Code of Student Conduct

Jones County Public Schools

Revised 2011

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I. Prohibited Conduct

A. Standards of Expected Behavior

All students are expected to demonstrate integrity, civility, responsibility and self-control. This expectation is directly related to the Board's educational objectives for students to learn to be responsible for and accept the consequences for their behavior and for students to respect cultural diversity and ideological differences. Integrity, civility, responsibility and self-control also are critical for establishing and maintaining a safe, orderly, and inviting environment.

In addition to any standards or rules established by the schools, the following behaviors are specifically prohibited as volatile of the standards of integrity and civility.

Academic Dishonesty

No student shall cheat, including the actual giving or receiving of any unauthorized assistance or the actual giving or receiving of an unfair advantage on any form of academic work.

No student shall plagiarize, including the copying of the language, structure, idea and/or thought of another and representing it as one's own work.

Violating copyright laws, including unauthorized reproduction, duplication and/or use of printed or electronic work, computer software, or other copyrighted material.

Misrepresenting Information to School Employees

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

Use of Abusive Language Toward a Member of the School Staff

No student shall direct toward any school employee any language which is disruptive, abusive or insulting, or any sign or act which is abusive or insulting.

Abusive Language to Other Students

No student shall direct toward any person any language which is abusive or insulting or any sign or act which is abusive. This includes malicious gossip, cursing, using vulgar, obscene, or abusive language including slurs, or insults intended to mock a person's race, religion, sex, national origin, disability or intellectual ability or using sexually offensive or degrading language.

B. Discrimination, Harassment and Bullying

The Jones County Board of Education believes that all employees and students should be free of unlawful discrimination, harassment and bullying as a part of a safe, orderly, caring and inviting working and learning environment. The Board commits itself to nondiscrimination in all its educational and employment activities. The Board expressly prohibits unlawful

discrimination, harassment, or bullying, including on the basis of race, color, national origin, sex, pregnancy, religion, age or disability.
The Board also prohibits retaliation against an employee or student who has exercised any rights made available through state or federal law, including prohibiting retaliation for reporting violations of this policy.

Any violation of this policy is considered a serious violation, and appropriate action will be taken in response to a violation.

Application of Policy
All persons, agencies, vendors, contractors and other persons and organizations doing business with or performing services for the school system must comply will all applicable federal and state laws and regulations regarding nondiscrimination. Visitors also are expected to comply with applicable laws, including the prohibition against harassment and bullying of students or harassment of employees.

This policy applies in the following circumstances;

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

Definitions

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

2. Harassment - is unwanted, unwelcomed and uninvited behavior that demeans, threatens or offends the victim and results in a hostile environment for the victim. The hostile environment can be created through pervasive or persistent misbehavior or a single incident, if sufficiently severe. Harassing behavior may include, but is not limited to, epithets, derogatory comments or slurs, lewd propositions, assault, impeding or blocking movement, offensive touching or any physical interference with normal work or movement, and visual insults, such as derogatory posters or cartoons. Legitimate age-appropriate pedagogical techniques are not considered harassing behavior.

It is possible for harassment to occur at various levels: between fellow students or co-workers, between supervisors and subordinates, between employees and students, or imposed by non-employees, including visitors, on employees and/or students.

3. Bullying - means the repeated intimidation of others by the real or threatened infliction of physical or emotional abuse through physical, verbal, written or electronically transmitted means, or through attacks on the property of another. Bullying may include, but is not limited to, verbal taunts, name-calling and put-downs, extortion of money or possessions, implied or stated threats, and exclusion from peer groups.

   Students and parents along with employees are encouraged to submit any complaints of discrimination, harassment or bullying through the complaint procedure.

Non-Retaliation

The Jones County Board of Education prohibits reprisal or retaliation against any person who reports an act of discrimination, harassment or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the principal, after consideration of the nature and circumstances of the act, in accordance with applicable federal, state or local laws, policies and regulations.

C. Discrimination, Harassment and Bullying Complaint Procedure

The Jones County Board of Education takes seriously all complaints of unlawful discrimination, harassment and bullying. The process provided in this policy is designed for those individuals who believe that they may have been discriminated against, bullied or harassed. Individuals who have witnessed or have reliable information that another person has been subject to unlawful discrimination, harassment or bullying also should report such violations to school system officials. Reports may be made anonymously.

Definitions

1. Alleged Perpetrator - is the individual alleged to have discriminated against, harassed or bullied the complainant.
2. Complaint - is an oral or written notification made by a person who believes he or she is the victim of unlawful discrimination, harassment or bullying.
3. Complainant - is the individual complaining of being discriminated against, harassed or bullied.
4. Days - are the working days, exclusive of Saturdays, Sundays, vacation days or holidays, as set forth in the school calendar. In counting days, the first day will be the first full working day following receipt of the complaint. When a complaint is submitted on or after May 1st, time limits will consist of all weekdays (Monday-Friday) so that the matter may be resolved before the close of the school term or as soon thereafter as possible.
5. Investigative report - is a written account of the findings of the investigation conducted in response to the complaint.

6. Investigator - is the school official responsible for investigating and responding to the complaint.
7. Report - is an oral or written notification that an individual, other than the reporter, is a suspected perpetrator or victim of unlawful discrimination, harassment or bullying.

Reporting by Employees or Other Third Parties

1. Mandatory Reporting by School Employees
   Any employee who witnessed or who has reliable information or reason to believe that an individual may have been discriminated against, harassed or bullied must report the offense immediately to an appropriate individual. An employee who does not promptly report possible discrimination, harassment or bullying shall be subject to disciplinary action.
2. Reporting by Other Third Parties
   All members of the school community including students, parents, volunteers and visitors are also strongly encouraged to report any act that may constitute an incident of discrimination, harassment or bullying.
3. Anonymous Reporting
   Reports of discrimination, harassment or bullying may be made anonymously but formal disciplinary action may not be taken solely on the basis of an anonymous report.
4. Investigation of Reports
   Reports of discrimination, harassment or bullying shall be investigated sufficiently to determine whether further action under this policy or otherwise is necessary, and school officials shall take such action as appropriate under the circumstances. At the option of the alleged victim, the report may be treated as a complaint by the alleged victim under this policy.

Complaints Brought by Alleged Victims of Discrimination, Harassment or Bullying

1. Filing a Complaint
   Any individual, who believes that he or she has been discriminated against, harassed or bullied is strongly encouraged to file a complaint orally or in writing to any of the following individuals:
   a. the principal or assistant principal of the school at which either the alleged perpetrator or alleged victim attends or is employed;
   b. an immediate supervisor if the individual making the complaint is an employee;
   c. the Director of Human Resources if the alleged perpetrator or alleged victim is an employee of the school system (or the Superintendent if the Director of Human Resources is the alleged perpetrator);
   d. the Title IX Coordinator (Director of Student Services) for claims of sex discrimination or sexual harassment; or
   e. The Section 504 Coordinator or the ADA Coordinator (Director of Exceptional Children) for claims of discrimination on the basis of a disability.
2. Time Period for Filing a Complaint

A complaint should be filed as soon as possible but no later than thirty (30) days after disclosure or discovery of the facts giving rise to the complaint. Complaints submitted after the thirty (30) day period may be investigated; however, individuals should recognize that delays in reporting may significantly impair the ability of school officials to investigate and respond to such complaints.

3. Informal Resolution

   The Board acknowledges that many complaints may be addressed informally through such methods as conferences or mediation, and the Board encourages the use of such procedures to the extent possible. If an information process is used, the Principal or other designated personnel must:

   a. notify the complainant that he or she has the option to request formal procedures at any time; and,
   b. make a copy of the Discrimination, Harassment and Bullying Complaint Procedure (Policy Code 1720/4015/7225) and other relevant policies available to the complainant. In those circumstances in which informal procedures fail or are inappropriate or in which the complainant requests formal procedures, the complaints will be investigated promptly, impartially and thoroughly according to the procedures outlined in the policy.

