Student Code of Conduct

LEE COUNTY SCHOOLS
INSPIRED.
Dear Parents:

The goal of Lee County Schools is to partner with you as parents to provide a safe and secure learning environment for your child. In order to achieve this goal, Lee County Schools has established the following Code of Student Conduct. In the document, you will find expectations for behavior.

All materials contained in the Lee County Code of Student Conduct are very important to you and your child. Please take time to review this information together. As we as Lee County Schools and you as parents work together, your child will experience academic success and achieve their future goals.

Thank you for allowing us to serve you and your child. Please let us know how we may assist.
Table of Contents

I. Responsibility for Student Discipline ........................................... 1

II. Prohibited Conduct and Authorized Penalties .............................. 6
    Rule 1-Compliance with Directions of School Personnel ................. 6
    Rule 2-Misrepresenting Information to School Employees ............... 6
    Rule 3-Assault on or Physical Injury to Others, Treating Acts, Harassment... 6
    Rule 4-Fires, Fireworks, Firecrackers, Smoke Bombs, or Stink Bombs ... 8
    Rule 5-Weapons and Weapon-Like Items .................................. 8
    Rule 6-Bomb Threats, Terrorist Threats and Clear Threats to Safety .... 10
    Rule 7-Integrity and Civility ............................................. 12
    Rule 8-Threatening, Insulting, Abusive or Seriously Discourteous Words,
        Signs or Other Acts, Including Sexually Related Acts ................ 12
    Rule 9-Disruption of School ............................................. 13
    Rule 10-Use of Wireless Communication and Other Electronic Devices .. 15
    Rule 11-Gambling on Campus-Games of Chance .......................... 17
    Rule 12-Dress Code ..................................................... 17
    Rule 13-Fighting ......................................................... 23
    Rule 14-Theft of or Damage to School or Private Property ............ 24
    Rule 15-Discrimination, Harassment, and Bullying ...................... 25
    Rule 16-Unacceptable Physical Contact ................................ 26
    Rule 17-Narcotics, Alcohol Beverages, Stimulants, Drugs, Controlled
        Substances, or Intoxicants ........................................... 26
    Rule 18-Boycotts, Sit-ins, and Walkouts ................................ 28
    Rule 19-Protests, Marches, and Picketing ................................ 28
    Rule 20-Use of Tobacco Products ...................................... 28
    Rule 21-Habitual Violation of School Rules .............................. 29
    Rule 22-Trespassing ..................................................... 29
    Rule 23-School Attendance .............................................. 30
    Rule 24-Bus Conduct ..................................................... 32
    Rule 25-Criminal Behavior .............................................. 33
    Rule 26-Gang Related Activities ...................................... 34

III. Lee County Board of Education Policies ................................. 35
    (Complete listing of all policies may be found on the
    Lee County Schools website www.lee.k12.nc.us)

    Policy 1740/4010 Student and Parent Grievance Procedure ............ 36
    Policy 3225/4312/7320 Technology Acceptable Use ..................... 43
    Policy 4345 Student Discipline Records ................................ 51
    Policy 4353 Long-Term Suspension, 365 Day Suspension, Expulsion .... 54
    Policy 1710/4021/7230 Prohibition Against Discrimination, Harassment and
        Bullying .............................................................. 64
I. RESPONSIBILITY FOR STUDENT DISCIPLINE

Introduction

The primary purpose of Lee County Schools is to promote learning for all students. Good teachers, a good learning environment and regular attendance by students are all necessary to accomplish this goal. All decisions related to student behavior are guided by the Lee County Board of Education’s educational objective to teach responsibility and respect for cultural and ideological differences and 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 good 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 in attendance at 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 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.

Revised August 2018
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 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 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 student behavior management plan and any other school standards or rules. The teacher may develop other standards or rules consistent with the direction provided by the board, superintendent and 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:

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. For self-defense;
5. For the protection of persons or property; or
6. To maintain order on school property, in the classroom or at a school-related activity 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
   - In-school suspension
   - Detention before and/or after school or on Saturday
   - Community service on school grounds with supervision

Revised August 2018
- Exclusion from extracurricular activities
- 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 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 and short-term suspension in Policy 4351. (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).

Principal 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. **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. 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.

**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. If the procedures manual does not fully address a particular issue, the director of exceptional children, in the case
of a student with a 504 accommodation plan, 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 attending any school that is part of Lee County Schools.
2. **Classroom** - any location over which school officials have supervising responsibility.
3. **Principal** - the school principal 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 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 days suspension or disciplinary action as determined by principal.

Additional Offenses:  Up to 10 days 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

No student shall be untruthful or intentionally misrepresent information to any school employee.

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

Additional Offenses:  Up to 10 days 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

Revised August 2018
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 days suspension for all involved students and possible recommendation for long-term suspension.

**Additional Offenses:** Up to 10 days 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.

If no appropriate alternative setting is available, the student may be suspended for up to 365 days.

Revised August 2018
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, Threats and Harassment

**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 that would create a fire.

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 days 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, 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;
- Knives, including pocket knives, bowie knives, switchblades, dirks and daggers;
- Slingshots or slungshots
- Leaded canes;
- Blackjacks;
- Metal knuckles;
- BB guns;
- Air rifles and air pistols;
- Stun guns and other electric shock weapons, such as tasers;

Revised August 2018
- Icepicks;
- Razors and razor blades (except those designed and used solely for personal shaving);
- Fireworks;
- Ammunition; and
- Any sharp pointed or edged instrument except unaltered nail files and clips and tools used solely for preparation of food, instruction and maintenance.

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

**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 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 firearm 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 days, 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 the 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 making, aiding, conspiring, and/or abetting in making a terrorist threat or perpetrating a terrorist hoax against school district property by making a false report that a device, substance or material designed to cause harmful or life-threatening injury to another person is located on school property. No student may knowingly or willfully cause, encourage or aid another student to make a terrorist threat or perpetrate a terrorist hoax. Any student who becomes aware that another student or
other person intends to use a device, substance or material designed to cause harmful or life-threatening illness or injury to another person, make a terrorist threat or perpetrate a terrorist 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 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.

Revised August 2018
• Any behavior resulting in a felony conviction of a weapon, drug, 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 days 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 an unfair advantage on any form of academic work.
• Plagiarizing, including copying the language, structure, idea and/or thought 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.

Discipline: 1st offense - Zero on the assignment. It will be recorded on the student’s discipline file in the office. The teacher will maintain a record. Parent will be notified by teacher.

2nd Offense - At principal’s discretion.

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

Revised August 2018
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 sexula advances, requests for sexula favors and other verbal or physical conduct of a sexula nature constitute sexula harassment and will not be tolerated.

**For Threatening Language or Acts and Sexual Harassment**

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

**For Abusive, Insulting or Discourteous Language**

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

Refer to Policy 1710/4021/7230 Prohibition Against Discrimination, Harassment and Bullying; Policy 4331 Assaults, Threats and Harassment; 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 therin 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.
- Possession and use 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, 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 days suspension from school as determined by the principal.

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

Revised August 2018
Disruptive Behavior

Discipline: Up to 10 days 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 days suspension.

Additional Offenses: Up to 10 days 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

Revised August 2018
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 Offenses:**
Confiscation of item. Parents only may pick up the item at the end of the 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

Revised August 2018
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 days suspension
            3rd offense - Up to 5 days 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:

- Sagging pants and oversized clothing.
- 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, 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 and 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.
- Sunglasses and head coverings of any kind are not to be worn inside the buildings.
- 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 student sent home for the remainder of the day.
2nd offense - Up to 3 days OSS.
3rd offense - Up to 5 days OSS.
4th offense - Refer to Rule 21 or other disciplinary action as determined Necessary by the site principal.

Refer to Policy 4316 Student Dress and Appearance; Policy 4301 Student Dress Code

Revised August 2018
The following are unique to the specific school:

**J. Glenn Edwards Elementary School**

**Academic Attire**

- Any solid color without large logos (except for school logo).
- Golf type pullover shirts with collars, short or long sleeved.
- Mock or turtleneck shirts, plain sweatshirts (seasonal) without hoods.
- School shirts are permitted on special days.
- Pants, skirts, shorts, skorts, capri pants, jumpers, khaki - navy or black.
- All skirts, shorts, skorts, jumpers must be knee length or longer. Slits on skirts may be no higher than the knee.
- Pants with belt loops may have a solid color or leather/leather like belt.

