

# **Student Code of Conduct**

## **2023 - 2024**

**LEE COUNTY  
SCHOOLS**  
INSPIRED.

## **Lee County Schools Student Code of Conduct**

Lee County Schools is committed to providing a safe, orderly, and welcoming environment in which our students learn and grow academically, socially, and emotionally. Student success is achieved through a strong partnership between students, parents, community members, and school staff. Lee County Schools encourages all stakeholders to be active, supportive partners to ensure our students have a safe school environment in which they learn the skills they need to become lifelong learners who are successful, productive citizens.

To achieve this goal Lee County Schools has developed a Student Code of Conduct which clearly outlines expectations and consequences for student behavior. Lee County Schools encourage you to review the Student Code of Conduct with your child and to become familiar with the behavioral expectations. Lee County Schools welcomes your input and encourages strong, open communication between the home and the school. By working as partners in the support of our students, we will enable them to be prepared to successfully achieve their life goals. If you have any questions, please do not hesitate to contact the Assistant Superintendent of Auxiliary Services for Lee County Schools by calling 919-774-6226.

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## **I. RESPONSIBILITY FOR STUDENT DISCIPLINE**

### **Introduction**

The primary purpose of Lee County Schools is to promote learning for all students. Good teachers, a quality learning environment, proper behavior, and regular attendance by students and staff are all necessary to accomplish this goal. All decisions related to student behavior are guided by the Lee County Board of Education's objective to teach responsibility and respect for cultural and ideological differences and to the commitment to creating safe, orderly and inviting schools. Student behavior policies are provided in order to establish: (1) expected standards of student behavior; (2) principles to be followed in managing student behavior; (3) consequences for prohibited behavior or drug/alcohol policy violations; and (4) required procedures for addressing misbehavior. In order to promote a quality learning environment, the Board of Education establishes this Code of Student Conduct as a guide to students, parents and staff in meeting expected standards of student behavior both at school and when attending all school-sponsored activities. The Superintendent is responsible for supervising the enforcement of student behavior policies to ensure that school disciplinary policies are uniformly and fairly applied throughout the school district

### **Purpose and Applicability**

The purpose of this code is to present in a single document system-wide policies on the proper conduct and behavior of students. A copy of the current Code of Conduct is posted on the Lee County Schools' website under Parent/Student/Community Resources. A copy is also available on each school's website.

Students must comply with the Code of Student Conduct in the following circumstances:

1. Before, during and after hours at school, in any school building, or on any school premises.
2. While on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities.
3. While waiting at any bus stop.
4. During any school function, extracurricular activity or other activity or event.
5. During any period of time when students are subject to the authority of school personnel.
6. At any place or time when the student's behavior has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment.



### **Authority of School Personnel**

This code is not intended to restrict in any way the authority of principals or teachers to create additional rules that are consistent with this code. School administrators and teachers are authorized by law to ensure the safe operation of their respective schools or classes. The Board encourages and supports the right of principals to employ a variety of disciplinary actions which may include but are not limited to parent conferences, in-school suspension, suspension from school events and activities, after-school detention and out-of-school suspension.

The principal has the authority and responsibility to investigate and take appropriate action regarding any prohibited 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, including those in the Code of Conduct and/or those related to his/her specific school campus, that, if violated, could result in short-term or long-term suspension or expulsion.

The teacher has the authority and responsibility to manage student behavior in the classroom and when students are under his/her supervision. The teacher is expected to implement the school's behavior management plan (Policy 4302 School Plan for Management of Student Behavior) and any other school standards or rules. The teacher may develop other standards or rules consistent with the direction provided by the board, the superintendent and the school principal. Every teacher, student teacher, substitute teacher, volunteer, teacher assistant or other school employee is required to report to the principal all acts of violence occurring in school, on school grounds or at any school-sponsored activity.

Teachers and other school personnel have the authority to manage or remove disruptive or dangerous students from the classroom and other locations within the school building. School personnel may use reasonable force to control behavior or to remove a person from the scene in those situations when necessary. This includes but is not limited:

1. To correct students;
2. To quell a disturbance threatening injury to others;
3. To obtain possession of a weapon or other dangerous objects on the person or within the control of a student;
4. To defend oneself;
5. To protect persons and/or property; or
6. To maintain order on school property, in the classroom or at a school-related activity which may be on or off school property.

Except as restricted by G.S. 115C-391.1, school personnel may use appropriate seclusion and restraint techniques reasonably needed in the circumstances described above as long as such use is consistent with state law and applicable board policies and procedures. (See Policy 4302 School Plan for Management of Student Behavior.)

Students must comply with all directions of principals, teachers, substitute teachers, student teachers, teacher assistants, bus drivers and all other school personnel who are authorized to give such directions during any period of time when they are subject to the authority of such personnel. Any student who refuses to comply with reasonable rules, regulations or directives imposed by any principal, assistant principal, teacher or authorized school employee shall be held in violation of this Code of Student Conduct.

### **Consequence for Violations**

Violations of the Code of Student Conduct must be dealt with in accordance with the guidelines established in the school's behavior management plan (see Policy 4302 School Plan for Management of Student Behavior).

#### **1. Minor Violations**

Minor violations of the Code of Student Conduct are those less severe infractions involving a lower degree of danger and harm. Examples of minor violations include the use of inappropriate or disrespectful language, noncompliance with a staff directive, dress code violations and minor physical altercations that do not involve a weapon or an injury. Aggravating circumstances; however, may justify treating an otherwise minor violation as a serious violation.

Minor violations of the Code of Student Conduct may result in disciplinary measures or responses up to and including short-term suspension. Further information regarding the procedure for short-term suspension is provided in Policy 4351 Short-Term Suspension. Other disciplinary measures or responses may include, but are not limited to the following:

- Parental involvement such as conferences
- Isolation or time-out for short periods of time with supervision
- Behavior improvement agreements
- Individual or small group sessions with the school counselor/social worker
- In-school suspension
- Detention before and/or after school or on Saturday
- Community service on school grounds with supervision



- Exclusion from extracurricular activities which are not related to curriculum and instruction
- Suspension from bus privileges
- Placement in an alternative school
- Instruction in conflict resolution and anger management
- Peer mediation
- Academic intervention
- Exclusion from graduation ceremonies

## 2. Serious Violations

Serious violations of the Code of Student Conduct may result in any of the consequences that may be imposed for minor violations. In addition, serious violations that threaten or substantially disrupt the educational environment may result in long-term suspension, and serious violations that threaten the safety of students, school employees or school visitors may result in long-term suspension, alternative placement or expulsion. Certain violations involving firearms or explosive devices may result in a 365-day suspension. Further information regarding the standards and procedures for long-term suspension, 365-day suspensions and expulsions is provided in Policy 4353. Information and standards regarding short-term suspension is provided in Policy 4351 Short-term Suspension. (See also Policy 4333 Weapons, Bomb Threat, Terrorist Threats and Clear Threats to Safety, for information regarding 365-day suspensions for certain violations involving firearms or explosive devices).

Principals are expected to use good judgment and reasonable discretion in applying board policies and in determining the appropriate consequences for violations of board policies or school standards or rules. The parent or guardian is responsible for transportation as may be required to carry out the consequence. With the exception of suspension from bus privileges, if a parent or guardian is unable to provide transportation, another consequence shall be substituted. School discipline is separate and different from any criminal charge. This includes any charge levied by the school resource officer or any other law enforcement agency.