No reprisals or retaliation of any kind will be taken by the Jones County Board of Education or by an employee of the school system against the complainant or other individual on account of his or her filing a complaint or report or participating in an investigation of a complaint or report filed and decided pursuant to this policy, unless the person know or had reason to believe that the complaint or report was false or knowingly provided false information.

D. Orderly Environment

An orderly environment is critical for teachers to teach and students to learn. Students are encouraged to participate in school efforts to create a safe, orderly, and inviting environment. Students also are encouraged to exercise their constitutional rights to free speech as part of a stimulating, inviting educational environment. A students' right to free speech will not be infringed upon; however, school officials may place reasonable, constitutional restrictions on time, place and manner of speech in order to preserve a safe orderly environment.

Tardiness to School/Class

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

Cutting Classes/Truancy/Unauthorized Leaving School

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

grounds prior to the end of the school day without permission or excuse from school personnel.

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

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

Disturbance in Classrooms
No student shall create a disturbance in the classroom or disrupt classroom activities in such a manner as to unreasonably impair the teaching or learning of others.

Disruptive Behavior
Students are prohibited from disrupting teaching, the orderly conduct of school activities, or any other lawful function of the school or school district.

Possession of Offensive Material
No student shall possess or distribute literature or illustrations, which disrupts the educational process or which are obscene or unlawful.

Fires, Fireworks, Firecrackers, Smoke Bombs or Stink Bombs
No student shall possess, handle, transmit, or use any fireworks, firecrackers, smoke bombs or any device that would create a fire.

Devices Causing Noise or Disturbance
Unless prior permission is secured from the Principals' office or it has been determined by an IEP or Section 504 Team as an assistive technology devise or as a Section 504 accommodation, tape recorders, tape players, portable radios, whistles, bells, digital paging systems, beepers, walkie talkies, cellular telephones, scanners, laser devices, or other devices used to create nose and disturbance shall not be brought onto school property. Cell phones may be used before and after school hours only. Jones County Public Schools is **NOT** responsible for damaged, lost or stolen items.

Repeat Offenders
When a student has accumulated excessive days in out-of-school suspension, for any reason, that student may be recommended for an alternative placement.

Unacceptable Physical Contact
No student shall engage in any unacceptable physical contact (contact which is of a romantic or sexual nature) with any other person in the schools, on school property or during school sponsored events. Students are prohibited from engaging in behavior which is immoral,

indecent, lewd, and disreputable or of an overly sexual nature in the school setting or school sponsored events.

School Bus Conduct

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

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

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

In addition, the Principal has the authority to remove any student from the bus for minor misconduct. If the student is identified as an individual served within the exceptional children program, the Principal is responsible for providing transportation to the student IF the student has transportation as a related service on his/her IEP.

E. Student Dress and Appearance

The Jones County Board of Education respects a student's right to choose his/her style of dress. However, if a student's dress is such that it constitutes a threat to health, safety, or is disruptive to the climate of the school, the Principal or Principal's designee may require the student and the student's parents'/guardians to take appropriate action to remedy the situation. In addition, if a student's dress or appearance is so unusual, inappropriate or lacking in cleanliness that it is clearly disruptive to class and learning activities, the student may be required to change his/her dress or appearance. Principals have the discretion to specify additional examples of dress or appearance that are appropriate at their school consistent with the terms of this policy and Policy 4317 (School Uniform) and shall give annual notice to the students consistent with this policy of these additional examples.

Principals will display regulations in visible locations throughout their schools and maintain guidelines to assist students in determining appropriate dress and appearance for school, copies of which will be individually made available to parents and students. Items listed below shall be included in all school guidelines and shall apply to all students in Grades K-12. Reasonable accommodations shall be made by the Principal or Principal's designee to accommodate students involved in special duties, activities, or projects approved by the school. This would include but not limited to:

- athletics,
- career technical education classes and projects,
- special events, or

- other activities that would allow for non-conforming dress on a school campus.

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

- sagging pants and oversized clothing;
- sunglasses and head coverings of any kind are not to be worn inside the buildings;
- jewelry affixed to the nose, tongue, cheek, lip or eyebrow where such jewelry is clearly disruptive to class and learning activities;
- clothing and accessories which can be perceived as weapons are at the discretion of the Principal of each school;
- clothing and attire with any symbols or styles frequently associated with intimidation, violence or violent groups;
- clothing and items with messages or illustrations which are lewd, derogatory, indecent, vulgar or advertising any product or service not permitted by law to minors such as drugs, illegal substances, tobacco and alcohol;
- clothing, shorts, dresses and skirts which are excessively tight or shorter than mid-thigh;
- clothing with excessive holes, see-through materials, strapless, tank and spaghetti tops;
- clothing exposing cleavage, midriffs and undergarments; and
- clothing worn inappropriately such as unbuckled belts, inside out or backward, unfastened, pants and skirts not at waistline, rolled-up pants and shoes not tied or secured.

F. Tobacco, Narcotics, Alcohol and Drugs

The Jones County Board of Education recognizes that the use of tobacco products is a health, safety, and environmental hazard for students, employees, visitors, and school facilities. The Board believes that the use of tobacco products on school grounds, in school buildings and facilities, on school property or at school-related or school-sponsored events is detrimental to the health and safety of students, staff and visitors. The Board acknowledges that adult employees and visitors serve as role models for students. The Board recognizes that it has an obligation to promote positive role models in schools and promote a healthy learning environment, free from unwanted smoke and tobacco use for the students, employees, and visitors on the school campus. Finally, the Board recognizes that it has a legal authority and obligation pursuant to G.S. 125C-407 Policy Prohibiting Tobacco Use in School Buildings as well as the federal Pro-Children's Act, Title X of Public Law 103-227 and the No Child Left Behind Act.

Tobacco

Students are prohibited from using or possessing any tobacco product (1) in any school building, school vehicle or on the school grounds at any time; (2) at any school-related activity, including athletic events; or (3) at any time when the student is subject to the supervision of school personnel, including school trips.

Drugs and Alcohol

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

- narcotic drugs;
- hallucinogenic drugs;
- amphetamines;
- barbiturates;
- marijuana or any other control substance;
- any alcoholic beverage, malt beverage or fortified wine or other intoxicating liquor; or
- any chemicals or products procured or used with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student's mood or behavior.

Students also are prohibited from possessing, using, transmitting or selling drug paraphernalia or counterfeit (fake) drugs. Students may not in any way participate in the selling or transmitting of prohibited substances, regardless of whether the sale or transmission ultimately occurs on school property. Beepers and portable phones may not be used by students unless specifically authorized by the Principal.

Possession or use of prescription and over the counter drugs are not in violation of this policy if possessed and used in accordance with Board policy. The Principal may authorize other lawful uses of substances otherwise prohibited by this policy, such as for approved school projects.

The Principal must notify the Superintendent of all violations of this policy, and recommend appropriate consequences. In making the recommendation to the Superintendent, the Principal must provide an assessment of whether any available services, such as school counseling services, an alternative program, substance abuse programs or programs provided by other agencies, would assist the student and whether any services should be a part of the consequences.

The Superintendent or Superintendent's designee must approve any consequence for violations of this policy, including any recommendations for suspension or expulsion. A student re-entering school following treatment for substance abuse should be identified by the school as highly at-risk and provided a transition/support plan developed collaboratively by staff, parent(s) and when appropriate, the student. The transition/support plan must include periodic monitoring. The Superintendent is responsible for ensuring that this policy is fairly applied throughout the school district.