Effective 08/27/2018

**Bragg Street Academy**

**Student Dress Code**

**2018-2019**

BSA students will conform to the uniform code of dress. In addition to the Lee County Schools Board of Education Dress Policy students attending Bragg Street Academy must dress as follow:

- Shirts with sleeves must be worn and cannot be sheer.
- Neutral colors such as khaki, white, dark blue, grey, brown or black pants will be worn.

**NO LEGGINGS OR JEGGINGS**

- Only one pair of pants is permitted to be worn at a time. Pants cannot be more than 2 inches larger than true waist size. Pants must be free of holes, slashes, embroidery pictures or emblems.
- If wearing a belt it must be worn properly. The belt should be either brown or black in color and free of studs or brads and should not have a large buckle. The belt should be either solid fabric or leather.
- Sneakers/tennis shoes are preferred. Only shoes that completely enclose the foot are permitted. Shoes must be a matching pair. **NO SLIPPERS.**
- Outer garments may not represent gang colors or sports teams associated with gangs.
- Students should remain in Bragg Street Academy attire as long as the student is on LCS property.
- Sweatshirts may be worn over a shirt. **NO HOOD.**

Revised August 2018
• Skirt, shorts or dress length must be below the knee.
• Clothing should be relaxed/loose fit. NO SAGGING.
• Clothing should be free of violent, illegal, or lewd images.

Effective 08/27/2018

Deep River Elementary School

• Shorts, skirts, skorts, and jumpers are acceptable at a dollar bill width (2 ½ inches) above the knee length or longer.
• Shoes are to be properly secured/fastened/tied rubber soled shoes. (No Crocs, sandals, or high heels.)
• Coats/jackets must be worn outside only.
• All clothing must fit and not be baggy, long or sagging. In such cases, shirts will be tucked in and/or a belt required.
• Student dress and grooming must be appropriate, safe and not disruptive to the educational environment.

Effective 08/27/2018

Tramway Elementary School

Student Footwear

• Students must wear closed toe/closed heel shoes and be securely fastened.
• Tennis shoes are a great choice because this allows for easy movement and protection. This also allows students to have ideal footwear for the 30 minutes of required physical activity each day.
• The following types of shoes will not be allowed: Flip flops, Rainbows, clogs, Crocs, sandals, platform shoes, heel over 1 ½ inches.

Effective 08/27/2018

J. R. Ingram Elementary School

1. Students must wear shoes that are closed toe and closed heel and that are secure on the foot. Tennis shoes are always the best choice because this allows for easy movement and protection. This also allows students to have ideal footwear for the 30 minutes of

Revised August 2018
required physical activity each day. The following types of shoes are not allowed: Flip flops, Rainbows, clogs, Crocs sandals, shoes with wheels, platform shoes, heel over 1 ½ inches.

2. The following are not permitted at J. R. Ingram Elementary School:
   - Sunglasses, hats, 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, 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, and undergarments.
   - Clothing worn inappropriately such as unbuckled belts, inside out or backward, unfastened, pants and skirts not at or secured at waistline, and shoes not tied or secured.
   - Face paint is not permitted unless it is related to school activities or events.

   Effective 08/27/2018

   Greenwood Elementary School
   Student Footwear

   Students must wear shoes that are closed toe and closed heel and that are secure on the foot. Tennis shoes are always the best choice because this allows for easy movement and protection. This also allows students to have ideal footwear for the 30 minutes of required physical activity each day.

   The following types of shoes are not allowed:
   - Flip flops, Rainbows, clogs, Crocs sandals, shoes with wheels, platform shoes, heel over 1 ½ inches.

   Effective 08/27/2018

Revised August 2018
B. T. Bullock Elementary School

Students must wear shoes that are closed toe and closed heel and that are secure on the foot. Tennis shoes are always the best choice because this allows for easy movement and protection. This also allows student to have ideal footwear for the 30 minutes of required physical activity each day.

The following types of shoes are not allowed:

- Flip flops, Rainbows, clogs, Crocs sandals, shoes with wheels, platform shoes, heel over 1 ½ inches.

Effective 08/27/2018

Broadway Elementary School

Student Footwear

Students must wear shoes that are closed toe and closed heel and that are secure on the foot. Tennis shoes are always the best choice because this allows for easy movement and protection. This also allows student to have ideal footwear for the 30 minutes of required physical activity each day.

The following types of shoes are not allowed:

- Flip flops, Rainbows, clogs, Crocs sandals, shoes with wheels, platform shoes, heel over 1 ½ inches.

Effective 08/27/2018

Warren Williams Alternative Elementary School

Student dress and grooming must be appropriate, safe, and not disruptive to the educational environment. All students (adults & children) will be dressed appropriately (Lee County Schools Dress Code). The dress code bars students from wearing spaghetti strap tops, tank tops, net shirts, bare-midriff clothing or other revealing attired. The policy forbids short dresses, skirts, or short shorts. Pants or shorts must be worn at the waistline, and shirts or blouses must completely cover undergarments. Hats, bandanas and sunglasses may not be worn in school.

Student Footwear: Children are active. They play outdoors, make crafts, paint, cook, and much more. Students must wear closed toe/heel shoes or tennis shoes/sneakers and

Revised August 2018
be securely fastened so they can, play, walk, run, jump, climb, and skip in the playground easily. The following types of shoes will no longer be allowed: flip-flops, Rainbows, clogs, Crocs, sandals, platform shoes and heels over 1 ½ inches.

Student clothing: We prefer that children wear clothes that are durable, washable, comfortable, and suitable for the weather.

Simple clothes, easy to fasten, are the best choices for children learning to take care of themselves. Since children sometimes have “accidents” in their clothes, please bring an extra set of clothing. Also, please bring a jacket or sweater that can be left here for unexpected changes in the weather.
Please label all clothing and/or other items that are to be left at school.

**Student Dress and Appearance**
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 (106 Gordon Street, Sanford).

Refer to Policy 4301/4316 - Student Dress and Appearance; Policy 4328 Gang Related Activity; Regulation 4301-R-Student Dress and Appearance

**RULE 13 FIGHTING**

No student shall 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 days suspension for all involved students and possible long-term suspension.
- 2nd offense - Up to 10 days suspension and possible recommendation for long-term suspension with possible expulsion.
- 3rd offense - Up to 10 days 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 days.

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, Threats and Harassment

**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 days 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 days 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 means the repeated intimidation of others by the real or threatened infliction of physical, verbal, written, 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.

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 unwanted, unwelcomed and uninvited behavior that demeanes, threatens or offends the victim and results in a hostile environment for the victim. The hostile environment can be created through pervasive or persistent misbehavior or a single incident if sufficiently severe. Harassment is further defined in Policy 1710/4021/7230 Prohibition Against Discrimination, Harassment and Bullying.

Complaints of harassment shall be investigated pursuant to Policy 1720/4015/7225 Discrimination, Harassment, and Bullying Complaint Procedures. 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 days suspension or recommendation for long-term suspension.

Revised August 2018
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.

Refer to Policy 1710/4021/7230 Prohibition A Discrimination, Harassment and Bullying

**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 days suspension and possible recommendation for long-term suspension for serious violations.

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

Refer to Policy 1710/4021/7230 Prohibition Against Discrimination, Harassment and Bullying; Policy 1720/4015/7225 Discrimination, Harassment Bullying Complaint Procedure; Policy 4331 Assaults, Threats and Harassment

**RULE 17  NARCOTICS, ALCOHOL BEVERAGES, STIMULANTS, DRUGS, CONTROLLED SUBSTANCE 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 MOPY and Mephedrone (e.g. “bath salts”), and synthetic cannabinoids (e.g. “Spice,” “K2”);
- Any alcoholic beverage, malt beverage or fortified wine or other intoxicating liquor, or
- Any chemical or products procured or used with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student’s mood or behavior.

Revised August 2018
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 days 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. 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 drug will receive 1-10 days 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  

BOYCOTTS, SIT-INS AND WALKOUTS

No student shall participate in any boycott of any lawful school function, mission or process or participate in any sit-in or any walkout which causes or results in the disruption of any lawful function, mission or process of the school district or at any school to which he/she is assigned or any other school in the school district.

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

Refer to Policy 4315 Disruptive Behavior

RULE 19  

PROTESTS, MARCHES AND PICKETING

No student shall on or off school premises engage in any protest, march, picketing or similar 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 days suspension with possibility for 10 days suspension or recommendation for long-term suspension based on aggravating factors.

Refer to Policy 4315 Disruptive Behavior

RULE 20  

USES 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 days suspension which will be inactivated if the student successfully completes a tobacco cessation program as designated by the school.