### **Disciplinary Action for Exceptional Children Students**

Disciplinary actions for students identified as exceptional children according to North Carolina guidelines shall conform to the Procedures Governing Services for Children with Disabilities as adopted by the State Board of Education. In the case of a student with a 504 accommodation plan, if the procedures manual does not fully address a particular issue, the



director of exceptional children shall develop any necessary protocols consistent with state and federal law.

All disabled children shall be accorded all rights as required by state and federal laws. See also Policy 1730/4022/7231 Nondiscrimination on the Basis of Disabilities.

### **Definitions**

1. **Student** - any person enrolled in any school that is part of Lee County Schools.
2. **Classroom** - any location over which school officials have supervising responsibility.
3. **Principal** - the school administrator or any school professional to whom the superintendent delegates authority.
4. **School Personnel** - any principal, teacher, substitute teacher, student teacher, instructional assistant, supervisor, director, coordinator, administrator and all other personnel paid or unpaid working under the supervision and direction of Lee County Schools.
5. **Parent** - natural parent, legal guardian, legal custodian, or person serving in loco parentis.
6. **Board** - Lee County Board of Education
7. **OSS** - Out-of-school Suspension
8. **ISS** - In School Suspension

## **II. PROHIBITED CONDUCT AND AUTHORIZED PENALTIES**

### **RULE 1: COMPLIANCE WITH THE DIRECTIONS OF SCHOOL PERSONNEL**

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

No student shall refuse to or fail to promptly obey reasonable requests of school personnel or administrative staff.

Discipline: Up to 5-day suspension or disciplinary action as determined by principal.

Additional Offenses: Up to 10-day suspension and possible recommendation for long-term suspension based on aggravating factors.

Refer to Policy 4300 Code of Student Conduct

### **RULE 2: MISREPRESENTING INFORMATION TO SCHOOL EMPLOYEES**

All employees and students, including students alleged to have engaged in misconduct, are expected to respond fully and truthfully to any questions or issues raised in the course of an investigation and any related proceedings. Employees and students may be subject to disciplinary action for knowingly making false statements or knowingly submitting false information during an investigation or any related proceedings.

Any student who has violated a board policy, school standard, school rule or the Code of Student Conduct, must accept the consequences for his or her misbehavior. All consequences must be administered in a fair and nondiscriminatory manner.

Discipline: 1st offense - Up to 5-day suspension and parent conference.

Additional Offenses: Up to 10-day suspension and possible recommendation for long-term suspension based on aggravating factors.

Refer to Policy 4340 School Level Investigations

### **RULE 3: ASSAULT ON OR PHYSICAL INJURY TO OTHERS, THREATENING ACTS, HARASSMENT**

Students are prohibited from assaulting, physically injuring, attempting to injure or intentionally behaving in such a way as could reasonably cause injury to any other person. Assault includes engaging in a fight. Neither self-defense nor action undertaken on the reasonable belief that it was necessary to protect some other person shall be considered an intentional act under this rule. A student who is physically assaulted may use reasonable force in self-defense but only to the extent to free himself and to notify proper school authorities. (See Rule 13 - Fighting).

Students are prohibited from directing toward any other person any language that threatens force, violence or disruption, or any sign or act that constitutes a threat of force, violence or disruption.

Students are prohibited from engaging in or encouraging any form of harassment, including bullying of students, employees or other individuals on school grounds or at school-related functions. Bullying, as defined under Rule 15 means, *“the repeated intimidation of others by the real or threatened infliction of physical, verbal, written or electronically transmitted emotional abuse or through attacks on the property of another.”* Bullying may include, but is not limited to, verbal taunts, name-calling and put-downs, extortion of money or possessions, implied or stated threats and exclusion from peer groups. Harassment is *“unwanted, unwelcomed and uninvited behavior that demeans, threatens or offends the victim and results in a hostile environment for the victim. The hostile environment may be created through pervasive or persistent misbehavior or a single incident if sufficiently severe.”*

Discipline:	Up to 10-day suspension for all involved students and possible recommendation for long-term suspension.
Additional Offenses:	Up to 10-day suspension and possible recommendation for long-term suspension based on aggravating factors.

The Superintendent may remove to an alternative school setting any student who physically assaults and seriously injures a teacher or other school personnel.

The Board may remove to an alternative school setting any student who does one of the following:

- Physically assaults a teacher or other adult who is not a student.
- Physically assaults another student.
- Physically assaults and seriously injures another student.



In all cases of serious physical assault, including kidnapping or death, a student who is fourteen years of age or older whose behavior indicates that the student's continued presence in school constitutes a clear threat to the safety of other students or school personnel is subject to expulsion. Law Enforcement will be notified immediately.

Refer to Policy 4331 Assaults and Threats

#### **RULE 4: FIRES, FIREWORKS, FIRECRACKERS, SMOKE BOMBS OR STINK BOMBS**

No student shall possess, handle, transmit, or use any fireworks, firecrackers, smoke bombs or any device on educational property or in a school setting that would create a fire. Educational property is defined by G. S. 14-269.2 (a)(1) as any school building or bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by any board of education or school board of trustees, or directors for the administration of any school

The possession of any incendiary material (including but not limited to matches, lighters, lighter fluid, smoke bombs, stink bombs) or the use of any material reasonably likely to result in a fire on school property is prohibited.

Discipline: Confiscation of item(s), notification of parents, and up to 10-day suspension with possible recommendation for long-term suspension.

Refer to Policy 4333 Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety

#### **RULE 5: WEAPONS AND WEAPON-LIKE ITEMS**

No student shall knowingly possess, handle, use, or transmit on educational property, or during school sponsored events, whether concealed or open, any weapon or any instrument that reasonably looks like a weapon or could be used as a weapon. Weapons include, but are not limited to, all of the following:

- Loaded or unloaded firearms\*, including guns, pistols or rifles;
- Destructive devices\*\* including explosives such as dynamite cartridges, bombs, grenades and mines;
- Nuclear, biological, or chemical weapons of mass destruction as defined in G.S. 14-288.21(c)
- Knives, including pocket knives, bowie knives, switchblades, dirks and daggers;

- Slingshots
- Leaded canes;
- Blackjacks;
- Metal knuckles;
- BB guns;
- Air rifles and air pistols;
- Stun guns and other electric shock weapons, such as Tasers;
- Icepicks;
- Razors [And razor blades-except those designed and used solely for personal shaving as outlined in G. S. 14-269.2(d)];
- Fireworks;
- Gun powder, ammunition, or bullets; and
- Any sharp pointed or edged instrument except unaltered nail files and clips and tools used solely for preparation of food, instruction and maintenance, and
- Mace, pepper spray, and other personal defense spray

Examples of other objects that may be considered weapons are box cutters and other types of utility blades and blowguns.

\*A firearm is (1) a weapon including a starter gun that is designed to or may readily be converted to expel a projectile by the action of an explosive, (2) the frame or receiver of any such weapon or (3) any firearm muffler or firearm silencer.

\*\*A destructive device is an explosive, incendiary or poison gas (1) bomb, (2) grenade, (3) rocket having a propellant charge of more than four ounces, (4) missile having an explosive or incendiary charge of more than one-quarter ounce, (5) mine or (6) similar device.