G. Anti-Social Behavior

The Board of Education will not tolerate anti-social behavior from any student. Any student exhibiting such behavior will be removed from the classroom or school for as long as necessary to endure a safe and orderly environment for learning.
Any behavior that may cause property damage or physical harm to others is considered anti-social. The following sections are not inclusive but are intended to reflect the types of behaviors that are considered anti-social and are prohibited.

Fights, Assaults, Cause of Physical Injury, Kidnapping or Death Other than Natural Causes
No student shall fight, assault, cause, aid or abet, or promote or attempt to cause physical injury to or intentionally behave in such a manner as could reasonably cause physical injury to any person. No student shall kidnap, hold a victim as hostage or for a ransom or for use as a shield.

The Board shall remove to an alternative setting any student who is at a minimum a student enrolled at the middle level who physically assaults and seriously injures a teacher or other school personnel and/or visitors on any school campus. If a student enrolled on the elementary level shall fight, assault, cause, aid or abet, or promote or attempt to cause physical injury to or intentionally behave in such a manner as could reasonably cause physical injury to any person, discipline will be determined by the Principal with guidance from the Superintendent and the School Board Attorney.

The Board may remove to an alternative setting a student who is at a minimum enrolled at the middle school level and who commits one of the following acts:

1. Physically assaults a teacher or other adult.
2. Physically assaults another student.
3. Physically assaults and seriously injures another student.

If no appropriate alternative setting is available, the student may be suspended for up to three hundred and sixty-five (365) days.

In all cases of serious physical assault including kidnapping or death, a student who is fourteen (14) years of age or older whose behavior indicates that the student's continued presence in school constitutes a clear threat to the safety of other students or school personnel will be subject to possible expulsion. Law Enforcement will be notified.

Criminal Behavior
If necessary, the Superintendent and Principal may take reasonable measures to preserve a safe, orderly environment when a student has been charged or convicted with a serious crime, regardless of whether the alleged offense was committed on school grounds or related to school activities. Depending upon the circumstance, including the nature of the alleged crime, the child's age, and the publicity within the school community, reasonable efforts may include changing a student's classroom assignment or providing alternative educational instruction. The student will continue to be provided with educational opportunities unless

and until the student is found to have violated Board policy or school rules and is suspended or expelled in accordance with procedures established in State and local Board policy.

Extortion
No student shall take or attempt to take any school property or private property by threat of force.

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

Students are prohibited from damaging or attempting to damage any school property or private property at any time when Board Policies are applicable as defined in Board Policy.

Students are prohibited from trespassing on school property. A student will be considered a trespasser and may be criminally prosecuted under any of the following circumstances:

- a student who is on the campus of a school to which he or she is not assigned during the school day without the knowledge and consent of the officials of the school the student is visiting.
- any student who loiters at any school after the close of the school day without specific need or supervision; or
- any student who has been suspended from school who appears on the property of any school during the suspension period without the expressed permission of the Principal.

II. Weapons, Bomb Threats and Clear Threats to Safety

The Board will not tolerate the presence of weapons, bomb threats or actions that constitute a clear threat to the safety of students and employees. Any student violating this policy will be removed from the classroom or school environment for as long as necessary to ensure a safe and orderly environment for learning.

A. Weapons and Weapon-Like Items

Students are prohibited from possessing, handling, using or transmitting, whether concealed or open, any weapon, or any instrument that reasonably looks like a weapon or could be used as a weapon. Weapons include all of the following:

- loaded or unloaded firearm, including a gun, pistol or rifle;
- explosives, including a dynamite cartridge, bomb, grenade or mine;
- knife, including a pocket knife, bowie knife, switchblade, dirk or dagger;
- slingshot;
- leaded cane;
- blackjack;
- metal knuckles;
- BB gun;

- air rifle or air pistol;
- stun gun or other electric shock weapon;
- ice pick;
- razor or razor blade;
- fireworks; and
- any sharp pointed or edged instrument except unaltered nail files and clips and tools used solely for preparation of food, instruction and maintenance.

No student may knowingly or willfully cause, encourage or aid any other student to possess, handle or use any of the weapons or weapon-like items listed above. A student who finds a weapon or weapon-like item, who witnesses another student or other persons with such items, or becomes aware that another student or other persons intends to possess, handle or use such items, must notify a teacher or the Principal immediately.

This section does not apply to pupils who are members of the Reserve Officer Training Corps and who are required to carry arms or weapons in the discharge of their official class duties; nor does this section apply to weapons used in school-approved instruction or ceremonies.

B. Bomb Threats

Students are prohibited from making, aiding and/or abetting in making a bomb threat or perpetrating a bomb hoax against school district property by making a false report and that a device designed to cause damage or destruction by explosion, blasting or burning is located on school property.

No student may knowingly or willfully cause, encourage or aid another student to make a bomb threat or perpetrate a bomb hoax. Any student who becomes aware that another student or other person intends to use a bomb, make a bomb threat or perpetrate a bomb hoax must notify a teacher or the principal immediately.

C. Clear Threats to Safety of Students and Employees

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

- theft or attempted theft by a student from another person by using, or threatening to use, a weapon;
- the intentional and malicious burning of any structure or personal property, including vehicles;
- an attack, or threatened attack, by a student against another person wherein the student uses a weapon or displays it in a manner found threatening to that person;
- an attack by a student on any employee, adult volunteer, or another student which does not result in serious injury but which is intended to cause or reasonably could cause serious injury;

- an attack by a student upon another person whereby the victim suffers obvious severe or aggravated bodily injury such as broken bones, loss of teeth, possible internal injuries, laceration requiring stitches, loss of consciousness, significant bruising or pain, or the victim requires hospitalization or treatment at a hospital emergency room as a result of the attack;
- any intentional, highly reckless act that results in the serious injury of another person;
- confining, restraining, or removing another person from one place to another, without the victim's consent, or the consent of the victim's parents, for the purpose of committing a felony, or for the purpose of holding the victim as a hostage or for ransom or for use as a shield;
- possession of a weapon on any school property, including in vehicles;
- the taking or attempting to take anything of value from the care, custody or control of another person or persons, by force, threat of force, or violence, or by putting the victim in fear;
- any unauthorized and unwanted intentional touching, or attempt to touch, by one person of the sex organ of another, including the breasts of the female and the genital areas of the male and female;
- the possession, manufacture, sale, or delivery, or any attempted sale or delivery, of a controlled substance in violation of Chapter 90 of the General Statutes;
- any behavior resulting in a felony conviction on a weapon, drug, assault or other charge that implicates the safety of other persons; and
- any other behavior that demonstrates a clear threat to the safety of others in the school environment.

III. Behavior Standards for Transfer Students

This policy applies to transfer students seeking admission to Jones County Public Schools. Transfer students are students who have been enrolled in or attended a private, charter or public school in this state or another state.

In accordance with State law, the student's parent, guardian or custodian must provide a statement made under oath or affirmation before a notary indicating:

1. whether at the time of the admission request the student was under suspension or expulsion from attendance at a private, charter or public school in this or any other state, or
2. has been convicted of a felony in this or any other state.

Students Under Suspension/Expulsion or Convicted of a Felony
See Section IX: Student Discipline

IV. Parental Involvement in Student Behavior Issues

Schools are expected, as a part of their student behavior management plan, to identify strategies that involve parents. At a minimum, the plan must provide for inviting parents to conferences whenever there are repeated violations of Board policy, school standards or rules or whenever there is a serious violation that may result in removing the student from his or her regular educational environment for any extended period of time. Parents also have the right to inspect or obtain copies of student records as provided in Board Policy 4700 (Student Records).

