their current sport. Similarly, the student is ineligible for tryouts for any upcoming sport. Students interested in spring sports must pay particular attention to their 9-week grades prior to spring tryouts. Academics come first before athletics at Arndt Middle School. For that reason, a student may be placed on academic probation and/or temporary suspension from participating in sports until progress is made in his/her academics.

Any student athlete who exceeds 18 days absent shall immediately be deemed ineligible for further competition in that sport or any other sport for the remainder of the school year.

Any athlete involved in incidents resulting in ISS (In-school suspension) or OSS (Out-of-school suspension) will be evaluated by the principal and the head coach to determine discipline from the head coach and may result in suspension or dismissal from the team.

Any student (including athletes) who is assigned OSS (Out-of-school suspension) is not eligible to attend any extracurricular activities for that day. Situations involving student athletes will be evaluated following the guidelines for participation in sports listed above.

ALL students must be covered by valid and sufficient insurance with a family accident policy (school accident policy), prior to the first day of practice and for the length of the season.

A current physical examination and concussion forms are required prior to tryouts.

Students must be present for entire school day in order to participate and/or attend a sporting event for the given day.

Parents assume all financial obligations and liabilities incurred when a student is dismissed from an athletic team up to the day of dismissal from the team. This includes, but it is not limited to, prepaid clothing, equipment, and fees (both necessary to participate in such sport or generated due to damage to property public or private).

## **IX. ATTENDANCE POLICY**

(Refer to Board Policy 4.2000)

## **X. TARDY POLICY**

Tardy Policy has been developed to emphasize the importance of each student being in the classroom for the entire period, as well as arriving on time to school every day. Learning the responsibility of getting to class on time is an integral part of AMS's standard of excellence, which prepares students for success.

**In our school, instructional time is viewed as a precious resource. Consequently, we view chronic tardiness as a serious problem; if the problem continues additional consequences will be imposed.**

Thank you for your support in ensuring students make maximum use of class time and learn to be punctual. School begins at **8:00** AM.; beginning the day promptly is important and demonstrates commitment to success.

Students should be in homeroom by **8:00** AM. If students come after **8:00** AM., they need to use the front entrance and get a tardy slip from the front office. Tardiness to school will be unexcused even though the parent brings the student to school. Oversleeping, car/traffic problems, etc. are all unexcused tardies. Tardies are excusable by a school official under the following circumstances:

1. Student Illness
2. Student doctor/dentist appointment
3. Student Court appointment

A note or phone call from a parent or a professional note from a doctor/dentist will be required to verify the above.

The consequences for repeated tardiness to school, within a 9 week period, are as follows:

- 1<sup>st</sup> tardy - Warning
- 2<sup>nd</sup> tardy - Parent Contact
- 3<sup>rd</sup> tardy - Lose Reward
- 4<sup>th</sup> tardy - Silent Lunch
- 5<sup>th</sup> -9<sup>th</sup> tardy - ASD (After school detention)
- 10<sup>th</sup> tardy - ISS
- 11<sup>th</sup> - 14<sup>th</sup> tardy - ASD (After school detention)

\*If a student does not stay for afterschool detention they will serve time in ISS the next day.

## **XI. ABSENCE – MAKE-UP WORK**

When you are absent from school you should use the following steps:

1. A written excuse must follow all absences, within 2 days of the absence(s), whether the school has been called or not. The written excuse should include the student's name, date of absence(s), and the reason for the absence(s).
2. Present the excuse to your homeroom teacher.
  - a. It is the student's responsibility to make immediate plans to do all make-up work due to an absence. Grades will reflect absences if the work is not made up. Students have 2 days to complete make up work.
3. Educational trips taken by a family will be considered if permission is granted by the office **five** days prior to the trip.
4. Family vacations are considered unexcused absences.

Prior approval forms can be requested from the office at any time. All work is to be obtained from the teachers prior to the trip, and the work should be turned in to the teachers upon returning from the trip.

## **XII. WITHDRAWAL FROM SCHOOL**

Students withdrawing from school should notify the office as soon as possible. It is the student's responsibility to return all books and equipment belonging to the school and pay all outstanding fees (lunch, uniforms, books, library, etc.).