No student may knowingly or willfully cause, encourage or aid any other student to possess, handle or use any of the weapons or weapon-like items listed above. A student who finds a weapon or weapon-like item, who witnesses another student or other persons with such items, or who becomes aware that another student or other persons intends to possess, handle or use such items, must notify a teacher or the principal immediately. Items that are not weapons or dangerous instruments but are represented as such shall be dealt with by school authorities in the same manner as a weapon or dangerous instrument.

This rule does not apply to normal school supplies such as pencils, compasses or other tools unless they are used as weapons. This rule also does not apply to students who are members of the Junior Reserve Officer Training Corps (JROTC) and who are required to carry arms or weapons in the discharge of their official class duties. This rule also does not apply to weapons used in school-approved instruction or ceremonies.

**Principal will notify the superintendent and all other applicable agencies immediately.**

Possession of weapons other than firearms or destructive devices:

Discipline: Up to a 10-day suspension and possible recommendation for long-term suspension.

Possession or use of firearms or destructive devices:

Discipline: A student who brings or possesses a firearm or destructive device on school property or at a school-sponsored event must be suspended for 365 day, unless the superintendent modifies, in writing, the required 365-day suspension for an individual student on a case-by-case basis. The superintendent shall not impose a 365-day suspension if the superintendent determines that the student (1) took or received the firearm or destructive device from another person at school or found the firearm or destructive device at school, (2) delivered or reported the firearm or destructive device as soon as practical to a law enforcement officer or school personnel, and (3) had no intent to use a firearm or destructive device in a harmful or threatening way.

Refer to Policy 4333 Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety

**RULE 6: BOMB THREATS, TERRORIST THREATS AND CLEAR THREATS TO SAFETY**

Students are prohibited from making, aiding and/or abetting in making a bomb threat or perpetrating a bomb hoax against school district property by making a false report that a device designed to cause damage or destruction by explosion, blasting or burning is located on school property. No student may knowingly or willfully cause, encourage or aid another student to make a bomb threat or perpetrate a bomb hoax. Any student who becomes aware that another student or other person intends to use a bomb, make a bomb threat or perpetrate a bomb hoax must notify a teacher or the principal immediately.

Students are prohibited from engaging in behavior that constitutes a clear threat to the safety of other students or employees. Behavior constituting a clear threat to the safety of others include, but is not limited to:



- Theft or attempted theft by a student from another person by using or threatening to use a weapon.
- The intentional and malicious burning of any structure or personal property, including vehicles.
- An attack or threatened attack by a student against another person wherein the student uses a weapon or displays it in a manner found threatening to that person.
- An attack by a student on any employee, adult volunteer, or another student that does not result in serious injury but that is intended to cause or reasonably could cause serious injury.
- An attack by a student upon another person whereby the victim suffers obvious severe or aggravated bodily injury such as broken bones, loss of teeth, possible internal injuries, laceration requiring stitches, loss of consciousness, or significant bruising or pain, or whereby the victim requires hospitalization or treatment at a hospital emergency room as a result of the attack.
- Any intentional, highly reckless or negligent act that results in or reasonably could result in the death of or serious injury of another person.
- Confining, restraining, or removing another person from one place to another, without the victim's consent or the consent of the victim's parents, for the purpose of committing a felony or for the purpose of holding the victim as a hostage for ransom, or for use as a shield.
- The possession of a weapon on any school property, including in a vehicle with the intent to use or transmit for another's use or possession in a reckless manner so that harm is reasonably foreseeable.
- Taking or attempting to take anything of value from the care, custody or control of another person or persons, by force, threat of force or violence, or by putting the victim in fear.
- Any unauthorized and unwanted intentional touching, or attempt to touch, by one person of the sex organ of another, including the breasts of the female and the genital areas of the male and female.
- The possession, manufacture, sale or delivery, or any attempted sale or delivery of a controlled substance in violation of Chapter 90 of the General Statutes.
- Any behavior resulting in a felony conviction of a weapon, drugs, assault or other charge that implicates the safety of other persons. and,
- Any other behavior that demonstrates a clear threat to the safety of others in the school environment.

Discipline: Up to 10-day suspension and recommendation for long-term suspension.

Refer to Policy 4333 Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety

### **RULE 7: INTEGRITY AND CIVILITY**

No student shall engage in the following behaviors which violate standards of integrity and civility:

- Cheating, including the actual giving or receiving of any unauthorized assistance or the actual giving or receiving of unfair advantage on any form of academic work;
- Plagiarizing, including copying the language, structure, ideas and/or thoughts of another and representing it as one's own original work;
- Violating copyright laws, including the unauthorized reproduction, duplication and/or use of printed or electronic work, computer software, or other copyrighted material;
- Cursing or using vulgar, abusive or demeaning language towards another person; and
- Playing abusive or dangerous tricks or otherwise subjecting a student or employee to personal indignity.

Discipline:

1st offense - Zero on the assignment. The incident will be recorded in Power School.

The teacher will maintain a record.

Parent will be notified by the teacher.

2nd Offense - At principal's discretion, up to 10 days of out of school suspension.

Refer to Policy 4310 Integrity and Civility

### **RULE 8: THREATENING, INSULTING, ABUSIVE OR SERIOUSLY DISCOURTEOUS WORDS, SIGNS OR OTHER ACTS INCLUDING SEXUALLY RELATED ACTS**

No student shall direct toward any principal, teacher, or other school personnel, student or any other person, any cursing, vulgar, abusive or demeaning language which threatens force or violence, or which is abusive, demeaning, vulgar, or insulting; any sign or act which constitutes a threat of force or violence which is abusive, dangerous or insulting or otherwise subject another person to personal indignity; or playing abusive or dangerous tricks or otherwise subjecting a student or employee to personal indignity. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment and will not be tolerated.

For Threatening Language or Acts and Sexual Harassment

Discipline: Up to 10-day suspension and possible recommendation for long-term suspension based upon aggravating circumstances.



For Abusive, Insulting or Discourteous Language

Discipline: 1st offense - Up to 5-day suspension  
 Additional offenses - Up to 10-day suspension

Refer to Policy 1710/4020/7230 Discrimination and Harassment Prohibited by Federal Law; Policy 4331 Assaults and Threats; Policy 4310 Integrity and Civility

**RULE 9: DISRUPTION OF SCHOOL**

- A. No student shall by use of passive resistance, noise, threat, fear, intimidation, coercion, force, violence or any other form of conduct, intentionally cause the disruption of any lawful function, mission, process of the school to which he/she is assigned or any other school in the school system.
- B. No student shall engage nor shall encourage any other student to engage in any such conduct as is referred to in Subdivision A of this rule for the purpose of causing the disruption of any lawful function, mission or process of the school to which he/she is assigned or any other school in the school system, if such disruption is reasonably certain to result there from.
- C. While the list is not intended to be exclusive, the following intentional acts illustrate the kinds of offenses encompassed here:
  - Occupying any school building, school grounds, school bus or part thereof with the intent to deprive others of its use.
  - Intentional verbal or physical acts that result in blocking the entrance or exit of any school building or corridor or room or school bus therein with the intent to deprive others of lawful access to or from, or use of the building or corridor or room.
  - Preventing or attempting to prevent by intentional physical or verbal act the convening or continued function of any school, class, or activity of any lawful meeting or assembly on the school premises.
  - Preventing students from attending a class or school activity.
  - Except under the direct instruction of the principal, blocking normal pedestrian or vehicular traffic on school premises.
  - Intentionally making noises or acting in any manner so as to interfere with any teacher's ability to conduct his/her class or to carry on any school activity.
  - Appearance or clothing which (a) violates a reasonable dress code adopted and publicized by the school, (b) is substantially disruptive, (c) is provocative or obscene, or (d) endangers the health or safety of the students or others.