V. Student Behavior

Purpose

All decisions related to student behavior are guided by the Board's educational objectives to teach responsibility and respect for cultural and ideological differences and by the Board's commitment to create a safe, orderly and inviting school. Student behavior policies are provided in order to establish expected standards of student behavior; principles to be followed in managing student behavior; consequences for anti-social behavior or drug/alcohol policy violations; and required procedures for addressing misbehavior.

Principles

The reasons for managing student behavior are: to create an orderly environment where students can learn; to teach expected standards of behavior; to help students learn to accept the consequences of their behavior; and to provide students with the opportunity to develop self control. The following principles apply in managing student behavior:

1. Student behavior management strategies should compliment other efforts to create a safe, orderly and inviting environment.
2. Responsibility, integrity, civility and other standards of behavior should be integrated into the curriculum.
3. Disruptive behavior in the classroom will not be tolerated.
4. Consequences for unacceptable behavior should help a student learn to comply with rules, to be obedient at a minimum, and when able, to learn to accept responsibility and develop self control.
5. Age and developmentally appropriate strategies and consequences are to be utilized.
6. When feasible, consequences for unacceptable behavior should take into account differences in how individual students respond to discipline strategies.

Applicability

Students must follow all Board and school behavior policies in all of the following circumstances:

1. while in any school building or on any school premises before, during or after school hours;
2. while on any bus or other vehicle as part of any school activity;
3. while waiting at any bus stop;
4. during any school function, extracurricular activity or other activity or event;
5. when subject to the authority of school personnel; and
6. any time or place when the student's behavior has a direct and immediate effect on maintaining order and discipline in the schools.

Communication of Policies

At the beginning of each school year, the Principal is responsible for providing each student and his or her parent(s) or guardian with a copy of the student behavior policies and any other school rules and procedures. Students enrolled during the school year and their parent(s) or guardian(s) shall receive a copy of the information upon enrollment.

Authority of School Personnel

The Principal has the authority and responsibility to investigate and take appropriate action regarding any antisocial or criminal student behavior and any other behavior appropriately referred to him or her. The Principal is responsible for informing students and parents of any standards or rules which if violated could result in short-term or long-term suspension or expulsion.

The teacher has the authority and responsibilities to manage student behavior in the classroom and while students are under his or her supervision. The teacher is expected to implement the student behavior management plan and any other school standards or rules. The teacher may develop other standards or rules consistent with the direction provided by the Board and school. Every teacher, student teacher, substitute teacher, voluntary teacher or teacher assistant is required to report to the Principal all acts of violence occurring in school, on school grounds, or at any school-sponsored activity.

The teacher has the authority to manage or remove disruptive or dangerous students. School personnel may use reasonable force to control behavior or to remove a person from the scene in those situations when necessary:

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

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

VI. School Plan for Management of Student Behavior

Each school must have a plan for managing student behavior. Schools are encouraged to seek positive, innovative and constructive methods of correcting and managing behavior in an effort to avoid repeated misbehavior and suspension.

Components of the Plan

The plan should address:

1. the process by which student behavior will be addressed, including any use of a disciplinary committee and the means by which students at-risk of repeated disruptive or disorderly conduct are identified, assessed, and assisted;
2. positive behavioral interventions and possible consequences that will be used; and
3. parental involvement strategies.

Possible Consequences

Consequences for violating Board Policies or school standards or rules may include, but are not limited to, the following:

- parental involvement;
- isolation or time-out for short periods of time;
- behavior improvement agreements;
- individual or small group sessions with the school counselor;
- in-school suspension;
- detention before and/or after school or on Saturday;
- community service;
- exclusion from extracurricular activities;
- suspension from bus privileges;
- placement in an alternative program; or
- out-of-school suspension or expulsion.

When determining what constitutes reasonable punishment these factors shall be considered:

a. The nature of the offense;
b. The motive and disposition of the offender;
c. The influence of his/her example on others;
d. The sex, age, size and strength of the offender.

The parent or guardian is responsible for transportation as may be required to carry out the consequence. With the exception of suspension from bus privileges, if a parent or guardian is unable to provide transportation, another consequence will be substituted. If the student is identified as an individual served within the exceptional children program, the Principal is responsible for providing transportation to the student IF the student has transportation as a related service on his/her IEP.

Removal from the classroom for a long period of time, including in-school or out-of-school suspension should be avoided unless necessary to ensure a safe, orderly environment that is conducive to learning. The Principal is authorized to remove students in accordance with Board policies for anti-social or criminal conduct or for other behavior(s) that interferes with a safe, orderly environment.

Parental Involvement

The behavior management plan should identify when parents will be notified or involved in issues related to their child's behavior.

VII. Educational Services for Students with Disabilities During Long-Term Suspension, 365-Day Suspension or Expulsion

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

VIII. Alternative Program

Purpose

The Board of Education is committed to the goal of providing a safe, orderly and inviting learning environment at each school. The educational program and the behavior management plan developed at each school, as well as numerous other strategies identified in Board policies, are intended to create such an environment and help each student be a contributing member of the school.

The alternative program is provided as an option for when a student's behavior management or academic performance needs cannot be met in a regular education setting. The purposes of the alternative program are to:

1. intervene and address problems that prevent a student from successfully achieving in the regular educational setting;
2. reduce the risk of the student dropping out of school by directing resources to helping the student resolve issues affecting performance at school;
3. return the student to the regular educational setting as soon as practical with the skills necessary to succeed in that environment; and
4. preserve a safe, orderly and inviting learning environment at the regular educational setting.

IX. Student Discipline

It is the objective of the Jones County Board of Education to maintain the orderly, efficient, and safe operation of the Jones County Public School system while respecting the individual rights of students. In order to create and maintain a safe and orderly school environment conducive to learning, school officials and teachers need adequate tools to maintain good discipline in schools. However, the General Assembly and the Jones County Board of Education also recognizes that removal of students from school, while sometimes necessary, can exacerbate behavioral problems, diminish academic achievement, and hasten school dropout. School discipline must

balance these interest to provide a safe and productive learning environment, to continually teach students to respect themselves, others, and property, and to conduct themselves in a manner that fosters their own learning and the learning of those around them.

Definitions

1. Alternative Education Services – Part or full-time programs, wherever situated, providing direct or computer-based instruction that allow a student to progress in one or more core academic courses.
2. Corporal Punishment – The intentional infliction of physical pain upon the body of a student as a disciplinary measure.
3. Educational Property – Any school building or bus, school campus, grounds, recreational area, athletic field, or other property under the control of any local Board of Education or Charter School.
4. Expulsion – The indefinite exclusion of a student from school enrollment for disciplinary purposes.
5. Firearm – Any of the following:
    a. A weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive.
    b. The frame or receiver of any such weapon.
    c. Any firearm muffler or firearm silencer.

    The term shall not include an inoperable antique firearm, a BB gun, stun gun, air rifle, or air pistol.
6. Long-term Suspension – The exclusion for more than ten (10) school days of a student from school attendance for disciplinary purposes from the school to which the student was assigned at the time of the disciplinary action. If the offense leading to the long-term suspension occurs before the final quarter of the school year, the exclusion shall be no longer than the remainder of the school year in which the offense was committed. If the offense leading to the long-term suspension occurs during the final quarter of the school year, the exclusion may include a period up to the remainder of the school year in which the offense was committed and the first semester of the following school year.
7. Parent – Includes a parent, legal guardian, legal custodian, or other caregiver adult who is acting in the place of a parent and is entitled to enroll the student in school.
8. Destructive Device – An explosive, incendiary, or poison gas:
    a. Bomb.
    b. Grenade.
    c. Rocket having a propellant charge of more than four ounces.
    d. Missile having an explosive or incendiary charge of more than one-quarter ounce.
    e. Mine.
    f. Device similar to any of the devices listed in this subdivision.
9. Principal – Includes the principal or the principal's designee.
10. School Official – A Superintendent or any other central office administrator to whom the Superintendent has delegated duties under this Article and any Principal or Assistant Principal.

