



**Moore County Board of Education**

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Dr. Robert Grimesey, Superintendent

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**Moore County Board of Education  
Policy Committee Meeting  
Wednesday, June 17, 2020  
2:00 p.m. – Meeting Held Electronically**

**MINUTES**

The Moore County Board of Education’s Policy Committee met electronically due to COVID-19 concerns on Wednesday, June 17, 2020, with Committee Chair Dr. Betty Wells Brown calling the meeting to order at 2:02 p.m. Also in attendance were committee members Stacey Caldwell and Helena Wallin-Miller; Chief Officer for Academics and Student Support Services Tim Locklair; Director for Student Support Services Seth Powers; Director for Technology Kendt Eklund; and committee liaison Anita Alpenfels.

The review of policies began with a review of the revised Student Code of Conduct being proposed. Dr. Powers explained that a “fire team” was established to look at good examples from other school districts to inform revisions the team might propose. Representative principals and Student Support Services staff participated in the team, and the team considered feedback from the Superintendent’s Student Advisory Council. A “regulations” document is being developed to accompany the policy.

In addition to revisions to the Student Code of Conduct, the committee reviewed the new and revised policies below. The committee elected to not to take forward Policy 3255/4255 – Use of Personal Technology to Conduct School Business because expectations around records retention are addressed elsewhere in Board policy.

The committee unanimously approved for the remaining policy revisions to be presented for approval on first reading at the July 13, 2020, regular Board of Education meeting.

The meeting adjourned at 3:55 p.m.

- Policy 1326 – PUBLIC ADDRESS TO THE BOARD** ..... page 4  
*This policy is amended to remove the expectation that speakers during the public address section of Board of Education meetings receive a written acknowledgement.*
2. **Policy 2620 – SALARY PAYROLL DEDUCTIONS**..... page 6  
*This policy is amended to more closely align it with NCSBA’s.*
3. **Policy 3255/4255 – USE OF PERSONAL TECHNOLOGY TO CONDUCT SCHOOL BUSINESS** ..... page 8  
*This new policy addresses concerns with records retention.*
4. **Policy 3600/4500 – PROFESSIONAL AND STAFF DEVELOPMENT** ..... page 11  
*Adjustments to this policy align it with NCSBA’s and add the new requirement for child sexual abuse and sex trafficking training.*
5. **Policy 5417 – TITLE I PARENT AND FAMILY ENGAGEMENT** ..... page 13  
*Adjustments to this policy align it with new regulations implementing the Every Student Succeeds Act.*
6. **Policy 5540 – GRADUATION REQUIREMENTS** ..... page 20  
*Adjustments to this policy bring it into alignment with new requirements in state law and State Board of Education policy.*
7. **Policy 6021 – IMMUNIZATION AND HEALTH REQUIREMENTS FOR SCHOOL ADMISSIONS** ..... page 28  
*This policy is updated to include the required booster dose of meningococcal conjugate vaccine (MCV) for certain students.*
8. **Policy 6030 – TAKING A RELEASE OF STUDENTS FROM SCHOOL**..... page 32  
*Revisions to this policy expand and align it to NCSBA’s.*
9. **Policy 6300 – STUDENT RECORDS** ..... page 33  
*Revisions to this policy align it with NCSBA’s sample policy.*
10. **Policy 6401 – STUDENT CODE OF CONDUCT** ..... page 46  
*Revisions to this policy update it and provide improved alternatives to out-of-school suspension.*

11. **Policy 6730 – CHILD ABUSE AND RELATED THREATS TO CHILD SAFETY – REPORTS AND INVESTIGATIONS**..... page 78  
*Adjustments to this policy add the new requirement for child sexual abuse and sex trafficking training.*
12. **Policy 6910 – COMMUNICABLE DISEASES - STUDENTS** ..... page 83  
*Revisions to this policy update its language and align it with NCSBA’s sample policy.*
13. **Policy 6930 – CONCUSSION AND HEAD INJURY** ..... page 88  
*Additions to this policy align it with a new High School Athletic Association (NCHSAA) rule.*
14. **Policy 8510 – NEWS MEDIA RELATIONS** ..... page 91  
*This policy is replaced with NCSBA’s sample policy.*

**The following policies have updates to legal and/or other references:**

15. **Policy 3036/4036/8336 – STAFF-STUDENT RELATIONS** ..... page 92
16. **Policy 3800/4700 – COMPLIANCE WITH STATE BOARD OF EDUCATION EMPLOYMENT POLICIES** ..... page 96
17. **Policy 5312 – ALTERNATIVE LEARNING PROGRAMS** ..... page 97
18. **Policy 5414 – PARENT AND FAMILY ENGAGEMENT** ..... page 103
19. **Policy 5453 – ONLINE INSTRUCTION** ..... page 110
20. **Policy 6330 – COUNSELING PROGRAM** ..... page 111
21. **Policy 7102 – STUDENT BUS IDLING** ..... page 113

## 1326 PUBLIC ADDRESS TO THE BOARD

The Board encourages communication with the public and cooperative school-community interactions, believing that an informed public and an informed Board will result in a better system of public education. Accordingly, the Board welcomes and encourages input from any interested citizen who desires to appear before the Board for the purpose of presenting information or raising matters relating to the public schools. In addition to other methods by which members of the public may bring concerns to the attention of the Board, the Board will provide an open forum as part of the Board's regular meeting schedule, during which up to thirty minutes will be set aside early on the agenda for the specific purpose of allowing members of the public to address the Board. Priority will be granted to those who wish to speak about items on the agenda. If additional time for public address is needed, a second thirty-minute comment period will be included at the end of the agenda. In order to facilitate this communication and in order to plan and conduct orderly sessions that will ensure complete, high quality information is available regarding the subject of such appearances, it is necessary that certain guidelines contained in this policy be followed. These guidelines will also guide other public hearings as may be called by the Board.

1. Discussions regarding particular individual employees, student records, or other matters which may be required to be kept confidential may not be discussed in the open forum setting. This prohibition extends to comments about workplace complaints and grievances by or about a school system employee. The Chairman or designee will have the responsibility to determine matters of discussion that may be inappropriate and to rule the speaker out of order, if necessary.
2. Matters of concern will not be responded to by the Board at the time they are addressed. They may be referred to a Board committee, the administration, or held over for further discussion at a subsequent meeting, as appropriate.
3. Any person who desires to appear before the Board to address any other matter may sign up to do so at least five minutes prior to the Board meeting, and supply the following information:
  - a. The name of the person who desires to appear.
  - b. The subject to be presented for the Board's consideration.
  - c. If a group is to appear along with the speaker, the approximate number of persons who will appear and the name of the ~~spokesman~~ spokesperson for the group.
  - ~~d. If the speaker would like to receive a written acknowledgement or response from the administration, the speaker's home or work address.~~
4. Presentations will be limited to three minutes.

Legal Reference: G.S. 115C-36, -47

Adopted: August 23, 1993

Revised: February 27, 1995; May 12, 2008; May 9, 2016; January 17, 2017; June 12, 2017;

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## 2620 ~~SALARY~~ PAYROLL DEDUCTIONS

~~The school finance officer shall make only those salary deductions authorized by the Board and/or required by federal and state law.~~

### A. Voluntary Salary Deductions

~~In addition to required state and federal deductions, the Board authorizes the following voluntary salary deductions~~ The finance officer is authorized to make the following salary deductions in accordance with all applicable state and federal requirements:

- 1) federal income taxes (federal requirement);
- 2) state income taxes (state requirement);
- 3) federal social security taxes (state requirement);
- 4) North Carolina Retirement System contributions (required by G.S. 135-8);
- 5) court-ordered child support payments;
- 6) federal, state and local government garnishments;
- ~~7) health insurance premiums~~ authorized by state law (authorized by G.S. 115C-340);
- ~~8) Tax sheltered (deferred) annuities, 403(b) option offered by local boards of education (authorized by G.S. 115C-341) and/or 403(b) option offered through the North Carolina Public School Teachers' and Professional Educators' Investment Plan (authorized by G.S. 115C-341.2);~~
- ~~9) Supplemental Retirement Income Plan of N.C., 401(k) (authorized by G.S. 135-93) and/or 457 plans or plans specifically listed in Moore County Schools' 457 Plan Agreement;~~
- ~~4) Court-ordered child support payments~~
- ~~5) Federal, state, and local government garnishments~~
- 10) flexible benefits plan (authorized by G.S. 115C-341.1);
- ~~6) N.C. North Carolina~~ North Carolina State Employees Credit Union deductions;
- 12) group life insurance premiums (authorized by G.S. 115C-340, -342);

13) group dental insurance premiums (authorized by G.S. 115C-340, -342);

714) United Way contributions;

8) Flexible benefits plan deductions, Section 125

915) Dues for employees' associations that are domiciled in North Carolina and have at least 2,000 members, the majority of whom are employees of the State or public school employees;

16) deductions to recoup advancement or overpayment of wages; and

1017) Other deductions as may be approved by the Board.

## **B. Salary deductions for unpaid absences**

Salary deductions are permissible for any days not worked for which the employee does not have earned leave.

All new applications, cancellations, or allowable changes in deduction amounts must be filed with the Finance Officer no later than the last working day in the calendar month prior to the month in which the change is to become effective. Cancellations of ~~polices~~ voluntary deductions will be accepted anytime.

Salary deductions for tax-sheltered annuities will be allowed only for companies and products as specifically listed in Moore County Schools' 403b Plan Agreement.

The Board of Education prohibits solicitation of contracts on school property except prior to or at the end of the employee's work day, on a strictly voluntary basis, with the prior permission of the school principal. The Board of Education will not endorse any company.

Legal Reference: G.S. 14-238; 115C-339 through -342; -93; 135-8; 143B-426.40A(g), (i).

Adopted: April 30, 1990

Revised: October 26, 1992; May 22, 2006; January 12, 2009; February 8, 2010; March 12, 2012;

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## **3255/4255 USE OF PERSONAL TECHNOLOGY TO CONDUCT SCHOOL BUSINESS**

The Board recognizes that employees may use a variety of personal technology devices and accounts in their personal lives. At times, it may be convenient for employees to use their personal technology devices and accounts to conduct school business. Although such use of personal technology devices and accounts may be convenient, it is likely to produce a conflict between employees' interests and the school's obligations: employees ordinarily expect privacy in their personal technology devices and accounts, but the school is legally obligated to preserve certain school business-related electronically stored information ("ESI").

School business-related ESI (including text messages and e-mails) sent and/or received by an employee using a personal technology device or account may constitute public records or student education records, and as a result may require retention and disclosure by the school system. In the event of litigation, school business-related ESI located on a personal technology device or account may be subject to discovery and a litigation hold.

### **A. Limitations on Use**

Employees are expected to use school-controlled technology devices and accounts for conducting school business and storing school business-related ESI when such devices and accounts are readily available. Any use of personal technology devices and accounts is subject to this policy and all other relevant board policies, including but not limited to Policy 3253/4253/5451, Acceptable Use of Technology and Electronic Media, and Policy 3252/4252/5452, Employee Use of Social Media.

#### **1. Personal Technology Devices**

For purposes of this policy, "personal technology device" means a technology device that is not under the control of the school system and which the school system does not have the ability to access without the employee's assistance. This definition includes, but is not limited to, computers, phones, tablets, and other technological devices that are owned or leased by an employee.

Use of personal technology devices to conduct school business or to store school business-related ESI is authorized only when (1) the use is occasional and incidental to the regular use of school-controlled technology devices; or (2) the Superintendent or designee has pre-approved in writing the employee's regular use of personal technology for conducting school business and/or storing school business-related ESI.

For purposes of this policy, "personal external storage device" means a device that has a primary purpose of storing data, is not under the control of the school system, and which the school system does not have the ability to access without the employee's assistance. Personal external storage devices constitute personal technology devices for purposes of this policy, but are subject to the following additional limitation: employees are prohibited from storing school business-related ESI on personal



external storage devices, including, but not limited to, external hard drives, USB flash drives, flash memory cards, DVDs, compact discs, or magnetic tape, unless specifically authorized to do so by the superintendent or designee in writing.

## 2. Personal Accounts

For purposes of this policy, “personal account” means an account that is not under the control of the school system and which the school system does not have the ability to access without the employee’s assistance. This definition includes, but is not limited to, personal email accounts, social media sites, and online file storage services (e.g., file hosting services, cloud storage services, or online file storage providers that host user files via the Internet).

Employees are prohibited from using personal accounts to conduct school business or to store school business-related ESI unless specifically authorized to do so by the superintendent or designee in writing.

### **B. School System Access to School Business-Related ESI on Employees’ Personal Technology Devices and Accounts**

Any school business-related ESI stored on an employee’s personal technology devices or accounts is property of the school system. Employees shall transfer to an appropriate custodian all school business-related ESI upon request of the superintendent or designee and upon leaving employment. Employees shall cooperate with school officials in accessing any school business-related ESI stored on personal technology devices or accounts.

Employees are cautioned that using personal technology devices or accounts to conduct school business or to store school business-related ESI will significantly reduce their expectation of privacy in those devices or accounts. If an employee uses a personal technology device or account to conduct school business or to store school business-related ESI, an inspection of the employee’s device or account may be necessary to ensure that all public records and education records are preserved.

By using personal technology devices or accounts to conduct school business or to store school business-related ESI, employees are deemed to consent to the school system accessing and inspecting such devices or accounts to gather school business-related ESI and ensure that all public records and education records are preserved. If school officials have a reasonable basis to conclude that school business-related ESI is stored on an employee’s personal technology device or account, a reasonable inspection of the employee’s device or account may be performed in order to retain any public records or education records required to be retained by law and/or board policy. Such an inspection shall be made only after consultation with the board attorney.

### **C. Required Notices and Consent**

All employees must be informed annually of the terms of this policy and the methods by which

they may obtain a copy of this policy. Employees must sign a statement indicating that they understand and will comply with the requirements of this policy.

Legal References: U.S. Const. amend IV; Stored Communications Act, 18 U.S.C. 2701, *et seq.*;  
Computer Fraud and Abuse Act, 18 U.S.C. 1030; G.S. 14-454, -458

Adopted:

## 3600/4500 PROFESSIONAL AND STAFF DEVELOPMENT

The Board believes a strong relationship exists between the quality of education provided to students and the competency and training of all personnel employed by the school system. The Board places a high priority on securing the most competent personnel available and, once they are employed, providing them with opportunities for professional growth and development throughout their careers. The Board supports professional and staff development programs and opportunities to improve the instructional program and create a safe learning environment for all students by improving and expanding the skills for the professional staff and support personnel.

### A. PROFESSIONAL AND STAFF DEVELOPMENT

The Superintendent or designee shall provide ongoing professional and staff development opportunities for licensed and support staff and shall require participation by such personnel as appropriate. The Superintendent or designee shall seek input from employees when developing system-wide programs. The principal shall seek input from school personnel when planning professional and staff development programs for his or her school.

~~Professional and Staff development must be provided, at the system or school level, on shall include all topics required by law or Board policy, including but not limited to (1) the effective delivery of the required curriculum as required by G.S. 115C-81.45(d) and - 81.20(f); (2) a program of technology-related professional development as required; and (3) in even numbered years, a two-hour child sexual abuse and sex trafficking education and awareness training program for teachers, instructional support personnel, principals and assistant principals in grades K-12, as required by G.S. 115C-375.20. In addition, the Superintendent shall plan and provide a program of technology-related professional development to prepare the instructional staff integrate technology into the student learning process and to address other relevant issues related to the use of digital tools and resources in the instructional program.~~

### B. SELF-IMPROVEMENT

Licensed ~~and professional~~ employees are responsible for self-improvement to engage in self-directed activities to improve their professional skills. These employees are encouraged to seek information and training through staff-professional development programs as well as other opportunities in order to meet this responsibility.

### C. PLANS FOR GROWTH AND IMPROVEMENT

Supervisors and principals also may require licensed employees to enter into plans, including mandatory improvement plans established by state law and individual, monitored and/or directed growth plans established by the State Board of Education, for professional growth and ~~to improve~~ improving performance. Plans should set clear expectations and

facilitate clear communication between the evaluator and the evaluatee. Goals should be individualized and have a direct impact on instruction.

A performance improvement plan could involve participation in a staff professional development program or encompass a variety of strategies that are related to professional growth or improving performance.

#### D. PAYMENT OF COSTS

The school system will consider paying reasonable costs, within budget limits, for any courses, workshops, seminars, conferences, in-service training sessions or other sessions an employee is required to attend by the local administration. The employee must seek prior approval for payments.

The school system will not bear the responsibility of the cost of training taken solely for the purposes of licensure renewal.

Legal Reference: Title IX of the Education Amendments of 1972, 20 U.S.C. §1681*et seq.*, 34 C.F.R. pt. 106; G.S. 115C-81.20(f), -81.45(d), -333, 333.1, -375.20; State Board of Education Policy EVAL-004

Adopted: July 30, 1990

Revised: February 8, 2010; June 10, 2013; July 17, 2017; January 16, 2018; \_\_\_\_\_

## **5417 TITLE I PARENT AND FAMILY ENGAGEMENT**

The Board of Education recognizes the value of family engagement in a child’s academic success and believes that the education of children is an ongoing cooperative partnership between the home and the school. Parents and other family members are their children’s first teachers; therefore, the continued involvement of parents and family members in the educational process is most important in fostering and improving educational achievement. School system officials shall strive to support parents and provide parents and family members with meaningful opportunities to become involved in the programs offered by the Title I schools. The Board encourages parents and family members to participate in the design and implementation of the programs and activities in order to increase the effectiveness of the school system’s Title I program in helping students meet state and local achievement standards.

### **A. Definition of Parent and Family Engagement**

For the purposes of this policy, the term “parent and family engagement” means the participation of parents, guardians, and other family members in regular, two-way, and meaningful communication involving student learning and other school activities, including ensuring the following:

1. that parents and family members play an integral role in assisting their child’s learning;
2. that parents and family members are encouraged to be actively involved in their child’s education at school;
3. that parents are full partners in their child’s education and parents and family members are included, as appropriate, in decision making and on advisory committees to assist in the education of their child; and
4. that the school system utilizes activities to support parent and family engagement in the Title I programs.

### **B. Purpose and Operation of Title I Program**

The Title I program is a federally supported program that offers assistance to educationally and economically disadvantaged children to help ensure they receive an equitable, high-quality, well-rounded education and meet the school system’s challenging academic standards. The Title I program provides instructional activities and supportive services to eligible students over and above those provided by the regular school program.

Qualified Title I schools will operate as school-wide programs or targeted assistance programs based upon federal eligibility criteria. School-wide programs will provide comprehensive support to offer improved opportunities for all students in the school to meet the school system’s academic standards. Targeted assistance programs will provide

services to eligible students most in need of assistance in the school, as determined by objective criteria established by the Superintendent or designee. Eligibility criteria may include, for example, standardized test scores, teacher judgment, and results of preschool screening and home-school surveys.

Both school-wide and targeted assistance programs shall be based on effective means of improving student achievement and shall include evidence-based strategies to support parent and family engagement.

### **C. Annual Meeting and Program Evaluation**

Each year, school officials must invite parents of students participating in Title I programs to a meeting to explain parental rights, discuss the programs and activities to be provided with Title I funds, and solicit input on the Title I program and this policy. In addition, school officials must provide parents and family members a meaningful opportunity annually to evaluate the content and effectiveness of the Title I programs and the parent and family engagement policies and plans. Information collected from these proceedings will be used to revise Title I programs and parent and family engagement plans.

### **D. Parent and Family Engagement Efforts**

The Board believes that the involvement of Title I parents and family members in the design and implementation of the Title I program will increase the effectiveness of the program and contribute significantly to the success of the children. The Title I staff and all school system personnel shall strive to conduct outreach to parents and family members and involve them in activities throughout the school year.

The Superintendent shall ensure that this system-level parent and family engagement policy and plan is developed with, agreed upon with, and annually distributed to parents and family members of participating students. In addition to the system-level parent and family engagement plan, each school participating in the Title I program shall jointly develop and annually distribute to parents and family members a school-level written parent and family engagement plan that describes the means for carrying out school-level policy, sharing responsibility for student academic achievement, building the capacity of school staff and parents for involvement, and increasing accessibility for participation of all parents and family members of children participating in Title I programs, including parents and family members who have limited English proficiency, who have disabilities, or who are migratory. School-level plans must involve parents in the planning and improvement of Title I activities and must provide for the distribution to parents of information on expected student achievement levels and the school's academic performance.

School officials shall invite appropriate school personnel from private schools to consult on the design and development of its programs in order to provide equitable services to students enrolled in private schools. The Superintendent or designee shall establish any

additional procedures necessary to achieve timely and meaningful consultation with private school officials in accordance with federal law.

In addition, school system officials and Title I school personnel shall do the following:

1. involve parents and family members in the joint development of the Title I program and school support and improvement plan and the process of school review and improvement by including parents on the school advisory committee and any committees that review the Title I program;
2. provide coordination, technical assistance, and other support from various central office departments necessary to assist and build the capacity of all participating schools in planning and implementing effective parent and family engagement activities that are designed to improve student academic achievement and school performance;
3. coordinate and integrate parent and family engagement strategies in the Title I program to the extent feasible and appropriate with parental engagement strategies established in other federal, state, and local laws and programs;
4. with the meaningful involvement of parents, conduct an annual evaluation of the content and effectiveness of the school system parent and family engagement policies and program in improving the academic quality of the school and assisting students to meet the school system's academic standards;
5. strive to eliminate barriers to parental participation by assisting parents who have disabilities and parents who are economically disadvantaged, have limited English proficiency, are migratory, or have other backgrounds or characteristics that may affect participation;
6. provide outreach and assistance to parents and family members of children who are participating in Title I programs in understanding the state's testing standards, the assessments used, Title I requirements, and all national, state, and local standards and expectations through such efforts as community-based meetings, posting information on school websites, sending information home, newsletters, workshops, and newspaper articles;
7. design a parent–student–school staff compact that sets out respective responsibilities in striving to raise student achievement and explains how an effective home/school partnership will be developed and maintained;
8. with the assistance of parents, ensure that teachers, specialized instructional support personnel, principals, and other staff are educated in the value of parents as partners in the educational process and understand how to work with, communicate with, and reach out to parents as equal partners in education;

9. distribute to parents information on expected student proficiency levels for their child and the school's academic performance, and provide materials and training to help parents monitor their child's progress and work with educators to improve achievement through such methods as literacy training or using technology, which may include education about the harms of copyright piracy;
10. coordinate and integrate, to the extent feasible and appropriate, parental involvement programs and activities with federal, state, and local programs, including public preschool programs, and conduct other activities in the community that encourage and support parents to more fully participate in the education of their child;
11. strengthen the partnership with agencies, businesses, and programs that operate in the community, especially those with expertise in effectively engaging parents and family members in education;
12. ensure that parents are involved in the school's Title I activities; and
13. provide such other reasonable support for Title I parental involvement activities as requested by parents.

#### **E. Notice Requirements**

School system officials and Title I school personnel shall provide effective notice of the following information as required by law. The notice must be in an understandable and uniform format and to the extent practicable, in a language the parents can understand.