- Possessing or distributing literature or illustrations which significantly disrupt the educational process or which are obscene or unlawful.
- Engaging in behavior which is immoral, indecent, lewd, disreputable of an overly sexual nature in the school setting.
- Failing to observe established safety rules, standards and regulations, including on the bus and in hallways.
- Interfering with the operation of school buses, including delaying the bus schedule, getting off at an unauthorized stop, and willfully trespassing upon a school bus.
- Misuse of any electronic device can be classified as a disruption to the school day.

Though school personnel generally do not monitor student internet activity conducted on non-school district devices during non-school hours; however, when the student's online behavior has a direct and immediate effect on school safety or maintaining order and discipline in the schools, the student may be disciplined in accordance with board policy.

#### Disturbance in Classrooms

Discipline: Removal of student from class and up to 5-day suspension from school as determined by the principal.

Additional Offenses: Up to 10-day suspension and possible recommendation for long-term suspension based on aggravating factors.

#### Disruptive Behavior

Discipline: Up to 10-day suspension and possible recommendation for long-term suspension based on aggravating factors.

#### Possession of Offensive Material

Discipline: 1st offense - Confiscation, parent notification and up to 5-day suspension.

Additional Offenses: Up to 10-day suspension

Refer to Policy 4315 Disruptive Behavior; Policy 3225/4312/7320 Technology Responsible Use

## **RULE 10: USES OF WIRELESS COMMUNICATION AND OTHER ELECTRONIC DEVICES**

The Board recognizes that cellular phones and other wireless communication devices have become an important tool through which parents communicate with their children. Therefore, students are permitted to possess such devices on school property, except on elementary and alternative school property, as long as such devices are not activated, used, displayed or visible during the instructional day or as otherwise directed by local school rules or school personnel. Wireless communication and other electronic devices include, but are not limited to: cellular phones; electronic devices with internet capability; paging devices; two way radios; electronic games; laser pointers; cameras; video cameras and similar devices.

### Authorized Use

Administrators may authorize individual students to use wireless communication devices for personal purposes when there is a reasonable need for such communication. Upon administrator's approval teachers may authorize individual students to use the devices for instructional purposes provided the teacher supervises the students during such use.

Although generally use is permitted during non-instructional hours, use of cellular phones and other wireless communication devices are 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. Elementary students are not permitted to possess cellular phones and other wireless communication devices on school property.

### Liability

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

### Consequences for Unauthorized Use

Discipline: 1st offense - Confiscation of item. Parents only may pick up the item no earlier than the end of the school day.

Additional Confiscation of item. Parents only may pick up the item at the end of the

Offenses: school day. The student loses the privilege of possessing the item on campus for the remainder of the school year. In-school-suspension and/or out-of-school suspension may be imposed.

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; (2) to take illicit photographs; and (3) to produce video recordings.

Refer to Policy 3225/4312/7320 Technology Acceptable Use; Policy 4318 Use of Wireless Communication and Other Electronic Devices

### **RULE 11: GAMBLING ON CAMPUS - GAMES OF CHANCE**

No student shall engage in any games of chance involving money or shall otherwise gamble.

Discipline: 1st offense - Discipline by principal and/or parent conference/possible suspension  
 2nd offense - Up to 3-day suspension  
 3rd offense - Up to 5-day suspension

Refer to Policy 4315 Disruptive Behavior; Policy 4335 Criminal Behavior

### **RULE 12: DRESS CODE**

The Lee County Board of Education respects a student's right to choose his/her style of dress or appearance. Students are expected to adhere to standards of cleanliness and dress that are compatible with the requirement of a safe and beneficial school environment; however, if a student's dress or lack of cleanliness is such that it constitutes a threat to health or safety the principal or principal's designee may require the student and the student's parents/guardians to take appropriate action to remedy the situation. In addition, if a student's dress or appearance is so unusual, inappropriate or lacking in cleanliness that it clearly disrupts class and learning activities, the student may be required to change his/her dress or appearance. Individual schools have the discretion to specify additional examples of dress or appearance that are appropriate at that school under the terms of this policy.



Principals will display regulations in visible locations throughout their schools and maintain guidelines to assist students in determining appropriate dress and appearance for school, copies of which will be individually made available to parents and students. Items listed below shall be included in all school guidelines and shall apply to all students in grades K-12. Reasonable accommodation will be made by the school principal or principal's designee for those students who because of a sincerely held religious belief, cultural heritage, or medical reason request a waiver of a particular guideline for dress or appearance. Reasonable accommodations shall be made by the principal or principal's designee to accommodate students involved in special duties, activities, or projects approved by the school. This would include but not limited to athletics, vocational classes and projects, special events, or other activities that would allow for non-conforming dress on a school campus.

**Student dress and grooming must be appropriate, safe and not disruptive to the educational environment. The following are inappropriate and not permitted:**

- Clothing which endangers the health or safety of the students or others;
- Sagging pants and oversized clothing;
- Sunglasses and head coverings of any kind are not to be worn inside the buildings;
- Clothing and accessories which can be perceived as weapons;
- Clothing and attire with any symbols or styles frequently associated with intimidation, violence or violent groups;
- Clothing and items with messages or illustrations which are lewd, derogatory, indecent, vulgar or advertising any product or service not permitted by law to minors such as drugs, illegal substances, tobacco and alcohol;
- Clothing which is substantially disruptive (for information on gang-related attire, see policy 4329, Gang-Related Activity);
- Clothing, shorts, dresses and skirts which are excessively tight or shorter than mid-thigh;
- Clothing with excessive holes, see-through materials, strapless, tank and spaghetti tops;
- Clothing exposing cleavage, midriff or undergarments;
- Clothing worn inappropriately such as unbuckled belts, inside out, backward, unfastened, pants and skirts not at waistline, rolled - up pants and shoes not tied or secured.;
- Face paint is not allowed unless it is related to school activities or events.

Before receiving disciplinary consequences, a student who is not in compliance with this policy or a school dress code will be given a reasonable period of time to make adjustments so that he or she will be in compliance. Disciplinary consequences for a student who fails

to comply after being offered this opportunity shall be consistent with Section D of policy 4300, Code of Student Conduct.

For information on gang related attire see Policy 4328 Gang Related Activity

Discipline: 1st offense - Confiscation or covering of items. Parent notification or the student sent home for the remainder of the day.  
 2nd offense - Up to 3-day OSS.  
 3rd offense - Up to 5-day OSS.  
 4th offense - Refer to Rule 21 or other disciplinary action as determined necessary by the site principal.