Revised August 2018
2nd offense - Up to 3 days suspension and/or parent conference.

Additional Offense: Up to 5 days suspension and/or parent conference.

Refer to Policy 4320 Tobacco Products - Students

**RULE 21  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 22  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;
- 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 severity of the event.
Up to 10 days suspension.

Refer to Policy 4330 Theft, Trespassing and Damage to Property

Revised August 2018
RULE 23  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 the 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.)

Revised August 2018
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 days in the semester for a semester course or 16 absences out of the total days in the school year for a year long 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

Revised August 2018
RULE 24  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 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 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 violation 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 parent; maximum 3 days off bus.
            2nd offense - Up to 5 days off bus.
            3rd offenses - Up to 10 days off bus and may be suspended from bus for remainder of school year.
            Additional - Student may be suspended from bus up to the remainder of the school year.

Refer to Policy 4315 Disruptive Behavior
RULE 25 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 the 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 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 beverage;

Revised August 2018
• Indecent liberties with a minor;
• Assault involving the use of a weapon;
• 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 volunteer;
• Homicide, including murder, manslaughter and death by vehicle;
• Robbery; or
• Armed robbery

Refer to Policy 4335 Criminal Behavior

**RULE 26  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, Threats and Harassment);
- Inciting others to intimidate or to act with physical violence upon any other person related to gang activity (see Policy 4331 Assaults, Threats, and Harassment);
- 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 days 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**

Lee County Schools policies and regulations may be found on the district website at www.lee.k12.nc.us

Revised August 2018
A. Reports of Complaints

Complaints about the performance of school personnel, implementation of board policy, the quality of the educational program or school facilities should be submitted initially for a response to the school district official responsible for the program or facility or to the superintendent. The superintendent or designee shall make available this board policy and other relevant grievance procedures to any individual or group submitting a complaint.

B. Options for Resolving Complaints

The board strives to resolve concerns and complaints of students and parents whenever possible. To this end, the board has provided opportunities for students and parents to express their concerns through processes established in board policies. Board policy 1742/5060, Responding to Complaints, identifies these different processes including a mechanism for resolving complaints in an informal manner.

While the board encourages resolutions of complaints through informal means, it recognizes that at times, a formal process may be necessary for certain types of complaints or if the informal process did not produce satisfactory results. This policy provides a complaint procedure that may be used as described below.

Any parent or student who has questions about the options for proceeding with a complaint or concern may contact the principal or superintendent’s office for further information and copies of all applicable board policies.

C. Definitions

1. Days

Days are working days, exclusive of Saturdays, Sundays, vacation days or holidays, as set forth in the school calendar. In counting days, the first day will be the first full working day following the receipt of the grievance. After May 1, time limits will consist of all weekdays (Monday - Friday) so that the matter may be resolved before the close of the school term or as soon thereafter as possible.

2. Final Administrative Decision

A final administrative decision is a decision of a school employee from which no further appeal to a school administrator is available.
3. **Grievance**

A grievance is a formal written complaint regarding specific decisions made by school personnel that alleges that such decisions have adversely affected the person making the complaint. A grievance includes, but is not limited to, circumstances such as when a student or parent believes that board policy or law has been misapplied, misinterpreted or violated. The term “grievance” does not include any matter for which the method of review is prescribed by law, for which there is a more specific board policy providing a process for addressing the concern, or upon which the board is without authority to act. Claims of discrimination, harassment or bullying must be processed under policy 1720/4015/7225, Discrimination, Harassment and Bullying Complaint Procedure.

4. **Grievant**

The grievant is the parent, student or group of parents or students submitting the grievance.

5. **Official**

The official is the school district employee hearing and responding to the grievant.

**D. TIMELINESS OF PROCESS**

The number of days indicated at each step of the grievance process should be considered a maximum. Every effort should be made to expedite the process.

Failure by the official at any step to communicate a decision within the specified time limit will permit the grievant to appeal the grievance to the next step unless the official has notified the grievant of the delay and the reason for the delay, such as the complexity of the investigation or report. The official will make reasonable efforts to keep the grievant apprised of progress being made during any period of delay. Delays that interfere with the exercise of the grievant legal rights are not permitted.

Failure by the grievant at any step of the process to appeal a grievance to the next step within the specified time limit will be considered acceptance of the decision at the current step, unless the grievant has notified the official of a delay and the reason for the delay and the official has consented in writing to the delay.

**E. GENERAL REQUIREMENTS**
1. No reprisals of any kind will be taken by the board or by an employee of the school district against any grievant or other student or employee because of his or her participation in a grievance filed and decided pursuant to this policy.

2. All meetings and hearings conducted pursuant to this policy will be private.

3. The board and school district officials will consider requests to hear grievances from a group of grievants, but the board and officials have the discretion to hear and respond to grievant individually.

4. The grievant may have a representative, including an attorney, at any stage of the grievance. However, if the grievant intends to be represented by legal counsel, he or she must notify the appropriate school official in advance so that school personnel also will have the opportunity to be represented by legal counsel.

F. Process for Grievance

1. Filing a Grievance
   a. Whenever a student or parent or guardian believes that he or she has been adversely affected by a decision of a school employee, the student or parent or guardian may file a grievance as provided in this policy.

   b. A grievance must be filed as soon as possible but no later than 30 days after disclosure or discovery of the facts giving rise to the grievance. For a grievance submitted after the 30 day period that claims a violation, misapplication or misinterpretation of state or federal law, the superintendent or designee will determine whether the grievance will be investigated after considering factors such as the reason for the delay; the extent of the delay; the effect of the delay on the ability of the school district to investigate and respond to the complaint; and whether the investigation of the complaint is necessary to meet any legal obligations. However, students, parents and guardians should recognize that delays in filing a grievance may significantly impair the ability of the school district to investigate and respond effectively to such complaints.

   c. A student or parent or guardian who has a grievance must provide the following information in writing to the principal: (1) the name of the school district employee or other individual whose decision or action is at issue; (2) the specific decision(s) or action(s) at issue; (3) any board policy state or federal law, state or federal regulation of State Board of Education policy or procedure that the parent or guardian or student believes has been misapplied, misinterpreted or violated; and (4) the specific resolution
desired. If there is not a specific decision or action at issue and no concern that state or federal law has been misapplied, misinterpreted or violated, then the procedure established in policy 1742/5060 is appropriate and the principal will address the concern following that policy.

d. Even if the principal is the employee whose decision or action is at issue, the student will submit the grievance first to the principal in order for the principal to address the issue within the formal process. If, however, the grievance claims that a state or federal law has been misapplied, misinterpreted or violated, the student may submit the grievance directly to the superintendent or designee.

e. If a student wants to initiate a formal grievance regarding a decision by the superintendent that directly and specifically affects the student, the general process described in this policy will be used, except that the grievance will be submitted to the human resources officer, who shall forward the grievance to the board chairperson.

2. Investigation

a. The principal will schedule and hold a meeting with the student and/or parent or guardian within five school days after the grievance has been filed with the principal. The student may be accompanied by a parent, legal guardian or other person who is in a position of loco parentis to the student.

b. The principal will conduct any necessary investigation of the facts before rendering a decision.

3. Response by Principal

a. The principal will provide a written response to the written grievance within 10 days of the meeting. The response will include the principal’s decision regarding resolution of the grievance and the basis for the decision. In responding, the principal may not disclose information about other students or employees that is considered confidential by law.

b. A copy of the grievance and the principal’s response will be filed with the superintendent.

4. Response by Superintendent

a. If the grievant is dissatisfied with the principal’s decision, the grievant
may appeal the decision to the superintendent. The appeal must be made in writing within five days of receiving the principal’s decision.

b. The superintendent may review the written documents and respond, or the superintendent may schedule and hold a conference with the grievant, principal, and any other individuals the superintendent determines to be appropriate within five school days after receiving the appeal. The student may be accompanied by a parent, legal guardian or other person who is in a position of loco parentis to the student.

c. The superintendent will provide a written response within 10 days after receiving the appeal. In responding, the superintendent may not disclose information about other students or employees that is considered confidential by law.