##### **1. Program for English Learners**

Each year the principal or designee shall provide notice of the following to parents of English learners identified for participation in a Title I, Part A or Title III funded language-instruction educational program:

- a. the reasons for the child's identification;
- b. the child's level of English proficiency and how such level was assessed;
- c. methods of instruction;
- d. how the program will help the child;
- e. the exit requirements for the program;



f. if the child has a disability, how the language instruction educational program meets the objectives of the child's individualized educational program (IEP);

g. any other information necessary to effectively inform the parent of the program and the parental rights regarding enrollment, removal, and selection of a program for English learners; and

h. notice of regular meetings for the purpose of formulating and responding to recommendations from parents.

## 2. System Report Card

Each year, school system officials shall disseminate to all parents, schools, and the public a school system report card containing information about the school system and each school, including, but not limited to:

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

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

c. the percentage and number of students who are:

i. assessed,

ii. assessed using alternate assessments,

iii. involved in preschool and accelerated coursework programs, and

iv. English learners achieving proficiency;

d. the per pupil expenditures of federal, state, and local funds; and

e. teacher qualifications.

## 3. Teacher Qualifications

a. At the beginning of each year, school system officials shall notify parents of students who are participating in Title I programs (1) of the right to request certain information on the professional qualifications of the student's classroom teachers and paraprofessionals providing services to the child and (2) that such information will be provided in a timely manner (see Policy 3231/4231 - Personnel Files).

b. The principal or designee of a Title I school shall provide timely notice informing parents that their student has been assigned to or has been taught for at least four consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements at the grade level or subject area in which the teacher has been assigned.

#### 4. Student's Academic Growth and Achievement

School officials shall provide to each parent of a student who is participating in a Title I program information on the level of achievement and academic growth, if applicable and available, of the student on each of the state's academic assessments.

#### 45. Parental Rights and Opportunities for Involvement

a. Each year, the principal or designee of a Title I school shall provide notice to parents of the school's written parent and family engagement policy, parents' right to be involved in their child's school, and opportunities for parents and family members to be involved in the school.

b. ~~Each~~ At the beginning of each school year, the principal or designee of a Title I school shall provide notice to parents of (1) their right to request information regarding student participation in state-required assessments and (2) that such information will be provided in a timely manner.

#### **F. Website Distribution of Information**

Each year, school system officials shall publicize on the school system website and, where practicable, on the website of each school:

1. the report card described in subsection E.2, above; and
2. information on each assessment required by the state and, where feasible, by the school system, organized by grade level. The information must include:
  - a. the subject matter assessed;
  - b. the purpose for which the assessment is designed and used;

- c. the source of the requirement for the assessment;
- d. if available, the amount of time students will spend taking the assessments and the schedule of the assessments; and
- e. if available, the time and format for distributing results.

The Superintendent shall develop any administrative procedures necessary to implement the requirements of this policy.

Legal References: Elementary and Secondary Education Act, as amended, 20 U.S.C. 6301*et seq.*, 34 C.F.R. pt. 200

Adopted: January 14, 2019

Revised: \_\_\_\_\_

## 5540 GRADUATION REQUIREMENTS

A. The Board recognizes the importance of setting rigorous graduation requirements in order to help ensure that students are receiving an education that will prepare them to be productive members of society. The Board believes students should be well-rounded learners fully prepared for college or the career of their choice. This preparation includes the acquisition of 21st century skills such as innovation, application of technology to solve problems, and the ability to think critically about the key issues of our times. To this end, students are encouraged and expected to explore a wide range of curricular offerings that extend learning beyond core curriculum coursework and include courses in the arts, career and technical education, wellness, and world languages. In order to graduate from high school, students are required to meet the following:

1. successful completion of all course unit requirements mandated by the State Board of Education (see chart below);
2. successful completion of cardiopulmonary resuscitation instruction; <sup>1</sup>
3. successful completion of all other requirements mandated by the Board, as provided in this policy.

Beginning with the 2015-2016 school year, students will have two diploma options: 1) Future Ready Core Diploma (22 credits); <sup>2</sup> or 2) a diploma based on Future Ready Occupational Diploma (22 credits). Students may also earn one or more endorsements to a diploma.

The principal shall ensure that students and parents are aware of all graduation requirements. Guidance program staff shall assist students in selecting their high school courses to ensure that students are taking all of the required units and selecting electives consistent with their post-graduation plans. For students who have transferred to the school system during high school or who, for other reasons, have completed course work outside of the school system, the principal shall determine what course work will be applied as credit toward graduation. The principal shall consider the requirements of the Interstate Compact on Educational Opportunity for Military Children (G.S. 115C-407.5) in determining the graduation requirements for children of military families. Military student graduation requirements are found in the Board Policy for Military Children Enrollment and Placement.

In accordance with Board Policy 5541, Dual Enrollment, and State Board of Education requirements, students may earn high school credit for college courses completed. Students also have the opportunity to meet course unit requirements without completing the regular period of classroom instruction by demonstrating mastery of the course material in accordance with Board Policy 5530, Promotion and Retention of Students, and State Board of Education requirements.

~~High school students must take all end-of-course (EOC) tests, NC Final Exams, and Career and Technical Education State Assessments (CTE Post Assessments) required by the State Board of Education and pursuant to Board Policy 5600, Testing and Assessment Program.~~

CONTENT AREA	Future Ready Core Course of Study	For some Ninth Graders with Cognitive Disabilities 2000-Present Future Ready Occupational Course of Study Requirements (Selected IEP students excluded from EOC-Proficiency Level requirements)
English	Four (4) Credits  I, II, III, IV	Four (4) Credits  English  I, II, III, IV
Mathematics	Four (4) Credits*  Math I, II, III and a fourth Math Course <sup>2</sup>  Fourth Math Course Options:  Honors Pre-Calculus, Advanced Functions and Modeling, SREB College Ready Math, AP Calculus, Dual Math Credit, AP Statistics, Discrete Math or an approved CTE Math to be aligned with the student's post-high school plans. Students seeking to complete minimum course requirements for UNC universities must complete four math courses including a fourth math course with Math 3 as a pre-requisite.  *A student, in rare instances, may be able to take an alternative Math course sequence as outlined under State Board of Education policy.	Three (3) Credits Mathematics I (Introduction to Mathematics), II (Algebra I Math A), III (Financial Management)
Science	Three (3) Credits  A physical science course, Biology and Earth/Environmental Science	Two (2) Credits  Life Skills Science I (Applied Science), II (Biology)

<p>Social Studies</p>	<p>Four (4) Credits<sup>4</sup></p> <p><del>1) Civics and Economics, 2) World History, 3) American History I: Founding Principles and American History II OR AP US History and an additional social studies course</del></p> <p><u>For students entering Grade 9 between 2014-15 and 2019-20</u></p> <ol style="list-style-type: none"> <li>1. <u>American History: Founding Principles, Civics and Economics</u></li> <li>2. <u>American History I</u></li> <li>3. <u>American History II</u></li> <li>4. <u>World History</u></li> </ol> <p><u>Students entering Grade 9 in 2020-21</u></p> <ol style="list-style-type: none"> <li>1. <u>Founding Principles of the United States of America and North Carolina: Civic Literacy</u></li> <li>2. <u>Economics and Personal Finance</u></li> <li>3. <u>American History</u></li> <li>4. <u>World History</u></li> </ol>	<p>Two (2) Credits</p> <p><del>Social Studies I (American History I), Social Studies II (American History II)</del></p> <p><u>American History: Founding Principles, Civics and Economics</u></p> <p><u>American History I or American History II</u></p>
<p>World Languages</p>	<p>Not required for high school graduation. A two-credit minimum is required for admission to a university in the UNC system.</p>	<p>Not required</p>
<p>Health and Physical Education</p>	<p>One (1) Credit</p> <p>Health/Physical Education</p>	<p>One (1) Credit</p> <p>Health/Physical Education</p>
<p>Electives or other requirements*</p>	<p>Six (6) Credits required</p> <p>Two (2) elective credits of any combination from either:</p> <ul style="list-style-type: none"> <li>• Career and Technical Education (CTE)</li> <li>• Arts Education</li> <li>• World Languages</li> </ul>	<p>Preparation:</p> <p>Six (6) Credits</p> <p>Preparation I, II, III, IV</p> <p>Including: 300 hours of school-based training; 240 hours of community-based training and 360 hours of paid employment</p>

	<p>Four (4) elective credits (four-course concentration recommended) from one of the following:</p> <ul style="list-style-type: none"> <li>• Career and Technical (CTE)</li> <li>• JROTC</li> <li>• Arts Education (e.g. dance, music, theater arts, visual arts)</li> <li>• Any other subject area (e.g. Social Studies, Science, Mathematics, English)</li> </ul>	<p>Career Portfolio Required</p> <p>Completion of student’s IEP objectives</p>
Career/Technical Education	See “Electives”	<p>Four (4) Credits</p> <p>Career/Technical Education electives</p>
Arts Education (Dance, Music, Theatre Arts, Visual Arts)	See “Electives”	Recommended: at least one credit
MCS Total (subject to change)	22	22
<b>CONTENT AREA</b>	<b>Moore County Schools Distinguished Scholar Endorsement</b>	<b>North Carolina Academic Scholar Endorsement<sup>[5]</sup></b>
Standard Diploma	<i>Must also meet content requirements for Standard Diploma</i>	
English	<p>Four (4) Credits</p> <p>I, II, III, IV</p>	<p>Four (4) Credits</p> <p>I, II, III, IV</p>
Mathematics	<p>Four (4) Credits</p> <p>Math I, II, III and a fourth Math Course*</p> <p>Fourth Math Course Options:</p> <p>Honors Pre-Calculus, Advanced Functions and Modeling, SREB College Ready Math, AP Calculus, Dual Math Credit, AP Statistics, Discrete Math or an approved CTE Math to be</p>	<p>Four (4) Credits</p> <p>Math I, II, III and a fourth higher level Math Course that meets UNC system minimum admission requirements*</p> <p>Fourth Math Course Options:</p> <p>Honors Pre-Calculus, Advanced Functions and Modeling, SREB College Ready Math, AP</p>

	<p>aligned with the student’s post-high school plans</p> <p>*A student, in rare instances, may be able to take an alternative Math course sequence as outlined under State Board of Education policy.</p>	<p>Calculus, Dual Math Credit, AP Statistics or Discrete Math</p> <p>*A student, in rare instances, may be able to take an alternative Math course sequence as outlined under State Board of Education policy.</p>
Science	<p>Three (3) Credits</p> <p>A physical science course, Biology and Earth/Environmental Science</p>	<p>Three (3) Credits</p> <p>Physics or Chemistry, Biology and Earth/Environmental Science</p>
Social Studies	<p><del>Four (4) Credits</del></p> <p><del>1) Civics and Economics</del></p> <p><del>2) World History</del></p> <p><del>3) American History I: Founding Principles and American History II OR AP US History and an additional social studies course</del></p> <p><u>For students entering Grade 9 between 2014-15 and 2019-20</u></p> <p>1. <u>American History: Founding Principles, Civics and Economics</u></p> <p>2. <u>American History I</u></p> <p>3. <u>American History II</u></p> <p>4. <u>World History</u></p> <p><u>Students entering Grade 9 in 2020-21</u></p> <p>1. <u>Founding Principles of the United States of America and North Carolina: Civic Literacy</u></p> <p>2. <u>Economics and Personal Finance</u></p> <p>3. <u>American History</u></p> <p>4. <u>World History</u></p>	<p><del>Four (4) Credits</del></p> <p><del>1) Civics and Economics</del></p> <p><del>2) World History</del></p> <p><del>3) American History I: Founding Principles and American History II OR AP US History and an additional social studies course</del></p> <p><u>For students entering Grade 9 between 2014-15 and 2019-20</u></p> <p>1. <u>American History: Founding Principles, Civics and Economics</u></p> <p>2. <u>American History I</u></p> <p>3. <u>American History II</u></p> <p>4. <u>World History</u></p> <p><u>Students entering Grade 9 in 2020-21</u></p> <p>1. <u>Founding Principles of the United States of America and North Carolina: Civic Literacy</u></p> <p>2. <u>Economics and Personal</u></p>



		<u>Finance</u> 3. <u>American History</u> 4. <u>World History</u>
World Languages		Two (2) credits in a second language
Health and Physical Education	One (1) Credit of Health/Physical Education is required as part of meeting the standard diploma prerequisites for the endorsement.	One (1) Credit of Health/Physical Education is required as part of meeting the standard diploma prerequisites for the endorsement.
Electives or other requirements*	13 Credits required consisting of the following:  Elective credits of any combination from: <ul style="list-style-type: none"> <li>• Career and Technical Education (CTE)</li> <li>• Arts Education</li> <li>• World Languages</li> </ul> Four (4) elective credits strongly recommended (4-course concentration) from one of the following: <ul style="list-style-type: none"> <li>• Career and Technical (CTE)</li> <li>• JROTC</li> <li>• Arts Education (e.g. dance, music, theater arts, visual arts)</li> <li>• Any other subject area (e.g. Social Studies, Science, Mathematics, English)</li> </ul>	7 Credits consisting of the following:  Four (4) elective credits constituting a concentration recommended from one of the following: <ul style="list-style-type: none"> <li>• Career and Technical Education (CTE)</li> <li>• JROTC</li> <li>• Arts Education</li> <li>• World Languages</li> <li>• Any other subject area</li> </ul> Three (3) elective credits - Higher level courses taken during junior and/or senior years that carry 4.5 or 5 quality points such as AP, IB, Dual or college equivalent course, Advanced CTE/CTE credentialing courses, online courses or other honors or above designated courses

		Student shall earn an unweighted grade point average of at least 3.50.
<b>Credits</b>	<b>28 credits</b>	<b>25 credits</b>

A. High school students must take all end-of-course (EOC) tests, ~~NC Final Exams~~ and Career and Technical Education State Assessments (CTE Post-Assessments) required by the State Board of Education and pursuant to Board Policy 5600, Testing and Assessment Program.

B. Graduation exercises may be held within one week of the 180th school day of each school year. The time, date, and location of graduation exercises shall be approved by the Superintendent. The graduation program shall be approved by the principal.

C. Honor graduates may be designated by the principals on the basis of criteria established by the Superintendent. Recognition of honor graduates may be included in graduation programs.

D. Early graduation may be permitted on the basis of criteria approved by the Board upon recommendation by the Superintendent.

E. Students have the opportunity to earn one or more of the following diploma endorsements identifying a particular area of focused study: (1) Career Endorsement, (2) College Endorsement (two options) (3) North Carolina Academic Scholars Endorsement and/or (4) Global Language Endorsement. No endorsement is required to receive a diploma.

Legal Reference: G.S. 115C-47, -81, -174.11,-276, -288, -407.5; State Board of Education Policies CCRE-001, GRAD-004, GRAD-007, GRAD-008, GRAD-010, TEST-003

Adopted: November 26, 1990

Revised: June 24, 1996; June 28, 1999; January 23, 2006; May 12, 2008; January 7, 2013; February 10, 2014; January 12, 2015; September 14, 2015; December 14, 2015; July 17, 2017; August 13, 2018; \_\_\_\_\_

**Footnotes**

1. When appropriate, reasonable accommodations and/or alternative assessments will be available in order to comply with the ADA and IDEA.

~~2. Students who entered ninth grade for the first time in 2009-2010, 2010-2011 or 2011-2012 are only required to earn 21 credits for the standard diploma.~~

~~3. For students who first entered the ninth grade in 2009-2010, 2010-2011 or 2011-2012, students may receive credit for Algebra I, Geometry, Algebra II, and a fourth math course aligned with post-graduation plans.~~

~~4. For students who first entered the ninth grade in 2009-2010, 2010-2011 or 2011-2012, students are only required to earn three social studies credits in the area of civics and economics, U.S. history and world history.~~

## 6021 IMMUNIZATION AND HEALTH REQUIREMENTS FOR SCHOOL ADMISSION

The Board of Education requires all students to meet the eligibility requirements for school admission established by the State and the Board, including immunization and health assessments. The principal or designee shall maintain on file immunization and health assessment records for all students, and these records may be inspected by officials of the county or state health departments in accordance with state and federal law. Each school principal shall file required reports with the Department of Health and Human Services and the Department of Public Instruction.

### A. IMMUNIZATION

#### 1. Requirements for Initial Entry

Within 30 calendar days of his or her first day of attendance in the school system, each student must show evidence of age-appropriate vaccination in accordance with state law and regulation, including the following vaccines as applicable:

- a. DTaP (diphtheria, tetanus and pertussis);
- b. poliomyelitis (polio);
- c. measles (rubeola);
- d. rubella (German measles);
- e. mumps;
- f. Haemophilus influenza, type b (Hib);
- g. hepatitis B;
- h. varicella (chickenpox); and
- i. any other vaccine as may be required by law or regulation.

The current required vaccination schedule is available from the North Carolina Immunization Branch online at <http://www.immunize.nc.gov/>.

#### 2. Additional Requirements

- a. All students entering seventh grade or who have reached age 12, whichever comes first, are required to receive the following;

ai. a booster dose of Tdap (tetanus, diphtheria and pertussis vaccine), if they have not previously received it; and

bii. the meningococcal conjugate vaccine (MCBV).

b. All students entering the twelfth grade or who have reached age 17 are required to receive a booster dose of MCV.

### 3. Certificate of Immunization

a. Evidence of immunizations must be shown in the form of a certificate furnished by a licensed physician or by the health department. A student who received immunizations in a state other than North Carolina must present an official certificate that meets the immunizations requirements of G.S. 130A-154(b).

b. Principals are required to refuse admittance to any child whose parent or guardian does not present a medical certification of proper immunizations within the allotted time. If, following approved medical practice, the administration of a vaccine requires more than 30 calendar days to complete, upon certification of this fact by a physician, additional days may be allowed in order to obtain the required immunizations.

c. Exception to the immunization requirement will be made only for religious reasons or for medical reasons approved by a physician pursuant to state law and regulation.

## B. HEALTH ASSESSMENT/VISION SCREENING

Within 30 calendar days of the first day of school entry, all kindergarten students and, beginning with the 2016-17 school year, all students entering public schools for the first time, regardless of grade level, must furnish to the principal a form that meets the requirements of state law indicating that the student has received a health assessment pursuant to G.S. 130A-440. A student who fails to meet this requirement will not be permitted to attend school until the required health assessment form has been presented. Such absences will not be considered suspensions, and the student will be given an opportunity to make up work missed during the absence as described below. The principal or designee shall, at the time of enrollment, notify the parent, guardian, or person standing in loco parentis that the completed health assessment form is needed on or before the child's first day of attendance. The date the student's health assessment form is received will be recorded in the student's official record, and the form will be maintained on file in the school

The assessment must include a medical history and physical examination with screening for vision and hearing and/ if appropriate, testing for anemia and tuberculosis. The health assessment

must be conducted no more than 12 months prior to the date of school entry. Exceptions to the health assessment requirement will be made only for religious reasons.

Vision screening must comply with the vision screening standards adopted by the former Governor's Commission on Early Childhood Vision Care. Within 180 days of the start of the school year, the parent of the child must present to the principal or designee certification that, within the past 12 months, the child has obtained a comprehensive eye examination performed by an ophthalmologist or optometrist or has obtained a vision screening conducted by a licensed physician, an optometrist, a physician assistant, a nurse practitioner, a registered nurse, an orthoptist or a vision screener certified by Prevent Blindness North Carolina.

Children who receive and fail to pass the required vision screening must obtain a comprehensive eye exam conducted by a duly licensed optometrist or ophthalmologist. The provider of the exam must present to the parent a signed transmittal form, which the parent must submit to the school. If a member of the school staff has reason to believe that a child enrolled in kindergarten through third grade is having problems with vision, the staff member may recommend to the child's parent that the child have a comprehensive eye examination.

No child will be excluded from attending school solely for a parent's failure to obtain a comprehensive eye exam. If a parent fails or refuses to obtain a comprehensive eye exam or to provide the certification of a comprehensive eye exam, school officials shall send a written reminder to the parent of required eye exams.

Upon request, the teacher(s) of a student subject to an absence from school for failure to provide the health assessment form required by this section shall provide to the student all missed assignments, and to the extent practicable, the materials distributed to students in connection with the assignments. The principal or designee shall arrange for the student to take home textbooks and school-furnished digital devices for the duration of the absence and shall permit the student to take any quarterly, semester or grading period examinations missed during the absence period.

#### C. HOMELESS STUDENTS

Notwithstanding the provisions of this policy, admissions for homeless students will not be prohibited or delayed due to the student's inability to provide documentation of immunizations or health assessments. The homeless liaison shall work with the student, parent/guardian, school personnel or other agencies to obtain documentation of immunization and/or the health assessment or to arrange for such immunizations and/or assessments in a timely manner.

#### D. FOSTER CHILDREN

Notwithstanding the provisions of this policy, admissions for students in foster care will not be prohibited or delayed due to the student's inability to provide documentation of immunizations or health assessments. The enrolling school will immediately contact the school last attended by the foster child to obtain any relevant documentation.

## E. CHILDREN OF MILITARY FAMILIES

The Board acknowledges that immunization requirements for newly enrolling military children are governed by the Interstate Compact on Educational Opportunity for Military Children. Children of military families, as defined in Policy 6024, Military Children Enrollment and Placement, will have 30 days from the date of enrollment or within such time as reasonably determined by the rules of the Interstate Commission to obtain any required immunization. For a series of immunizations, initial vaccinations must be obtained within 30 days or within such time as is reasonably determined under the Interstate Commission.

Legal Reference: Elementary and Secondary Education Act, 20 U.S.C. 6311(g)(1)(E); McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431*et seq.*; G.S. 115C-390.2(1), -407.5; 130A-152 through -157, -440 to -443; 10A N.C.A.C. 41A .0401

Adopted: November 29, 1990

Revised: March 12, 2007; June 9, 2008; September 14, 2015; June 13, 2016; January 17, 2017;

## **6030 ~~TAKING A RELEASE OF STUDENTS~~ FROM SCHOOL**

~~It shall be the responsibility of the principal to determine that any person appearing at a school and requesting permission to take a student from the school shall be properly identified before allowing him to proceed.~~

~~6030.1 In no case shall a person other than an authorized parent or guardian be permitted to take a student from school until or unless the principal is satisfied that such person has the approval of the authorized parent or guardian.~~

The safety of students is a paramount concern of the Board and school system. The principal or designee shall make reasonable efforts to verify that any person appearing at a school and requesting permission to take a student from the school is properly identified before the student is released to him or her.

Except in the most extreme circumstances, custody of a student shall not be relinquished to any person without the prior approval of the parent or guardian who has physical custody of the student. However, if the parents are divorced or separated, the student may be released to either parent, unless the principal has been provided with a copy of a court order or agreement that specifies otherwise.

If the principal or designee judges that the student's health or safety may be harmed by releasing the student, the principal shall contact law enforcement and/or the department of social services as appropriate.

Principals are encouraged to develop guidelines as necessary to implement this policy.

Legal Reference: G.S. 115C-36; -47, -288

Adopted: November 29, 1990

Revised: January 12, 2009



## 6300 STUDENT RECORDS

All student records must be current and maintained with appropriate measures of security and confidentiality. The principal is responsible for complying with all legal requirements pertaining to the maintenance, review, and release of records retained at the school. For purposes of this policy, “student records” or “student education records” are those records, files, documents, and other materials that contain information directly related to the student that are maintained by the school system or by a party acting for the school system.