Refer to Policy 4301- Student Dress and Appearance; Policy 4328 Gang Related Activity

### **RULE 13: FIGHTING**

No student shall fight another person, or take any physical action or make any comments or written messages intended to cause others to fight or which might reasonably be expected to result in a fight. A student who is physically assaulted may use reasonable force in self-defense but only to the extent to free himself from the attack and notify proper school authorities. A student who exceeds this reasonable force may be disciplined even though he may not have provoked the fight. Violation of this rule shall result in disciplinary action which, at a minimum, shall be short-term suspension. For repeated or serious violations of this policy, the student may receive a long-term suspension or expulsion.

Discipline: 1st offense - Up to 10-day suspension for all involved students and possible long-term suspension.  
 2nd offense - Up to 10-day suspension and possible recommendation for long-term suspension with possible expulsion.  
 3rd offense - Up to 10-day suspension and recommendation for long-term suspension with possible expulsion.

The board shall remove to an alternative school setting any student who physically assaults and seriously injures a teacher or other school personnel. If no alternative setting is available, the board shall suspend the student for no less than 300 days but no more than 365-day.

The board may remove to an alternative school setting a student who does one of the following:

- Physically assaults a teacher or other adult who is not a student;
- Physically assaults another student; or
- Physically assaults and seriously injures another student.



In all cases of serious physical assault, including kidnapping or death, a student who is fourteen years of age or older whose behavior indicates that the student's continued presence in school constitutes a clear threat to the safety of other students or school personnel is subject to expulsion. Law Enforcement will be notified immediately.

Refer to Policy 4331 Assaults and Threats

#### **RULE 14: THEFT OF OR DAMAGE TO SCHOOL OR PRIVATE PROPERTY**

Students are prohibited from stealing or attempting to steal school or private property and/or from knowingly being in possession of stolen property.

Students are prohibited from damaging or attempting to damage school or private property.

Discipline: 1st offense - Up to 10-day suspension, notification of parents, payment of damages and possible recommendation for long-term suspension based on aggravating factors with possible expulsion.

Additional Offenses: Up to 10-day suspension and possible recommendation for long-term suspension with possible expulsion based on aggravating factors.

Refer to Policy 4330 Theft, Trespass and Damage to Property

#### **RULE 15: DISCRIMINATION, HARASSMENT AND BULLYING**

No student shall play abusive tricks on, frighten, scold, harass or otherwise subject any other students to personal indignity. All staff members and school employees shall report such violations immediately to the principal.

No student shall bully any other student. Bullying is "*deliberate conduct intended to harm another person or group of persons. It is characterized by repeated unwanted aggressive behavior that typically involves a real or perceived imbalance of power, such as a difference in physical size, strength, social standing, intellectual ability, or authority. It may consist of either physical, verbal, or nonverbal behavior.*" Cyberbullying is a form of bullying that is carried out using electronic communication media, such as words, action, or conduct conveyed through email, instant messages, text messages, tweets, blogs, photo or video sharing, chat rooms, or websites, and may exist in the absence of a power imbalance typical of other forms of bullying. Bullying may include, but is not limited to, verbal taunts, name-calling and put-downs, extortion of money or possessions, implied or stated threats, and exclusion from peer groups.



Students are prohibited from directing toward any other person any language which threatens force, violence or disruption, or any sign or act which constitutes a threat of force, violence or disruption.

Discrimination means, *“any act that unreasonably and unfavorably differentiates treatment of others based solely on their membership in a socially distinct group or category such as race, ethnicity, sex, religion, age or disability.”* Discrimination may be intentional or unintentional.

Students are prohibited from engaging in or encouraging any form of harassment against students, employees or any other individuals on school grounds or at school-related functions. Harassment is *“deliberate unwelcome conduct directed at another person or group of persons based on their membership in a legally protected class that creates a hostile environment. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive, or persistent so as to interfere with or limit a person’s ability to participate in or benefit from the services, activities, or opportunities offered by the school system.”* The hostile environment can be created through pervasive or persistent misbehavior or a single incident if sufficiently severe. Harassment is further defined in Policy 1710/4020/7230 Discrimination and Harassment as Prohibited by Federal Law.

Complaints of harassment shall be investigated pursuant to Policy 1720/4035/7236 Discrimination and Harassment as Prohibited by Federal Law. All complaints of harassment shall be promptly and thoroughly investigated. Any form of sexual harassment shall be reported to the superintendent within 24 hours.

The superintendent shall report to the State Board of Education all verified cases of discrimination, harassment or bullying.

Discipline: Up to 10-day suspension or recommendation for long-term suspension.

Any student convicted of the criminal offense of hazing, G.S. 14-15, or aiding or abetting the offense of hazing, is subject to recommendation for expulsion.

For incidents which do not rise to the level of harassment see Policy 4310 Integrity and Civility, which establishes the expectation that students will demonstrate civility and integrity in their interactions with others.

Refer to Policy 1710/4020/7230 Discrimination and Harassment as Prohibited by Federal Law

### **RULE 16: UNACCEPTABLE PHYSICAL CONTACTS**

No student shall engage in any inappropriate physical contact (contact which is of a romantic or sexual nature) with any other person in the schools, on school property, or during school sponsored events.

Discipline: 1st offense - Up to 10-day suspension and possible recommendation for long-term suspension for serious violations.

Additional Offenses: Up to 10-day suspension and possible recommendation for long-term suspension for serious violations.

Refer to Policy 1710/4020/7230 Discrimination and Harassment as Prohibited by Federal Law; Policy 1720/4030/7235 Title IX Non-discrimination on the Basis of Sex; Policy 4331 Assaults and Threats

### **RULE 17: NARCOTICS, ALCOHOL BEVERAGES, STIMULANTS, DRUGS, CONTROLLED SUBSTANCES OR INTOXICANTS**

Students are prohibited from possessing, using, distributing, selling, exchanging or being under the influence of any of the following substances:

- Narcotic drugs;
- Hallucinogenic drugs;
- Amphetamines;
- Barbiturates;
- Marijuana or any other controlled substance;
- Synthetic stimulants such as MDPV and Mephedrone (e.g. “bath salts”), and synthetic cannabinoids (e.g. “Spice,” “K2”);
- Any other controlled substance;
- Any alcoholic beverage, malt beverage or fortified wine or other intoxicating liquor, or
- Any chemical, substances or products procured or used with the intention of bringing about a state of exhilaration or euphoria or otherwise altering the student’s mood or behavior.
- Any substance containing cannabidiol (CBD) or tetrahydrocannabinol (THC), regardless of whether it constitutes a controlled substance under state or federal law.

Students also are prohibited from possessing, using, distributing or selling drug paraphernalia or counterfeit (fake) drugs. Students may not in any way participate in the selling or distributing of prohibited substances.

Possession or use of prescription and over the counter drugs are not in violation of this policy if possessed and used in accordance with Policy 4525/6125 Administering Medicines to Students. Students must not give or distribute any prescription drug to another student.

The principal may authorize other lawful uses of substances otherwise prohibited by this policy, such as for approved school projects.

Discipline: Up to 10-day suspension and possible recommendation for long term suspension

First offense - The student and parent may enroll in the Saving All Families Through Education (SAFTE) Program in lieu of the recommended discipline. If the student and parent do not successfully enroll in and complete the SAFTE Program for the first offense, the student will be reassigned to an alternative educational setting.