5. Appeal to Board

If the grievant has alleged a violation of a specified federal or state law, federal or state regulation, State Board of Education policy or procedure, or local board of education policy or procedure, the grievant shall have a right to appeal a final administrative decision to the board of education (see subsection E.5.a., Mandatory Appeals, below). If a grievant has not alleged such specific violations, he or she may request a board hearing which the board may grant at its discretion (see subsection E.5.b., Discretionary Appeals, below).

a. Mandatory Appeals

(1) If the grievant is dissatisfied with the superintendent’s response to his or her grievance and has alleged a violation of a specified federal or state law, federal or state regulation, State Board of Education policy or procedure, or Lee County Board of Education policy or procedure, the grievant may appeal the decision to the board within five days of receiving the superintendent’s response.

(2) A hearing will be conducted pursuant to board policy 2500, Hearings Before the Board.

(3) The board will provide a final written decision within 30 days of receiving the appeal unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

b. Discretionary Appeals
(1) If the grievant is dissatisfied with the superintendent’s response to his or her grievance but has not alleged a violation of a specified federal or state law, federal or state regulation, State Board of Education policy or procedure, or local board of education policy or procedure, then within five days of receiving the superintendent’s response, the grievant may submit to the superintendent a written request for a hearing before the board of education.

(2) If the full board will be meeting within two weeks of the request for a hearing, the board will decide at that time whether to grant a hearing. Otherwise, the board chair shall appoint not less than two members of the board to hear and act upon such appeals in the name and on behalf of the board of education. Hearing panel to review the request and determine whether to (1) deny the appeal; (2) review the superintendent’s decision on the written record only; or (3) grant a hearing. The panel will report the decision to the board. The board may modify the decision of the panel upon majority vote at a board meeting.

(3) If the board denies the appeal, the decision of the superintendent will be final and the grievant will be notified within five days of the board’s decision.

(4) If the board decides to grant a hearing, the hearing will be conducted pursuant to policy 2500.

(5) The board will provide a final written decision within 30 days of the decision to grant an appeal, unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

G. NOTICE

The superintendent or designee is responsible for providing effective notice to students, parents and school district employees of the procedures for reporting and investigating grievances.

H. RECORDS

Appropriate records shall be maintained in accordance with state and federal law.
Legal References: G.S. 115C-45(c); G.S. 126-16; 150B-43 et seq.

Cross References: Prohibition Against Discrimination, Harassment and Bullying (policy 1710/4021/7230), Discrimination, Harassment and Bullying Complaint Procedure (policy 1720/4015/6225), Responding to Complaints (policy 1742/5060), Hearings Before the Board (policy 2500), Student Behavior Policies (4300 series)

Issued: April 10, 2000

Revised: October 9, 2000; June 13, 2005; April 8, 2008; October 14, 2008; February 9, 2010; July 19, 2011; June 11, 2013; June 3, 2014
The board provides its students and staff access to a variety of technological resources. These resources provide opportunities to enhance learning, and improve communication within the school community and with the larger global community educational goals of the board. Through the school district's technological resources, users can observe events as they occur around the world, interact with others on a variety of subjects, and acquire access to current and in-depth information.

The board intends that students and employees benefit from these resources while remaining within the bounds of safe, legal and responsible use. Accordingly, the board establishes this policy to govern student and employee use of school system technological resources. This policy applies regardless of whether such use occurs on or off school system property, and it applies to all school system technological resources, including but not limited to computer networks and connections, the resources, tools and learning environments made available by or on the networks and all devices that connect to those networks.

A. EXPECTATIONS FOR USE OF SCHOOL TECHNOLOGICAL RESOURCES

Internet access is coordinated through an association of governmental agencies and regional networks. The operation of the Internet relies heavily on the proper conduct of the users, who must adhere to strict guidelines. The use of school district technological resources, including access to the Internet is a privilege, not a right. Individual users of the school system's technological resources are responsible for their behavior and communications when using those resources. Responsible use of school system technological resources is use that is ethical, respectful, academically honest and supportive of student learning. Each user has the responsibility to respect others in the school community and on the Internet. Users are expected to abide by the generally accepted rules of network etiquette. General student and employee behavior standards, including those prescribed in applicable board policies, the Code of Student Conduct and other regulations and school rules, apply to use of the Internet and other school technological resources.

In addition anyone who uses school district computers or electronic devices or who accesses the school network or the Internet using school system resources must comply with the additional rules for responsible use listed in Section B, below. These rules are intended to clarify expectations for conduct but should not be construed as all-inclusive as well as the acceptable use provisions outlined in the administrative regulations.

Before using the Internet, all students must be trained about appropriate online behavior as provided in policy 3226/4205, Internet Safety.

All students and employees must be informed annually of the requirements of this policy and
the methods by which they may obtain a copy of this policy. Before using school district technological resources, students and employees must sign a statement indicating that they understand and will strictly comply with these requirements and acknowledging awareness that the school system uses monitoring systems to monitor and detect inappropriate use of technological resources. Failure to adhere to these requirements will result in disciplinary action, including revocation of user privileges. Willful misuses may result in disciplinary action and/or criminal prosecution under applicable state and federal law.

B. RULES FOR USE OF SCHOOL TECHNOLOGICAL RESOURCES

1. School district technological resources are provided for school-related purposes only. Acceptable uses of such technological resources are limited to responsible, efficient and legal activities that support learning and teaching. Use of school district technological resources for commercial gain or profit is prohibited. Student personal use of school system technological resources for amusement or entertainment is also prohibited. Because some incidental and occasional personal use by employees is inevitable, the board permits infrequent and brief personal use by employees so long as it occurs on personal time, does not interfere with school system business and is not otherwise prohibited by board policy or procedure.

2. Under no circumstance may software purchased by the school district be copied for personal use.

3. Students and employees must comply with all applicable laws, including those relating to copyrights and trademarks, confidential information, and public records. Any use that violates state or federal law is strictly prohibited. Plagiarism of Internet resources will be treated in the same manner as any other incidents of plagiarism, as stated in the Code of Student Conduct.
4. No user of technological resources, including a person sending or receiving electronic communications, may engage in creating, intentionally viewing accessing, downloading, storing, printing or transmitting images, graphics (including still or moving pictures), sound files, text files, documents, messages, or other material that is obscene, defamatory, profane, pornographic, harassing abusive or considered to be harmful to minors.

5. The use of anonymous proxies to circumvent content filtering is prohibited.

6. Users may not install of use any Internet-based file sharing program designed to facilitate sharing of copyrighted material.

7. Users must respect the privacy of others. When using e-mail, chat rooms, blogs or other forms of electronic communication, students must not reveal personal identifying, information that is private or confidential, such as the home address or telephone number, credit or checking account information or social security number of themselves or fellow students. For further information regarding what constitutes personal identifying information, see policy 4705/7825, Confidentiality of personal identifying Information. In addition, school employees must not disclose school district websites or web pages or elsewhere on the Internet personally identifiable private or confidential information concerning students (including names, addresses or pictures) without the written permission of a parent or guardian or an eligible student, except as otherwise permitted by the Family Educational Rights and privacy Act (FERPA) or policy 4700, Student Records. Users may not forward or post personal communications without the author’s prior consent.
8. Users may not intentionally or negligently damage computers, computer systems, electronic devices, software computer networks or data of any user connected to school system technological resources. Users may not knowingly or negligently transmit computer viruses or self-replicating messages or deliberately try to degrade or disrupt system performance. Users must scan any downloaded files for viruses.

10. Users may not create or introduce games, network communications programs or any foreign program or software onto any school district computer, electronic device or network without the express permission of the Chief Technology Officer or designee.

11. Users are prohibited from engaging in unauthorized or unlawful activities, such as "hacking" or using the computer network to gain or attempt to gain unauthorized access or unlawful access to other computers, computer systems or accounts.

12. Users are prohibited from using another individual's ID or password for any technological resource without permission from the individual. Students must also have permission from the teacher or other school official. Users may not read, alter, change, execute or delete files belonging to another user without the owner's express, prior permission.

13. Users may not read, alter, change, block, execute or delete files or communications belonging to another user without the owner’s express, prior permission.
14. Employees shall not use passwords or user IDs for any data system (e.g., the state student information and instructional improvement system applications, timekeeping software, etc.) for an unauthorized or improper purpose.

15. If a user identifies a security problem on a technological resource, he or she must immediately notify a system administrator. Users must not demonstrate the problem to other users. Any user identified as a security risk will be denied access.

16. Teachers shall make reasonable efforts to supervise a student's use of the Internet during instructional time.

17. Views may be expressed on the Internet or other technological resources as representing the view of the school district or part of the school district only with prior approval by the superintendent or designee.

C. RESTRICTED MATERIAL ON THE INTERNET

The Internet and electronic communications offer fluid environments in which students may access or be exposed to materials and information from diverse and rapidly changing sources, including some that may be harmful to students.