## **XIII. HALL PASSES**

Students are not permitted in the halls during class periods unless they are accompanied by a teacher or have a hall pass.

## **XIV. USE OF TECHNOLOGY**

H. M. Arndt offers a variety of technology for student use. Acceptable Use Policies are required for all students. Violation of the policies will result in disciplinary action as defined by Board Policy.

## **XV. ID BADGES**

Students should wear ID badges around their neck with a lanyard at all times. Students will be given the first ID badge free and if student loses badge they will need to pay \$3.00 for a new badge and \$5.00 for subsequent badges.

## **XVI. TELEPHONES**

The office telephone is for school business, and it may be used by students only in cases of emergency with the permission of the secretary or principal. A written note or pass must accompany the student to use the phone. Students must use the school's land line to communicate with a parent during school hours and vice versa. Parents should not try to call or text their student's cell phone during normal school hours.

## **XVII. CELL PHONES AND OTHER ELECTRONIC DEVICES**

ALL students with a cell phone or any other electronic device are required to:

1. Turn the device OFF while on school property and leave it off at all times.
2. Cell phones must be kept in the student's locker during the school day.
3. Attention Parents: The school is not responsible for damaged, lost or stolen items.

Failure to follow the above guidelines will result in the phone (or electronic device) being confiscated by any staff member. The device will be turned in at the front office where only a parent/guardian may pick up the device during school hours. Discipline consequences will be reflected on the student's discipline. All further incidents are considered instances of insubordination and procedures and consequence will be assigned as prescribed by the Catawba County Schools student code of conduct for insubordination.

As a GENERAL RULE, cell phones or electronic devices are not allowed during after school concerts, meetings, games or events where the student is an active participant and a representative of H. M. Arndt Middle School. Only a teacher or coach in charge of any of the above activities may allow a student to have/use the student's cell phone during such activity.

Taking, sending, or receiving pictures of any person, particularly of other minors, using a cell phone or

digital camera is not allowed at H. M. Arndt Middle School. The Catawba County Schools Code of Student Conduct and Law Enforcement guidelines will be followed for instances of non-compliance with this rule.

Only students using school equipment and working directly under the supervision of the yearbook coordinator, teacher in charge of a sport or event, or administrators, may be allowed to document in pictures the events, sports, or activities that celebrate student life and accomplishments of students and persons associated with H. M. Arndt Middle School. Students are not allowed to photograph and/or pose displaying gang signs, sexual behavior, acts of violence, or exposing any part of their body that would otherwise be covered during the normal course of a school day/event. No student or person is allowed to take any type of pictures of other students or persons while in the locker rooms. The Catawba County Schools Code of Student Conduct and Law Enforcement guidelines will be followed.

Afternoon car riders will be notified by the teacher in charge when it is permissible to use their phones due to late pick up or to make other arrangements. Students affected by a late bus or late pick up must first notify the teacher in charge before reaching for their phone.

#### **XVIII. SOLICITATION**

Students are not to sell any products or collect money for any purpose without the consent of the school board and/or the principal.

#### **XX. LOST AND FOUND**

Articles found in and around the school should be turned in to the main office where the owners may claim their property by identifying it.

#### **XXI. ARRIVAL AND DEPARTURES**

School office hours are from 7:15 a.m. until 4:00 p.m. each day. Students should NOT arrive earlier than 7:25 a.m. or remain on campus later than 3:30 p.m. unless they are participating in a supervised school activity. **SCHOOL DOORS WILL NOT OPEN UNTIL 7:25 A.M. EACH SCHOOL DAY.** Students should be dropped off and picked up at the designated car rider area in front of the school.

*Students must sign in before 11:30 a.m. or stay until 11:30 a.m. to be counted present for the day.*

#### **XXII. GUIDANCE**

The purpose of the guidance program is to help each individual be successful academically and socially.

We try to do this in several ways:

1. Helping the new student feel at home in our school with new teachers and friends in a different setting.
2. Individual conferences whenever a student, a teacher, or the counselor deems it necessary.
3. Provide classroom guidance in a collaborative effort with teachers.