An employee’s failure to maintain the confidentiality of student records may result in disciplinary action, up to and including dismissal.

### A. Annual Notification of Rights

The Superintendent or designee shall provide eligible students and parents with annual notification of their rights under the Family Educational Rights and Privacy Act (FERPA). The notice must contain all information required by federal law and regulations, including the following:

1. the right to inspect and review the student’s educational records and the procedure for exercising this right;
2. the right to request amendment of the student’s educational records that the parent or eligible student believes to be inaccurate, misleading, or in violation of the student’s privacy rights; and the procedure for exercising this right;
3. the right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent;
4. the type of information designated as directory information and the right to opt out of release of directory information;
5. that the school system releases records to other institutions that have requested the information and in which the student seeks or intends to enroll;
6. the right to opt out of releasing the student’s name, address, and phone number to military recruiters or institutions of higher education that request such information;
7. a specification of the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest if a school official discloses or intends to disclose personally identifiable information to school officials without consent;

8. notification if the school system uses contractors, consultants, volunteers, or similar persons as school officials to perform certain school system services and functions that it would otherwise perform itself; and

9. the right to file complaints with the Family Policy Compliance Office in the U.S. Department of Education.

School officials are not required to individually notify parents or eligible students of their rights but must provide the notice in a manner reasonably likely to inform the parents and eligible students of their rights. Effective notice must be provided to parents or eligible students with disabilities or those whose primary or home language is not English.

## **B. Definition of Parent and Eligible Student**

### **1. Parent**

For purposes of this policy, the term “parent” includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian. If the parents of a student are separated or divorced, both parents have the right to access the student’s records as provided in this policy, unless the school system has been provided with evidence that there is a court order, state statute, or other legally binding document that specifically revokes these rights. If a court order restricts either parent’s access to student records, it is the parents’ responsibility to provide a full, unedited copy to the school principal, who will place a copy in the student’s cumulative file and accommodate the terms of the order to the extent possible.

### **2. Eligible Student**

For purposes of this policy, an eligible student is a student who has reached 18 years of age or is attending an institution of postsecondary education. The rights afforded to parents under this policy transfer to an eligible student. However, parents may still have access to the records as long as the student is claimed as a dependent by the parent for federal income tax purposes. An eligible student who desires to prevent access to records by his or her parents must furnish to the principal information verifying that the student is not a dependent of his or her parents. If a parent of a student who is at least 18 and no longer attending a school within the system wishes to inspect and review the student’s records, he or she must provide information verifying that the student is a dependent for federal income tax purposes.

A student under age 18 may have access to student records only upon the consent of his or her parents.

## **C. Classification and Maintenance of Records**

The principal is the custodian of student records maintained at the school, including but not limited to a student's cumulative file.

Information about students that is collected and stored by school personnel may be separated into several categories, including, but not limited to, the following records.

1. ~~Cumulative Records~~ Student Education Records

a. Cumulative Records

The cumulative record is the official record for each student. The cumulative record includes student identification information, such as the student's name, address (or ~~the living situation of a homeless student's experiencing homelessness living situation~~), sex, race, birthplace, and birth date; family data including the parents' names, addresses, work and home telephone numbers, and places of employment; academic work completed; grades; standardized test scores; health screenings and immunization documentation; attendance records; withdrawal and reentry records; discipline records; honors and activities; class rank; date of graduation; and follow-up records.

~~2.~~ b. Records of Students with Disabilities

Students with recognized disabilities must be accorded all rights in regard to their records as provided by state and federal law, including the Individuals with Disabilities Education Act and Policy 6220, Special Education Programs/Rights of Students with Disabilities. Records for a student identified as a student with a disability are considered part of the student's official records and must be maintained in accordance with all appropriate federal and state regulations. Access to these records will be restricted to personnel having specific responsibility in this area. A list of all approved personnel having access to these restricted files will be updated as needed, and a current, dated list will be posted in the student records location.

~~3.~~ c. Records Received from the Department of Social Services

The Department of Social Services may disclose confidential information to the school system in order to protect a juvenile from abuse or neglect. Any confidential information disclosed under these circumstances must remain confidential and may only be redisclosed for purposes directly connected with carrying out the school system's mandated educational responsibilities.

~~4.~~ d. Juvenile Records

Juvenile records include documentation or information regarding students who are under the jurisdiction of the juvenile court. These records may be received

from local law enforcement and/or other local agencies authorized to share information concerning juveniles in accordance with G.S. 7B-3100. These records also may include notice from the sheriff to the school system that a student has been required to register with the sheriff because the student has been found to be a danger to the community under G.S. Chapter 14, Part 4. Such documents must not be a part of a student's official records but must be maintained by the principal in a safe, locked storage area that is separate from the student's other records. The principal shall not make a copy of such documents under any circumstances.

Juvenile records will be used only to protect the safety of or to improve the educational opportunities for the student or others. The principal may share juvenile records with individuals who have (a) direct guidance, teaching, or supervisory responsibility for the student and (b) a specific need to know in order to protect the safety of the student and others. Persons provided access to juvenile records must indicate in writing that they have read the document(s) and agree to maintain confidentiality of the records.

The principal or designee must destroy juvenile documents if he or she receives notification that a court no longer has jurisdiction over the student or if the court grants the student's petition for expunction of the records. The principal or designee shall destroy all other information received from an examination of juvenile records when he or she finds that the information is no longer needed to protect the safety of or to improve the educational opportunities for the student or others. If the student graduates, withdraws from school, transfers to another school, is suspended for the remainder of the school year, or is expelled, the principal shall return all documents not destroyed to the juvenile court counselor. If the student is transferring, the principal shall provide the juvenile court counselor with the name and address of the school to which the student is transferring.

e. Other Student Records

School system personnel may also keep other student records but must review such records annually and destroy them in accordance with Section K of this policy.

5.2. Records Not Considered Education Records (Sole Possession, Employment, and Law Enforcement Records)

Student records do not include, and release of information under this policy does not apply to:

- a. records that are in the sole possession of the maker thereof and that are not accessible or revealed to any other person except a substitute;

- b. employment records of student employees if those records relate exclusively to the student in his or her capacity as an employee and are not made available for any other use; and
- c. records created by a law enforcement unit of the school system if created for a law enforcement purpose and maintained solely by the law enforcement unit of the school system. However, a law enforcement record containing This does not include information that was obtained from the student's confidential file or other educational records that is contained in a law enforcement record must be treated as an education record and may be released only in accordance with this policy.

#### **D. Records of Students Participating in the North Carolina Address Confidentiality Program**

Students or parents enrolled in the North Carolina Address Confidentiality Program (NCACP) must provide a valid NCACP authorization card to the school principal if they wish to keep their home address confidential. The school system will maintain a confidential record of the actual home address for admission and assignment purposes only and will not release that address except as provided by law. With the exception of such specially-maintained records, student records will include only the substitute address provided by the NCACP and not the actual home address of any students or parents for whom a valid NCACP authorization card is on file.

When transferring the record of a student participating in the North Carolina Address Confidentiality Program to a school outside of the system, the transferring school may send the files to the Address Confidentiality Program participant (parent or guardian) via the substitute address provided by the Address Confidentiality Program.

#### **E. Records of Missing Children**

Upon notification by a law enforcement agency or the North Carolina Center for Missing Persons of the disappearance of a child who is currently or was previously enrolled in the school, school officials shall flag the record of that child. If the missing child's record is requested by another school system, the principal shall provide notice of the request to the Superintendent and the agency that notified the school that the child was missing. The principal shall provide the agency with a copy of any written request for information concerning the missing child's record.

Any information received indicating that a student transferring into the system is a missing child must be reported promptly to the Superintendent and the North Carolina Center for Missing Persons.

#### **F. Records of Military Children**

School administrators shall comply with any regulations pertaining to the records of military children developed by the Interstate Commission on Educational Opportunity for Military Children.

In addition, children of military families, as defined by Policy 6024, Military Children Enrollment and Placement, are entitled to the following.

2. For Students Leaving the School System

In the event that official education records cannot be released to the parents of military children who are transferring away from the school system, the custodian of records shall prepare and furnish to the parent a complete set of unofficial education records containing uniform information as determined by the Interstate Commission.

When a request for a student's official record is received from the student's new school, school officials shall process and furnish the official records to the student's new school within 10 days or within such time as is reasonably determined by the Interstate Commission.

3. For Students Enrolling in the School System

Upon receiving an unofficial education record from the student's previous school, school administrators shall enroll the student and place him or her in classes as quickly as possible based on the information in the unofficial records, pending validation by the official records.

Simultaneous with the enrollment and conditional placement of the student, school administrators shall request the student's official record from his or her previous school.

## **G. Review, Release of Records to Parent or Eligible Student**

A parent or eligible student may access the student's records upon proper request. The principal or other authorized personnel of the student's school shall schedule an appointment as soon as possible but no later than 45 days after the request by the parent or eligible student. The parent or eligible student may formally review the student's complete records only in the presence of the principal or designee competent to explain the records. ~~Parents or eligible students who are unable to physically inspect student records at the school may contact the Central Office to request copies of those records.~~ School personnel shall not destroy any educational records if there is an outstanding request to inspect or review the records.

A parent or eligible student has the right under this policy to challenge an item in the student record believed to be inaccurate, misleading, or otherwise in violation of the student's privacy rights, but not challenge a grade, opinion, or substantive decision. The principal shall examine a request to amend a student record item and respond in writing within ten (10) school days to the person who challenges the item. Subsequent steps, if necessary, will follow the student grievance

procedures (outlined in the Student and Parent Grievance Procedure policy). If the final decision is that the information in the record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student ~~and therefore the record will not be amended,~~ the principal shall inform the parent or eligible student ~~shall be informed~~ of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the school system.

#### **I. H. Release or Disclosure of Records to Others**

Before releasing or disclosing records as permitted by law, school officials shall use reasonable methods to identify and authenticate the identity of the party to whom the records are disclosed.

##### 1. Release/Disclosure with Parental Consent

School officials shall obtain written permission from a parent or eligible student before releasing or disclosing student records that contain personally identifiable information, except in circumstances where the school system is authorized by law to release the records without such permission. The written permission must specify the records to be released, the purpose of the release, and the party(ies) to whom they are to be released.

~~If a parent or eligible student refuses to consent to the release of student records, the school system may disclose, in response to a request for records, that the parent or eligible student has not consented to release the records.~~

##### 2. Release/Disclosure without Parental Consent

School system officials shall promptly release student records when a student transfers to another school. The records custodian may release or disclose records with personally identifiable information without parental permission to the extent permitted by law, including to other school officials who have a legitimate educational interest in the records.

~~When p~~Personally identifiable information from a student's record ~~is~~ may be released or disclosed to someone other than a parent or eligible student without prior written consent of the parent or eligible student only as specifically provided by federal law. Except as otherwise permitted by federal law, when personally identifiable information from a student's record is released or disclosed to someone other than a parent or eligible student without their written consent, the party to whom the information is released must agree not to disclose the information to any other party without the prior consent of the parent or eligible student. ~~This restriction does not apply to the release of directory information, release of information to parents of non-eligible students, release of information to parents of dependent students, or release of information in accordance with a court order or subpoena.~~

The Superintendent shall employ reasonable methods to ensure that teachers and other school officials obtain access only to those education records in which they have legitimate educational interests.

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

- a. To officials within the school system who have a legitimate educational need to review the student's records. A school official is a person employed by the school system as an administrator, supervisor, instructor, or support staff member (including health or medical staff, school security, and school resource officers); a school board member; or a person or company with whom the school system has contracted to perform a special task that would otherwise be performed by an employee (such as an attorney, auditor, medical consultant, or therapist). A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
- b. To officials of other schools and school systems in which the student has enrolled or intends to enroll, provided that the parent or eligible student receive notice of the disclosure, either through the annual notice provided in the parent/student handbook or through specific individual notice. The school system shall give the parent or eligible student, upon request, (i) a copy of the record that was disclosed and/or (ii) an opportunity to challenge the contents of the record.
- c. To federal government representatives and state and local educational authorities, for the purposes of auditing, evaluating, enforcing or complying with federal or state-supported educational programs.
- d. In connection with a student's application for or receipt of financial aid, if the information is necessary to (i) determine eligibility for the aid; (ii) determine the amount of the aid; (iii) determine the conditions of the aid; or (iv) enforce the terms and conditions of the aid.
- e. To representatives of the juvenile justice system for students under juvenile court jurisdiction, prior to adjudication, when the release of records concerns the system's ability to effectively serve the student whose records are released.
- f. To organizations conducting educational studies, provided the purpose of the study is to develop, validate or administer predictive tests, to administer student aid programs, or to improve instruction. The study must be conducted in such a way that there is no personal identification of parents and students to individuals outside the organization conducting the study. In addition, student record information must be destroyed when no longer needed for purposes of the study.
- g. To accrediting organizations, to the extent necessary to allow them to carry out their accrediting functions.



- h. To parents of an eligible student, if the student is classified as a dependent of the parent for income tax purposes.
- i. To persons acting under a court order or lawfully-issued subpoena. Before releasing records under this provision, the principal should attempt to verify that the subpoena is lawful. The principal or his or her designee must make a reasonable effort to notify the parent or eligible student of the request for release prior to release of the records under this exception.
- j. To the court, without a court order or subpoena, when a parent or eligible student initiates legal action against the school system or when the school system initiates legal action against a parent or eligible student. In such circumstances, the school system may disclose to the court the student's education records that are relevant for the school system to proceed as a plaintiff or defend itself.
- k. To appropriate persons in connection with an emergency, if the release of the information is necessary to protect the health or safety of the student or other persons.
- l. Directory information, in accordance with Section I.4.a, below.
- m. To military recruiters and institutions of higher education, in accordance with Section I.4.e, below.
- n. To a contractor, consultant, volunteer, or other party to whom the school system has outsourced institutional services or functions, but only to the extent authorized by law.

The Superintendent shall employ reasonable methods to ensure that teachers and other school officials obtain access only to those educational records in which they have legitimate educational interests.

### 3. Release of Directory Information

Permission of the parent or eligible student is not required for the release of information that is designated as directory information by the Board, provided that the parent or eligible student has been given proper notice and an opportunity to opt out (see Parent and Family Engagement Policy). ~~not opted out of such disclosures in writing and such disclosures are otherwise consistent with this policy.~~

- a. The Board designates the following student record information as directory information that may be disclosed without parental consent to (1) official representatives of law enforcement; (2) official representatives of Moore County Health and Human Services; and (3) authorized third parties for purposes of administering student award and honor programs:

- (1) name;
- (2) address;
- (3) telephone listing;
- (4) date and place of birth;
- (5) dates of attendance (in years, semesters, or other academic periods);
- (6) grade level;
- (7) diplomas (including graduation awards and honors earned); and
- (8) most recent previous school or education institution attended by the student.

b. Board further designates the following student record information as directory information that may be disclosed without parental consent in official school or district-sponsored publications such as yearbooks; awards or honors programs; athletic, music, or drama programs; and team rosters for athletic teams and other competitive interscholastic clubs:

- (1) name;
- (2) photograph;
- (3) age (in years);
- (4) participation in officially recognized activities and sports;
- (5) height and weight of members of athletic teams;
- (6) official honors or awards received;
- (7) grade level; and
- (8) most recent previous school or education institution attended by the student.

c. The Board further designates the following information as directory information that may, at the discretion of the Communications Department, be released to the media in response to specific inquiries to confirm or deny facts that may be subject to public reporting when the Communications Department determines that release of

such information is in the best interests of the school system and is not likely to compromise student safety or disrupt the educational environment:

- (1) name;
- (2) grade level; and
- (3) most recent previous school or education institution attended by the student.

d. Except as expressly provided by this policy, personally identifiable information about students contained in official student records shall not be considered directory information and shall be disclosed only as authorized or required by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g, and other applicable law.

e. The telephone number and actual address of a student who is or whose parent is a participant in the North Carolina Address Confidentiality Program is not considered directory information and will not be released except as required by law.

f. Information about a homeless student's living situation is not considered directory information and will not be released.

e.g. As required by law, the names, addresses, and telephone numbers of secondary school students shall be released, upon request, to military recruiters or institutions of higher learning, whether or not such information is designated directory information by the school system. Students or their parents, however, may request that the student's name, address, and telephone number not be released without prior written parental consent. School officials shall notify parents of the option to make a request and shall comply with any requests made. ~~In addition, directory information shall be made available to military recruiters for the purpose of informing students of educational and career opportunities available in the military to the same extent that such information is made available to persons or organizations that inform students of occupational or educational options.~~

~~f.h.~~ All requests for directory information must be submitted to the Superintendent or designee for approval. The Superintendent is authorized to establish regulations regarding the release of directory information.

#### ~~(g)4.~~ Records of Students with Disabilities

Students with recognized disabilities must be accorded all rights in regard to their records as provided by state and federal law, including the Individuals with Disabilities Education Act. ~~The rights of parents and eligible students concerning a student's special education records are explained in the Handbook on Parents' Rights~~

~~and in the North Carolina Procedures Governing Programs and Services for Children with Disabilities.~~

#### ~~(h)~~5. Disclosure of De-Identified Information

Education records may, ~~at the discretion of school officials,~~ be released without consent of the parent or eligible student if all personally identifiable information has been removed. Personally identifiable information includes both direct and indirect identifiers that, alone or in combination, would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

Unless specifically permitted by law, records that have been de-identified must not be released without the consent of the parent or eligible student if school officials reasonably believe that the person requesting the information knows the identity of the student to whom the education record relates

#### ~~J.~~ I. Withholding Records

School system administrators shall not withhold records upon a valid request by a parent, eligible student, or school to which the student is transferring for any reason, including in order to collect fines assessed to the parent or student.

#### ~~K.~~ J. Record of Access and Disclosure

The principal or designee shall maintain a record in each student's file indicating all persons who have requested or received personally identifiable information from a student's record and the legitimate reason(s) for requesting or obtaining the information. This requirement does not apply to requests by or disclosure to parents, eligible students, school officials, parties seeking directory information, a party seeking or receiving the records under a court order or subpoena that prohibits disclosure, or those individuals with written parental consent.

#### ~~L.~~ K. Destruction of Student Records

~~School officials shall only destroy student records in accordance with state and federal law. To the extent required by law, school officials shall maintain student records in accordance with the applicable records retention and disposition schedule(s) issued by the North Carolina Department of Natural and Cultural Resources.~~ After notifying parents, school officials may destroy student records when the records are no longer needed to provide educational services to the student or to protect the safety of the student or others. School officials must destroy student records if the parent or eligible student requests their destruction and if such records are no longer needed to provide educational services to the student or to protect the safety of the student or others. School officials shall not destroy student records if there is an outstanding request to inspect the particular records.

## **M.L. Longitudinal Data System**

School system administrators will comply with the data requirements and implementation schedule for the North Carolina Longitudinal Data System (NCLDS) and will transfer designated student record data to the system in accordance with the NCLDS data security and safeguarding plan and all other requirements of state law, provided that doing so does not conflict with the requirements of FERPA.

Legal Reference: Family Education Rights and Privacy Act, 20 U.S.C. § 1232g, h, 34 C.F.R. Part 99, Individuals with Disabilities Education Act, 20 U.S.C. 1411 *et seq.*; Elementary and Secondary Education Act, 20 U.S.C. 7908; McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 *et seq.*; G.S. 7B-302, -3100; -3101 14-208.29; G.S. 115C-47(26), -109.3, -402, -403, -404; -407.5, 116E-6

Adopted: November 29, 1990

Revised: May 20, 1996; June 12, 1998; August 26, 2002; May 12, 2008; February 8, 2010; February 10, 2014; August 5, 2019; \_\_\_\_\_

## 6401 STUDENT CODE OF CONDUCT

~~The purpose of this Code is to promote a healthy learning environment and to help students develop as responsible citizens. Teachers and administrators are encouraged to use positive disciplinary measures to the extent possible. Further, they should be familiar with and use a continuum of disciplinary actions, reserving more serious measures for more serious behaviors. It is important, however, for all students and staff members to understand that violent, disrespectful, or disruptive behavior is unacceptable.~~

~~To implement this policy, definitions, procedures, regulations and this Code of Student Conduct are established in the 6400 and 6500 subseries of the Board Policy Manual. A copy of these policies and the procedures shall be published and made available at the beginning of each school year to each student and his/her parent(s)/guardian(s).~~

~~Students have the responsibility to comply with the rules of their individual school and the school system, to pursue the prescribed courses of study, and to submit to the lawful authority of teachers or school officials.~~

~~Students who violate these policies will be subject to disciplinary action by school officials. This Code is based on the General Statutes of North Carolina. General Statute 115C-307 states "that it shall be the duty of all teachers, including student teachers, substitute teachers, voluntary teachers, and teacher assistants when given authority over some part of the school program by the principal or supervising teacher, to maintain good order and discipline in their respective schools." The principal is further authorized by G.S. 115C-288 "to exercise discipline over the pupils of the school" and to "assign duties to teachers with regard to the general well-being and medical care of students."~~

~~Students are expected to demonstrate respect for themselves and others, as reflected in their dress, decorum, and interactions with school personnel and other students. They are further expected to demonstrate responsible citizenship by working cooperatively with the staff to promote a positive climate in the school. The following rules prohibit certain behaviors by students and subject those who violate them to disciplinary actions, including the possibility of suspension or expulsion (G.S. 115C-288, 390, 391). In addition, note that specific behaviors that are against the law may also lead to prosecution within the legal system.~~

~~To the extent the Student Code of Conduct is in conflict with North Carolina or Federal law, then the provisions of North Carolina or Federal law will control and supercede such inconsistent provisions, if any, of the Student Code of Conduct.~~

### ~~A. Definitions~~

~~Alternative Setting—educational services provided by the system or another provider in a setting other than the student's school assignment.~~

~~Day or Days—school days excluding teacher workdays, holidays, vacation days and weekends.~~

~~Parent—includes the natural parent, legal custodian or person serving in loco parentis having charge or control of any student enrolled in Moore County Schools.~~

~~Principal—when used in this policy, the term "principal" may include another administrator or teacher to whom the principal has designated authority.~~

~~Serious Physical Injury—any significant or aggravated bodily injury, including but not limited to broken bone(s), loss or chipping of teeth, loss or impairment of vision, loss of consciousness, internal injuries, scarring or other disfigurement, significant bleeding, lacerations resulting in sutures, significant bruising, severe or prolonged pain, any injury requiring hospitalization for any period of time, and/or any injury resulting in medical treatment beyond simple first aid procedures.~~

## **~~B. Scope~~**

~~1. All students shall comply with the Student Code of Conduct of Moore County Schools, state and federal laws, School Board policies, and local school rules governing student behavior and conduct. This Code applies to any student either on or off campus and including cyberspace, attending any school-sponsored activity, on a school bus or whose conduct at any time, 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.~~

~~2. School-based administrators are authorized to handle any incident that is not covered or mentioned in this handbook in a timely and appropriate manner. This Code is not intended to restrict in any way the authority of principals to make such rules, not inconsistent with this Code, as they are authorized by law to make for the operation of their respective schools, or with the authority of teachers to make such rules, not inconsistent with this Code, as they are authorized by law to make for their respective classes.~~

## **~~C. Discipline Measures~~**

~~The following is a non-exclusive list of consequences for violating the Student Code of Conduct. A suggested range of consequences is listed under each Rule. Principals have discretion to impose punishment outside the suggested range.~~

~~Students receiving services under an IEP or 504 plan will be disciplined in accordance with state and federal laws pertaining to children with disabilities.~~

### Conference with Parents

Parents are encouraged to set up an appointment with any teacher, counselor or administrator to discuss their child's progress or problems. In the case of serious or repeated violations of school rules, an administrator shall schedule a parent conference to discuss the child's behavior.