The board recognizes that it is impossible to predict with certainty what information on the Internet students may access or obtain. Nevertheless school district personnel shall take reasonable precautions to prevent students from accessing materials, and information that is, obscene, pornographic or otherwise harmful to minors, including violence, nudity, or graphic language that do not serve a legitimate pedagogical purpose. The superintendent shall ensure that a technology protection measure are used as provided in policy 3226/4205, Internet Safety, and are disabled or minimized only when permitted by law and board policy. The board is not responsible for the content accessed by users who connect to the Internet via their personal mobile telephone technology (e.g., 3G, 4G service.)
D. PARENTAL CONSENT

The board recognizes that parents of minors are responsible for setting and conveying the standards their children should follow when using media and information sources. Accordingly, before a student may independently access the Internet, the student's parent must be made aware of the possibility that the student could obtain access to inappropriate material while engaged in independent use of the Internet. The parent and student must consent to the student's independent access to the Internet and to monitoring of the student's e-mail communication by school personnel.

In addition, in accordance with the board's goals and visions for technology, students may require accounts in third party systems for school related projects designed to assist students in mastering effective and proper online communications or to meet other educational goals. Parental permission will be obtained when necessary to create and manage such third party accounts.

E. PRIVACY

Students, employees, visitors, and other users have no expectation of privacy in anything they create, store, send, delete, receive, or display when using the school system’s network, devices, Internet access, email system, or other technological resources owned or issued by the school system, whether the resources are used at school or elsewhere, and even if the use is for personal purposes.

Users should not assume that files or communications created, transmitted, or displayed using school system technological resources or stored on servers or on the storage mediums of individual devices will be private. The school district may, without notice, (1) monitor, track, and/or log network access, communications, and use, (2) monitor and allocate fileserver space; and (30 access, review, copy, store, delete or disclose the content of all user files, regardless of medium, the content of electronic mailboxes, and system outputs, such as printouts, for any lawful purpose. Such purposes may include, but are not limited to, maintaining system integrity, security, or functionality, ensuring compliance with board policy and applicable laws and regulations protecting the school system from liability and complying with public records requests. School district personnel shall monitor on-line activities of individuals who access the Internet via a school-owned device.

By using the school system’s network, Internet access, email system, devices, or other technological resources, individuals consent to have that use monitored by authorized school system personnel as described in this policy.
F. USE OF PERSONAL TECHNOLOGY ON SCHOOL SYSTEM PROPERTY

Each principal may establish rules for his or her school site as to whether and how personal technology devices (including, but not limited to smart phones, tablets, laptops, etc.) may be used on campus. Student’s devices are governed also by policy 4318. Use of Wireless Communication Devices. The school stem assumes no responsibility for personal technology devices brought to school.

G. PERSONAL WEBSITES

The superintendent may use any means available to request the removal of personal websites that substantially disrupt the school environment or that utilize school district or individual school names, logos or trademarks without permission.

1. Students

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

2. Employees

Employees' personal websites are subject to policy 7335, Employee Use of Social Media.

3. Volunteers

Volunteers are to maintain an appropriate relationship with students at all times. Volunteers are encouraged to block students from viewing personal information on volunteer personal websites or on-line networking profiles in order to prevent the possibility that students could view materials that are not age-appropriate. An individual volunteer's relationship with the school system may be terminated if the volunteer engages in inappropriate online interaction with students.
SCHOOL DISTRICT INTERNET SERVICE

Lee County Schools makes no warranties of any kind, expressed or implied, for the Internet service it is providing. Lee County Schools is not responsible for any damages a user may suffer, including loss of data and is not responsible for any damage a student and/or employee may cause to any data system. Furthermore, the district is not responsible for the accuracy or quality of information obtained through the Internet connection.


Cross References: Curriculum and Pacing Guides (policy 3115), Technology in the Educational Program (policy 3220), Internet Safety (policy 3226/4205), Copyright Compliance (policy 3230/7330), Web Page Development (policy 3227/7322), Code of Student Conduct (policy 4300 and all policies in the 4300 series), Student Records (policy 4700), Confidentiality of Personal identifying Information (policy 4705/7825), Public Records – Retention, Release and Disposition (policy 5070/7350), Use of Equipment, Materials and Supplies (6520), Network Security (6524), Staff Responsibilities and Ethics (policy 7300), Employee use of Social Media (policy 7335)

Issued: September 17, 1997
Revised: December 11, 2000; March 18, 2002; February 13, 2006; April 21, 2009; August 29, 2012; November 6, 2012; June 3, 2014; December 9, 2014; December 13, 2016
A. RETENTION OF RECORDS AND REPORT OF DATA

The principal shall retain in each student’s file, either in paper or electronic form, all records related to violations of board policies, the Code of Student Conduct, school standards or school rules.

As required by law, the superintendent shall maintain the following data on each student who was suspended for more than 10 days, reassigned for disciplinary reasons, expelled or to whom corporal punishment was administered: race, gender, age, grade level, ethnicity, disability status, type of incident or offense, duration of the suspension, whether alternative education services were provided, and whether the student had multiple suspensions in that academic year.

As secretary to the board, the superintendent also shall maintain records from the board’s consideration of 365 day suspensions and expulsions and any readmission reconsiderations of 365 day suspensions and expulsions.

The superintendent shall ensure that data on disciplinary incidents is reported using the state student information system application in accordance with State Board of Education policies and procedures.

B. DISCLOSURE OF RECORDS

Confidential student records concerning conduct that posed a significant safety risk to the student or others in the school community may be disclosed to teachers and school officials, including teachers and school officials in other schools, who have legitimate educational interests in the behavior of the student.

C. REMOVAL OF RECORDS

1. End of Year Removal

The following types of discipline records may not be removed from student records, electronic files and databases at the end of the school year:

a. notice of any suspension for a period of more than 10 days and the record of the conduct for which the student was suspended;

b. notice of any expulsion under G.S. 115C-390.11 and the record of the
conduct for which the student was expelled; and

c. any records (including of in-school suspension or short-term suspensions) that need to be maintained in order to be able to serve the student appropriately or to protect the safety of others

2. Expunging Records

The superintendent or designee shall expunge any records of suspensions for a period of more than 10 days or expulsion if the following criteria are met:

a. a request that the record by expunged is made to the superintendent or designee by the student’s parent or guardian, or by the student if the student is at least 16 years old or is emancipated;

b. the student either graduates from high school or is not suspended or expelled again during the two-year period commencing on the date of the student’s return to school after the expulsion or suspension; and

c. the superintendent or designee determines that the maintenance of the record is no longer needed to adequately serve the child or to maintain safe and orderly schools.

In addition, the superintendent may expunge any notice of suspension or expulsion from a student’s official record provided that criteria b, and c, above are met.

This section is not intended to limit parents’ right to request removal of information from a student’s record under board policy 4700, Student Records.


Cross References: Code of Student Conduct (policy 4300), Theft, Trespass and Damage to Property (policy 4330); Assaults, Threats and Harassment (policy 4331); Weapons, Bomb Threats, Terrorist
Threats and Clear Threats to Safety (policy 4333), Long-Term Suspension, 365 Day Suspension, Expulsion (policy 4353), Student Records (policy 4700)


Issued: October 9, 2000

Revised: October 14, 2008; July 19, 2011; June 3, 2014
A. Definitions

1. Superintendent

For purposes of this policy, superintendent includes the superintendent and the superintendent’s designee.

2. Principal

For purposes of this policy, principal includes the principal and the principal’s designee.

3. Long-Term Suspension

A long-term suspension is the disciplinary exclusion of a student from attending his or her assigned school for more than 10 school days. Disciplinary reassignment of a student to a full-time educational program that meets the academic requirements of the standard course of study established by the State Board of Education and that provides the student with the opportunity to make timely progress toward graduation and grade promotion is not a long-term suspension requiring the due process procedures set out in this policy, nor is an absence under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school).

Upon the recommendation of the principal, the superintendent may impose a long-term suspension on a student who willfully engages in a serious violation of the Code of Student Conduct and the violation either (1) threatens the safety of students, staff or school visitors, or (2) threatens to substantially disrupt the educational environment. The principal may recommend long-term suspension for a minor violation if aggravating circumstances justify treating the student’s behavior as a serious violation.