#### **XXIII. DISCIPLINARY ACTION**

On a day-to-day basis in classrooms, teachers will follow an orderly process when they experience minimal problems with students. The first step will be for the teacher to discipline the student. If there is further need to discipline the student; the teacher will contact the parent. The third step, when there appears to be a need for yet more discipline, the teacher will refer the problem to the

office. More severe disciplinary action may be taken following the CCS Code of Student Conduct.

Certain infractions of school rules can result in more severe punishment. Disciplinary actions may include:

1. In-School-Suspension where the student will be pulled from his/her regular classes to sit in the office silently and complete assigned work from teachers.
2. In-School-Suspension such as cleaning the cafeteria or bathrooms, or picking up trash (with parental permission and when possible as an alternative to OSS)
3. Out-of-School Suspension (A definite period of time is specified that the student is to be out of school). Student participation in any extracurricular activities (including athletic activities) is not allowed during the time of suspension. All work is to be made up during the suspension. Athletes should also be aware of the discipline guidelines affecting participation in sports.
4. Expulsion.

#### **XXIV. PROMOTION/RETENTION**

In order to be promoted to the next grade, a student must pass Language Arts, Math, Science, Social Studies and a rotation class and comply with any other guidelines set by the state.

#### **XXV. GRADING**

Each teacher will use a grading system based on test scores, class attendance, class participation, daily work, class assignments, and other student performance. Good class attendance is necessary for satisfactory grades. Report cards will be sent home every 9 weeks and progress reports will be sent home every 4 ½ weeks. Students will receive numerical grades. A grade below 70 is unsatisfactory. In some cases, a student may not receive a grade in a course for various reasons (illness, absence, exam not taken, etc.). These situations must be cleared up with the individual teacher within the time the teacher specifies or the student automatically receives a failing grade.

##### **Grading Scale**

<b>A = 90-100</b>	<b>C = 70-79</b>
<b>B = 80-89</b>	<b>D = 60-69</b>
<b>F = below 60</b>	

#### **XXVI. TEACHER AUTHORITY**

IT SHOULD BE RE-EMPHASIZED THAT ALL H.M. ARNDT SCHOOL STUDENTS ARE UNDER THE AUTHORITY OF THE FACULTY WHETHER ON CAMPUS OR REPRESENTING THE SCHOOL ELSEWHERE. A STUDENT WHO REFUSES TO FOLLOW A TEACHER'S INSTRUCTIONS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**Catawba County Schools does not discriminate against race, color, religion, sex, pregnancy (or students with children and/or who are married), or handicapped conditions.**

##### **NOTICE:**

**It is required by the Rehabilitation Act of 1973 (SS504) that each local education agency has a policy and procedure that enables a student and/or parent to file a grievance in the event they feel that they have been discriminated against. In the Catawba County School System this has been addressed by Policy 10.350 STUDENT GRIEVANCE PROCEDURE.**

**The school counselor is the designated school grievance officer. A copy of the policy and relevant forms**

may be obtained from the school counselor.

Notification of parents' rights according to the Family Educational Rights and Privacy Act (FERPA) of 1974 is provided as part of this handbook. Additional information or questions should be addressed to your school counselor.

#### XXVII. LUNCH PRICES

Lunch \$2.80                      Milk      \$.60

- Offer vs. Served will be in effect for grades K-12
- **No school lunch charges allowed**
- Supplemental sales will be offered to all students. Any items on the menu may be purchased individually.

*(Free/reduced lunch application is online at [www.catawbaschools.net/arndt](http://www.catawbaschools.net/arndt) under Parent Resources. Applications **must** be filled out each year in order to qualify. Paper applications are available upon request.)*

#### XXVII. OUTSIDE FOOD SOURCES FOR BIRTHDAYS AND OTHER CELEBRATIONS

H. M. Arndt Middle School welcomes and values parents who spend time with their children and we understand that job schedules and demands may prevent some parents from seeing their children in the afternoons or evenings. We welcome you! If you are interested in joining your child for lunch one day, the following guidelines apply:

- \* Parents may bring a store bought (i.e. fast food) lunch. However, out of respect for all other students, parents wishing to bring lunch from the outside will eat with their child in an area other than the cafeteria.
- \* Parents who wish to bring cupcakes or cake may do so with prior approval of the principal and teacher and with enough to share with everyone in the child's homeroom (30). Must be store bought.
- \* Parents may wish to purchase a school lunch and may join their child in the cafeteria at tables located closest to the gym. ALL VISITORS MUST FIRST REPORT TO THE OFFICE.