### Confiscation

Any student's property that disrupts the learning environment may be removed from that student's possession. In the case of non-threatening property, the parent may reclaim the property when attending a conference with a school official. Any property that may cause a threat to any person or school property may be turned over to law enforcement officials.

### Restitution

The replacement of or payment for any property taken, damaged or destroyed.

### After School Detention (ASD)

Any teacher or principal may detain a student before or after regular school hours for violation of the Student Code of Conduct. Parents should receive one day's notice.

### Removal from the Classroom

Any student may be removed from regular class activities for any portion of a school day, if necessary to maintain order and safety or to conduct an investigation of a school discipline matter, as long as he/she is placed under the supervision of an adult.

### Suspension from Extracurricular Activities/Loss of Privileges

A student may be suspended from participating in any or all extracurricular activities including graduation exercises for violation of the Student Code of Conduct. Principals, teachers and/or their designees may withdraw specific school privileges from students who exhibit inappropriate behaviors.

### Removal from School Provided Transportation

Students who violate the Student Code of Conduct may be prohibited from riding the bus or other school provided transportation for any period of time up to the remainder of the school year.

### In-School Suspension (ISS)



~~In-school suspension is provided as an alternative environment for certain infractions of the Student Code of Conduct. The student is counted as present and is required to complete assignments developed by his/her regular teachers. Credit is given for this work. A student will not be allowed to participate in or attend any extracurricular activities during the period of in-school suspension. ISS is not considered a short-term suspension.~~

#### Out-of-School Suspension (OSS)

~~A student may be suspended from attendance at school for violations of the Student Code of Conduct. A student will not be permitted on any school grounds or allowed to participate in or attend any extracurricular activities during the period of out-of-school suspension. Short-term suspension is for 10 days or less. Long-term suspension is for more than 10 days. If the offense leading to the long-term suspension occurs before the final quarter of the school year, the suspension may not be longer than for the remainder of the school year. If the offense occurs during the final quarter of the school year, the suspension may continue through the first semester of the following school year. A 365-day suspension is used for special circumstances defined by state law.~~

#### Expulsion

~~The Board of Education may, upon recommendation of the Superintendent and principal, permanently expel from Moore County Schools any student 14 years of age or older whose behavior indicates that the student's continued presence in the school constitutes a clear threat to the safety of other students or employees and for whom there is no appropriate alternative program offered by the school system.~~

#### **Alternatives to Discipline**

~~In addition to the range of disciplinary measures listed above, students may be referred to one or more alternative services or programs, as determined by school officials.~~

#### Referral to the Student Assistance Team

~~who exhibit chronic and persistent discipline problems may be referred to this team for development of strategies to address the problem.~~

#### Referral to Alternative Program

~~Students may be referred to educational services provided by the system or another provider in a setting other than the student's school assignment.~~

#### Reports to Law Enforcement

~~Principals may contact law enforcement to report suspected violations of North Carolina criminal statutes by students. The principal may consult with Moore County Schools' Police to assist in maintaining order.~~

~~A principal must contact law enforcement immediately if he or she has personal knowledge or actual notice that an act has occurred on school property involving the following offenses:-~~

~~Assault resulting in serious personal injury;-~~

~~Sexual assault;-~~

~~Sexual offense;-~~

~~Rape;-~~

~~Kidnapping;-~~

~~Indecent liberties with a minor;-~~

~~Assault involving the use of a weapon;-~~

~~Possession of a weapon or firearm in violation of the law; or~~

~~Possession of a controlled substance in violation of the law.-~~

#### **~~D. Rules of Student Conduct~~**

~~The following rules of conduct apply to all students and a violation of the rules will result in the disciplinary consequences described. The principal is granted the authority to exercise judgment and apply a greater or lesser consequence than those stated based on the specific incident.~~

#### **A. Philosophy and Goals**

A safe, orderly, and welcoming school environment is essential for student learning. To that end, this Code of Student Conduct is intended to (1) create clear standards and expectations for student behavior; (2) promote integrity and self-discipline among students; (3) encourage the use of behavioral supports and interventions as alternatives to exclusionary discipline; and (4) provide clear guidance to teachers and administrators as to how, when, and to what extent students may be disciplined for violating conduct rules.

Consistent with these goals, the Board endorses and adopts the following general principles relating to four key domains of student behavior and conduct.

### Principle 1: Safety and Orderliness

Schools that maintain safe and orderly learning environments address internal threats to students' physical and emotional safety and promote respect and tolerance.

### Principle 2: Climate and Prevention

Schools that foster positive school climates can help to engage all students in learning by preventing problem behaviors and intervening effectively to support struggling and at-risk students.

### Principle 3: Expectations and Consequences

Schools that have discipline policies or codes of conduct with clear, appropriate, and consistently applied expectations and consequences will help students improve behavior, increase engagement, and boost achievement.

### Principle 4: Equity and Continuous Improvement

Schools that build staff capacity and continuously evaluate the school's discipline policies and practices are more likely to ensure fairness and equity and promote achievement for all students.

## **B. Role of Staff, Students, Parents, and Community Partners in Promoting Positive School Climates**

Positive school climates require ongoing support and collaboration among staff, students, parents or legal custodians (hereinafter referred to as "parents") and the community at large. In particular:

- Students have the right to attend school in a safe and orderly environment and to have conduct rules applied fairly to them without regard to race, gender, religion, disability, or other defining characteristics. They also bear the responsibility to understand conduct rules, behave appropriately, and be individually accountable for their own actions and decisions.
- Parents have the right to be informed of disciplinary actions taken with their children. They are encouraged to support their children in engaging in positive behaviors at school and to partner with teachers and administrators on effective strategies to correct misbehaviors within the parameters of this Code and other applicable policies.
- Teachers and administrators have statutory duties to maintain safety and order at school and are expected to reinforce and implement clear and consistent behavioral expectations consistent with this Code and other applicable policies. They are also expected to teach and encourage good citizenship and to communicate with parents regarding any serious or

persistent behavioral issues. As an integral part of its educational mission, each school should identify school-wide behavioral expectations, make them known to students, and link behavioral and social-emotional practices to core instruction.

- The entire community has a vested interest in safe and orderly schools. Community organizations and individual members of the community are encouraged to offer support and assistance to teachers and administrators in the promotion of positive student behaviors at school and to provide feedback to school and central office administrators on ways to improve school climates and help ensure fair and equitable discipline practices.

These rights and obligations are related but independent. Thus, for example, student failure to abide by specific behavioral rules do not excuse the failure of school staff to take reasonable measures to nurture and support a generally positive and supportive school climate. Similarly, shortcomings in administrator or parent efforts to support and encourage positive student behaviors do not excuse student violations of specific behavioral rules. To create and maintain the safe, orderly, and positive climate that the entire school community deserves, all stakeholders must work together while remaining individually accountable for their own actions and should strive for continuous improvement over matters within their respective control.

### **C. Applicability of Code**

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

### **D. Corporal Punishment Prohibited**

The Board strictly prohibits all forms of corporal punishment. For purposes of this policy, corporal punishment is the intentional infliction of physical pain upon the body of a student as a disciplinary measure. It includes, but is not limited to, spanking, paddling, and slapping. No administrator, teacher, substitute teacher, student teacher, bus driver, or other employee, contractor, or volunteer may use corporal punishment to discipline any student. Violations of this prohibition may result in disciplinary action, up to and including dismissal. Reasonable force that is necessary to protect oneself or others is not considered corporal punishment (G.S. 115C-390.3; -391.1).

### **E. Interventions, Supports, and Responses to Behavioral Concerns**

#### **Multi-Tiered System of Support**

Teachers and principals will utilize a Multi-Tiered System of Support (MTSS) for behavioral interventions and responses to promote positive changes in student behavior. By utilizing MTSS,

school staff engage in data-based problem solving using academic, behavioral, and social-emotional data to identify reasons why particular students may be experiencing significant academic and/or behavioral challenges. Designated central office staff will provide ongoing training and support to school-based staff in the development, implementation, and monitoring of district-approved MTSS protocols.

### **Notification to Parents**

When a significant behavioral intervention (beyond mere redirection or warning) is imposed, the school will attempt to notify the parent in a reasonably prompt manner. The school will also attempt to notify the parent of any in-school disciplinary consequence that results in removal from normal classroom or school activities. This includes lunch or after-school detention, in-school suspension, or suspension from school-sponsored extracurricular activities. For out of school suspensions, the administration will provide formal written notice to parents or legal custodians as required by Policy 6515, Due Process.

After-school detention may preclude a student from using bus transportation or create other transportation difficulties. If a school principal deems it appropriate to require a student to stay after school for detention for a disciplinary reason, the principal may authorize such detention only if the parent has received at least one business day's notice.

### **Range of Interventions and Consequences**

When student behaviors interfere with a safe, orderly, and respectful school environment where instruction and learning can flourish, schools should consider (consistent with MTSS protocols) a range of potential interventions and consequences to address the problematic behavior and to reinforce positive behaviors. When feasible, taking into account the specific facts and circumstances of each individual case, schools are encouraged to implement *non-disciplinary* behavioral interventions. Non-disciplinary interventions are responses to problematic behaviors that attempt to support students in learning to make more positive choices, minimize exclusion from instruction and other normal school activities, and do not result in a loss of privileges. Examples of non-disciplinary interventions include, but are not limited to: (1) student-parent-teacher or student-parent-administrator conferences; (2) behavior contracts; (3) reward systems; (4) oral or written warnings; (5) referrals to school counselors; (6) referrals to programs or agencies that support at-risk students; (7) peer mediation; and (8) restorative justice practices. Teachers and administrators are encouraged to solicit the assistance of designated school-based or central office staff in developing appropriate responses and interventions in specific cases.

Only when non-disciplinary interventions are, in the discretion of responsible school officials, deemed unlikely to be sufficiently effective to promote the goals outlined in this policy should *disciplinary consequences* be considered. Disciplinary consequences may be “exclusionary” or “non-exclusionary.” *Exclusionary* discipline consequences are responses to problematic behaviors that expressly exclude a student from instructional time for more than a brief interval (as may be needed, for example, to question a student during a disciplinary investigation). Examples include in-school suspension, out-of-school suspension, and expulsion. *Non-*

exclusionary discipline consequences are responses that result in a loss of privileges or imposition of other consequences that do not include exclusion from instructional time. Examples may include, when appropriate (1) lunch or after-school detention; (2) school or community service; or (3) restitution.

Recognizing that exclusionary discipline can exacerbate behavioral problems, diminish academic achievement, and hasten school drop outs, the Board urges schools to use non-exclusionary measures when feasible and to reserve exclusionary discipline for more serious misconduct, such as behavior that threatens the safety of students, staff, or visitors or threatens to substantially disrupt the educational environment.

### **F. Special Requirements for Out-of-School Suspension and Expulsion**

Out-of-school suspension and expulsion are allowed only if specifically authorized by this Code and Policy 6515, Due Process. Except to the extent that North Carolina law requires school administrators to recommend a 365-day suspension for any student who violates Rule IV-1 Firearm/ Destructive Device, this Code authorizes, but does not require, the use of out-of-school suspensions.

In addition to the notice and due process requirements set out in the “Due Process” policy, administrators must adhere to the following requirements before imposing or recommending any out-of-school suspension or expulsion:

- When deciding whether to recommend a long-term suspension (suspension of more than ten [10] days) or determining the specific length of any short-term suspension or long-term suspension recommendation, principals may consider any relevant “aggravating” or “mitigating” factors of which they are aware. “Aggravating” factors are factors that tend to increase the seriousness of a disciplinary infraction. “Mitigating” factors are factors that tend to decrease the seriousness of a disciplinary infraction. Aggravating and mitigating factors are “relevant” when, in the judgment of responsible school officials, they have a bearing on the student’s level of responsibility for the behaviors in question. When both aggravating and mitigating factors are present, principals should exercise their discretion in weighing and balancing them.
- Suspensions of more than ten (10) days may be imposed only if they have been approved by the Superintendent or designee and the student has been offered the opportunity for a hearing under Policy 6515, Due Process. Expulsion from school based on a recommendation of both the principal and the Superintendent must be approved by the Board.
- Nothing in this policy shall be interpreted to conflict with state and federal laws governing students with disabilities.

- Students in grades K-5 shall not be subject to long-term suspension except as required by law or in cases involving serious injury to students or staff or serious threat to safety or welfare of members of the school community.

## **G. Levels of Code**

The Student Code of Conduct rules are leveled according to the seriousness of the behaviors and range of potential disciplinary consequences.

**Level I:** Level I rule violations can generally be addressed with non-disciplinary interventions or non-exclusionary discipline consequences. Except in the very limited circumstances described in Rule II-16, Level I rule violations may not result in out-of-school suspension.

**Level II:** Level II rule violations involve more serious misconduct that may warrant short-term suspension of up to five (5) school days when, in the judgment of the principal or designee, non-disciplinary interventions and non-exclusionary discipline consequences are insufficient to address the behavior and prevent its recurrence. Principals may impose a short-term suspension of six (6) to ten (10) days or recommend a long-term suspension of eleven (11) days or more based on one or more aggravating factor(s) regarding the severity of the violation and/or safety concerns, provided such aggravating factor(s) are listed in the written suspension notice.

**Level III:** Level III rule violations are more severe in nature and may support long-term suspension. The principal may impose a short-term suspension of ten (10) days or less or decline to impose any suspension based on mitigating factors.

**Level IV:** The only rule in Level IV is one that reflects a statutory prohibition on the possession of a “firearm” or “destructive device” (as defined in the rule) on school property or at a school-sponsored event. State law requires principals to recommend a 365-day suspension for all violations of this rule. Only the Superintendent or Board of Education may modify this outcome. A level IV violation is always extremely serious and is treated as such.

**Level V:** Level V allows for permanent expulsion of a student from Moore County Schools for violation of one or more Level II, III, or IV rules in this Code if the following criteria are met: (1) the student is fourteen (14) years old or older; (2) both the principal and the superintendent/designee recommend expulsion; and (3) the Board determines, by clear and convincing evidence, that the student’s continued presence in school constitutes a clear threat to the safety of other students or school staff. Additionally, any student who is registered as a sex offender under Article 27A of Chapter 14 of the North Carolina General Statutes may be expelled in accordance with these procedures. If such a student is offered alternative education services on school property, the student must be under the supervision of school personnel at all times.

## H. Rules of Conduct

### LEVEL I

#### **Rule I-1: Noncompliance with Directives from Principals, Teachers and Other School Personnel**

Students shall comply with classroom rules and the directives of all school personnel at all times while a student is under the authority of school personnel. This includes, but is not limited to, directives to identify oneself, to remove oneself from a dangerous or disruptive situation, or to report to a designated person or location.

	<b>Consequences</b>	
<b>Elementary</b>	<b>Middle School</b>	<b>High School</b>
In-school disciplinary action up to 3 days-OSS	In-school disciplinary action up to 10 days-OSS	In-school disciplinary action up to 10 days-OSS

#### **Rule I-2: Dress Code**

~~All students who attend Moore County Schools are expected to maintain a neat and well-groomed appearance. Behavior patterns are affected by the clothing one wears, and when students are properly dressed, their focus is more on academics, and their self-esteem increases. The purpose of the dress code is to promote styles of dress, which help create a positive image for all students.~~

##### Headwear:

- ~~• Bandannas, skullcaps, sweatbands, etc., must not be worn to school.~~
- ~~• Hats, toboggans, head scarves, hoods, sunglasses, etc., must not be worn inside buildings.~~

##### Clothing:

- ~~• Clothing that advertises a product illegal for students or depicts vulgar or obscene statements, pictures or remarks must not be worn to school.~~
- ~~• Shorts, skirts, skorts and dresses must be a least mid-thigh.~~
- ~~• Pants and shorts must be sized appropriately, including waist and length, with no undergarments exposed.~~
- ~~• Shirts must have an obvious shoulder line. Halter tops or spaghetti straps are not permitted.~~
- ~~• Oversized shirts are not permitted.~~
- ~~• Heavy chains of any type, i.e., wallet chains, chain belts, etc., are not permitted.~~



- ~~Any garment or accessories that disrupt(s) the instructional program or may inflict harm are not to be worn to school.~~
- ~~Appropriate neckline must be evident at all times.~~
- ~~Footwear must be appropriate for school activities.~~
- ~~Any attire that is prohibited by Rule 25, Gang and Gang-Related Activity, may not be worn to school.~~

~~Individual schools may adopt more specific dress codes, consistent with this policy. Reasonable accommodations shall be made on the basis of religious beliefs or medical conditions. For a first offense, students will be given a warning and required to change clothes.~~

### **Consequences**

Elementary	Middle School	High School
In-school disciplinary action up to 3 days OSS	In-school disciplinary action up to 3 days OSS	In-school disciplinary action up to 3 days OSS

Students are expected to adhere to standards of dress and appearance. Our guiding principles for the student dress code are similar to those experienced and expected in the workplace: attire that furthers health and safety of students and staff, enables the educational process, and facilitates the operations of the school. Parents are asked to partner with the school district to monitor student attire to help adhere to the guiding principles set forth in the policy.

To promote these goals, students may not wear or carry clothing, jewelry, book bags, or other personal articles that:

1. Depict profanity, vulgarity, obscenity, or violence;
2. Promote the use or abuse of alcohol, tobacco, or illegal drugs;
3. Are prohibited under Policy 6401 III-8 (Gang and Gang Related Activity) or any other provision of the Code of Student Conduct;
4. Threaten the health or safety of staff or students; or
5. Are reasonably likely to create a substantial disruption of the educational process or operations of the school.

Specifically:

- a) Students must wear clothing that covers their skin from chest to mid-thigh with opaque (non-see-through) fabric in front, back, and on the sides.

b) Students must wear shoes at all times except when changing for physical education or athletic practices or events or when specifically directed otherwise by a teacher or administrator.

c) Clothing must cover undergarments.

d) Breasts, genitals and buttocks must be covered with opaque (non-see-through) fabric.

e) Clothing must be suitable for all scheduled classroom activities including physical education, science labs, wood shop, and other activities where unique hazards exist.

f) Specialized courses may require specialized attire, such as sports uniforms or safety gear.

g) Head coverings that conceal identity or prohibit the identification of students or impede the learning process are generally prohibited in the school building. However, students may wear head coverings in the school building as an expression of sincerely held religious belief (e.g., hijabs or yarmulkes) or cultural expression (e.g., geles) or to reasonably accommodate medical or disability-related issues (e.g., protective helmets).

**Enforcement:** Any school dress code enforcement actions should minimize the potential loss of educational time. When a school staff member or school administrator discusses a dress or grooming violation with a student, the adult should be the same gender as the student if practicable. Staff concerns about student attire should be discussed discretely and out of earshot of other students to the extent practicable. Teachers or staff discussing a dress or grooming violation with a student should present options for obtaining appropriate clothing (e.g., school clothing closet) or otherwise complying with this dress code (e.g., removing a problematic item). School-directed changes to a student's attire or grooming should be the least restrictive and disruptive to the student's school day.

**Applicability:** This policy is to be applied fairly and consistently without regard to race, gender, or other inherent traits or characteristics. Principals or their designees shall make reasonable accommodations for religious, educational, medical, or disability-related reasons and for cultural celebrations.

This policy does not apply to school-sanctioned uniforms and costumes approved for athletics, choral, band, dance, or dramatic performances. Except as specifically noted in this policy based on an exception or accommodation, this policy applies at all times when students are present on school property or in attendance at official, school-sponsored events.

### **Rule I-3: Academic Integrity**

Students shall not cheat, lie, plagiarize, falsify notes or other documents, or provide false information to school officials with regard to any report card, attendance matter, grades or progress reports, discipline matters or any other school business.

~~Cheating is producing academic work by means of dishonesty or deceit.~~

~~Plagiarism is copying the language, structure, or idea of another and representing it as one's own work.~~

~~Falsification is the verbal or written statement of any untruth, including forged signatures or other forgeries.~~

- A. **Cheating:** Cheating is an academic deception where a student intends in some way to receive or attempt to receive credit for work not originated by the student, to give or receive unauthorized assistance, or to give or receive an unfair advantage on any form of academic work.

Cheating includes, but is not limited to:

- copying from another student's examination, assignment, or other coursework with or without permission;
- allowing another student to copy work without authorization from a teacher or administrator;
- taking an examination, writing a paper, or completing any other assigned academic task on another student's behalf;
- using notes or resources in any form, including written or online, without authorization;
- sharing or accepting from another, without authorization, any examination content, questions, answers, or tips on an assessment or assignment through the use of notes, scratch paper, social media, or any type of written, oral, or electronic communication.

- B. **Plagiarism:** Plagiarism is using passages, materials, words, ideas, and/or thoughts of someone or something else and representing them as one's own original work without properly crediting the source.

Plagiarism includes, but is not limited to:

- copying text, images, charts, or other materials from digital or print sources without proper citation;
- intentional misrepresentation of work as your own by paraphrasing of items from digital or print sources without proper citation;
- using translation tools or resources to translate sentences or passages without permission;
- using a thesis, hypothesis, or idea obtained from another source without proper citation.

- C. **Falsification or Deceit:** Intentional acts of falsification or serious deceitful misconduct that cause a substantial detrimental impact on school operations or other individuals are prohibited.

Falsification or deceit includes, but is not limited to:

- falsifying another person’s name on a school-related document such as a test or report;
- buying or selling test questions or answers;
- copying secure test materials and providing the materials to others;
- paying for or receiving anything of value to complete a school assignment.

Students should also refer to the Acceptable Use of Technology and Electronic Media Policy (3252/4521/5451 3253/4253/5451) for rules governing integrity and the use of electronic resources.

	<b>Consequences</b>	
Elementary	Middle School	High School
In-school disciplinary action and possible zero on assignment	In-school disciplinary action up to 5 days OSS and possible zero on assignment	In-school disciplinary action up to 10 days OSS and possible zero on assignment

#### **Rule I-4: Honesty**

Students are expected to be honest and forthright with school staff and volunteers. Lying, intentionally misleading, and actively concealing the truth from staff and volunteers are prohibited. Dishonest acts or statements that violate other rules in this Code may result in consequences under those other rules. Dishonesty may also be considered as an aggravating factor in connection with other forms of misconduct.