For additional offenses the student may be suspended and re-assigned to an alternative setting. Any student who possesses, distributes, sells or has the intent to sell, or conspires to distribute any drug, alcohol, or counterfeit drugs will receive 1-10-day OSS and possible re-assignment to an alternative school or possible recommendation for long-term suspension. Students who violate this rule with any drug, alcohol or counterfeit drug may be disciplined with out of school suspension, SAFTE Program and/or placed in an alternative educational setting. If the student is already placed in an alternative educational setting, his/her new alternative setting will be web-based with an off campus setting or the possible reduction in the student's schedule.

Any subsequent offense during their school career may result in a long-term suspension or possible expulsion.

In addition to school disciplinary action, the principal must report to the appropriate law enforcement agency any student who had used or possessed the substance prohibited by this policy.

Refer to Policy 4325 Drugs and Alcohol; Policy 4525/6125 Administering Medicines to Students



### **RULE 18: DISRUPTIVE BEHAVIOR**

No student shall on school premises engage in any activity which causes or results in the disruption of any lawful function, mission or process of the school district or the school to which he/she is assigned or any other school in the school district.

Discipline: Up to 5-day suspension with possibility for 10-day suspension or recommendation for long-term suspension based on aggravating factors.

Refer to Policy 4315 Disruptive Behavior

### **RULE 19: USE OF TOBACCO PRODUCTS**

No student may use or knowingly possess any tobacco product. This rule also includes smokeless tobacco products, electronic cigarettes and vaping, which is the act of inhaling and exhaling the aerosol produced by an e-cigarette or similar device. Students are prohibited from using or possessing any tobacco product: (1) in any school building, school vehicle or on the school grounds at any time; (2) at any school-related activity, including athletic events; or (3) at any time when the student is subject to the supervision of school personnel, including school trips.

Discipline: 1st offense - The product will be confiscated. The parents or guardians will be notified. Up to 3-day suspension and successful completion of a tobacco cessation program as designated by the school.

2nd offense - Up to 5-day suspension and/or parent conference.

Additional offense - Up to 10-day suspension and parent conference.

Refer to Policy 4320 Tobacco Products - Students

### **RULE 20: HABITUAL VIOLATIONS OF SCHOOL RULES**

No student shall through habitual violation of local school or classroom rules disrupt the educational process. Such habitual violations, no matter how minor, shall be considered a major violation when the student's disciplinary record shows a clear pattern of noncompliance with established rules and regulations. Violation of this rule may result in long-term suspension.

Refer to Policy 4300 Code of Student Conduct

## **RULE 21: TRESPASSING**

Students are prohibited from trespassing on school property. No student shall be on the campus of any Lee County School during the school day without the knowledge and consent of the school officials. A student will be considered a trespasser and may be criminally prosecuted in any of the following circumstances:

- The student is on the campus of a school to which he or she is not assigned during the school day without the knowledge and consent of the officials of that school; or
- The student is loitering at any school after the close of the school day without any specific need or supervision; or
- The student has been suspended from school but is on the property of any school during the suspension period without the express permission of the principal.

No student while under school-imposed suspension shall be in any school building, school bus or on the premises of any Lee County School, or in attendance at any Lee County Schools' activity, function or event.

Discipline: Principal's discretion based on the severity of the event.  
Up to 10-day suspension.

Refer to Policy 4330 Theft, Trespassing and Damage to Property

## **RULE 22: SCHOOL ATTENDANCE**

Every student is expected to be in full-time attendance in his assigned classes except in instances of excused absences. When a student must miss school, a written excuse signed by a parent or guardian must be presented to the student's teacher on the day the student returns after an absence. The Superintendent, principal or teacher may excuse a child temporarily from school for any of the following reasons:

- Personal illness or injury that makes the student physically unable to attend school;
- Isolation ordered by the local health officer or State Board of Health;
- Death in the immediate family;
- Medical or dental appointment;
- Participation under subpoena as a witness in court proceeding;
- A minimum of two days each academic year for observance of an event required or suggested by the religion of the student or the student's parent(s) with written prior

approval from the principal. The student will have the opportunity to make up any tests or other work missed due to an excused absence for a religious observance;

- Participation in a valid educational opportunity such as travel or service as a legislative or Governor's page with prior approval from the principal;
- Pregnancy and related conditions or parenting when medically necessary;
- Absences that in the judgment of the principal have an educational value at least as great as that received during an equal amount of time in the classroom and permitted only if a comparable opportunity shall not be available at a time other than during school hours;
- Miscellaneous causes of an emergency nature approved by the principal or assistant principal.

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

Absences due to extended illnesses generally require a statement from a physician. In the case of excused absences and short-term out-of-school suspension, the student will be permitted to make up his or her work. (See also Policy 4351 Short-Term Suspension.) The teacher will determine when work is to be made up. The student is responsible for finding out when assignments are due and completing them within the specified time period.

The principal shall determine if the amount of time missed is of reasonable length. All other absences are considered unexcused.

"Classes" include that location over which the school and school officials have supervisory responsibilities. Part of the requirement to receive credit for any grade or course is to fulfill the board policy on regular attendance. This states that in addition to other requirements, to receive credit for any course, high school students are permitted no more than 8 absences out of the total day in the semester for a semester course or 16 absences out of the total day in the school year for a yearlong course.

Elementary and middle school students are permitted no more than 16 absences during the school year. Pursuant to Board Policy 4400 Attendance, violation of this policy may result in a reduction in grades, receipt of a non-passing grade or a referral to the juvenile justice system for compulsory attendance violations.



Tardiness to School/Class

No student shall be tardy in his/her arrival for school or class without permission or excuse by school officials.

Discipline: In-school discipline and/or parental notification. Recurring unexcused tardies may result in suspension up to two days.

Cutting Classes/Truancy/Unauthorized Leaving School

No student shall fail or refuse to attend an assigned class or fail or refuse to attend the school to which he/she is assigned on any school day without permission or excuse from school personnel or without good reason sufficient to constitute an excused absence. No student who attends school during any portion of any school day shall thereafter leave the school grounds prior to the end of the school day without permission or excuse from school personnel.

Discipline: Notification to parent, in-school-suspension, possible suspension up to 2 days, and unexcused absence.

Refer to Policy 4400 Attendance

**RULE 23: BUS CONDUCT**

Students shall comply with all appropriate rules in this code of conduct while riding, boarding or leaving the bus. In addition, students shall adhere to any additional school, county, or state rules developed specifically to govern their conduct while riding, boarding, or leaving the bus.

No student shall fail to observe established safety rules, standards and regulations on the bus and in the bus aisle ways. No student shall interfere with the operation of school buses, including delaying the bus schedule, getting off at an unauthorized stop, and willfully trespassing upon a school bus.

To provide maximum safety for students to and from school, students must remain seated at all times facing forward. Students are not permitted to sit with feet and legs in the aisle and all other objects such as book bags, etc. should not be placed in the aisle. Book bags should be placed in the student's lap or underneath the seat in front of them.

The principal will take such action with reference to any misconduct on a school bus, or at a bus stop, or any violation of the instruction of the driver, as he/she might take if such misconduct occurred upon the grounds of the school.

In addition, the principal has the authority to remove any student from the bus for minor misconduct.