11. School Personnel – Any of the following:
    a. An employee of a local Board of Education.
    b. Any person working on school grounds or at a school function under a contract or written agreement with the public school system to provide educational or related services to students.
    c. Any person working on school grounds or at a school function for another agency providing educational or related services to students.
12. Short-term Suspension – The exclusion of a student from school attendance for disciplinary purposes for up to ten (10) school days from the school to which the student was assigned at the time of the disciplinary action.
13. Substantial Evidence – Such relevant evidence as a reasonable person might accept as adequate to support a conclusion; it is more than a scintilla or permissible inference.
14. Superintendent – Includes the Superintendent and the Superintendent's designee.

Discipline Policies

a) Local Board policies may authorize suspension for conduct not occurring on educational property, but only if the student's conduct otherwise violates the Code of Student Conduct and the conduct has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment.
b) Students are not to be long-term suspended or expelled from school solely for truancy or tardiness offenses. Short-term suspension of more than two (2) days will be allowed for such offenses.
c) Mandatory long-term suspensions or expulsions will not be allowed for specific violations unless otherwise provided in State or federal law.
d) The Jones County Public School system shall minimize the use of long-term suspension and expulsion by restricting the availability of long-term suspension or expulsion to those violations deemed to be serious violations of the Board's Code of Student Conduct that either threaten the safety of students, staff, or school visitors or threaten the substantially disrupt the educational environment. Examples of conduct that would not be deemed to be a serious violation include the use of inappropriate or disrespectful language, noncompliance with a staff directive, dress code violations, and minor physical altercations that do not involve weapons or injury. The Principal may, however, in his or her discretion, determine that aggravating circumstances justify treating a minor violation as a serious violation.
e) The Superintendent and Principals shall consider the student's intent, disciplinary and academic history, the potential benefits to the student of alternatives to suspension, and other mitigating or aggravating factors when deciding whether to recommend or impose long-term suspension.
f) School officials are encouraged to use a full range of responses to violations of disciplinary rules, such as conferences, counseling, peer mediation, behavior contracts, instruction in conflict resolution and anger management, detention, academic

interventions, community service, and other similar tools that do no remove a student from the classroom or school building.

Reasonable Force

a) School personnel may use physical restraint only in accordance with G.S. 115C-391.1 (Permissible Use of Seclusion and Restraint) and local Board policy 4302R (Rules for the Use of Seclusion and Restraint in Schools) and 4308 (Seclusion and Restraint).
b) School personnel may use reasonable force to control behavior or to remove a person from the scene in those situations when necessary for any of the following reasons:
    1. To correct students.
    2. To quell a disturbance threatening injury to others.
    3. To obtain possession of weapons or other dangerous objects on the person, or within the control, of a student.
    4. For self-defense.
    5. For the protection of persons or property.
    6. To maintain order on educational property, in the classroom, or at a school-related activity on or off educational property.
c) Notwithstanding any other law, no officer or employee of the State Board of Education or of a local Board of Education shall be civilly liable for using reasonable force in conformity with State law, State or local rules, or State or local policies regarding the control, discipline, suspension, and expulsion of students. Furthermore, the burden of proof is on the claimant to show that the amount of force used was not reasonable.

Corporal Punishment

Corporal punishment is not permitted in the Jones County Public School system.

Short-term Suspension

A short-term suspension is the disciplinary exclusion of a student from attending his or her assigned school for up to ten (10) school days. A short-term suspension does not include,

1) the removal of a student from class by the classroom teacher, the Principal or other authorized school personnel for the remainder of the subject period or for less than one-half of the school day or,
2) the changing of a student's location to another room or place on the school premises.

A student who is placed on a short-term suspension will not be permitted to be on school property or to take part in any school function during the period of suspension without prior approval from the Principal.

The Principal or designee has the authority to determine when a short-term suspension is an appropriate consequence and to impose the suspension, so long as all relevant Board policies are followed.

In accordance with G.S. 115C-390.6(e) and 115C-45(c)(1), a student is not entitled to appeal the Principal's decision to impose a short-term suspension to either the Superintendent or the Board unless it is appealable on some other basis.

A. Pre-Suspension Rights of the Student

Except in the circumstances described below, a student must be provided with an opportunity for an informal hearing with the Principal before a short-term suspension is imposed. The Principal may hold the hearing immediately after giving the student oral or written notice of the charges against him or her. At the informal hearing, the student has the right to be present, to be informed of the charges and the basis for the accusations against him or her, and to make statements in defense or mitigation of the charges.

B. Student Rights During the Suspension

A student under a short-term suspension must be provided with the following:

1. the opportunity to take textbooks home for the duration of the suspension;
2. upon request, the right to receive all missed assignments and, to the extent practicable, the materials distributed to students in connection with such assignments; and
3. the opportunity to take any quarterly, semester grading period examinations missed during the suspension period.

C. Notice to Parent or Guardian

When imposing a short-term suspension, the principal or designee shall provide the student's parent or guardian with notice that includes the reason for the suspension and a description of the student conduct upon which the suspension is based. The Principal or designee must give this notice by the end of the workday during which the suspension is imposed when reasonably possible, but in no event more than two (2) days after the suspension is imposed. If English is the second language of the parent, the notice must be provided in English and in the parent's primary language, when the appropriate foreign language resources are readily available. Both versions must be in plain language and easily understandable.

The initial notice may be by telephone, but it must be followed by timely written notice. The written notice must include all of the information listed above and may be sent by fax, e-mail or any other method reasonably designed to give actual notice. School officials also shall maintain a copy of the written notice in the student's educational record.

Multiple short-term suspensions for a student with disabilities will be addressed in accordance with the *Policies Governing Services for Children with Disabilities* and other applicable state and federal law.

Long-Term Suspension, 365-Day Suspension, Expulsion

A. Definitions

1. Superintendent – For purposes of this policy, Superintendent includes the Superintendent and the Superintendent's designee.

2. Principal – For purposes of this policy, Principal includes the Principal and the Principal's designee.
3. Long-term Suspension – A long-term suspension is the disciplinary exclusion of a student from attending his or her assigned school for more than ten (10) school days. Disciplinary reassignment of a student to a full-time educational program that meets the academic requirements of the standard course of study established by the State Board of Education and that provides the student with the opportunity to make timely progress toward graduation and grade promotion is not a long-term suspension requiring the due process procedures set out in this policy.

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

   If the offense leading to the long-term suspension occurred before the final quarter of the school year, the exclusion must be no longer than the remainder of the school year in which the offense was committed. If the offense leading to the long-term suspension occurred during the final quarter of the school year, the exclusion may include a period up to the remainder of the school year in which the offense was committed and the first semester of the following school year.

4. 365-Day Suspension – A 365-day suspension is the disciplinary exclusion of a student from attending his or her assigned school for 365 calendar days. The Superintendent may impose a 365-day suspension only for certain firearm and destructive device violations, as identified in Board policy 4333 (Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety).
5. Expulsion – An expulsion is the indefinite exclusion of a student from school enrollment for disciplinary purposes. Upon the recommendation of the Superintendent, the Board may expel a student who is fourteen (14) years of age or older for certain types of misbehavior as provided in following Board policies:
   - Drugs and Alcohol (4325)
   - Theft, Trespass and Damage to Property (4330)
   - Assaults, Threats and Harassment (4331)
   - Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety (4333)
   - Student Sex Offenders (4260)

   The student who is fourteen (14) years of age or older may be expelled if the student's continued presence in school constitutes a clear threat to the safety of other students or employees. During the expulsion, the student is not entitled to

be present on educational property and is not considered a student of Jones County Public Schools.