#### **Rule 4I-5: Trespassing**

~~No student shall be on the campus of any school except the one to which the student is assigned during the school day without the knowledge and consent of the officials of that school.~~

~~Students who loiter at any school after the close of the school day will be considered trespassers. If the student does not leave when instructed to do so, he/she may be prosecuted.~~

~~A student under suspension from school is trespassing if he/she appears on the property of any school or at any school-sponsored activity during the suspension period without the permission of the principal.~~

Students shall not be on the campus of any school except the one to which the student is assigned without the knowledge and consent of the officials of that school. Students who remain at school after the close of the school day or come onto school grounds when school is not in session without permission will be considered trespassers. If the student does not leave when instructed to do so, he/ she may be prosecuted.

A student under suspension from school is trespassing if he/she appears on the property of any school or at any school sponsored activity during the suspension period without the express

permission of the principal. Students who trespass on school property to engage in other forms of misconduct (e.g., fighting/physical aggression or theft) may be subject to consequences under other applicable rules in this Code, and the act of trespassing may be considered an aggravating factor.

<b>Consequences</b>		
<del>Elementary</del>	<del>Middle School</del>	<del>High School</del>
<del>In-school disciplinary action up to 1 day OSS</del>	<del>In-school disciplinary action up to 10 days OSS. Law enforcement may be contacted.</del>	<del>In-school disciplinary action up to 10 days OSS. Law enforcement may be contacted.</del>

**Rule ~~5~~I-6: School/Class Attendance**

~~Every student is expected to be in full-time attendance in his/her assigned classes and to arrive at class on time, except in instances of absences considered excusable under state and local Board policy.~~

Students will attend school each school day except in the case of excused absences. Students will be on time to school and on time to class, will refrain from entering unauthorized areas, and will remain at school and in the designated locations for the duration of each school day unless excused.

<b>Consequences</b>		
<del>Elementary</del>	<del>Middle School</del>	<del>High School</del>
<del>In-school disciplinary action</del>	<del>In-school disciplinary action</del>	<del>In-school disciplinary action</del>

**Rule ~~6~~I-7: Inappropriate Interpersonal Behavior/Sexual Behavior**

Students shall not engage in conduct their personal and social relationships according to acceptable community standards. Inappropriate public displays of affection or other sexual conduct are not allowed behavior, whether consensual or non-consensual, which is lewd, indecent or of a sexual nature.

<b>Consequences</b>		
<del>Elementary</del>	<del>Middle School</del>	<del>High School</del>
<del>In-school disciplinary action</del>	<del>In-school disciplinary action up to 10 days OSS</del>	<del>Ranging from in-school disciplinary action up to 10 days OSS</del>

**Rule ~~7~~I-8: Use of Tobacco, Vaporizers and Nicotine Products**

Students shall not use or possess any tobacco product at any time in any building, facility, or vehicle owned, leased, rented or chartered by Moore County Schools, on any school grounds and property - including athletic fields and parking lots - owned leased, rented or chartered by Moore County Schools, or at any school-sponsored or school-related event on-campus or off-campus or at any other time when students are subject to the authority of school personnel (see also Board

Policy 4032/3032/6610/8555- Smoking and Tobacco Products). For purposes of this policy, the term “tobacco product” means any product that contains, is made or derived from, or reasonably resembles tobacco or nicotine and is intended for human consumption. This includes, but is not limited to, “herbal” cigarettes, vaporizers and other substances or devices used for inhalation of smoke or vapor, whether or not they contain tobacco or nicotine.

### Consequences

<u>Elementary</u>	<u>Middle School</u>	<u>High School</u>
<del>Confiscation and in-school disciplinary action up to 1-day OSS.</del>	<del>Confiscation and in-school disciplinary action up to 2-days OSS.</del>	<del>Confiscation and in-school disciplinary action up to 5-days OSS.</del>

~~Legal Reference: G.S. 115C-407-~~

### **Rule 8I-9: Electronic Devices**

Use of certain wireless communication devices during instructional time is permitted only in strict accordance with the Bring Your Own Device (BYOD) policy found in section 3253.12/4253.12/5451.12 of the Board of Education's Acceptable Use of Technology and Electronic Media Policy 3253/4253/5451. Except as expressly permitted under the BYOD section of the Acceptable Use of Technology and Electronic Media policy, no student shall use, during instructional time, display, transmit or have in the "on" position any wireless communication device or personal entertainment device, including but not necessarily limited to, cell phones, tablets, smart watches and other wearable devices, pagers, two-way radios, CD/MP3 players, and electronic games, or any laser pointer or similar devices. ~~All electronic devices used or possessed in violation of this policy shall be confiscated and a parent is required to attend a conference in order to gain possession of the item.~~ The principal has discretion to permit students to use technology as an instructional tool or resource, as needed. The school system assumes no responsibility for personal technology devices brought to school.

In the event of multiple violations of this policy, the principal may prohibit the student from possessing the device on school premises. The student may leave their device in their personal vehicle during the school day. This rule does not apply to use of electronic devices in personal vehicles when such use occurs outside of the school day.

<u>Elementary</u>	<u>Consequences</u> <u>Middle School</u>	<u>High School</u>
<del>Confiscation of device, parent conference and in-school disciplinary action.</del>	<del>Confiscation of device, parent conference and up to 5-days OSS</del>	<del>Confiscation of device, parent conference and up to 5-days OSS</del>

### **Rule 9I-10: Bus ~~Misb~~ehavior**

Students, at all times while riding a school bus or other school-owned or operated vehicle, or while waiting at designated bus stops must obey the rules of this Code and shall observe the directives of the driver and/or vehicle safety monitor. The following conduct is specifically prohibited and may result in revocation of school system provided transportation privileges:

- delaying the bus schedule,
- refusing to obey the driver's instructions,
- tampering with or willfully damaging the school vehicle,
- getting off at an unauthorized stop,
- distracting the driver's attention by participating in disruptive behavior while the vehicle is in operation,
- throwing objects on or from the bus,
- failing to observe and obey safety regulations,
- willfully trespassing on a school-owned or operated vehicle, or
- violating any other Code of Conduct rule while on the school bus.

If a violation of this rule also violates other Code rules, consequences in addition to those listed below may be implemented the student may be subject to consequences under the other applicable rules in this Code as well.

<b>Consequences</b>		
Elementary	Middle School	High School
<del>In-school disciplinary action, short-term or long-term removal from school transportation, and/or OSS</del>	<del>In-school disciplinary action, short-term or long-term removal from school transportation, and/or OSS</del>	<del>In-school disciplinary action, short-term or long-term removal from school transportation, and/or OSS</del>

**Rule ~~12I-11~~: Profane, Obscene, Abusive or Disrespectful Appropriate Language or Acts**

~~Students shall not curse or use vulgar, obscene, profane, or seriously disrespectful language or gestures at school, during school activities, or with school personnel.~~

Cursing or use of vulgar, profane or obscene language, oral or written, is prohibited. If such language is directed at a school employee, volunteer, visitor or other student(s), such conduct should be treated under Rule I-13.

<b>Consequences</b>		
Elementary	Middle School	High School
<del>In-school disciplinary action up to 5 days OSS</del>	<del>In-school disciplinary action up to 10 days OSS</del>	<del>In-school disciplinary action up to 10 days OSS</del>

**Rule ~~13I-12~~: Gambling**

Students shall not engage in any unauthorized form of games of chance or gambling ~~for~~ in which money and/or objects of value may be won or lost.

	<b>Consequences</b>		
	Elementary	Middle School	High School
	In-school disciplinary action up to 1 day OSS	In-school disciplinary action up to 3 days OSS	In-school disciplinary action up to 5 days OSS

**Rule I-13: Respect**

Respect is expected between students and staff. Students will refrain from words (written or spoken) and/or gestures that demean, degrade, antagonize or humiliate a school employee, volunteer, visitor or other student(s). Examples may include ridiculing, cursing at or aggressively or angrily shouting at an employee, volunteer, visitor or other student(s).

**LEVEL II**

**Rule III-1: Threats, False Threats and Acts of Terror**

~~A. Threats-~~

No student shall make any threat through written or ~~verbal~~ spoken language, sign, or act which conveys a serious expression of intent to cause harm or violence.

Furthermore, no student shall make a false threat of harm or violence, even ~~in jest~~ jokingly, which causes or is reasonably likely to cause fear or a disruption to school activities.

~~B. Bomb Threats-~~

~~No student shall make or participate in making a bomb threat. A bomb threat is defined as a report made by any means of communication to any person or group of persons, knowing the report is false, that there is located on educational property or at a school-sponsored curricular or extracurricular activity off educational property any device designed to destroy or damage property by explosion, blasting, or burning. A person is guilty of making a bomb threat who, with intent to perpetrate a hoax, conceals, places, or displays any device, machine, instrument or artifact on educational property or at a school-sponsored curricular or extracurricular activity, so as to cause any person reasonably to believe the same to be a bomb or other device capable of causing injury to persons or property.~~

~~C. Acts of Terror-~~

~~No student shall make a report that he or she knows or should know is false, that any device, substance or material designed to cause harmful or life threatening illness or injury to another person, is located on school property or at the site of a school activity.~~



~~No student shall, with intent to perpetrate a hoax, conceal, place, disseminate or display on school property or at the site of a school activity any device, machine, instrument, artifact, letter, package, material, or substance, so as to cause a reasonable person to believe the same to be a substance or material capable of causing harmful or life-threatening illness or injury to another person.~~

~~No student shall threaten to commit an act of terror on school property or at the site of a school activity that is designed to cause, or is likely to cause, serious injury or death to another person, when the threat is intended to cause, or actually causes, a significant disruption to the instructional day or a school-sponsored activity.~~

~~No student shall make a report that he or she knows is false, that an act of terror designed to cause, or likely to cause, serious injury or death to another person on school property or at the site of a school-sponsored activity is imminent, when that report is intended to cause, or actually causes, a significant disruption to the instructional day or a school-sponsored activity.~~

~~No student shall aid, abet, and/or conspire to commit any of the acts described in this section.~~

<b>Consequences</b>		
<b>Elementary</b>	<b>Middle School</b>	<b>High School</b>
<b>In-school disciplinary action up to 5 days OSS</b>	<b>In-school disciplinary action up to 10 days OSS or recommendation for long-term suspension</b>	<b>In-school disciplinary action up to 10 days OSS or recommendation for long-term suspension</b>

### **Rule 10II-2: ~~Bullying and Harassment~~ and Bullying**

Students shall not engage in harassment/bullying as defined in Policy 3037/4037/6640/8337.

For purposes of this policy, the following definitions apply:

#### Harassment and Bullying

The Board prohibits all forms of unlawful harassment and bullying. For purposes of this policy, bullying or harassment is any pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication that:

- a) 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
- b) creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities, or benefits or by adversely altering the conditions of the school environment.

"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.

<b>Consequences</b>		
Elementary	Middle School	High School
<del>In-school disciplinary action up to 5 days OSS. Law enforcement may be notified.</del>	<del>In-school disciplinary action up to 10 days OSS or recommendation for long-term suspension. Law enforcement may be notified.</del>	<del>In-school disciplinary action up to 10 days OSS or recommendation for long-term suspension. Law enforcement may be notified.</del>

~~Legal Reference: G.S. 115C-391~~

### **Rule ~~14~~II-3: Sexual Harassment**

Students shall not engage in sexual harassment as defined in Policy 3037/4037/6640/8337.

#### **Consequences**

Elementary	Middle School	High School
<del>In-school disciplinary action up to 5 days OSS</del>	<del>Up to 10 days OSS or recommendation for long-term suspension. Law enforcement may be contacted.</del>	<del>Up to 10 days OSS or recommendation for long-term suspension. Law enforcement may be contacted.</del>

### **Rule ~~15~~II-4: Hazing**

Students shall not engage in hazing or aid or abet any other student in the commission of this offense. Hazing means subjecting another student to injury, harassment or humiliation as part of an initiation, or as a prerequisite to membership in any **organized** school group, including any society, athletic team, or other similar group.

<b>Consequences</b>		
Elementary	Middle School	High School
<del>In-school disciplinary action up to 3 days OSS. Law enforcement may be contacted.</del>	<del>In-school disciplinary action up to 10 days OSS. Law enforcement may be contacted.</del>	<del>In-school disciplinary action up to 10 days OSS. Law enforcement may be contacted.</del>

### **Rule ~~16~~II-5: Unjustified Activation ~~of~~ Tampering with a Fire Alarm or Other Alarm System**

~~Students shall not activate any fire alarm or other alarm system unless authorized to do so by school employees or unless there are reasonable grounds to believe that an actual emergency situation exists.~~

No student shall set off, attempt to set off, or aid and abet anyone in giving a false fire alarm. No student shall interfere with or damage any part of a fire alarm, fire detection, smoke detection, fire extinguishing system, or emergency escape system.

<b>Consequences</b>		
Elementary	Middle School	High School
<del>Up to 10 days OSS. Law enforcement may be contacted.</del>	<del>Up to 10 days OSS or long term suspension. Law enforcement will be contacted.</del>	<del>Up to 10 days OSS or long term suspension. Law enforcement will be contacted.</del>

**Rule ~~17~~II-6: Fighting and Physical Aggression or Provocation**

Students shall not engage in fighting or physical aggression toward others, including but not limited to:

- A. Hitting, choking, slapping, shoving, scratching, spitting, biting, blocking the passage of, or throwing objects at another person in an aggressive or confrontational manner; or
- B. Taking any action or making comments or writing messages that might reasonably be expected to result in a fight or physical aggression.

Students may use force in self-defense only to the extent necessary to get free from the attacker and notify a teacher or administrator. A student who exceeds reasonable force may be disciplined even if he or she did not instigate the fight. Students who instigate fights will be subject to the same consequences under this policy as those who directly engage in fighting.

For elementary students, the age of the child may be considered a mitigating circumstance depending on the nature and severity of the physical aggression.

<b>Consequences</b>		
- Elementary	Middle School	- High School
<del>Up to 10 days OSS. Law enforcement may be contacted.</del>	<del>Up to 10 days OSS. Law enforcement may be contacted.</del>	<del>Up to 10 days OSS. Law enforcement may be contacted.</del>

**Rule ~~19~~II-7: Extortion**

Students shall not extort through verbal, written or physical threats, coercion, or intimidation anything of value from any other student or school employee.

Students shall not obtain or attempt to obtain money, property, or other items of value or compel another person to take action or refrain from action against that person's will by means of force or verbal or written intimidation, or threat.

**Consequences**

Elementary Restitution where appropriate. Up to 10 days OSS. Law enforcement may be contacted	Middle School Restitution where appropriate. OSS up to 10 days and/or long-term suspension. Law enforcement may be contacted.	High School Restitution where appropriate. OSS up to 10 days and/or long-term suspension. Law enforcement may be contacted.
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**Rule ~~20~~II-8: Theft or Destruction of School or Personal Property**

Students shall not steal or attempt to steal or knowingly be in possession of stolen property. ~~Students shall not vandalize or damage or attempt to damage school property or property belonging to others.~~

<b>Consequences</b>		
Elementary Restitution where appropriate and up to 10 days OSS. Law enforcement may be contacted.	Middle School Restitution where appropriate and up to 10 days OSS or long-term suspension. Law enforcement may be contacted.	High School Restitution where appropriate and up to 10 days OSS or long-term suspension. Law enforcement may be contacted.

**Rule II-9: Destruction of School or Personal Property**

Students shall not intentionally damage, deface or attempt to damage or deface any school property or the personal property of another.

**Rule ~~25~~II-10: Aiding and Abetting**

No student shall aid or abet another student in violating any Level II, III or IV rule in the Student Code of Conduct. To aid or abet means to help, assist or facilitate the violation of any rule.

<b>Consequences</b>		
Elementary In-school disciplinary action or OSS, depending on nature of the violation.	Middle School In-school disciplinary action, OSS or long-term suspension, depending on nature of the violation.	High School In-school disciplinary action, OSS or long-term suspension, depending on nature of the violation.

**Rule II-11: Inappropriate Illustrations, Images, or Other Materials**

The possession of illustrations, audio or video recordings, written materials, graphics, or other print or digital documents, media, or files which significantly disrupt the educational process or which are profane, pornographic, or obscene is prohibited.

**Rule II-12: Hacking and Unauthorized Computer Access/Technology Misuse**

Students will comply with all state and federal laws and regulations governing access to computers, computer networks, stored data, passwords, and other technology systems and resources and will refrain from all forms of computer or network “hacking,” whether criminal or not. Any willful or knowing effort to obtain unauthorized access; to steal; to maliciously alter, modify, or destroy; to introduce viruses; or otherwise to cause harm to any such computer, computer network, stored data, or other technology resource is a violation of this rule.

### **Rule II-13: Substantially Disruptive or Dangerous Behavior**

Students will not make oral or written statements or intentionally engage in conduct that, despite efforts by staff to intervene or redirect the behavior, (1) substantially disrupts the educational environment or (2) threatens the health, safety, or welfare of staff or students. Statements or conduct that “substantially disrupt” the educational environment may include, for example, intentionally blocking entrances or exits or obstructing the flow of traffic within or outside of the school building, intentionally interfering with or interrupting school activities such that teaching and learning are compromised, or engaging in loud or boisterous conduct that significantly distracts others from peaceable and orderly school activities.

Words or conduct that would otherwise be a Level I violation (e.g., failure to comply with directives or unacceptable language) may also constitute a violation of this Level II rule if they (1) persist directly following attempts by staff to intervene or redirect the behavior and substantially disrupt teaching, learning, or the orderly conduct of school activities or (2) inherently threaten the health, safety, or welfare of staff or students. Examples include, but are not limited to, continuing to shout or use profanity directly after intervention or redirection, continuing to engage in disruptive rough-housing or horseplay directly after intervention or redirection or in a manner that is reasonably likely to cause injury, or throwing objects directly after intervention or redirection or in a manner that is reasonably likely to cause injury.

### **Rule II-14: Report Firearm, Destructive Device, Weapon, or Dangerous Instrument**

Any student who has reason to believe that another student possesses or intends to bring a “firearm” or “destructive device,” as defined in Rule IV-1, or a “weapon” or “dangerous instrument/substance”, as defined in Rule III-5, onto any school campus or to any school activity shall report this information to school or law enforcement authorities immediately.

### **Rule II-15: Search and Seizure**

Students may not refuse to allow and may not seek to impede any search or seizure of their person or belongings that is authorized under the Board’s “Student Searches” policy.

### **Rule II-16: Repeated/Willful Violations of Level I Rules**

A student may be subject to out-of-school suspension of up to two (2) days under this Rule for repeated, willful violations of any Level I rules, but only if (1) the school has documented at least three prior violations of the same Level I rule within the same academic semester; (2) appropriate

non-disciplinary interventions have been attempted and documented with each of those last three violations; and (3) school administrators have contacted the student and parent to warn them of the possibility of out-of-school suspension before the final incident that leads to the suspension.

### **LEVEL III**

#### **Rule ~~18~~III-1: Assault on a Student**

~~Students shall not physically assault or attempt to cause serious physical injury of any kind to another student, teachers, administrators, or other adults.~~

No student shall physically assault or attempt to cause serious physical injury to another student. For the purposes of this policy, serious physical injury shall refer to any significant or aggravated bodily injury, including but not limited to broken bone(s), loss or chipping of teeth, loss or impairment of vision, loss of consciousness, internal injuries, scarring or other disfigurement, significant bleeding, lacerations resulting in sutures, significant bruising, severe or prolonged pain, any injury requiring hospitalization for any period of time, and/or any injury resulting in medical treatment beyond simple first aid procedures.

	<b>Consequences</b>	
<del>Elementary</del>	<del>Middle School</del>	<del>High School</del>
<del>Up to 10 days OSS.</del>	<del>Short term suspension up to 10</del>	<del>Short term suspension up to 10</del>
<del>Law enforcement may</del>	<del>days OSS or long term suspension.</del>	<del>days OSS or long term</del>
<del>be contacted.</del>	<del>Law enforcement may be contacted.</del>	<del>suspension. Law enforcement</del>
		<del>may be contacted.</del>

#### **Rule III-2: Assault on School Personnel or Other Adult**

No student shall physically assault or attempt to cause physical injury to any school employee or other adult.

*Note: If a teacher is assaulted or injured by a student and as a result the student is reassigned to alternative education services, long-term suspended, or expelled, the student shall not be returned to that teacher's classroom unless the teacher consents.*

#### **Rule III-3: Assault Involving Weapon/Dangerous Instrument/Substances**

No student shall assault another using a weapon, dangerous instrument, or dangerous substances.

*Note: Refer to Level IV: Rule IV-1 for violations involving Firearms/Destructive Devices.*

#### **Rule III-4: Bomb Threats/Threats of Mass Violence**

## A. Bomb Threats

No student shall make or participate in making a bomb threat. A bomb threat is defined as a report made by any means of communication to any person or group of persons, knowing the report is false, that there is located on educational property or at a school-sponsored curricular or extracurricular activity off educational property any device designed to destroy or damage property by explosion, blasting, or burning. A person is guilty of making a bomb threat who, with intent to perpetrate a hoax, conceals, places, or displays any device, machine, instrument or artifact on educational property or at a school-sponsored curricular or extracurricular activity off educational property, so as to cause any person reasonably to believe the same to be a bomb or other device capable of causing injury to persons or property.

## B. Threats of Mass Violence

No student shall make a report that he or she knows or should know is false, that any device, substance or material designed to cause harmful or life threatening illness or injury to another person, is located on school property or at the site of a school activity.

No student shall, with intent to perpetrate a hoax, conceal, place, disseminate or display on school property or at the site of a school activity any device, machine, instrument, artifact, letter, package, material, or substance, so as to cause a reasonable person to believe the same to be a substance or material capable of causing harmful or life-threatening illness or injury to another person.

No student shall threaten to commit an act of mass violence on school property or at the site of a school activity when the threat is intended to cause, or actually causes, a significant disruption to the instructional day or a school-sponsored activity.

No student shall make a report that he or she knows is false, that an act of mass violence on school property or at the site of a school-sponsored activity is imminent, when that report is intended to cause, or actually causes, a significant disruption to the instructional day or a school-sponsored activity.

For purposes of this rule, “mass violence” is physical injury that a reasonable person would conclude could lead to permanent injury (including mental or emotional health) or death to two or more people.

No student shall aid, abet, and/or conspire to commit any of the acts described in this section.

## **Rule ~~21~~III-5: Possession of a Weapon, ~~Firearm~~ or Dangerous Instrument/Substance**

~~Students shall not possess or conceal or transport any weapon, firearm or dangerous instrument that could cause or that is intended to cause bodily injury or other harm to another.~~

No student shall possess, handle, or transmit any weapon, facsimile of a weapon, dangerous instrument/substance or other object that can reasonably be considered or used as a weapon or dangerous instrument/substance. This does not apply to any student who finds a weapon or dangerous instrument/substance on school property or receives it from another person on school property and who immediately reports the weapon or dangerous instrument/substance to school or law enforcement authorities.

For the purpose of the Student Code of Conduct, the following definitions apply.

- A. Weapon: Any firearm, BB gun, stun gun, mace/pepper spray, air rifle, air pistol, ammunition, power loads, fireworks, knife, slingshot, leaded cane, blackjack, metallic knuckles, razors, razor blades, box cutter and any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance.