If the offense leading to the long-term suspension occurred before the final quarter of the school year, the exclusion must 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 occurred during the final quarter of the school year, the exclusion 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.
4. **365 Day Suspension**

   A 365 day suspension is the disciplinary exclusion of a student from attending his or her assigned school for 365 calendar days. The superintendent may impose a 365 day suspension only for certain firearm and destructive device violations, as identified in policy 4333, Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety.

5. **Expulsion**

   An expulsion is the indefinite exclusion of a student from school enrollment for disciplinary purpose. Upon the recommendation of the superintendent, the board may expel a student who is 14 years of age or older for certain types of misbehavior as provided in policy 4325, Drugs and Alcohol, policy 4330, Theft, Trespass and Damage to Property, policy, 4331, Assaults, Threats and Harassment, and policy 4333, Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety if the student’s continued presence in school constitutes a clear threat to the safety of other students or employees. Additionally, a student who is subject to policy 4260, Student Sex Offenders, may be expelled if the student’s continued presence in school constitutes a clear threat to the safety of other students or employees. During the expulsion, the student is not entitled to be present on education property and is not considered a student of the school district.

4. **Days**

   Days means working days, exclusive of Saturdays, Sundays, vacation days or holidays, as set forth in the school calendar. In counting days for suspension/expulsion, the first day will be the first full working day. After May 1, time limits will consist of all weekdays (Monday - Friday) so that the matter may be resolved before the close of the school term or as soon thereafter as possible.

**B. Determination of Appropriate Consequence**

1. **Principal’s Recommendation**

   The principal may impose a short-term suspension or any other consequence that is consistent with policy 4351, Short-Term Suspension and policy 4302, School Plan for Management of Student Behavior, and the Code of Student Conduct. If the principal determines that a suspension of more than 10 days (either long-term or 365
day) or an expulsion is an appropriate consequence, the principal shall propose the
discipline penalty based upon review of the student’s culpability and dangerousness
and the harm caused by the student, plus any other mitigating or aggravating factors
the principal finds relevant.

a. Culpability of Student - In assessing the culpability of the student for his or
her behavior, the principal may consider criteria such as:

1) the student’s age;
2) the student’s ability to form the intent to cause the harm that occurred
   or could have occurred; and
3) evidence of the student’s intent when engaging in the conduct.

b. Dangerousness of the Student - In assessing the dangerousness of the student,
the principal may consider criteria such as:

1) the student’s disciplinary record or criminal record related to anti-
social behavior or drugs and alcohol;
2) whether a weapon was involved in the incident and if a weapon was
   involved, whether the student had the ability to inflict serious injury
   or death with the weapon;
3) evidence of the student's ability to cause the harm that was intended
   or that occurred; and
4) whether the student is subject to policy 4260, Student Sex Offenders.

c. Harm Caused by the Student - In assessing the severity of harm caused by the
student, the principal may consider criteria such as whether any of the
following occurred:

1) someone was physically injured or killed;
2) someone was directly threatened or property was extorted through the
   use of a weapon;
3) someone was directly harmed emotionally or psychologically;
4) educational property or other’s personal property of others was
damaged; or
5) students, school employees or parents were aware of the presence of a
   weapon or other dangerous behavior.
LONG-TERM SUSPENSION, 365 DAY SUSPENSION, EXPULSION

After considering the above factors, the principal shall make a recommendation to the superintendent, stating the nature of the offense, the substance of the evidence involved and the length of suspension recommended. The principal also must consider and make a recommendation as to whether any alternative education services, counseling or other programs should be part of the consequence for violating board policy, the Code of Student Conduct, school standards or school rules.

If the principal recommends a 365 day suspension he or she must identify the type of firearm or destructive device involved and the evidence substantiating that the student brought it to school grounds or to a school activity or possessed it on school grounds or at a school activity.

If the principal recommends an expulsion he or she shall identify the basis for determining that there is clear and convincing evidence that the student's continued presence in school constitutes a clear threat to the safety of other students or employees.

2. Notice to the Student's Parent

The principal must provide to the student's parent or guardian written notice of the recommendation for long-term suspension, 365 day suspension or expulsion by the end of the workday during which the long-term suspension or expulsion is recommended, when reasonably possible or as soon thereafter as practicable. The notice must be written in plain English and, when appropriate language resources are readily available, also in the parent’s native language. The notice must contain the following 10 elements:

a. the notice type, i.e., notice of long-term suspension, 365 day suspension or expulsion;

b. a description of the incident and the student's conduct that lead to the recommendation;

c. the specific provision(s) of the Code of Student Conduct that the student allegedly violated;

d. the specific process by which the parent or guardian may request a hearing to
contest the decision and the deadline for making the request;

c. the process by which the hearing will be held, including all due process rights to be accorded the student during the hearing;

f. notice of the right to retain an attorney to represent the student in the hearing process;

g. notice that an advocate, instead of an attorney, may accompany the student to assist in the presentation of the appeal;

h. notice of the right to review and obtain copies of the student’s educational records prior to the hearing;

i. a reference to policy 4345, Student Discipline Records, regarding the expungement of disciplinary records; and

j. the identity and phone number of a school employee whom the parent may call to obtain assistance in receiving a Spanish translation of the English language information included in this document.*

*This information must be provided on the notice in both English and Spanish.

Policies of the Lee County Schools including procedures for student suspensions and appeals are available on the School’s website, www.lee.k12.nc.us, and at the Central Office located at 106 Gordon Street, Sanford, North Carolina.

3. Superintendent’s Decision

The student or student’s parent may request a hearing before the superintendent within three days of notice from the principal of the recommendation for long-term suspension, 365 day suspension or expulsion. Any hearing held will follow the hearing procedures outlined in Section A of policy 4370, Student Discipline Hearing Procedures. A decision will be rendered before the long-term suspension is imposed.

If the student or parent makes a timely request for a hearing, the superintendent shall confirm that the charges against the student, if substantiated, could warrant the recommended disciplinary action and shall give the student and parent reasonable
LONG-TERM SUSPENSION,
365 DAY SUSPENSION, EXPULSION

notice of the time and place of the hearing.

If neither the student nor the parent appears for a scheduled hearing after being given reasonable notice of the time and place of the hearing, the student and parent are deemed to have waived the right to a hearing.

If the student and parent fail to make a timely request for a hearing or if they waive the right to a hearing by failing to appear for a duly scheduled hearing, the superintendent shall review the circumstances of the recommended long-term suspension. Following this review, the superintendent (1) may impose the long-term or 365 day suspension if it is consistent with board policies and appropriate under the circumstances, (2) may impose another appropriate penalty authorized by board policy or (3) may decline to impose any penalty.

If the student or parent requests a postponement of the hearing, or if the request for the hearing is untimely, the hearing will be scheduled, but the student does not have the right to return to school pending the hearing.

Based on substantial evidence presented at the hearing the superintendent shall decide whether to uphold, modify or reject the principal’s recommendation.

The superintendent shall immediately inform the principal of the decision regarding the recommended disciplinary penalty of a long-term or 365 day suspension and, when applicable, of any modifications to the penalty recommended by the principal. The superintendent shall send notice of the decision via certified mail to the student and parent or guardian. This notice must include:

a. the basis of the decision, with reference to any policies or rules that the student violated;

b. notice of what information will be included in the student’s official record pursuant to G.S. 115C-402;

c. notice of the student’s right to appeal the decision and the procedures for such appeal;

d. if the decision is to suspend the student for 365 days, notice of the student’s right to petition the board for readmission under G.S. 115C-390.12;
e. if applicable, notice that the superintendent or designee is recommending to the board that the student be expelled and any required notifications related to the expulsion if the student did not already receive such notice from the principal or designee; and

f. if the student is to be suspended, notice of the superintendent’s or designee’s decision on whether to offer alternative education services to the student during the period of suspension, and, as applicable, a description of the services to be offered or the reason justifying the superintendent’s or designee’s decision to deny such services.

Following issuance of the decision, the superintendent shall implement the decision by authorizing the student’s return to school upon the completion of any short-term suspension or by imposing the suspension reflected in the decision.

The superintendent shall offer alternative education services to any student who receives a long-term or 365 day suspension unless the superintendent provides a significant or important reason for declining such services. Alternative education services are part-time or full-time programs that provide direct or computer-based instruction to allow the student to progress in one or more core academic courses. Such services may include programs described in policy 3470/4305, Alternative Learning Programs/Schools.