Discipline: 1st offense - Counsel with student; notify parents; maximum 3-day off bus.  
 2nd offense - Up to 5-day off the bus.  
 3rd offenses - Up to 10-day off bus and may be suspended from bus for remainder of the school year.  
 Additional - Student may be suspended from bus up to the remainder of  
 Offense: the school year.

Refer to Policy 4315 Disruptive Behavior

#### **RULE 24: CRIMINAL BEHAVIORS**

Criminal or other illegal behavior is prohibited. Any student who the principal reasonably believes to have engaged in criminal behavior on the school premises or at school activities shall be subject to appropriate disciplinary action as stated in applicable board policies and may be criminally prosecuted as well. School officials shall cooperate fully with any criminal investigation and prosecution. School officials shall independently investigate any criminal behavior that also violates school rules or board policy.

a. Students Charged with or Convicted of Criminal Behavior

If necessary, the superintendent and principal may take reasonable measures to preserve a safe, orderly environment when a student has been charged with or convicted of a serious crime regardless of whether the alleged offense was committed on school grounds or related to school activities. Depending upon the circumstances, including the nature of the alleged crime, the child's age and publicity within the school community, reasonable efforts may include changing a student's classroom assignment or transferring the student to another school. Transfer to the alternative school may be made in accordance with the criteria established in board Policy 3470/4305 Alternative Programs/Schools. The student shall continue to be provided with educational opportunities unless and until the student is found to have violated board policy or school rules and is suspended or expelled in accordance with procedures established in board policy.

b. Reporting Criminal Behavior

The principal must report immediately to law enforcement officers and the superintendent the following acts when the principal has personal knowledge or

actual notice from others that such acts occurred on school property, regardless of the age or grade of the perpetrator or victim:

- Assault resulting in serious personal injury;
- Bomb threat;
- Burning of a school building;
- Sexual Assault;
- Sexual offense;
- Rape;
- Kidnapping;
- Possession of alcoholic beverages;
- Indecent liberties with a minor;
- Assault involving the use of a weapon; (see Policy 4333 Weapons, Bomb Threats, Terrorist and Clear Threats to Safety)
- Possession of a firearm or powerful explosive in violation of the law;
- Possession of a weapon in violation of the law;
- Possession of a controlled substance in violation of the law;
- Assault on school officials, employees and/or volunteers;
- Homicide, including murder, manslaughter and death by vehicle;
- Robbery; or
- Armed robbery

Refer to Policy 4335 Criminal Behavior; Policy 4333 Weapons, Bomb Threats, and Clear Threats to Safety

## **RULE 25: GANG RELATED ACTIVITIES**

The presence of gangs and gang-related activity within the schools creates an atmosphere of fear and hostility that obstructs student learning and achievement. Thus, the board condemns the existence of gangs and will not tolerate gang-related activity in the school district.

Gang-related activity is strictly prohibited within the school. For the purpose of this rule, “gang-related activity” means: (1) Any conduct that is prohibited by another board policy and is engaged in by a student on behalf of an identified gang or as a result of the student’s gang membership; or (2) Any conduct engaged in by a student to perpetuate, proliferate or display the existence of any identified gang.

Conduct prohibited by this rule includes:

- Wearing, possessing, using, distributing, displaying or selling any clothing, jewelry, emblems, badges, symbols, signs or other items with the intent to convey membership or affiliation in a gang.



- Communicating either verbally or nonverbally (gestures, handshakes, slogans, drawing, etc.) with the intent to convey membership or affiliation in a gang;
- Tagging, or otherwise defacing school or personal property with symbols or slogans intended to convey membership or affiliation in a gang (see Policy 4330 Theft, Trespass and Damage to Property);
- Requiring payment for protection, insurance or otherwise intimidating or threatening any person related to gang activity (see Policy 4331 Assaults and Threats);
- Inciting others to intimidate or to act with physical violence upon any other person related to gang activity (see Policy 4331 Assaults and Threats);
- Soliciting others for gang membership; and
- Committing any other illegal act or other violation of school district policies in connection with gang-related activity.

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.)

Discipline: 1st offense and all other subsequent referrals

Any student who engages in any gang type activity such as, but not limited to, fighting, creating a disturbance, graffiti, intimidation of other students, harassment, wearing gang attire of any type, etc., may be subject to out-of-school suspension up to 10-day and possible long-term suspension on the first offense. Law enforcement and parents shall be notified.

Refer to Policy 4328 Gang-Related Activity; Policy 4316 Student Dress Code

### **III. LEE COUNTY BOARD OF EDUCATION POLICIES**

A complete and updated version of all Lee County Schools’ policies and regulations may be obtained online at [www.lee.k12.nc.us](http://www.lee.k12.nc.us) or at the Lee County Schools Central Office located at 106 Gordon Street, Sanford, N. C. <https://boardpolicyonline.com/bl/?b=lee>

#### **IV: NOTIFICATION OF PARENTAL RIGHTS**

### **NOTIFICATION OF RIGHTS**

#### **Title IX**

Lee County Schools does not discriminate on the basis of sex in its education programs or activities and is required by Title IX of the Education Amendments Act of 1972 and federal regulations to not discriminate in such a manner. This requirement extends to admission and employment. The Board will not tolerate discrimination on the basis of sex, including any form of sexual harassment as that term is defined under Title IX, in any program or activity of the school system.

The Board has designated a Title IX coordinator to coordinate its efforts to comply with its responsibilities under Title IX and its implementing regulations. Inquiries about the application of Title IX and its implementation of federal regulations may be referred to the Title IX coordinator and/or the Assistant Secretary for Civil Rights in the Office for Civil Right at the U. S. Department of Education.

The contact information for the Title IX coordinator is as follows:

Stacie Eggers, 106 Gordon Street, Sanford, N. C. 27330

seggers@lee.k12.nc.us

919-774-6226

The contact information for the Office for Civil Rights with jurisdiction over North Carolina is as follows:

4000 Maryland Ave., SW

Washington, DC 20202-1475

Telephone: 202-453-6020

TDD: 800-877-8339

FAX: 202-453-6021

Email: OCR.DC@ed.gov

<https://boardpolicyonline.com/bl/?b=lee>

## Section 504

It is the intent of Lee County Schools to ensure that students with disabilities as defined by Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate education services while ineligible for services under IDEA. In addition, students may be eligible for services under Section 504 and IDEA. Information regarding referral services may be obtained by contacting your child's school principal.

## FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are: <https://boardpolicyonline.com/bl/?b=lee#&&hs=158056>

- The right to inspect and review the student's educational records and the procedure for exercising this right.

- The parent and/or eligible student should contact the school principal to arrange a time and place for the records to be inspected.

- The right to request amendment of the student's educational records that the parent or eligible student believes to be inaccurate, misleading or in violation of the student's privacy rights, and the procedure for exercising this right:

- The parent and/or eligible student notify the principal in writing of the information that needs to be changed and why.

- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent;

- The type of information designated as directory information and the right to opt out of release of directory information.

- Lee County Schools will release "directory information" about individual students upon request as explained in Board Policy 4700 <https://boardpolicyonline.com/bl/?b=lee#&&hs=158056> unless the parent has opted out of the disclosure of directory information by providing written notice to the school principal or superintendent's designee no later than thirty (30) day after the beginning of the school year. Any such opt-out must be renewed annually and/or when the child changes schools.