~~Firearm: Any gun, rifle, shotgun, pistol, starter pistol, firearm silencer, or part thereof, or any powerful explosive, including dynamite, nitroglycerin, trinitrotoluene, blasting cap, or any firearm or destructive device defined by G.S. 14-269.2(b) and (g).~~

- B. Dangerous instrument/substance: Any object or substance that is possessed, handled, transmitted, or used for the purpose of causing or attempting to cause physical injury.

- C. Facsimile of a Weapon: Any copy of a weapon that could reasonably be perceived to be a real weapon.

Note: Refer to Level IV: Rule IV-1 for violations involving Firearms/Destructive Devices.

~~Destructive device: An explosive, incendiary or poison gas bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive or incendiary charge of more than one quarter ounce, mine or device similar to any of the devices described above.~~

~~Any student who has knowledge that another student possesses or intends to bring a firearm or destructive device on any school campus or to any school activity shall report this information to school or law enforcement authorities immediately.~~

~~Any student who possesses a firearm on school property or at a school sponsored curricular or extracurricular activity off campus shall be suspended for 365 calendar days, unless modified by the Superintendent or Board of Education.~~

~~Any student age 14 or older who possesses, handles or transmits a firearm or destructive device on school property may be expelled.~~

	<b>Consequences</b>	
Elementary	Middle School	High School
Confiscate item(s) and up to 10 days	Confiscate item(s) and up	Confiscate item(s) and up



~~OSS or long-term suspension up to 365 days. Law enforcement will be contacted in the case of a firearm or weapon and may be contacted in the case of a dangerous instrument.~~

~~to 10 days OSS or long-term suspension up to 365 days. Law enforcement will be contacted~~

~~to 10 days OSS or long-term suspension up to 365 days or expulsion. Law enforcement will be contacted.~~

### **Rule ~~22~~III-6: Narcotics, Alcoholic Beverages, Controlled Substances, Chemicals, and Drug Paraphernalia**

No student shall possess, use, distribute, sell, possess with intent to distribute or sell, or conspire or attempt to distribute or sell, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or illegal cannabis product, anabolic steroid, other controlled substance, any alcoholic or other intoxicating beverage, drug paraphernalia, counterfeit substance, any unauthorized prescription drug, or any other chemicals or products with the intention of bringing about a state of exhilaration, euphoria, or otherwise altering a student's mood or behavior.

The proper use of a drug authorized by valid medical prescription from a legally authorized health care provider shall not be considered a violation of this rule when the drug is taken by the person for whom the drug was prescribed. Legally prescribed medications that need to be taken during school hours MUST be handled in accordance with Policy 3260/4260, Administering Medicines to Students.

For the purpose of the Student Code of Conduct the following definitions apply:

1. Possession: Having the ~~power or intent to control a~~ prohibited substance on the student's person or in another placed where the student, either alone or jointly with others, has control over it. Control may and shall include, but is not ~~necessarily~~ limited to, ~~the possession of a prohibited substance in an student's~~ automobile, locker, book-bag, or desk, ~~or on a student's person.~~
2. Use: The consumption, injection, inhalation, **ingestion** or absorption of a prohibited substance into a student's body by any means.
3. Under the influence: ~~The use of any~~ Having used a prohibited substance ~~at any time or place when the prohibited substance would~~ such that it continues to influence a student's mood, behavior, or learning to any degree.
4. Sell: The exchange of a prohibited substance for money, property, or any other benefit or item of value.
5. Distribute: ~~To give, share, or pass a prohibited substance for any benefit or item of value. To~~ transmit a prohibited substance to one or more other students, with or without compensation. For purposes of this definition, a student has not "distributed" a prohibited substance (but may be guilty of "possession" or "use") if the student's sole involvement is to share or pass a prohibited substance with other students in the course of using it, so long as the student was not the one who

brought the prohibited substance onto school property or otherwise made it available to other students.

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

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

8. Unauthorized Prescription Drug: Any prescription drug or medication that ~~has not been prescribed for the student that is used or possessed by someone other than the person for whom the prescription was written.~~

9. Authorized Prescription Drug: Any drug authorized by valid medical prescription from a legally authorized health care provider.

10. Drug Paraphernalia: Objects that are used or intended to be used for ingesting, injecting, inhaling, or otherwise introducing a substance prohibited by this rule into the body, including but not limited to pipes, vaporizers, rolling papers, and syringes. Relevant evidence may be considered in determining whether an object is drug paraphernalia.

<b>Consequences</b>		
<b>Elementary</b>	<b>Middle School</b>	<b>High School</b>
<del>Up to 10 days OSS or long-term suspension. Law enforcement may be contacted</del>	<del>Up to 10 days OSS or long-term suspension. Law enforcement may be contacted.</del>	<del>Up to 10 days OSS or long-term suspension. Law enforcement may be contacted</del>

### **Rule ~~23~~III-7: Violations of North Carolina Criminal Statutes**

Students shall not violate any criminal statute or local ordinance or commit any act which could result in criminal prosecution or juvenile proceedings not covered elsewhere in these rules.

<b>Consequences</b>		
<b>Elementary</b>	<b>Middle School</b>	<b>High School</b>
<del>Up to 10 days OSS or long-term suspension. Law enforcement will be contacted.</del>	<del>Up to 10 days OSS or long-term suspension. Law enforcement will be contacted.</del>	<del>Up to 10 days OSS or long-term suspension, up to expulsion. Law enforcement will be contacted.</del>

### **Rule 24III-8: Gang and Gang Related Activities**

The Board of Education believes that gangs and gang-related activities pose a serious safety threat to students and staff members and can significantly disrupt the educational environment. Even

actions that are not innately dangerous, such as displaying hand signs, wearing items of particular colors, and speaking with special jargon can substantially increase the risks of criminal activity and physical injury when those signs and signals are used to support, signal, promote, or encourage gang activity or affiliation. Students who feel pressured to participate in or condone gang activities are urged to seek help from teachers, administrators, parents, and law enforcement officers.

No student shall participate in any gang-related activities. For purposes of this policy, a "gang" is any ongoing organization, association, or group of three (3) or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts, and having a common name or common identifying sign, colors or symbols. "Gang-related activities" are any activities engaged in by a student on behalf of an identified gang to perpetuate the existence of an identified gang, to affect the common purpose and design of an identified gang or to represent gang affiliation, loyalty or solidarity.

Conduct prohibited by this policy includes the following:

- Wearing, possessing, using distributing, displaying or selling any clothing, jewelry, emblems, badges, symbols, signs, visible tattoos and body markings, or other items, with the intent to convey or promote membership or affiliation in any gang,
- Communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.), with the intent to convey or promote membership or affiliation in any gang,
- Tagging or otherwise defacing school or personal property with symbols or slogans intended to convey or promote membership or affiliation in any gang,
- Requiring payment or protection, money or insurance, or otherwise intimidating or threatening any person in connection with gang-related activity,
- Inciting other students to intimidate or to act with physical violence upon any other person on connection with gang-related activity,
- Soliciting others for gang membership, and
- Committing or conspiring to commit an illegal act in connection with gang-related activity.

When a first infraction involves only the wearing of gang-related attire, the student shall receive a warning and be allowed to immediately change or remove the attire as an alternative to disciplinary action.

The Superintendent or Superintendent's designee shall regularly consult with law enforcement officials to identify examples of gang-related items, symbols and behaviors and shall provide each principal with this information. Parents and students shall be notified that such information is maintained in the principal's office, that it is subject to change, and that the principal's office may

be consulted for updates. In providing this information for parents and students, the school system acknowledges that not all potential gang indicators connote actual membership in a gang.

	<b>Consequences</b>	
<b>Elementary</b>	<b>Middle School</b>	<b>High School</b>
<del>In-school disciplinary action up to 5 days OSS. Law enforcement may be contacted.</del>	<del>In-school disciplinary action, OSS or long-term suspension. Law enforcement may be contacted.</del>	<del>In-school disciplinary action, OSS or long-term suspension. Law enforcement may be contacted.</del>

## **LEVEL IV**

### **Rule IV-1: Possession of a Firearm/Destructive Device**

As required by state law, any student in grades K-12 shall be recommended for suspension for 365 calendar days for bringing a “firearm” or “destructive device” onto school property or to a school-sponsored event off school property, or for possessing a “firearm” or “destructive device” on school property or at a school-sponsored event off school property. School property includes any property owned, used, or leased by the Board, including school buses, other vehicles, and school bus stops. Principals are required to refer to the law enforcement system any student who brings a firearm or weapon to school.

Students shall not possess or conceal or transport any firearm, or destructive device that could cause or that is intended to cause bodily injury or other harm to another.

For the purpose of the Student Code of Conduct, the following definitions apply.

Firearm: Any gun, rifle, shotgun, pistol, firearm silencer, or part thereof. This includes a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon or any firearm or destructive device defined by G.S. 14-269.2(b) and (g).

Destructive device: Any powerful explosive, including dynamite, nitroglycerin, trinitrotoluene, blasting cap, incendiary or poison gas bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or device similar to any of the devices described in this definition.

Any student who has knowledge that another student possesses or intends to bring a firearm or destructive device on any school campus or to any school activity shall report this information to school or law enforcement authorities immediately. Failure to do so may result in discipline under Rule II-14.

Any student who possesses a firearm or destructive device on school property or at a school-sponsored curricular or extracurricular activity off campus shall be suspended for 365 calendar days, unless modified by the Superintendent or Board of Education.

The 365-day suspension does not apply to any student who finds the firearm on school property or receives it from another person on school property and who delivers the weapon, immediately, to school or law enforcement authorities.

Any student age 14 or older who possesses, handles or transmits a firearm or destructive device on school property may be expelled.

## **LEVEL V**

Level V is the most serious level in this Code. While there are no separate Level V rules, the violation of one or more Level II, III, or IV rules in this Code becomes subject to Level V sanctions – meaning that a student may be permanently expelled from the Moore County Public School System – if all of the following criteria are met: (1) the student is fourteen (14) years old or older; (2) both the principal and the superintendent/designee recommend expulsion; and (3) the Board determines, by clear and convincing evidence, that the student’s continued presence in school constitutes a clear threat to the safety of other students or school staff.

Additionally, any student who is registered as a sex offender under Article 27A of Chapter 14 of the North Carolina General Statutes may be expelled in accordance with these procedures. If such a student is offered alternative education services on school property, the student must be under the supervision of school personnel at all times. Expulsion is a consequence of last resort. Principals are urged to consult with appropriate district level staff before recommending a student for permanent expulsion.

Legal Reference: G.S. 115C-390.1, ~~390.2, 391~~; G.S. 90-89, -90, -14-269.2

Adopted: November 29, 1990

Revised: September 23, 1991; Revised: November 9, 1993; January 31, 1994; February 27, 1995; May 20, 1996; June 12, 1998; March 22, 1999; August 6, 1999; July 17, 2000; July 23, 2001; June 24, 2002; August 26, 2002; February 28, 2005; Revised: April 25, 2005; May 23, 2005; May 22, 2006; June 11, 2007; April 14, 2008; June 8, 2009; January 7, 2010; July 18, 2011; January 16, 2018; November 5, 2018; \_\_\_\_\_

## **6730 CHILD ABUSE AND RELATED THREATS TO CHILD SAFETY –REPORTS AND INVESTIGATIONS**

The Board is concerned with the health, safety and welfare of all children and recognizes the legal and ethical obligations that school employees, contractors and volunteers have to report known or suspected maltreatment of children. North Carolina has two separate systems that mandate reports to state authorities of suspected child abuse, neglect, dependency, or maltreatment and a third system for mandated reporting of certain crimes against juveniles to local law enforcement.

When a parent or other caretaker is suspected to have caused a child to be abused, neglected or dependent, this information must be reported to the county child welfare agency. ~~Suspected child abuse, neglect, dependency or death as a result of maltreatment by parents or other caretakers must be reported to the county child welfare agency.~~ Suspected human trafficking, involuntary servitude and sexual servitude of a child and death of a child as a result of maltreatment are special forms of child abuse under law and must be reported to the county child welfare agency, regardless of the relationship between the victim and the perpetrator. By contrast, suspected child maltreatment by a caregiver in a child care facility, including in a licensed preschool classroom or other licensed classroom or program operated by the school system, must be reported to the Department of Health and Human Services, Division of Child Development and Early Education. ~~Where~~ When the source of the ~~child abuse, neglect, dependency or maltreatment~~ harm or threat of harm to the child is uncertain, a report should be made to both the county child welfare agency and the Department of Health and Human Services, Division of Child Development and Early Education.

In addition, state law mandates reports to local law enforcement when a child is a victim of certain violent offenses, sexual offenses or misdemeanor child abuse. An adult who knows or reasonably should have known of any of these offenses inflicted upon a child must report that information immediately.

The Board of Education supports all employees who, in good faith, make a report under either of North Carolina's mandated reporting laws.

### **A. Duty to Report Certain Crimes Against Children to Local Law Enforcement**

A school employee, contractor or volunteer is legally required to report to local law enforcement when the employee or volunteer knows or reasonably should know that a child has been a victim of any of the following crimes:

1. a sexual offense (which, for purposes of this policy, the Board interprets to mean any offense that relates to inappropriate sexual contact with a child);
2. an offense that inflicts serious bodily injury or serious physical injury upon the child by nonaccidental means;

3. An attempt, solicitation or conspiracy to commit either offense described above, or aiding and abetting either offense; or
4. Misdemeanor child abuse, which occurs when a parent or any other person providing care or supervision to a child who is under the age of sixteen (1) inflicts or allows to be inflicted physical injury to the child by nonaccidental means or (2) creates or allows a substantial risk of physical injury to the child by nonaccidental means.

Compliance with this reporting requirement does not relieve the employee or volunteer from his or her duty to report pursuant to Sections B and C of this policy. The employee, contractor or volunteer also shall immediately report the case to the principal.

A school employee, contractor or volunteer is immune by statute from any state civil and/or criminal liability when making a report in good faith under this Section. An employee who fails to report or who prevents another person from making a report is subject to disciplinary action by the school system and civil and criminal action under the law. A volunteer or contractor who fails to report or prevents another person from making a report may be restricted from school property or lose the privilege of volunteering for or contracting with the school system and is subject to civil and criminal action under the law.

#### **AB. Duty to Report Child Abuse, Neglect, Dependency, or Death as a Result of Maltreatment to the County Child Welfare Agency**

A school employee, contractor or volunteer who knows or has cause to suspect that (1) a parent, guardian, custodian or caretaker of a child has caused the child to be abused, neglected, dependentey, or death as a result of maltreatment by a parent, guardian, eustodian, or caretaker of the child or (2) that a child has died as a result of maltreatment or been a victim of human trafficking, involuntary servitude, or sexual servitude by any person is legally required to report the case to the director of social services. The employee, contractor or volunteer also shall immediately report the case to the principal. Any doubt about reporting a suspected situation must be resolved in favor of reporting, and the report must be made immediately.

A school employee, contractor or volunteer is immune by statute from any civil and/or criminal liability when reporting in good faith suspected child trafficking, involuntary servitude, sexual servitude or child abuse, neglect, dependency or death as a result of maltreatment by a parent, guardian, custodian or caretaker of the child making a report in good faith under this Section. An employee who fails to report or who prevents another person from making a report is subject to disciplinary action by the school system or civil or criminal action under the law. A volunteer or contractor who fails to report or prevents another person from making a report may be restricted from school

property or lose the privilege of volunteering for or contracting with the school system and is subject to civil and criminal action under the law.

### **BC. Duty to Report Child Maltreatment in a Child Care Facility to the Division of Child Development and Early Education**

A school employee, contractor or volunteer who has cause to suspect that a child in a child care facility has been maltreated by a caregiver or has died as a result of maltreatment occurring in a child care facility is legally required to report the case to the Department of Health and Human Services (DHHS), Division of Child Development and Early Education (DCDEE).

A “child care facility” includes any DHHS-licensed classroom or program operated by the school system, including for example, licensed pre-school or Title I classrooms, licensed afterschool programs and licensed developmental day programs.

Any doubt about reporting a suspected situation or uncertainty whether the child’s care is being provided in a child care facility must be resolved in favor of reporting, and the report should be made immediately.

An employee making a report to DCDEE also shall immediately report the case to the principal. If the suspected maltreatment occurred in a licensed preschool classroom or other licensed classroom or program operated by the Board, the principal shall immediately notify the Superintendent of the suspected maltreatment. No reprisals of any kind may be taken against an employee who makes a good faith report of child maltreatment occurring in any licensed preschool classroom or other licensed classroom or program operated by the Board.

An employee who fails to make a report as required by law and this policy may be subject to disciplinary action by the school system. In addition, if the employee works in a licensed preschool classroom or other licensed classroom or program operated by the Board, failure to report maltreatment of a child in the program or classroom may itself constitute child maltreatment and result in the employee being placed on the state child maltreatment registry. A volunteer or contractor who fails to report or prevents another person from making a report may be restricted from school property or lose the privilege of volunteering for or contracting with the school system.

### **CD. Cooperation with State and Local Agencies**

1. The principal may establish a contact person in the school to act as a liaison with state and local agencies charged with investigating reports ~~of child abuse and neglect or child maltreatment made pursuant to this policy. The contact person may assist an employee in making the report, but the employee with direct knowledge of the situation should be the one who makes the report. Collaboration with the contact person should never result in a delay of reporting.~~



2. Employees shall cooperate fully with agency personnel conducting an investigation ~~of suspected child abuse, neglect, dependency, death as a result of maltreatment or maltreatment occurring in a child care facility.~~

3. In a case under the jurisdiction of local law enforcement in which the child's parent, guardian or custodian is suspected of wrongdoing, employees shall permit the child to be interviewed by local law enforcement on school campuses during school hours. Otherwise, permission from the parent, guardian or custodian must be obtained before the child may be interviewed by local law enforcement on school campus during school hours.

~~34. In the a case of suspected abuse, neglect, dependency or death due to maltreatment~~ under the jurisdiction of social services, employees shall permit the child to be interviewed by social services on school campuses during school hours.

~~45. In a case under the jurisdiction of DCDEE concerning suspected child maltreatment by a caregiver in a child care facility, permission from the parent must be obtained before the child may be interviewed on school campus during school hours.~~

~~56. Employees shall provide confidential information to agency personnel, so long as the disclosure does not violate state or federal law.~~

~~67. Any confidential information disclosed by the investigating agency to employees must remain confidential and may be redisclosed only for purposes directly connected with carrying out the responsibilities of the school system or the employee.~~

#### **DE. Sharing Information with Other Agencies**

Upon request and to the extent permitted by law, school system officials shall share with other agencies designated in G.S. 7B-3100(a) information that is relevant to (1) any assessment of a report of child abuse, neglect, dependency or death as a result of maltreatment by the department of social services; (2) the provision or arrangement of protective services in a child abuse, neglect or dependency case by the department of social services; or (3) any case in which a petition is filed alleging that a juvenile is abused, neglected, dependent, undisciplined or delinquent. School system officials and the designated agencies must continue to share such information until the protective services case is closed by the department of social services or, if a petition is filed, until the juvenile is no longer subject to the jurisdiction of juvenile court.

#### **F. Child Sexual Abuse and Sex Trafficking Training Program**

In even-numbered years, the school system will provide a child sexual abuse and sex trafficking education and awareness training program for teachers, instructional support personnel, principals and assistant principals. The program will include at least

two hours of training related to best practices from the field of prevention, the grooming process of sexual predators, the warning signs of sexual abuse and sex trafficking, how to intervene when sexual abuse or sex trafficking is suspected or disclosed, legal responsibilities for reporting sexual abuse or sex trafficking and available resources for assistance. Designated school personnel shall participate in such training as required by law and Board policy.

The Superintendent shall develop any necessary procedures for making a report pursuant to this policy reporting suspected child abuse, neglect, dependency or death as a result of maltreatment, for sharing information with designated agencies and for cooperating with investigations by the department of social services. ~~The Board encourages school officials to provide staff development opportunities related to identifying and reporting child abuse, neglect, dependency or death as a result of maltreatment.~~

In addition to the requirement of this policy, any administrator who knows or has reason to believe that a licensed employee has engaged in conduct which involves physical or sexual abuse of a child shall report that information to the State Superintendent of Public Instruction in accordance with subsection C.4 of Policy 3036/4036/8336 – Staff-Student Relations.

Legal Reference: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 7B-101, -301, -302, -309, -3100, 8-53.4; 14-208.6, 318.2; ~~-318.4, -318.6~~; 110-90.2, -105.3, -105.4, -105.5; 115C-375.20, -400, -402; 126-5; 16 N.C.A.C. 6C.0312; State Board of Education Policies LICN-007 and NCAC-039

Adopted: November 20, 1990

Revised: May 20, 1996; March 12, 2007; January 16, 2018; August 5, 2019; February 10, 2020;

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## 6910 COMMUNICABLE DISEASES - STUDENTS

The Board strives to provide a safe and orderly environment for all students and employees. The Board also strives to maintain a balance between the need to educate all eligible students, to protect students' and employees' rights, and to control communicable diseases, including HIV and AIDS. Under certain circumstances, students with communicable diseases may pose a threat to the health and safety of students and staff. Decisions regarding the educational status of students with communicable diseases will be made on a case-by-case basis in accordance with this policy. Nothing in this policy is intended to grant or confer any school attendance or education rights beyond those existing by law. This policy shall be shared with school staff annually and with new employees as part of any initial orientation.

### A. DEFINITIONS ~~OF COMMUNICABLE DISEASE~~

A communicable disease is defined as an illness due to an infectious agent (usually a virus or bacterium), or its toxic products, which is transmitted directly or indirectly to a person from an infected person or animal.

A “communicable condition” exists if a person is infected with a communicable agent but does not have symptoms.

A “reportable disease or condition” is defined as a communicable disease or condition declared to be dangerous to the public health and required by the N.C. Department of Health and Human Services to be reported after the disease or condition is reasonably suspected to exist.

### B. PRECAUTIONS

In order to prevent the spread of communicable diseases, guidelines for necessary health and safety precautions will be distributed by the administration and followed by all school district employees. Employees are also required to follow the school system's bloodborne pathogens exposure control plan that contains universal precautions and specific work practice controls relating to the handling, disposal, and cleanup of blood and other potentially infectious materials. Students should not be involved in the handling, disposal and cleanup of potentially infectious materials unless the student has been specifically trained in the handling of such materials and is qualified to perform first aid services. Faculty should take reasonable precautions to avoid allowing students to come in contact with these substances.

### C. CURRICULUM

The school district will include health, hygiene and safety education in its curriculum. The curriculum will include age-appropriate information concerning safe health practices that will inhibit and prevent the spread of communicable diseases, ~~including HIV and AIDS.~~

### D. REPORTING, ~~AND~~ NOTICE AND CONFIDENTIALITY REQUIREMENTS

## 1. Principal's Report to Health Department and Superintendent

In accordance with G.S. 130A-136, school principals ~~will~~ shall report suspected cases of ~~communicable-reportable~~ diseases and conditions to the county health department. Such report must be made in a manner consistent with the school system's Family Educational Rights and Privacy Act (FERPA) obligations. Confidentiality of such reports is protected by law. School principals are ~~presumed by law to be~~ immune from liability under state law for making such reports in good faith.