B. Determination of Appropriate Consequence

1. Principal's Recommendation

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

   a. Culpability of Student – In assessing the culpability of the student for his or her behavior, the Principal may consider criteria such as:
      1) the student's age;
      2) the student's ability to form the intent to cause the harm that occurred or could have occurred; and
      3) evidence of the student's intent when engaging in the conduct.

   b. Dangerousness of the Student – In assessing the dangerousness of the student, the Principal may consider criteria such as:
      1) the student's disciplinary or criminal record related to anti-social behavior or drugs and alcohol;
      2) whether a weapon was involved in the incident and if a weapon was involved, whether the student had the ability to inflict serious injury or death with the weapon;
      3) evidence of the student's ability to cause the harm that was intended or that occurred; and
      4) whether the student is subject to Board policy 4260 (Student Sex Offenders).

   c. Harm Caused by the Student – In assessing the severity of the harm caused by the student, the Principal may consider criteria such as whether any of the following occurred:
      1) someone was physically injured or killed;
      2) someone was directly threatened or property was extorted through the use of a weapon;
      3) someone was directly harmed, either emotionally or psychologically;
      4) educational property or others' personal property was damaged; or
      5) students, school employees or parents were aware of the presence of a weapon or of dangerous behavior on the part of the perpetrator.

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

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

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

2. Notice to the Student's Parent

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

   a. the notice type, i.e., notice of long-term suspension, 365-day suspension or expulsion;*
   b. a description of the incident and the student's conduct that led to the recommendation;
   c. the specific provisions of the Code of Student Conduct that the student allegedly violated;
   d. the specific process by which the parent may request a hearing to contest the decision and the deadline for making the request;*
   e. the process by which the hearing will be held, including all due process rights to be accorded the student during the hearing;
   f. notice of the right to retain an attorney to represent the student in the hearing process;
   g. notice that an advocate, instead of an attorney, may accompany the student to assist in the presentation of the appeal;
   h. notice of the right to review and obtain copies of the student's educational records prior to the hearing;
   i. a reference to Board policy 4345, Student discipline Records, regarding the expungement of disciplinary records; and

j. the identity and phone number of a school employee whom the parent may call to obtain assistance in receiving a Spanish translation of the English language information included in the document.*
*This information must be provided on the notice in both English and Spanish.

3. Superintendent's Decision
The student or student's parent may request a hearing before the Superintendent within three (3) days of receiving notice from the Principal of the recommendation for long-term suspension, 365-day suspension or expulsion. Any hearing held will follow the hearing procedures outlined in Section A of Board policy 4370, Student Discipline Hearing procedures. A decision will be rendered before the long-term suspension is imposed.

If the student or parent makes a timely request for a hearing, the Superintendent shall confirm that the charges against the student, if substantiated, could warrant the recommended disciplinary action and shall give the student and parent reasonable notice of the time and place of the hearing.

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

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

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

Based on substantial evidence presented at the hearing, the Superintendent shall decide whether to uphold, modify or reject the Principal's recommendation. The Superintendent shall immediately inform the Principal of the decision regarding the recommended disciplinary penalty of a long-term or 365-day suspension and, when applicable, of any modifications to the penalty recommended by the Principal.

The Superintendent shall send notice of the decision via certified mail to the student and parent. The notice must include:

a. the basis of the decision, with reference to any policies or rules that the student violated;
b. notice of what information will be included in the student's official record pursuant to G.S. 115C-402;
c. Notice of the student's right to appeal the decision and the procedures for such appeal;
d. if the decision is to suspend the student for 365 days, notice of the student's right to petition the Board for readmission under G.S. 115C-390.12;
e. if applicable, notice that the Superintendent or designee is recommending to the Board that the student be expelled and any required notifications related to the expulsion if the student did not already receive such notice from the Principal or designee; and
f. if the student is to be suspended, notice of the Superintendent's or designee's decision on whether to offer alternative education services to the student during the period of suspension, and, as applicable, a description of the services to be offered or the reason justifying the Superintendent's or designee's decision to deny such services.

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

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

The student may appeal to the Board the Superintendent's decision not to provide alternative education services, as permitted by G.S. 115C-45(c)(1). Any appeal to the Board must be made in writing within five (5) days of receiving the Superintendent's decision. The Superintendent shall inform the Board Chairperson of the request for an appeal and arrange in a timely manner a hearing before the Board. In advance of the hearing, the Superintendent shall provide to the student and parent and to the Board a written explanation for the denial of services along with any documents or other information supporting the decision. The hearing will be conducted pursuant to Board policy 2500, Hearing Before the Board. The Board will provide to the student and parent and to the Superintendent written notice of its decision within thirty (30) days of receiving the appeal.

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

4. Hearing Before the Board

   a. Long-Term or 365-Day suspensions

      A student or his or her parent may appeal an imposed long-term or 365-day suspension. The student or parent must appeal to the Board in writing within three (3) days of receiving the Superintendent's decision. The Superintendent shall inform the Board Chairperson of the request for an appeal and shall arrange in a timely manner a hearing before the Board. The suspension need not be postponed pending the outcome of the appeal. The hearing will be conducted pursuant to Section B of Board policy 4370, Student Discipline Hearing Procedures. The Board will provide to the student and parent and to the Superintendent written notice of its decision not more than thirty (30) calendar days after receiving the appeal.

   b. Expulsions

      The student or parent may request a hearing within five (5) days of receiving notice of the Superintendent's recommendation that the student be expelled. The hearing will be scheduled with the Board within five (5) days of the Superintendent's receipt of the hearing request. The Superintendent shall notify the student and parent of the date, time and place of the hearing. Any appeal of a long-term or 365-day suspension will be addressed in the same hearing. The hearing will be conducted pursuant to Section B of policy 4370, Student Discipline Hearing Procedures.

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

      When the Board decides to expel a student, the Board will document the basis for its determination that there is clear and convincing evidence that the student's behavior indicates that the student's continued presence in school constitutes a clear threat to the safety of other students or employees. The Board also will consider and make a written determination of whether alternative education services are to be provided to the expelled student. Regardless of whether the student system provides alternative education services, the Board expects school system administrators to work with other agencies to help the student and parent identify other types of services that may be of assistance to the

student. The Board will send via certified mail to the student's parent a copy of the decision, notification of what information will be included in the student's official record, the procedure for expungement of this information under G.S. 115C-402, and notice of the right to petition for readmission pursuant to G.S. 115C-390.12.

Alternative Education Services

a) Students who are long-term suspended shall be offered alternative education services unless the Superintendent provides a significant or important reason for declining to offer such services. The following may be significant or important reasons, depending on the circumstances and the nature and setting of the alternative education services:
    1. The student exhibits violent behavior.
    2. The student poses a threat to staff or other students.
    3. The student substantially disrupts the learning process.
    4. The student otherwise engaged in serious misconduct that makes the provision of alternative educational services not feasible.
    5. Educationally appropriate alternative education services are not available in the school system due to limited resources.
    6. The student failed to comply with reasonable conditions for admittance into an alternative education program.

b) If the Superintendent declines to provide alternative education services to the suspended student, the student may seek review of such decision by the local Board of Education as permitted by G.S. 115C-45(c)(2). If the student seeks such review, the Superintendent shall provide to the student and the local Board, in advance of the Board's review, a written explanation for the denial of services together with any documents or other information supporting the decision.