The student may appeal to the board the superintendent’s decision not to provide alternative education services as permitted by G.S. 115C-45(c)(1). Any appeal to the board must be made in writing within five days of receiving the superintendent’s decision. The superintendent shall inform the board chairperson of the request for an appeal and arrange in a timely manner a hearing before the board. In advance of the hearing, the superintendent shall provide to the student and parent and to the board a written explanation for the denial of services along with any documents or other information supporting the decision. The hearing will be conducted pursuant to policy 2500, Hearings Before the Board. The board will provide to the student and parent and to the superintendent written notice of its decision within 30 days of receiving the appeal.

If the superintendent determines that expulsion is appropriate, the superintendent shall submit to the board a recommendation and the basis for the recommendation along with any proposal for alternative education services.
4. Hearings Before the Board

a. Long-Term or 365 Day Suspensions:

A student or his or her parent or guardian may appeal an imposed long-term or 365 day suspension. The student or parent or guardian must appeal to the board in writing within three days of receiving the superintendent’s decision. The superintendent shall inform the board chairperson of the request for an appeal and shall arrange in a timely manner a hearing before the board. The suspension need not be postponed pending the outcome of the appeal. The hearing will be conducted pursuant to Section B of policy 4370, Student Discipline Hearing Procedures. The board will provide to the student and parent or guardian and to the superintendent written notice of its decision not more than 30 calendar days after receiving the appeal.

b. Expulsions:

The student or parent or guardian may request a hearing within five days of receiving notice of the superintendent’s recommendation that the student be expelled. The hearing will be scheduled with the board within five days of the superintendent’s receipt of the hearing request. The superintendent shall notify the student and parent or guardian of the date, time and place of the hearing. Any appeal of a long-term or 365 day suspension will be addressed in the same hearing. The hearing will be conducted pursuant to Section B of policy 4370.

If a hearing is not requested by the student or parent or guardian, the superintendent shall submit written evidence to support his or her recommendation to the board. The board may elect to request a hearing or request additional records and documents.

When the board decides to expel a student, the board will document the basis for its determination that there is clear and convincing evidence that the student’s behavior indicates that the student’s continued presence in school constitutes a clear threat to the safety of other students or employees. The board also will consider and make a written determination of whether alternative education services are to be provided to the expelled student.

Regardless of whether alternative education services are provided by the
school district, the board expects the school district to work with other agencies to help the student and parent or guardian identify other types of services that may be of assistance to the student. The board will send via certified mail to the student’s parent or guardian a copy of the decision, notification about what information will be included in the student’s official record, the procedure for expungement of this information under G.S. 115C-402, and notice of the right to petition for readmission pursuant to G.S. 115C-390.12.

C. EDUCATIONAL SERVICES FOR STUDENTS WITH DISABILITIES DURING LONG-TERM SUSPENSION, 365 DAY SUSPENSION OR EXPULSION

Students with disabilities recognized by the Individuals with Disabilities Education Act will receive educational services during periods of suspension or expulsion to the extent required by Policies Governing Services for Children with Disabilities and state and federal law.

D. REDUCING SUSPENSION AND EXPULSION RATES

Though the board believes that suspension or expulsion may be an appropriate and necessary consequence in certain situations, the board also recognizes that excessive use of suspension and expulsion may have a negative impact on academic achievement and graduation rates. Thus, the board encourages school administrators to find ways to reduce suspension and expulsion rates in the schools.


Cross References: Hearings Before the Board (policy 2500); Alternative Learning Programs/Schools (policy 3470/4305); Student Sex Offenders (policy 4260); School Plan for Management of Student Behavior (policy 4302); Drugs and Alcohol (policy 4325); Theft, Trespass and Damage to Property (policy 4330); Assaults, Threats and Harassment (policy 4331); Weapons, Bomb Threats; Terrorist Threats and Clear Threats to Safety (policy 4333); Criminal Behavior (4335); School Level Investigations (policy 4340); Student Discipline Records (policy 4345); Short-Term Suspension
LONG-TERM SUSPENSION,  
365 DAY SUSPENSION, EXPULSION

Policy Code: 4353

(policy 4351), Student Discipline Hearing Procedures (policy 4370)

Issued: October 9, 2000


63
PROHIBITION AGAINST DISCRIMINATION, HARASSMENT AND BULLYING

The board acknowledges the dignity and worth of all students and employees and strives to create a safe, orderly, caring and inviting school environment to facilitate student learning and achievement. The board prohibits discrimination on the basis of race, color, national origin, sex, disability or age and will provide equal access to the Boy Scouts and other designated youth groups as required by law. The board will not tolerate any form of unlawful discrimination, harassment or bullying in any of its education or employment activities or programs. Any violation of this policy will be considered serious and school officials shall promptly take appropriate action to address the violation.

A. **Prohibited Behaviors and Consequences**

Students, school district employees, volunteers and visitors are expected to behave in a civil and respectful manner. The board expressly prohibits unlawful discrimination, harassment and bullying by students, employees, board members, volunteers, or visitors. “Visitors” includes parents and other family members and individuals from the community, as well as vendors, contractors, and other persons doing business with or performing services for the school system.

Students are expected to comply with the behavior standards established by board policy, the Code of Student Conduct, and school and classroom rules. Employees are expected to comply with board policy, school system regulations, and school rules. Volunteers and visitors on school property also are expected to comply with board policy, school system regulations, and school rules and procedures.

This policy applies to behavior that takes place; (1) in any school building or on any school premises before, during or after school hours; (2) on any bus or other vehicle as part of any school activity; (3) at any bus stop; (4) during any school-sponsored activity or extracurricular activity; (5) at any time or place when the individual is subject to the authority of school personnel; or (6) at any time or place when the behavior has a direct and immediate effect on maintaining order and discipline in the schools.

B. **Definitions**

For purposes of this policy, the following definitions apply:

1. **Discrimination**

Discrimination means any act or failure to act, whether intentional or unintentional, that unreasonably and unfavorably differentiates treatment of others based solely on
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, pregnancy, religion, age, or disability.

2. Harassment and Bullying

a. Harassment or bullying behavior is deliberate conduct intended to harm another person or group of persons. Such conduct violates this policy when any pattern of gestures or written, electronic or verbal communications, or any physical act or any threatening communication:

(1) places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property; or

(2) creates or is certain to create a hostile environment by substantially interfering with or impairing a student’s educational performance, opportunities or benefits.

“Hostile environment” means that the victim subjectively views the conduct as harassment or bullying and that the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is harassment or bullying. A hostile environment may be created through pervasive or persistent misbehavior or a single incident, if sufficiently severe.

Harassment and bullying include, but are not limited to, behavior described above that is reasonably perceived as being motivated by any actual or perceived differentiating characteristic or motivated by an individual’s association with a person who has or is perceived to have a differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental or sensory disability. Examples of behavior that may constitute bullying or harassment include, but are not limited to, acts of disrespect, intimidation, or threats, such as verbal taunts, name-calling and put-downs, epithets, derogatory comments or slurs, lewd propositions, exclusion from peer groups, extortion of money or possessions, implied or stated threats, assault, impeding or blocking movement, offensive touching or any physical interference with normal work or movement, and visual insults, such as derogatory posters or cartoons. Harassment and bullying may occur through electronic means (e.g., cyber bullying”), such as through the Internet, emailing, or texting messaging, or by use of personal websites to support deliberate and repeated behavior intended
to cause harm to persons or groups. Legitimate age-appropriate pedagogical techniques are not considered harassment or bullying.

Harassment, including sexual or gender-based harassment, as described below, is not limited to specific situations or relationships. It may occur between fellow students or co-workers, between supervisors and subordinates, between employees and students, or between non-employees, including visitors, and employees or students. Harassment may occur between members of the opposite sex or the same sex.

b. Sexual harassment is a form of harassment that violates this policy. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

(1) submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual’s employment, academic progress or completion of a school-related activity;

(2) submission to or rejection of such conduct is used as the basis for employment decisions affecting the individual, or in the case of a student, submission to or rejection of such conduct is used in evaluating the student’s performance within a course of study or other school-related activity; or

(3) such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of (a) unreasonably interfering with an employee’s work or performance or a student’s educational performance, (b) limiting a student’s ability to participate in or benefit from an educational program or environment, or (c) creating an abusive, intimidating, hostile or offensive work or educational environment.

Sexually harressing conduct includes, but is not limited to, deliberate, unwelcome touching that has sexual connotations or is of a sexual nature, suggestions or demands for sexual involvement accompanied by implied or overt promises of preferential treatment or threats, pressure for sexual activity, continued or repeated offensive sexual flirtations, advances or propositions, continued or repeated verbal remarks about an individual’s body, sexually degrading words used toward an individual or to describe an
individual, sexual assault or the display of sexually suggestive drawings, objects, pictures or written materials. Acts of verbal, nonverbal or physical aggression, intimidation or hostility based on sex, but not involving sexual activity or language, may be combined with incidents of sexually harassing conduct to determine if the incidents of sexually harassing conduct are sufficiently serious to create a sexually hostile environment.