Without releasing any information that would identify the student in violation of FERPA, the principal also must report suspected cases of ~~communicable-reportable~~ diseases or conditions to the Superintendent.

~~Additionally, parents or legal guardian shall be notified in a timely manner when their child has potentially been exposed to a communicable disease through the exchange of blood with another individual and it shall be suggested that they contact their private physician or the county health department for consultation.~~

## 2. Privacy and Confidentiality of Affected Persons

- ~~a. If it has been determined by t~~The local health director ~~that there is significant risk of HIV transmission, the local health director~~ is responsible for determining which school personnel will be informed of the identity of a student with AIDS or HIV infection. ~~The health director is also responsible~~ for determining whether and which school personnel will be informed of the identity of students with ~~other~~ communicable diseases or conditions required to be reported.
- ~~b. Any employee who is informed or becomes aware of~~ the a student's communicable disease or condition, whether reportable or not, shall respect and maintain that student's right of privacy and the confidentiality of his or her records and may not share that information in a way that violates FERPA.
- ~~c. In addition, if the student has a disease or condition that is required to be reported to the local health director, employees who are informed of or become aware of the student's status may not share that information with anyone, including other school personnel,~~ unless specifically permitted to do so by the health director, by written consent of the student's parents or ~~legal~~ guardian or by other applicable state or federal laws or regulations. ~~Permission from a parent/guardian to share a student's HIV status with other school personnel must be in writing.~~
- ~~d. Any documents relating to a student's reportable disease or condition, including HIV infection or AIDS, infection shall will~~ be retained in a strictly confidential manner, such as in a locked cabinet separate from the student's other school records and medical records or in an electronic medical record, and shall be released or shared only as necessary to comply with this policy.

- e. Employees who are informed of the student's reportable disease or condition ~~shall~~ also will be provided ~~with~~ appropriate information concerning necessary precautions and made aware of the strict confidentiality requirements. The Rrelease of ~~this~~ confidential information or records relating to a student's reportable disease or condition, except as permitted by law, ~~constitutes-is~~ a misdemeanor and may ~~be~~ subject the employee to ~~further~~ discipline up to and including dismissal.
3. In order to address the needs of the student within the school environment, school employees are required to notify the principal if they have reason to believe that are aware or become aware of any student is suffering from a communicable disease ~~other than HIV infection~~. Parents ~~shall~~ will be encouraged to notify the principal as well.
4. Students who are immunodeficient, ~~whether due to AIDS or other causes~~, face increased risk of severe complications from exposure to communicable diseases that appear in the school setting. ~~Although students with HIV infection are not required to notify school staff of their HIV status, s~~Students and their parents or guardians are encouraged to inform the principal in the event a student suffers from any such immunodeficiency. ~~Students who are immunodeficient because of other communicable diseases, and their parents, are also encouraged to inform the principal.~~

If notified that a student suffers from such immunodeficiency, the principal should request that the notifying party provide information about what types of exposures might put the student at risk and what reasonable practices can be taken in the school setting to minimize risk to the student. Whenever possible, the principal of a school should notify the parents or guardians of an infected or immunodeficient student (or the student him/herself, where appropriate) about the presence of chicken pox, influenza, meningococcus, measles or tuberculosis or other contagious disease occurring in the school that may represent a serious threat to the student's health. Students who are removed from school as a result of such conditions will be provided instruction in an appropriate alternative educational setting.

5. Notification to Parent/Guardian of Exposure to Infectious Agent

Parents or guardians will be notified in a timely manner when their child has potentially been exposed to an infectious agent, such as an instance of blood-to-blood contact, and will be encouraged to contact their private physician or the county health department for consultation.

**E. EDUCATION/SCHOOL ATTENDANCE FOR STUDENTS WITH AIDS/HIV INFECTION OR HEPATITIS B INFECTION**

Students with AIDS ~~and~~ or HIV infection or hepatitis B infection will be permitted to attend school without special restrictions except in accordance with 10A N.C.A.C. 41A.0201-~~0204~~0203, and this subsection.

#### 1. Appointment of an Interdisciplinary Committee

When the local health director notifies the Superintendent that a student with AIDS, ~~or~~ HIV infection or hepatitis B infection may pose a significant risk for transmission, the Superintendent, in consultation with the local health director, will appoint an interdisciplinary committee in accordance with state health regulations and procedures established by the Superintendent. The committee is to consult with the local health director regarding the risk of transmission and advise the Superintendent regarding the placement of the student. The committee will include appropriate school system personnel, medical personnel and the student's parent or guardian and may include legal counsel. The parent may request additional participants as necessary to appropriately evaluate the risk. The health director shall be responsible for determining whether to add additional members that may be requested by the parents. The Superintendent is also to inform the Board whenever a committee has been formed and will advise the Board of the professional composition of the committee.

#### 2. Determination of Education Placement

The interdisciplinary committee will review each case individually in consultation with the local health director to determine (1) the degree to which the student's conduct or presence in school exposes others to possible transmission or other harm and (2) what risk the school environment may pose to the infected student. If the local health director concludes that a significant risk of transmission exists in the student's current placement, the committee must determine whether an appropriate adjustment can be made to the student's school program to eliminate this risk. If that is not possible, the student shall be provided instruction in an appropriate alternative educational setting which incorporates protective measures required by the local health director.

#### 3. Referral for Special Education Services as Appropriate

If the administrative or instructional personnel on the committee determine that the student has limited strength, vitality or alertness due to a chronic or acute health problem that adversely affects the student's educational performance, they must refer the student for possible identification and placement as a student with special needs.

#### 4. Confidentiality

All deliberations of the interdisciplinary committee will be kept strictly confidential and shared only as allowed by law. Any student records related to the deliberations of the committee will be retained in a strictly confidential manner, such as in a locked cabinet

separate from the student's other school records and medical records or in an electronic medical record.

#### F. EDUCATION/SCHOOL ATTENDANCE FOR STUDENTS WITH COMMUNICABLE DISEASES OTHER THAN AIDS OR HIV OR HEPATITIS INFECTION

In some circumstances, students with communicable diseases or conditions may pose a threat to the health and safety of other students and school employees. In other cases, students may have only mild illness and be able to attend school and participate in all activities. Accordingly, decisions regarding the educational status of students with signs and symptoms of communicable disease will be made on a case-by-case basis with input from the students' health care provider, public health specialists and the school nurse.

A student with an acute or chronic communicable disease who remains in school shall observe any protective procedures or other control measures recommended by the student's physician, the school nurse or other relevant medical authority.

Students with a chronic communicable disease may be referred for special education services or a Section 504 plan of accommodation, as consistent with law.

#### G. OTHER CONTROL MEASURES

School personnel shall implement measures to control the spread of communicable disease as directed by the state or local health department. In the case of emerging illnesses not addressed by state or local health department rules or guidance, school personnel shall implement control measures recommended by the CDC unless directed otherwise by the school nurse or other relevant medical authority.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; 34 C.F.R. pt. 99; G.S. 115C-36, 130A-25, -136, -142 to -144, 145, -152 to -157; 10A N.C.A.C. 41A., subchapter A 0201 through 0204

Adopted: November 29, 1990

Revised: March 12, 2007; \_\_\_\_\_

## **6930 CONCUSSION AND HEAD INJURY**

The Board recognizes that concussions and other head injuries may be serious and potentially life threatening and that such injuries may result in serious consequences later in life if managed improperly. The Board is committed to practices that reduce the potential for short-term or long-term effects from such injuries. In support of this commitment, the Board directs school employees to comply with the concussion safety requirements for interscholastic athletic competition established by G.S. 115C-12(23) as amended in the Gfeller-Waller Concussion Awareness Act of 2011, and to implement and follow all concussion safety requirements set forth in State Board of Education rules and policies. The Superintendent or designee shall develop plans consistent with state requirements and shall implement and monitor compliance with this policy. The Superintendent is authorized to investigate the use of baseline testing for student-athletes and require that student-athletes undergo such testing prior to their participation in any interscholastic athletic competition.

### **A. Definition of Concussion**

A concussion is a traumatic brain injury caused by a direct or indirect impact to the head that results in disruption of normal brain function, which may or may not result in a loss of consciousness.

### **B. Concussion Education Video for High School Student-Athletes**

Per North Carolina High School Athletic Association rules, all high school student-athletes and parents of high school student-athletes must view the CrashCourse concussion education video prior to each sport season.

### **B C. School Head Injury Information Sheet**

Each year, all coaches, school nurses, athletic directors, first responders, volunteers, student-athletes, and parents of student-athletes must be provided with a concussion and head injury information sheet that meets the requirements of the State Board. Before any student, school employee, volunteer, or first responder will be allowed to participate in interscholastic athletic activities, including tryouts, practices, or competitions, he or she must sign the head injury information sheet and return it to the coach. Parents also must sign the sheet and return it to the coach before their children may participate in any interscholastic athletic activity. The principal of each school shall ensure that a complete and accurate record of the returned signed sheets is maintained in accordance with law and State Board policy.

### **C D. Removal from and Return to Play**

Any student-athlete who is exhibiting signs or symptoms consistent with a concussion must be removed from athletic activity immediately. Further, the student-athlete must not be allowed to return to play or practice that day or on any subsequent day until he or she has



been evaluated and has received written clearance for participation that complies with the requirements of G.S. 115C-12(23) and any other applicable law or State Board policy.

#### **D-E. Return to Learning**

The Superintendent or designee shall develop a plan that meets all the requirements of the State Board of Education for addressing the needs of students in pre-K through 12 who suffer concussions. Parents and students must be offered the opportunity annually to provide information related to any head injury or concussion the student may have incurred during the past year on the health history and emergency medical information update form.

#### **E F. Emergency Action Plans**

Each principal or designee shall develop a venue-specific emergency action plan to respond to serious medical injuries and acute medical conditions in which the condition of the injured student may deteriorate rapidly. All such plans must include a delineation of roles, methods of communication, available emergency equipment, and a plan for emergency transport. The plans must be (1) in writing, (2) reviewed by an athletic trainer who is licensed in North Carolina, (3) approved by the principal if developed by a designee, (4) distributed, posted, reviewed, and rehearsed in accordance with G.S. 115C-12(23), and (5) compliant with any other requirements of state law and State Board policy.

#### **F G. Athletic Trainers and First Responders**

Each high school principal shall designate at least one licensed athletic trainer or first responder who meets the requirements of state law and State Board of Education policy. The principal shall monitor each athletic trainer's or first responder's compliance with the duties assigned to the position by the State Board and any additional duties assigned by the Superintendent or designee, including, but not limited to, attendance at all football games and practices and compliance with all applicable training and certification requirements.

To the extent funding and resources are available, the Superintendent shall work toward having a licensed athletic trainer or first responder available for all school practices and games of all high school and middle school sports.

#### **G H. Record Keeping**

The Superintendent shall require each principal to maintain complete and accurate records of actions taken in his or her school to comply with this policy and applicable legal authority. Records shall include accounts of any education or training as may be required by law or State Board of Education policy.

The Superintendent's annual report to the Board on compliance with laws and policies related to student wellness shall include a report on the system's compliance with laws and

policies related to concussions and head injuries. (See Section G of policy 5060 - Student Wellness.)

Legal References: G.S. 115C-12(23); S.L. 2011-147; Article 34 Chapter 90; State Board of Education Policies ATHL-000, ATHLH-003, SHLT-001

Other Resources: Matthew Gfeller Sport-Related TBI Research Center at UNC website <http://tbicenter.unc.edu>; *Report to the North Carolina General Assembly: Study of Sports Injuries at Middle School and High School Levels*, N.C. Department of Public Instruction (2011), available at <http://www.ncleg.net/documentsites/committees/JLEOC/Reports%20Received/2011%20Reports%20Received/Study%20of%20Sports%20Injuries%20at%20Middle%20and%20High%20School%20Levels.pdf>

Adopted: February 10, 2014

Revised: May 9, 2016; July 17, 2017; February 10, 2020; \_\_\_\_\_

## 8513 NEWS MEDIA RELATIONS

~~The Administration shall be responsible for the promotion of positive relations with news media.~~

~~8513.1 A school year is marked by a number of occasions which are worthy of news releases.~~

~~8513.2 News conferences and interviews shall be held on appropriate occasions.~~

~~8513.3 The provision of speakers for worthy groups affords an excellent opportunity for good school-community relations and shall be encouraged.~~

The news media can be an important means of communicating information about the school system to the community. The Superintendent or designee shall establish an effective working relationship with the news media. The news media should be notified whenever necessary to relay information to the public, such as when there are emergency school closings. The Superintendent or designee also is expected to identify opportunities to educate the news media regarding the goals of the Board and school system, especially as they relate to student success and the educational program. The Superintendent or designee also should inform the news media of the results of the school system's efforts to improve student achievement.

The Superintendent or designee may designate a spokesperson to provide information to the news media. The school system will respond to the media's requests for information in compliance with Policy 1411 – Public Records – Retention, Release and Disposition.

Policy 7403 – Visitors to the Schools applies to news media. News media are expected to cooperate with the school system in their efforts to provide a safe and orderly learning environment in which disruptions to instructional time are minimized. The principal or Superintendent or designee may require news media to leave or prevent news media from entering school grounds if the news media's presence interferes with these efforts.

Legal Reference: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 115C-47, -109.3, -319 to -321, -402; 132-1 to -9

Adopted: November 29, 1990

Revised: \_\_\_\_\_

## **MINOR CORRECTIONS OR UPDATES TO LEGAL AND/OR OTHER REFERENCES**

### **3036/4036/8336 STAFF-STUDENT RELATIONS**

The Board expects all employees to maintain the highest professional, moral and ethical standards in their interactions with students. Employees are required to provide an atmosphere conducive to learning through consistently and fairly applied discipline and established and maintained professional boundaries. Employees are expected to motivate each student to perform to his or her capacity while modeling the behavior expected of students in staff-student relationships.

The interactions and relationships between staff and students must be based upon cooperation, mutual respect and an understanding of the appropriate boundaries between adults and students inside and outside of the educational setting. Employees are expected to demonstrate good judgment and to avoid the appearance of impropriety in their interactions with students. Employees must consult their supervisor any time they suspect or are unsure whether conduct is inappropriate or otherwise constitutes a violation of this or other Board policy.

For the purposes of this policy, the terms “staff” and “employees” include independent contractors and volunteers, but do not include student employees or student volunteers.

#### **A. Romantic Relationships and Sexual Contact Prohibited**

All volunteers and employees, including student teachers, substitutes and contractors hired to perform instructional or professional services are prohibited from dating, courting, or entering into a romantic relationship or having sexual contact with any student enrolled in the school system regardless of the student’s age, regardless of whether the involvement is consensual and regardless of the nature of the relationship, whether face-to-face or via electronic means such as telephone, texting or social media. Employees engaging in such inappropriate conduct will be subject to disciplinary action, up to and including dismissal, and may be subject to criminal action as provided in G.S. 14-202.4 and 14-27.32. Further, school system personnel shall provide no assistance to an employee in finding another job, beyond the routine transmittal of personnel or administrative files, if the employee engaged in sexual misconduct with a minor or a student in violation of the law.

#### **B. Restrictions on Electronic Communications**

1. In accordance with Policy 3252/4252/5452 - Employee Use of Social Networking Sites, employees are prohibited from communicating with current students through non-school-controlled social media without parental permission except to the extent that the employee and student have an appropriate relationship which originated outside of the school setting. Any communication through social media authorized under Policy 3252/4252/5452 must meet the professional standards established in this policy and must otherwise be consistent with law and all other Board policy.

2. Instant messages will be treated as a form of communication through social media subject to the terms of Policy 3252/4252/5452 and subsection B.1 above, regardless of whether the messaging service is actually provided through a social media service or otherwise.

3. Employees are prohibited from engaging in other forms of one-to-one electronic communications (e.g., voice, voice mail, email, texting, and photo or video transmission) with students without written prior approval of the employee's supervisor and the student's parent. This rule shall not apply, however, if one or more of the following circumstances exist:

a. the communication (1) is for an educational purpose, (2) is conducted through a school system-provided platform which archives all such communications for a period of at least three years, (this requirement does not apply to telephone or voice mail communications), and (3) occurs after the employee has given prior notice to his or her supervisor or designee that such communications will occur;

b. the communication serves an educational purpose and is simultaneously copied or transmitted to the employee's supervisor or designee and, upon request, to the parent or guardian;

c. the communication is necessary in a bona fide emergency, provided the communication is disclosed to the supervisor and parent or guardian as soon as reasonably possible; or

d. the communication derives from a relationship or association outside of the school setting and occurs with the consent of the parent or guardian, provided such communication does not otherwise violate this or other Board policy.

Any one-to-one electronic communication permitted by this subsection must meet the professional standards established in this policy and must otherwise be consistent with law and all other Board policies.

4. It is the duty of every employee to notify his or her supervisor of any unsolicited one-to-one communication, in any form, electronic or otherwise, received from a student when the communication lacks a clear educational purpose. School counselors are excluded from this requirement only to the extent that it conflicts with their professional duties.

5. Violations of this section will be considered unprofessional behavior subject to discipline, up to and including dismissal. Factors that may be relevant to the determination of an appropriate disciplinary response to unauthorized communications with students include, but are not limited to:

- a. the content, frequency, subject, and timing of the communication(s);
- b. whether the communication(s) was appropriate to the student's age and maturity level;
- c. whether the communication(s) could reasonably be viewed as a solicitation of sexual contact or the courting of a romantic relationship, including sexual grooming;
- d. whether there was an attempt to conceal the communication(s) from the employee's supervisor and/or the student's parent or guardian;
- e. whether the communication(s) created a disruption of the educational environment; and
- f. whether the communication(s) harmed the student in any manner.

### **C. Reporting Inappropriate Conduct**

#### **1. Reporting by Employees**

Any employee who has reason to believe any of the following shall immediately report that information to the Superintendent or designee:

- a. that another employee is involved in a romantic or other inappropriate relationship or has had sexual contact with a student;
- b. that another employee has engaged in other behavior prohibited by this policy; or
- c. that the employee has witnessed behavior by another employee that has the appearance of impropriety, whether or not the behavior may have a valid purpose.

An employee who fails to inform the Superintendent or designee as provided in this section may be subject to disciplinary action, up to and including dismissal.

#### **2. Reporting by Students**

Any student who believes that he or she or another student has been subject to misconduct that violates this policy should immediately report the situation to the principal, school counselor, or the Title IX coordinator designated in Policy 3037/4037/6640/8337 - Discrimination/Harassment/Bullying.

#### **3. Report of Criminal Misconduct**

Any principal who has reason to believe that a student has been the victim of criminal conduct shall immediately report the incident in accordance with Policy 3038/4039/8338 – Reporting Information to Administrators and External Agencies.

#### 4. Report to State Superintendent of Public Instruction

Any administrator, including the Superintendent, chief/executive officer or principal, who knows or has reason to believe that a licensed employee has engaged in conduct which involves physical or sexual abuse of a child, shall report that information to the State Superintendent of Public Instruction within five working days of any disciplinary action, dismissal or resignation based on the conduct. For purposes of this subsection, physical abuse is the infliction of physical injury other than by accidental means or in self-defense, and sexual abuse is the commission of any sexual act upon a child or causing a child to commit a sexual act, regardless of consent and the age of the child. Failure to report such conduct may result in the suspension or revocation of an administrator’s license by the State Board of Education.

This reporting requirement applies in addition to any duty to report suspected child abuse in accordance with state law and Policy 6730 – ~~Social Services~~ Child Abuse and Related Threats to Child Safety.

Legal Reference: Elementary and Secondary Education Act, 20 U.S.C. 7926; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 *et seq.*, 34 C.F.R. pt. 106; G.S. 14-27.32, -202.4; 115C-47(18), 16 NCAC 6C.0601, .0602; State Board of Education Policies EVAL-014, LICN-007, NCAC-039

Adopted: January 31, 1994

Revised: June 11, 2007; November 17, 2008; March 12, 2012; January 17, 2017; July 17, 2017; January 16, 2018; February 10, 2020; \_\_\_\_\_

### **3800/4700 COMPLIANCE WITH STATE BOARD OF EDUCATION EMPLOYMENT POLICIES**

It is the policy of the Board to comply with the benefits and employment policies promulgated by the State Board of Education or the Department of Public Instruction in the most current edition of the North Carolina Public Schools Benefits and Employment Policy Manual, as supplemented by any applicable local board policy.

The purpose of Voluntary Shared Leave is to allow employees to donate earned leave to a fellow employee who has exhausted all earned leave and continues to be absent due to serious medical conditions. All donations made pursuant to this policy are voluntary. No employee should feel pressured or coerced to participate. The donating employee may not receive compensation in any form for the donation of leave. Any employee found guilty of giving or receiving compensation may be subject to dismissal as outlined in applicable state law.

In the event that changes to State or federal law or regulation conflict with current State Board or local Board policies, the Board intends that its benefits and employment policies be modified to the extent necessary to comply with current law until such time as conforming changes to State Board and/or local Board policies are made.

*Legal Reference: North Carolina Public Schools Benefits and Employment Policy Manual (N.C. Dept. of Public Instruction, current version), available at <https://www.dpi.nc.gov/districts-schools/districts-schools-support/district-human-capital/employee-policy>*

Adopted: July 30, 1990

Revised: October 24, 1994; November 27, 2008; April 10, 2017; \_\_\_\_\_



## **5312 ALTERNATIVE LEARNING PROGRAMS**

### **A. Purposes**

The Board is committed to the goal of providing a safe, orderly and inviting learning environment at each school. The educational program, school student behavior management plans, school improvement plans, and numerous other strategies identified in Board policy, are intended to create such an environment and help each student be a contributing and successful member of the school community. As used in this policy and context, an alternative learning program or school may serve as the site to: (1) deliver educational services required by G.S. 115C-390.9 or -390.10 to a student who is serving a long-term or 365-day suspension; (2) provide concentrated support for students at risk of academic failure; and/or (3) deliver educational and other services to students who are or may be disruptive to a safe and orderly learning environment in the regular educational setting.

### **B. Standards for Alternative Learning Programs/Schools**

Prior to implementing a new alternative learning program or school, the Board will develop a program proposal that is consistent with the State Board of Education standards for alternative learning programs. The Board then will submit the proposal to the State Board for its review. After the proposal has been reviewed by the State Board, the Board will consider any recommendations from the State Board to modify the proposal before implementing the alternative learning program or school.

The Board will review on a regular basis whether the school system's alternative learning programs and schools comply with State Board standards.

### **C. Transfer to Alternative Learning Programs or Schools**

#### **1. Basis for Transfer**

Students generally are assigned to a school based upon attendance area. However, as provided by law, the Board may assign any student to a school outside the attendance area in order for the student to attend a specialized school or for any reason the Board, in its sole discretion, deems sufficient. In all cases, the assignment or transfer of a student with a disability will comply with applicable federal and/or state requirements for students with disabilities.

Students may be transferred to an alternative learning program or school on a voluntary or involuntary basis under any of the following circumstances.