#### XXVIII. General School Policies

1. It is imperative that the school office be notified **immediately** of a change of address, home or office telephone number, or emergency information during the academic school year.
2. Any student who owes money to the school may be prohibited from representing the school in any way or participating in extra-curricular activities.
3. **The school discourages all students from carrying excess cash beyond the amount needed for lunch or fees owed. The school is not responsible for lost or stolen money.**

#### LOCKER POLICY

School lockers are a privilege and not a right. Homeroom Lockers and Athletic Lockers are made available for individual student use in storing school supplies and personal items necessary for use at school.

All students who use a locker should understand that it is the property of the school district and presume to have no expectations of privacy in that locker or the locker's content. The school retains the right to inspect the locker and its contents to ensure that the locker is being used in accordance with its intended purpose, and to eliminate fire or other hazards, maintain sanitary conditions, attempt to locate lost or stolen materials.

#### **Rules for Homeroom and Athletic Lockers (Hallway Lockers & PE Lockers)**

In order to implement the school policy concerning student homeroom lockers, the school has the following rules and regulations:

1. The use of a locker is a privilege and not a right at Arndt Middle School.
  - **For "team" lockers:** Students are required to use combination lock issued by Arndt Middle School at a yearly rental cost of \$3.00 per lock (non refundable). Any student who loses a school issued lock must pay \$3.00 (or the current cost of a new school lock) for loss of property. Students may not use their own locks for homeroom lockers to prevent access to lockers by school officials. Unauthorized locks will be removed without notice with bolt cutters at the expense of the student/family.
  - **For "PE lockers":** Students may use their own lock. Students will be expected to secure their belongings during PE class using only their assigned PE locker. All rules and expectations described in this section also apply to PE lockers (e.g., contraband, dangerous items, no sharing, inspections, care, etc.).
2. Homeroom teachers (Teams) will designate the appropriate times for students to use their locker (hallway lockers).
3. Posters, stickers, markings, etc are not allowed on lockers (inside or outside)
4. Students are not allowed to share lockers.
5. All students' personal effects must fit in the assigned locker space.

6. For school safety reasons the school will retain access to student lockers by keeping a master key and/or retaining a master list of combinations
7. Locker doors must remain secured at all times.
8. Lockers shall not be used to store items which cause, or can reasonably be foreseen to cause, an interference with school purposes or an educational function, or which are forbidden by state law or school rules.
9. All book bags must fit inside the locker. Book bags are not allowed beyond homeroom (except PE bags according to the student's class schedule).
10. The school retains the right to inspect lockers at any time and for any reason to insure they are being used in accordance with all district and school guidelines.

**DISPOSAL OF CONFISCATED CONTRABAND.** All contraband confiscated from lockers may be disposed of by the principal or his/her designee as he or she deems appropriate, including but not limited to:

- Return to the proper owner or place, unless it poses a threat to health or safety
- Use as evidence in a student discipline proceeding if possession of the contraband constitutes a ground for disciplinary action (e.g., suspension or expulsion)
- Delivery to the appropriate law enforcement officials for prosecution purposes if possession of the contraband constitutes evidence of a crime; or
- Destruction.

**INVOLVEMENT OF LAW ENFORCEMENT OFFICIALS.**

The principal, superintendent or assistant superintendent, may request the assistance of law enforcement officials to assist the school administrators in inspecting lockers or their contents at any time and for any reason. Examples of these situations include but are not limited to:

- Identification of substances which may be found in the lockers
- Ensure the health and safety of persons or property
- Safely dispose of any contraband or illegal items found in lockers
- The principal receives information supplied by law enforcement officials resulting in reasonable suspicion that a locker or lockers contain contraband.