- That the school district releases records to other institutions that have requested the information and in which the student seeks or intends to enroll;
- The right to opt out of releasing the student's name, address and phone number to military recruiters or institution of higher education that request such information;
- A specification of the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest if a school official discloses or intends to disclose personally identifiable information to school official without consent;

A school official is a person employed by the school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff, school security, and school resource officers); a Board of Education member; or person or company with whom the school system has contracted to perform a specific task that it would otherwise use its own employees to complete and who is under the direct control of the school with respect to the use and maintenance of education records. A school official has a "legitimate educational interest" if the official needs to review an education record in order to fulfill his or her professional responsibility.

- Notification if the school district uses contractors, consultants, volunteers or similar persons as school officials to perform certain school district services and functions that it would otherwise perform itself; and
- The right to file complaints with the Family Policy Compliance Office in the U.S. Department of Education.

## Title I Annual Parental Notification

In accordance with federal law, parents of students in Title I schools are being notified of the following parental rights as well as other required information regarding Title I.  
<https://boardpolicyonline.com/bl/?b=lee#&&hs=157854>

- Title I parent and family engagement policy (see policy 1320/3560)

<https://boardpolicyonline.com/bl/?b=lee#&&hs=157855>

- Parent rights related to student records (see policy 4700, Student Records)

<https://boardpolicyonline.com/bl/?b=lee#&&hs=158056>

- Parental rights related to student surveys (see policy 4720, Surveys of Students)

<https://boardpolicyonline.com/bl/?b=lee#&&hs=15805>

- The approximate dates of any non-emergency, invasive physical examination or screening that is: a) required as a condition of attendance, (b) administered and schedule in advance by the school administration, and (C) not necessary to protect the immediate health and safety of students;

- The schedule of pesticide uses on school property and their right to request notification of on scheduled pesticide use (see policy 9205, Pest Management);

<https://boardpolicyonline.com/bl/?b=lee#&&hs=158291>

- Student behavior policies, the Code of Student Conduct, and school standards and rules (see policies in the 4300 series)

<https://boardpolicyonline.com/bl/?b=lee#&&hs=158008>

- The permissible use of seclusion and restraint in the schools (see regulation 4302-R, Rules for Use of Seclusion and Restraint in Schools);

<https://boardpolicyonline.com/bl/?b=lee#&&hs=158019>

- Policy 4329/7311, Bullying and Harassing Behavior;

<https://boardpolicyonline.com/bl/?b=lee#&&hs=924551>

- Policy 1740/4010, Student and Parent Grievance Procedure;

<https://boardpolicyonline.com/bl/?b=lee#&&hs=157866>

Revised August 2018; August 2019; August 2020; July 2021; July 2022; October 2022; December 2022; July 2023

- The dates of the system-wide and state-mandated tests that students will be required to take during that school year, how the results from the tests will be
- Required to take during that school year, how the results from the tests will be used, and whether each test is required by the State Board of Education or by the local board;
- Grading practices that will be followed at the school and, for parents of high school students, the method of computing the grade point averages that will be used for determining class rank (see policies 3400, Evaluation of Student Progress <https://boardpolicyonline.com/bl/?b=lee#&&hs=157938> and 3450 <https://boardpolicyonline.com/bl/?b=lee#&&hs=157945> Class Rankings);
- Available opportunities and the enrollment process for students to take advanced courses and information explaining the value of taking advanced courses;
- If applicable, that their child will be provided advanced learning opportunities in mathematics or will be placed in an advanced mathematics course;
- A clear and concise explanation of the North Carolina testing and accountability system that includes all information required by federal law;
- A report containing information about the school system and each school, including, but not limited to:

-The following information both in the aggregate and disaggregated by category: student achievement; graduation rates; performance on other school quality and/or student success indicators; the progress of students toward meeting long-term goals established by the state; student performance on measures of school climate and safety; and, as available, the rate of enrollment in post-secondary education;

The performance of the school system on academic assessments as compared to the state as a whole and the performance of each school on academic assessments as compared to the state and school system as a whole;

The percentage and number of students who are:

assessed,

assessed using alternate assessments,

involved in preschool and accelerated coursework programs, and



English learners achieving proficiency;

The per pupil expenditures of federal, state, and local funds; and

Teacher qualifications.

The grade earned by the school on the most recent annual report card issued for it by the State Board of Education if the grade was a D or F;

- Supportive services available to students, including guidance, counseling, and health services (see policy 3610, <https://boardpolicyonline.com/bl/?b=lee#&&hs=157965> Counseling Program)

- Information about meningococcal meningitis and influenza, including the causes, symptoms, and vaccines, how the diseases are spread, and places where parents and guardians may obtain additional information and vaccinations for their children;

- For parents of students in grades 5 through 12, information about cervical cancer, cervical dysplasia, and human papillomavirus, including the causes and symptoms of these diseases, how they are transmitted, how they may be prevented by vaccination, including the benefits and possible side effects of vaccination, and places parents and guardians may obtain additional information and vaccinations for their children;

- How to reach school officials in emergency situations during non-school hours;

- Information about and an application form for free and reduced price meals and/or free milk (see policy 6225 <https://boardpolicyonline.com/bl/?b=lee#&&hs=158100>, Free and Reduced Price Meal Services);

- Information about the school breakfast program

- Information about the availability and location of free summer food service program meals for students when school is not in session;

- For parents of children with disabilities, procedural safeguards (see also policy 1730/4022/7231 <https://boardpolicyonline.com/bl/?b=lee#&&hs=157865>, Nondiscrimination on the Basis of Disabilities);

- Information on the availability of the asbestos management plan and planned or in-progress inspections, re-inspections, response actions, and post-response actions, including periodic re-inspection and surveillance activities;

- Education rights of homeless students (see policy 4125 <https://boardpolicyonline.com/bl/?b=lee#&&hs=157987>, Homeless Students)

- The content and implementation of the local school wellness policy (see policy 6140,) <https://boardpolicyonline.com/bl/?b=lee#&&hs=15805>)
- Their right to take four hours of unpaid leave from their jobs every year in order to volunteer in their child's school as stated in [G.S. 95-28.3](#) (see policy 5015, <https://boardpolicyonline.com/bl/?b=lee#&&hs=158064> School Volunteers);
- That the school system does not discriminate on the basis of race, color, national origin, sex, disability, or age, and that the school system provides processes for resolving discrimination and harassment complaints (see policies 1710/4020/7230, <https://boardpolicyonline.com/bl/?b=lee#&&hs=924454> Discrimination and Harassment Prohibited by Federal Law, 1720/4030/7235, <https://boardpolicyonline.com/bl/?b=lee#&&hs=924524> Title IX Nondiscrimination on the Basis of Sex, and 1730/4022/7231, <https://boardpolicyonline.com/bl/?b=lee#&&hs=157865> Nondiscrimination on the Basis of Disabilities
- That the school system provides equal access to its facilities, programs, and activities to the Boy Scouts and other designated youth groups (see policy 1710/4021/7230, <https://boardpolicyonline.com/bl/?b=lee#&&hs=924454> Discrimination and Harassment Prohibited by Federal Law; and
- The availability of and the process for requesting a waiver or reduction of student fees (see policy 4600, <https://boardpolicyonline.com/bl/?b=lee#&&hs=158055>) Student fees