- a. The student's parent or guardian and the principal agree, and a multi-disciplinary team agrees, that the transfer would be in the best interest of the student and the efficient administration of the public schools,

- b. the student has been recommended for long-term suspension or expulsion;
- c. the student poses a significant disruption to the educational environment in the regular educational setting due to continuing social/behavioral problems;
- d. the student is at risk of dropping out or not meeting standards for promotion due to academic, developmental and/or behavioral problems, and resources in addition to or different from those available in the regular educational setting are needed to address the issue.
- e. the student is a clear threat to the safety of other students or personnel; or
- f. the student has been charged with a felony or with any crime that allegedly endangered the safety of others, and it is reasonably foreseeable that the student's continued presence will significantly disrupt the regular educational environment.

The Board encourages parental involvement in decisions regarding the child's education and in identifying effective options for addressing concerns regarding the child's behavior or academic performance.

## **2. Responsibilities of Personnel at Referring School**

In addition to any other procedures required by this policy, prior to referring a student to an alternative learning program or school, the principal of the referring school must:

- a. document the procedures that were used to identify the student as being at risk of academic failure or as being disruptive or disorderly;
- b. provide the reasons for referring the student to an alternative learning program or school; and
- c. provide to the alternative learning program or school all relevant student records, including anecdotal information.

## **3. Referral**

- a. Students who are recommended for long-term suspension or expulsion and who receive due process through the disciplinary process for violations of the Code of Student Conduct do not require additional referral procedures prior to transfer.
- b. Prior to a transfer in circumstances where a student is experiencing academic or developmental difficulties or continuing social/behavioral problems, the

principal or school-based committee of the referring school shall document the student's behavior and academic performance and efforts to assist the student in the regular educational environment. School administrators are encouraged to meet with the student's parents or guardians to try to reach a consensus on how to address the student's difficulties at school.

c. In all cases where a basis for transfer exists, other than where the student has received due process pursuant to a recommendation for long-term suspension or expulsion, the principal must refer the student to a multi-disciplinary team to determine whether the student should be transferred to an alternative school. The principal must provide in writing (1) an explanation of the student's behavior or academic performance that is at issue, (2) documentation or a summary of the documentation of the efforts to assist the student in the student's regular educational setting, if applicable, and (3) documentation of the circumstances that support the referral. A copy of the referral and other documentation must be provided to the parents or guardians by certified mail or in person.

The multi-disciplinary team shall consist of the student's parent or guardian and at least three school system employees who are informed about the student's needs. The team shall meet to consider the principal's referral and determine whether the student will be assigned to an alternative school and shall perform all other duties assigned to it by State Board of Education policy. The student's parent or guardian shall be provided written notice of the time, place and date of the meeting.

At the meeting, the multi-disciplinary team shall determine whether the student will be transferred to the alternative school. The student's parent or guardian shall be provided written notice of the team's decision, as well as notice of the parent or guardian's appeal and due process rights. If the student's parent or guardian attended the team meeting, such notice shall be provided at the end of the meeting. If the student's parent or guardian did not attend the meeting, such notice shall be provided by certified mail within one business day of the meeting. If the multi-disciplinary team approves the transfer, the principals of the regular educational setting and alternative school are to make all necessary arrangements.

#### **4. Responsibilities of School Personnel at the Alternative Learning Program or School**

Once a student is placed in an alternative learning program or school, the appropriate school personnel of the program or school must meet to review the student's records and any other documentation forwarded by the referring school. Based on these records and any input provided by the parent or guardian concerning the student's

needs, the personnel at the alternative program or school shall determine the support services and intervention strategies that are recommended for the student.

If a student who is subject to G.S. 14-208.18 is assigned to an alternative school, the student must be supervised by school personnel at all times.

## **5. Assignment of Student with Disabilities to Alternative Programs/Schools**

Students who receive services under the Individuals with Disabilities Education Act (IDEA), are entitled to all of the processes and protections pursuant to the IDEA. All additional requirements specific to the assignment of students with disabilities to an alternative program or school established by the State Board of Education policy shall be observed.

### **D. Appeals Process**

If the student's transfer is the result of an IEP team decision for a student with a disability, parents or guardians who are dissatisfied with the decision must comply with the due process procedures set forth in *Procedures Governing Policies and Services for Children with Disabilities*, as adopted by the State Board of Education.

In all other cases, within three business days of receiving written notice of the decision to assign the student to an alternative program or school, the parent or guardian may appeal the decision in writing to the Superintendent, who shall review the documentation and render a decision within five business days, absent extraordinary circumstances that require additional response time. Parents and guardians who are dissatisfied with the Superintendent's decision may appeal to the Board. The Board will hear the appeal in closed session and will follow its procedures as provided in Policy 1316 – Hearings Before the Board. During the period of the appeal, the student may be transferred to the alternative learning program or school, except as prohibited by the IDEA.

### **E. Administrative Assignments**

#### **1. Assignment During a Long-Term or 365-Day Suspension**

Any student who receives a long-term or 365-day suspension must be offered alternative education services unless the Superintendent provides a significant or important reason for declining to offer such services. Alternative education services include, but are not limited to, the alternative programs or schools established in this policy in accordance with G.S. 115C-105.47A.

#### **2. Assignment of Student Sex Offenders**

The Board may decide, pursuant to G.S. 115C-390.11(a)(2), to assign a student who is subject to G.S. 14-208.18 to an alternative learning program or school.

## **F. Transition from Alternative Learning Programs or Schools**

In most instances, the goal of the alternative school learning program or school will be to return the student to the regular educational setting as soon as practicable with the skills necessary to succeed in that environment as soon as practicable. The personnel of the alternative learning program or school and those of the regular educational setting shall work together to help create successful transition for the student.

If the student is not or will not be returned to the regular educational setting, the alternative learning program or school will assist in the student's transition to other educational settings, including any other programs offered by the school system or a community college or vocational school.

For students identified as eligible under the IDEA, the student's IEP team shall make all transition decisions that would result in a change in placement.

## **G. Assignment of Professional Personnel to Alternative Learning Programs or Schools**

When assigning professional staff to the alternative learning program or school, the Superintendent shall consider the experience and evaluation ratings of professional employees who may be assigned to the program or school. As district resources allow, the Superintendent shall strive to avoid assigning to the alternative school or program less experienced professional personnel and professional personnel who have received unfavorable evaluations. Additionally, all school personnel at alternative learning programs or schools should receive training so that students enrolled in such programs or schools receive appropriate educational services.

## **H. Evaluation of Alternative Learning Programs or Schools**

### **1. State Accountability**

The Board will determine annually how each alternative school will participate in the State Alternative Schools' Accountability Model. The Superintendent shall provide for this information to be reported to the North Carolina Department of Public Instruction by August 1 of each year.

### **2. Information to be Reported to the Board of Education**

Each year, the Board will periodically review each alternative learning programs or schools based upon reports provided by the Superintendent or designee and any other information the Board wishes to consider.

Legal Reference: G.S. 14-208.18; 115C-47(32a), -105.27, -105.47A, -105.48, -276(r), -288, -367, -369, -390.7, -390.9, 390.10, 370.11, State Board of Education Policy ACCT-038, ALTP-002,

DROP-001, EXCP-000; *Policies Governing Services for Children with Disabilities*, as amended (Public Schools of North Carolina); *Policies and Procedures for Alternative Learning Programs and Schools* (North Carolina Department of Public Instruction, ~~October 2014~~), available at <https://eboard.eboardsolutions.com/Meetings/Attachment.aspx?S=10399&AID=31595&MID=1590> <https://www.dpi.nc.gov/students-families/enhanced-opportunities/alternative-learning-programs#development,-implementation,-and-operations>

Adopted: May 22, 2006

Revised: May 12, 2008; July 18, 2011; March 12, 2012; September 14, 2015; June 12, 2017; November 5, 2018

## **5414 PARENT AND FAMILY ENGAGEMENT**

The Moore County Board of Education recognizes the critical role of parents in the education of their children and in the schools. The Board directs school administrators to develop programs that will promote and support parental involvement in student learning and achievement at school and at home and encourage successful progress toward graduation. Each parent is encouraged to learn about the educational program, the educational goals and objectives of the school system and his or her own child's progress. The Board also encourages parents to participate in activities designed by the schools to involve them, such as parent conferences, in order to encourage effective communication.

The Board directs each principal or designee to develop a parental involvement plan as a part of the School Improvement Plan. This plan must include, at a minimum, efforts that meet the requirements established in this policy. In addition, the plan must include ways to enhance parental involvement in the following areas:

1. meaningful two-way communication between home and school;
2. promotion of responsible parenting;
3. involving parents/guardians in student learning;
4. promotion of volunteering;
5. involving parents/guardians in school decisions that affect children and families;
6. parental training;
7. community collaboration; and
8. promotion of student health awareness.

This policy applies to the parents, legal guardians and legal custodians of students who are under 18 years old and are not married.

### **A. Parent Communication and Conferences**

The Board encourages school personnel to have regular contact with parents by school personnel for commendation as well as for notification of concerns. Principals or designees shall plan for periodic communications with parents. Teachers are responsible for scheduling conferences with parents.

The principal or designee shall strive, through oral or written communication or other means, to include the parents of students identified as at-risk in the implementation and

review of academic and/or behavioral interventions for their children in accordance with Policy 6225 - Personal Education Plans for At-Risk Students.

The principal or designee shall provide the parent of each student in kindergarten, first or second grade with written notification of the student's reading progress. The notice will be provided three times a year, following each benchmark assessment and will include the following: (1) assessment results, (2) whether the child may not reach reading proficiency by the end of third grade; and (3) instructional support activities for use at home.

The Board encourages the Superintendent to work with local business leaders, including the local Chamber of Commerce, to encourage employers to adopt as part of their stated personnel policies time for employees who are parents or guardians to attend conferences with their child's teachers.

## **B. Parental Notification**

Each principal or designee of a Title I school shall effectively notify parents of all parental rights and other required information regarding Title I schools and programs, in accordance with federal law. Parents of students in Title I schools shall receive a copy of the system-wide Title I parent and family engagement policy (Policy 5417) and the school-wide parent involvement plan.

In addition, annually, every building principal or designee shall effectively notify parents of the following:

1. parental rights related to student records (see Policy 6300 – Student Records);
2. parental rights related to student surveys (see Policy 6830 – Surveys and Interviews with Students for Research Purposes);
3. the approximate dates of any non-emergency, invasive physical examination that is (a) required as a condition of attendance, (b) administered and scheduled in advance by the school administration and (c) not necessary to protect the immediate health and safety of students;
4. the schedule of pesticide use on school property and their right to request notification of nonscheduled pesticide use (see Policy 8810 – Pest Management);
5. student behavior policies, the Code of Student Conduct and school standards and rules (see policies in the 6000 series);
6. the permissible use of seclusion and restraint in the schools (see Policy 6500 and its accompanying regulations, 6500-R – Employee Use of Reasonable Force and Seclusion and Restraint);



7. Policy 6640/3037/4037/8337 – Prohibition Against Discrimination/Harassment/Bullying;

8. Policy 6902 - Student Grievances;

9. the dates of the system-wide and state-mandated tests that students will be required to take during that school year, how the results from the tests will be used, and whether each test is required by the State Board of Education or the local Board;

10. grading practices that will be followed at the school and, for parents of high school students, the method of computing the grade point averages that will be used for determining class rank (see Policy 5520 – Evaluation of Student Progress, and Policy 5521 – Class Rankings);

11. available opportunities and the enrollment process for students to take advanced courses and information explaining the value of taking advanced courses;

12. a clear and concise explanation of the North Carolina testing and accountability system that includes all information required by federal law;

13. a report containing information about the school system and each school, including, but not limited to the following:

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

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

c. the percentage and number of students who are

i. assessed,

ii. assessed using alternate assessments,

iii. involved in preschool and accelerated coursework programs, and

iv. English learners achieving proficiency;

d. the per pupil expenditures of federal, state and local funds; and

e. teacher qualifications;

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

15. supportive services available to students, including guidance, counseling and health services (see Policy 6330 – Counseling Program);

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

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

18. how to reach school officials in emergency situations during non-school hours;

19. information about and an application form for free and reduced price meals and/or free milk;

20. information about the school breakfast program;

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

22. for parents of children with disabilities, procedural safeguards (see Policy 3011/4011/6890 – Nondiscrimination on the Basis of Disabilities);

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

24. education rights of homeless students (see Policy 6023 – Homeless Children);

25. the content and implementation of the local school wellness policy (see Policy 5060 – Student Wellness);

26. their right to take four hours of unpaid leave from their jobs every year in order to volunteer in their child's school as stated in G.S. 95-28.3(see Policy 5422 – School Volunteers);

27. that the school system does not discriminate on the basis of race, color, national origin, sex, disability, or age (see Policy 3037/4037/6640/8337 – Prohibition Against Discrimination, Harassment and Bullying, and Policy 3011/4011/6890 – Nondiscrimination on the Basis of Disabilities);

28. that the school system provides equal access to its facilities, programs and activities to the Boy Scouts and other designated youth groups (see Policy 3037/4037/6640/8337 – Prohibition Against Discrimination, Harassment and Bullying); and

29. the availability of and the process for requesting a waiver or reduction of student fees (see Policy 6805 – Student Fees).

#### **D. Opportunities to Withhold Consent**

As a part of the annual notification described above, parents will be effectively notified that they may opt out of any of the following instances:

1. release of student directory information about his or her child for school purposes or to outside organizations (see Policy 6300 – Student Records).
2. release of their child’s name, address and telephone listing to military recruiters or institutions of higher education (see Policy 6300 – Student Records).
3. their child’s participation in curricula related to (a) prevention of sexually transmitted diseases, including HIV/AIDS, (b) avoidance of out-of-wedlock pregnancy, or (c) reproductive health and safety education as provided in Policy 5050/6750 – School Health Education Program. A copy of the materials that will be used in these curricula will be available in the school media center during the school year and other times that the media center is available to the public. To meet any review periods required by law, materials also may be made available for review in the central office.
4. their child’s participation in academic or career guidance or personal or social counseling services of a generic nature offered to groups of students (e.g., peer relations strategies offered to all sixth graders). However, parental notification and permission are not required for (a) short-duration academic, career, personal or social guidance and counseling and crisis intervention that is needed to maintain order, discipline or a productive learning environment; (b) student-initiated individual or group counseling targeted at a student’s specific concerns or needs; or (c) counseling if child abuse or neglect is suspected (see Policy 6330 – Counseling Program, and Policy 6730 – Child Abuse [and Related Threats to Child Safety – Reports and Investigations](#)).

5. their child's participation in non-Department of Education funded surveys concerning protected topics (see Policy 6830 – Surveys and Interviews of Students for Research Purposes).
6. their child's participation in any non-emergency, invasive physical examination or screening that is: (a) required as a condition of attendance; (b) administered and scheduled in advance by the school administration; and (c) not necessary to protect the immediate health and safety of students.
7. the collection, disclosure or use of their child's personal information for marketing purposes (see Policy 6830 – Surveys and Interviews of Students for Research Purposes).
8. release of their child's free and reduced-price meal information to State Medicaid or State children's health insurance program.

Any parent or legal guardian wishing to withhold consent must do so in writing after receiving notice. Otherwise, consent to the programs or activities is presumed. After their annual notification, the school is not required to provide further notice to the parent as to the manner in which student directory information is used, the curriculum is provided, or guidance programs are made available.

#### **E. Parental Permission Required**

Written parental permission is required prior to the following activities:

1. the administration of medications to students by employees of the school district (see Policy 3260/4260 – Administering Medicines to Students);
2. the release of student records that are not considered directory information, unless the release is allowed or required by law (see Policy 6300 – Student Records);
3. off campus trips;
4. student's participation in high impact or high risk sports or extracurricular activities, such as football or mountain climbing (see Policy 4220 – Student Insurance Program);
5. all decisions or actions as required by the IDEA with regard to providing special education or related services to students with disabilities (see Policy 6220 – Special Education Programs/Rights of Students with Disabilities);
6. certain health services, as required by law;

7. participation in a mental health assessment or mental health services under circumstances prescribed by federal law;
8. student's participation in programs or services providing information about where to obtain contraceptives or abortion referral services;
9. student's participation in surveys funded by the Department of Education that are conducted concerning protected topics (see Policy 6830 – Surveys and Interviews with Students for Research Purposes);
10. disclosure of a student's free and reduced price lunch eligibility information or eligibility status; and
11. student's independent access to the Internet, as described in Policy 3253/4253/5451 – Acceptable Use of Technology and Electronic Media.

Legal Reference: Elementary and Secondary Education Act, as amended, 20 U.S.C. 6301 *et seq.*, 34 C.F.R. pt. 200; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, 34 C.F.R. pt. 99; Protection of Pupil Rights Amendment, 20 U.S.C. 1232h, 34 C.F.R. pt. 98; Individuals with Disabilities Education Act, 20 USC 1400, *et seq.*; Asbestos Hazard Emergency Response Act, 15 U.S.C. 2641, *et seq.*; McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, *et seq.*, 42 U.S.C. 1758, 7 C.F.R. pt. 245; 42 U.S.C. 1758b; National School Lunch Program, 42 U.S.C. 1751, *et seq.*; 7 C.F.R. 210.12; Boy Scouts of America Equal Access Act, 20 U.S.C. 7905, 34 C.F.R. 108.9; 20 U.S.C. 7908; G.S. 90-21.1, 95-28.3; 115C-47(47), -47(51), -47(54); -47(58); -81.25, -81.30, -81.36, -105.41; -109.1, -174.26(d), -307(c), -375.4; -390.2, -391.1, -407.16, State Board of Education Policies KNEC-002, PRNT-000. TEST-001

Adopted: May 19, 2003

Revised: July 31, 2006; June 11, 2007; June 9, 2008; January 12, 2009; May 11, 2009; February 8, 2010; May 10, 2010; April 11, 2011; October 21, 2013; February 10, 2014; January 12, 2015; July 17, 2017; January 16, 2018; January 14, 2019; \_\_\_\_\_

## 5453 ONLINE INSTRUCTION

The Board recognizes that online instruction is a valuable tool for affording students extended educational options. The Board will provide opportunities for students to participate in online instruction to the extent that it is academically and financially prudent.

School guidance counselors shall advise students on North Carolina Virtual Public School (NCVPS) courses and other online courses available for credit. Enrollment in an online for credit course will count toward satisfying Board requirements related to minimum instructional days, seat time policies, student attendance and athletic and/or extracurricular obligations.

A student, with the principal's prior approval, may enroll in an online course with assistance from the school e-learning advisor. The principal shall designate a guidance counselor at the school to serve as the e-learning advisor, who will be responsible for coordinating the enrollment of students in online courses, monitoring students' progress in those courses and supervising any required testing. In addition, the principal shall ensure that the e-learning advisor implements a plan for supporting credit recovery students throughout the semester.

Legal References: G.S. 115C-238.~~7985~~; State Board of Education Policy CCRE-001

Adopted: June 10, 2013

Revised: February 10, 2014; July 17, 2017; January 16, 2018; February 10, 2020;

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## 6330 COUNSELING PROGRAM

Guidance and counseling programs are provided by the school system with the ultimate aim of improving student performance by implementing strategies and activities that support and maximize student learning; helping students to grow in their personal and social development; and providing a foundation for acquiring the skills that enable students to make a successful transition from school to the world of work. The principal of each school shall develop a counseling program that meets the objectives of the State Board of Education's comprehensive school counseling program curriculum and the needs of the student population at that school.

School guidance counselors and other guiding adults in middle and high schools will provide guidance and information to students about high school course selections and requirements prior to ninth grade, in order to inform them about the requirements for college entry, including accelerated preparation for college entry. Guidance counselors shall encourage ninth grade students to complete these requirements in less than four years if feasible and appropriate.

The counseling program is the shared responsibility of teachers, counselors, parents and community members, and should operate with the collaboration of all individuals involved in educating students, including those who assist children with special needs or students who are at risk of dropping out of school or not meeting performance expectations. Input from parents and students should be sought in accordance with the school's plan for involvement of the community in school programs. All schools must follow the Parental Involvement Plan (Policy 5414) in regard to parental notification/permission for counseling programs. In addition, school personnel shall annually provide all students in Grades 9 through 12 with information on the manner in which a parent may lawfully abandon a newborn baby with a responsible person, in accordance with G.S. 7B-500.

Counseling may be provided on an individual basis or in small or large groups. School counselors may refer students who have extensive needs or needs that go beyond the purpose of the counseling program to community resources.

Students may seek counseling or be referred by staff or parents. Any staff member who is aware that a student is contemplating suicide or is otherwise suffering from an emotional or psychological crisis must immediately notify the counseling program in accordance with any rules established by the Superintendent or principal. Any counselor or other staff member who knows of or has cause to suspect child abuse, neglect, dependency or death as a result of maltreatment must report the information as provided in Policy 6730 – Child Abuse [and Related Threats to Child Safety – Reports and Investigations](#), and as required by law.

Counseling programs are most effective when voluntarily entered into by a student. School officials and teachers may recommend a counseling program to help a student meet standards of conduct and academic performance established by the Board and school system. However, students will not be required to attend individual or small group counseling sessions to address identified significant personal issues unless agreement has been reached with the parent and

student in a behavior contract, an intervention plan or, for special education students, in an individualized education plan.

Information obtained in a session with a counselor may be privileged and protected from disclosure as provided by law. A counselor cannot be required to testify concerning privileged information unless, as provided by G.S. 8-53.4, the student waives the privilege or the court compels testimony as necessary to the proper administration of justice. The school counselor privilege does not, however, exempt the counselor from reporting child abuse as required by G.S. 7B-301. Any notation made by a counselor for his or her own use is a confidential document and is neither a public record nor a part of the student's record. Such confidential documents do not have to be shared with parents or others except as required by law. Any document prepared by a counselor that is shared or intended to be shared with other staff is considered an educational record of the student and is available to the parent or eligible student in accordance with Policy 6300 – Student Records.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; G.S. 7B-301, -500; 8-53.4; 115C-12, -401; State Board of Education Policy GRAD-006, SCOS-011

Adopted: May 22, 2006

Revised: July 17, 2017; January 14, 2019; \_\_\_\_\_



## 7101 SCHOOL BUS IDLING

The Board recognizes that emissions that accumulate from school buses can be harmful to students and bus drivers. The Board further recognizes that unnecessary bus idling wastes fuel and financial resources. The Board is committed to transporting students on school buses in a manner that is safe and consistent with the Board's goal of resource conservation. To this end, the Board prohibits all unnecessary school bus idling. In addition, the Board prohibits the warming up of buses for longer than five (5) minutes, except in extraordinary circumstances or circumstances beyond the bus driver's control.

This policy applies to school buses and activity buses when used to transport students to/from school, extracurricular activities, field trips and other school-related activities.

The Superintendent shall develop procedures consistent with this policy. The Superintendent shall ensure that school bus drivers and appropriate school personnel receive training to implement this policy.

Legal References: G.S. 115C-12(34)(b), -36, -47(50); State Board of Education Policy ALOT-003; *N.C. Public School Allotment Policy Manual*, State Allotment Formulas - Transportation of Pupils, Program Report Code 056, available at <http://www.nepublicschools.org/fbs/allotments/general/>—<https://www.dpi.nc.gov/districts-schools/district-operations/financial-and-business-services/allotments-%E2%80%94funding-public-school-units>

Adopted: November 28, 2005

Revised: January 7, 2010; January 17, 2017; August 13, 2018; \_\_\_\_\_