Three Hundred Sixty-Five (365) Day Suspension for Gun Possession

a) A Principal shall recommend to the Superintendent the three hundred sixty-five (365) day suspension of any student believed to have violated Board policies regarding weapons. The Superintendent has the authority to suspend for three hundred sixty-five (365) days a student who has been recommended for such suspension by the Principal when such recommendation is consistent with Board policies. Notwithstanding the foregoing, the Superintendent may modify, in writing, the required three hundred sixty-five (365) day suspension for an individual student on a case-by-case basis. The Superintendent shall not impose a three hundred sixty-five (365) suspension if he or she determines that the student took or received the firearm or destructive device from another person at school or found the firearm or destructive device at school, provided that the student delivered or reported the firearm or destructive device as soon as practicable to a law enforcement officer or a school employee and had no intent to use such firearm or destructive device in a harmful or threatening way.

b) Nothing in this provision shall apply to a firearm that was brought onto educational property for activities approved and authorized by the local Board of Education, provided

that the local Board of Education has adopted appropriate safeguards to protect student safety.

c) At the time the student and parent receive notice that the student is suspended for three hundred sixty-five (365) days under this section, the Superintendent shall provide notice to the student and the student's parent of the right to petition the local Board of Education for readmission.
d) The procedures described in G.S. 115C-390.8 apply to students facing a three hundred sixty-five (365) day suspension pursuant to this section.
e) Students who are suspended for three hundred sixty-five (365) days pursuant to this section shall be considered for alternative educational services.

Request for Readmission of Students Suspended for 365-Days or Expelled

A. Requests by Students Suspended for 365-Days

A student who is serving a 365-day suspension may submit a request to the Superintendent for readmission any time after the 180th calendar day of his or her suspension. Upon receipt of the request, the Superintendent or designee shall offer the student an opportunity for an in-person meeting to be held within five (5) days. The student may provide documentation in support of the request, such as signed statements from individuals knowledgeable about the student or documents verifying that the student is participating in or has completed counseling or rehabilitation programs. If the student demonstrates to the satisfaction of the Superintendent or designee that the student's presence in school no longer constitutes a threat to the safety of other students or employees, the Superintendent must readmit the student.

Within thirty (30) days of the student's request, the Superintendent or designee shall provide written notice of his or her decision to the student, the student's parents and the Board. If the Superintendent or designee decides to readmit the student, the notice will include the date of readmission, the school or program to which the student will be assigned and any reasonable restrictions placed on the readmission. If the Superintendent or designee rejects the request for readmission, the notice will advise the parents of the right to appeal the decision to the Board. Any appeal to the Board must be made in writing within five (5) days of receipt of the Superintendent's or designee's decision. The Superintendent or designee shall inform the Board Chairperson of the request for an appeal and arrange in a timely manner a hearing before the Board. The hearing will be conducted in accordance with Board policy 2500 (Hearings Before the Board). The Board will provide to the student, the student's parent and the Superintendent or designee written notice of its decision within thirty (30) days of receiving the appeal of the Superintendent's or designee's decision.

If the request for readmission is denied, no subsequent requests from the student will be considered during that 365-day suspension.

B. Requests by Expelled Students

A student who has been expelled may submit a request to the Board for readmission any time after one hundred eighty calendar days (180) calendar days from the start date of the student's expulsion. The Board Chairperson immediately will forward the request to the Superintendent, who shall arrange in a timely manner a hearing before the Board. The hearing will be conducted in accordance with Board policy 2500 (Hearings Before the Board). After considering the student's request and the Superintendent's or designee's recommendation regarding readmission, if the Board determines that the student has satisfactorily demonstrated that his or her presence in school no longer constitutes a clear threat to the safety of other students or employees, the Board will readmit the student. The Board will notify the student, the student's parents and the Superintendent in writing of its decision within thirty (30) days of the submission of the request for readmission.

If the Board decides to readmit the student, the notice will include the date of readmission, the school or program to which the student will be assigned and any reasonable restrictions placed on the readmission. If the student was expelled as a result of assaulting or injuring a teacher, the student will not be returned to that teacher's classroom following readmission without the teacher's consent.

If the expelled student's request for readmission is denied, the Board will not consider a subsequent request for readmission of that student until six (6) months after the submission of the previous request.

Student Discipline Hearing Procedures

A. Administrative Hearings

The rules set out below will govern hearings held by the Superintendent in assessing misbehavior and appropriate consequences. The purpose of the hearing will be to determine the facts relevant to the alleged misbehavior and the credibility of witnesses, based on the evidence presented at the hearing.

1. The hearing will be informal and conducted in private.
2. Prior to the hearing, the student and his or her parents and representative will have an opportunity to review any audio or video recordings of the incident and, consistent with federal and state student records laws and regulations, the information that may be presented as evidence against the student, including statements made by witnesses whose names are withheld in accordance with number five (5) below.
3. The hearing must be attended by the Superintendent, the Principal and/or Assistant Administrator(s) and any persons the Superintendent deems necessary. The student has the right to be present at the hearing, to be accompanied by his or her parents and to be represented by an attorney or non-attorney advocate. Witnesses should be present only when providing information.

4. The school representatives have the burden of proving the misbehavior; the violation of Board policy, the Code of Student Conduct, school standards or school rules; and the appropriateness of the recommended consequence for the violation.
5. The school representatives will present the witnesses and documentary evidence against the student first. School officials may withhold witness names or other identifying information if identification of a witness could threaten the witness's safety.
6. After the school representatives have presented their evidence, the student or his or her representative may present evidence relating to the alleged disciplinary infraction, the student's intent at the time of the incident, any mitigating or aggravating factors involved, the disciplinary and academic history of the student and the potential benefits to the student of alternatives to suspension. Such evidence may include oral testimony by the student or witnesses, written statements and other documents.
7. Both the school representatives and the student or his or her parent or representative may examine the witnesses presented by the other side. The Superintendent has the authority to limit questioning by any person if the questioning is unproductive, unnecessarily lengthy, repetitive or irrelevant.
8. In reaching a determination in the matter, the Superintendent shall consider the documents produced in the hearing, the testimony of the witnesses and other evidence presented at the hearing. If the Superintendent determines that a violation occurred, the Superintendent also shall determine the appropriateness of the recommended consequences for the violation. Formal rules of evidence do not apply, and the Superintendent may rely on evidence that a reasonably prudent person would consider in the conduct of serious affairs.
9. Following the hearing, the Superintendent shall render a written decision based on substantial evidence presented at the hearing and shall notify the student and parent of that decision in accordance with the requirements of Board policy 4353 (Long-term Suspension, 365-Day Suspension, Expulsion).
10. The Superintendent or designee shall provide for making a record of the hearing, including any findings or conclusions made by the Superintendent. The student will have the right to make his or her own audio recording of the hearing.

B. Boarding Hearings

1. <u>Appeal of a Long-Term or 365-Day Suspension</u>

   The Board will provide the opportunity for a hearing that follows the procedures established for administrative hearings, except that (1) the Superintendent or designee will represent the school system and the Board or a panel of the Board will be the decision maker, and (2) unless the Board requests otherwise or doing so would create a substantial threat of unfairness, the Board will limit presentations of testimony to the student, the student's parent and representative, and the school system's representative and will limit documentation to the

records and evidence presented at the administrative hearing. The Board, at its discretion, may request additional information or evidence.

The Board will review any records created by the Superintendent's decision and the record created from any administrative hearing held. The Board will review the Superintendent's decision to be sure that: (1) there was a reasonable basis for determining that the student engaged in the specified misbehavior; (2) a Board policy, the Code of Student Conduct, a school standard or a school rule was violated; (3) the consequence for the violation was reasonable; and (4) procedures established by Board policy were followed.

2. Board Decision on Expulsion
   The Board will provide an opportunity for a hearing to review the Superintendent's recommendation for expulsion. The rules established for administrative hearings will be followed, except that the Superintendent or designee will represent the school system and the Board will be the decision maker. The Board may request additional records or witnesses. A decision will be made on the Superintendent's recommendation following the standards for expulsion established in Board policy 4353 (Long-term Suspension, 365-Day Suspension, Expulsion).