As provided in policy 4040/7310, State-Student Relations, employees are strictly prohibited from engaging in a romantic or sexual relationship with any student enrolled in the school system, whether or not the relationship is consensual. Such conduct is prohibited whether or not it constitutes sexual harassment.

c. Gender-based harassment is also a type of harassment. Gender-based harassment may include acts of verbal, nonverbal or physical aggression, intimidation or hostility based on sex or sex-stereotyping but not involving conduct of a sexual nature.

C. REPORTING AND INVESTIGATING COMPLAINTS OF DISCRIMINATION, HARASSMENT OR BULLYING

Any person who believes that he or she has been discriminated against, harassed, or bullied in violation of this policy by any student, employee, or other person under the Supervision and control of the school system, or any third person who knows or suspects conduct that may constitute discrimination, harassment, or bullying, should inform a school official designated to receive such complaints, as described in policy 1720/4015/7225, Discrimination, Harassment, and Bullying Complaint Procedure.

Any employee who has witnessed, or who has reliable information that another person may have been subjected to discrimination, harassment, or bullying in violation of this policy has a duty to report such conduct in accordance with policy 1720/4015/7225. Employees who observe an incident of harassment or bullying are expected to intervene to stop the conduct in situations in which they have supervisory control over the perpetrator and it is safe to do so. If an employee fails to report the conduct or take proper action of knowingly provides false information in regard to the incident, the employee will be subject to disciplinary action up to, and including, dismissal.

Reports, except mandatory employee reports, may be made anonymously, and all reports will be investigated in accordance with policy 1720/4015/7225.
D. RESPONDING TO OCCURRENCES OF DISCRIMINATION, HARASSMENT, OR BULLYING

1. Consequences for the Perpetrator

   a. Disciplinary Consequences for Students

      Students will be disciplined in accordance with the school’s student behavior Management plan (see policy 4302, School Plan for Management of Student Behavior). Based on the nature and severity of the offense and the circumstances surrounding the incident, the student will be subject to appropriate consequences and remedial actions ranging from positive behavioral interventions up to, and including, expulsion. In addition, the violation may also be reported to law enforcement, as appropriate.

      Incidents of misbehavior that do not rise to the level of discriminatory Harassment or bullying may violate acceptable standards of student behavior, including, but not limited to, the expectation that students will demonstrate civility and integrity in their actions and interactions with others. See policy 4310, Integrity and Civility. The consequences for such behavior will be consistent with applicable board policy and the Code of Student Conduct.

      This policy will not be construed to allow school officials to punish student expression or speech based on undifferentiated fear or apprehension of a disturbance or out of a desire to avoid the discomfort and unpleasantsness that may accompany an unpopular viewpoint.

   b. Disciplinary consequences for Employees

      Employees who violate this policy will be subject to disciplinary action up to, and including, dismissal. In addition, the violation may also be reported to law enforcement, as appropriate. Nothing in this policy will preclude the school system from taking disciplinary action against an employee when the evidence does not establish unlawful discrimination, harassment, or bullying, but the conduct otherwise violates board policy or expected standards of employee behavior.

   c. Consequences for Other Perpetrators
Volunteers and visitors who violate this policy will be directed to leave school property and/or reported to law enforcement, as appropriate, in accordance with policy 5020, Visitors to the Schools. A third party under the supervision and control of the school system will be subject to termination of contracts/agreements, restricted from school property, and/or subject to other consequences, as appropriate.

2. Consideration of Need for More Extensive Response

School administrators shall consider whether the misconduct warrants more than just a response at the individual level. Given the nature and severity of the misconduct, the administrators may determine that a classroom, school-wide, or school system-wide response is necessary. Such classroom, school-wide, or school system-wide responses may include additional staff training, harassment and bullying prevention programs, and other measures deemed appropriate by the superintendent to address the behavior. The actions taken must be reasonably calculated to end the behavior, eliminate a hostile environment and its effects if one has been created, and prevent recurrence of the behavior.

E. Training and Programs

The board directs the superintendent to establish training and other programs that are designed to help eliminate unlawful discrimination, harassment and bullying and to foster an environment of understanding and respect for all members of the school community. Information about this policy and the related complaint procedure must be included in the training plan.

As funds are available, the board will provide additional training for students, employees and volunteers who have significant contact with students regarding the board’s efforts to address discrimination, harassment and bullying and will create programs to address these issues. The training or programs should (1) provide examples of behavior that constitutes discrimination, harassment or bullying; (2) teach employees to identify groups that may be the target of discrimination, harassment or bullying; and (3) train school employees to be alert to locations where such behavior may occur, including locations within school buildings, at school bus stops, on cell phones and on the Internet.

F. Notice

The superintendent is responsible for providing effective notice to students, parents and
employees of this policy and of the procedures for reporting and investigating complaints of discrimination, harassment and bullying established in policy 1720/4015/7225, Discrimination, Harassment, and Bullying Complaint Procedure. The superintendent must ensure that each school principal provides a copy of this policy and policy 1720/4015/7225 to students, employees, and parents or other responsible care givers at the beginning of each school year. In addition, both policies, must be posted on the school district website, and copies of the policies must be readily available in the principal’s office, the media center at each school and the superintendent’s office. Notice of the policies must appear in all student and employee handbooks and in any school or school district publication that sets forth the comprehensive rules, procedures and standards of conduct for students and employees.

G. COORDINATORS

The superintendent has appointed the following individuals to coordinate the school district’s efforts to comply with and carry out its responsibilities under federal non-discrimination laws. These responsibilities include investigating any complaints communicated to school officials alleging noncompliance with Title VI or Title IX of the Civil Rights Act, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA), the Age Discrimination Act and/or the Boy Scouts Act, or alleging actions which would be prohibited by those laws.

1. Title IX Coordinator- Assistant Superintendent- Human Resources
   Name: John Conway
   Office Address: 106 Gordon Street, Sanford N.C 27330
   Phone Number: 919-770-8334

2. Section 504 Coordinator- Director of Exceptional Education
   Name: Kenna Wilson
   Office Address: 106 Gordon Street, Sanford N.C 27330
   Phone Number: 919-770-8334

3. ADA Coordinator- Director of Exceptional Education
   Name: Kenna Wilson
   Office Address: 106 Gordon Street, Sanford N.C 27330
   Phone Number: 919-770-8334

4. Age Discrimination Coordinator- Assistant Superintendent- Human Resources
   Name: John Conway
   Office Address: 106 Gordon Street, Sanford N.C 27330
Phone Number: 919-770-8334

5: Coordinator for Other Non-discrimination Laws-Assistant Superintendent- Human Resources
Name: John Conway
Office Address: 106 Gordon Street, Sanford N.C 27330
Phone Number: 919-770-8334

H. RECORDS AND REPORTING

The superintendent or designee shall maintain confidential records of complaints or reports of discrimination, harassment or bullying. The records must identify the names of all individuals accused of such offenses and the resolution of such complaints or reports. The superintendent also shall maintain records of training conducted and corrective action(s) or other steps taken by the school district to provide an environment free of discrimination, harassment and bullying.

The superintendent will report to the State Board of Education all verified cases of discrimination, harassment or bullying. The report will be made through the Discipline Data Collection Report or through other means required by the State Board.

I. EVALUATION

The superintendent shall evaluate the effectiveness of efforts to correct or prevent discrimination, harassment and bullying and will share these evaluations periodically with the board.


Cross References: Discrimination, Harassment and Bullying Complaint Procedure (policy 1720/4015/7225), Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231), Prohibition Against Retaliation (policy 1760/7280), Equal Educational Opportunities (policy 4001), Code of Student Conduct (policy 4300), School Plan for Management of Student Behavior (policy 4302), Visitors to the Schools (policy 5020), Community Use of Facilities (policy 5030), Recruitment and Selection of Personnel (policy 7100), Professional Employees: Demotion and Dismissal (policy 7930), Classified Personnel: Suspension and Dismissal (policy 7940)

Issued: April 10, 2000

Revised: March 14, 2005; November 4, 2008; February 9, 2010; April 17, 2012; December 10, 2013; December 9, 2014; January 18, 2018; June 12, 2018