In-School Suspension / Removal from the Classroom

The removal of a student from class by the classroom teacher, Principal, or other authorized school personnel for the remainder of the subject period or school day for in-school suspension shall not be considered a short-term suspension and shall not come under the rules and procedures governing suspension with the exception of a student identified and served in the Exceptional Children Department. An identified exceptional student must receive his or her designated special education and/or related service(s) as prescribed by the IEP. If this does not take place compensatory education comes into play or the act will be interpreted as a suspension.

When a student is subject to in-school suspension, after school detention, or loss of transportation or other privileges, the student shall be told of the accusation against him/her and be given a chance to respond. The exchange may be informal and need not be in writing.

Emergency Suspension

Under extraordinary circumstances, a student may be removed immediately from school grounds for up to three days if the Principal witnesses or reasonably believes that the student engaged in a serious misconduct and that the immediate removal of the student is necessary to provide a safe, orderly school environment. In such cases the Principal is not required to conduct a full investigation before the suspension. In all cases, the student is entitled to minimal due process, as soon as reasonably possible. Procedures for notification of parents and removing a student the school day will be followed.

After further investigation, the Principal may carry out further disciplinary action, if any is warranted. If subsequent investigation convinces the Principal that the student receiving the summary suspension is not guilty of the misconduct in question, the student shall have the right to make-up work missed, receive credit for such work, and will be counted present for days missed.

Removal of Student During the School Day

The Principal may remove from school grounds a student who has been suspended during the school day, under any of the following circumstances:

1. the parent or guardian is notified and the parent or guardian is able to make arrangements for the student to leave the school or agrees to the student using public transportation or driving himself or herself home;
2. the parent or guardian is notified and is available to receive the child and the school is able to provide transportation from the school to the home; or
3. the Principal involves law enforcement in the removal of the student from school grounds because the immediate removal of the student is necessary to provide a safe, orderly school environment.

If none of these circumstances exist, the suspension will begin the next school day.

X. Student Discipline Records

The Principal will retain in the student's file for the current school year all records related to violations of Board policies, school standards or rules. At the end of the school year and after giving notice to parents, discipline records may be removed except:

1. notice of any suspension for a period of more than ten days,
2. notice of any expulsion under G.S. 115C-391 and the conduct for which the student was suspended or expelled, or
3. any records that need to be maintained in order to be able to serve the student appropriately or to protect the safety of others.

Any records regarding suspension or expulsion will be expunged from the record if the student;

1. graduates from high school, or
2. is not suspended or expelled again during the two-year period commencing on the date of the student's return to school after the expulsion or suspension, unless the records must be maintained in order to serve the student appropriately.

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

XI. School Level Investigations

Principals are authorized and responsible for investigating conduct that may violate Board policies, school standards or rules. All employees and students, including students alleged to

have engaged in misconduct, are expected to respond fully and truthfully to any questions or issues raised in the course of the investigation and any other related proceedings.

The school administrator will take the following steps in addressing all cases of alleged misbehavior appropriately referred to his or her office:

1. investigate the facts and circumstances related to the alleged misbehavior;
2. offer the student an opportunity to be heard on the matter; and
3. determine whether Board policy or school standards or rules have been violated.

If a violation has occurred, the school administrator is to implement an appropriate consequence in accordance with the school's plan for managing student behavior or applicable State and/or Board Policy. Parents or guardians are to be notified and involved.

Where the misbehavior may result in suspension or expulsion from school, procedures provide in related State and Board policies also will apply.

A child with a disability recognized by Section 504 of the 1973 Rehabilitation Act or the Individuals with Disabilities Education Act (IDEA) will be accorded all rights granted by federal and state laws and regulations.

School administrators have the authority to conduct reasonable searches and seize materials in accordance with this policy for the purpose of maintaining a safe, orderly environment and for upholding standards of conduct established by the Board of Education or the school. School authorities may search a student, student locker, or student automobiles and may seize any illegal, unauthorized, or contraband materials discovered in the search.

As used in this policy, the term "unauthorized" means any item dangerous to the health or safety of students or school personnel; or disruptive of any lawful function, mission or process of the school; or any item described as unauthorized in school rules published and made available to the student.

A student's failure to permit reasonable searches and seizures as provided in this policy will be considered a violation of the expected standard of behavior and will be considered grounds for disciplinary action.

This policy does not apply to investigations conducted by law enforcement officials or to investigations conducted exclusively for the purpose of criminal prosecution.

Reasonable suspicion that a student has unauthorized or illegal materials are generally required before an individual will be singled out for a search. Reasonable suspicion is not required if a student freely, voluntarily and knowingly consents and agrees to the search of his or her person or personal effects.

Personal Searches

A student's person and/or personal effects (e.g., purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion to believe that the student is in possession of illegal or unauthorized material and that the material could be found on the student's person or in the personal effects, given its size or shape.

If a frisk or "pat down" search of a student's person is conducted, it will be conducted in private by a school official of the same sex and with an adult witness present, when feasible.

If the school official has reasonable suspicion to believe that the student has on his or her person an item imminently dangerous to the student or to others, a more intrusive search of the student's person may be conducted. Such a search may be conducted only in private by a school official of the same sex, with an adult witness of the same sex present, and only upon the prior approval of the Superintendent or his/her designee, unless the health or safety of students will be endangered by the delay which might be caused by following these procedures.

Use of Metal Detectors

A metal detector can be used to search a student's person and/or personal effects whenever a school official has reasonable suspicion to believe that the student is in possession of a weapon. The search must be conducted by a school official. The search will be conducted in private, when feasible.

A school is authorized to conduct general searches of students and their personal effects with a metal detector before a student can gain entry to the school campus or any school-sponsored extracurricular activity. The search must be conducted in accordance with procedures established by the Superintendent or his or her designee. Prior to initiating general searches, the school must substantiate to the Superintendent the need for general searches based upon a pattern or expectation of violence or disruption; and provide written notice, if feasible, to students and parents of the school policy governing general searches, buy not of specific times or places where searches will be conducted. Any search conducted pursuant to this policy must be conducted by a school official.

Locker Searches

Student lockers are school property and remain at all times under the control of the school. However, students are expected to assume full responsibility for the security of their lockers. Student lockers may not be used to store illegal, unauthorized or contraband materials. Inspections of lockers may be conducted by school authorities for any reason consistent with Board policies or school rules at any time, without notice, without consent, and without a search warrant. A student's personal effects found in a locker, such as backpacks, gym bags or purses, may be searched only pursuant to guidelines for personal searches described above.

Searches of Student Motor Vehicles

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to patrol student parking lots at any time, without notice or consent. The interior of a student's motor vehicle parked on the school premises may be searched if a school

official has reasonable suspicion to believe that illegal, unauthorized or contraband items are contained inside.

Use of Trained Dogs in Conducting Searches

With the prior approval of the Superintendent, school officials may use trained dogs in inspections for illegal, unauthorized or contraband materials in school facilities, grounds and school parking lots. All dogs must be accompanied by a qualified and authorized trainer who shall be responsible for the dog's actions and who can verify the dog's reliability and accuracy in sniffing out contraband. Trained dogs may sniff lockers, student motor vehicles and other inanimate objects. Such inspections are not considered searches and do not require notice or consent.

Dogs may not be used for random searches of students or other persons. If a school official has reasonable suspicion that a student possesses illegal, unauthorized or contraband material on his or her person, a dog may sniff the air near the student. Such a search will be conducted in private with the school official and an adult witness present, when feasible.

XII. Investigations and Arrests by Law Enforcement

The following steps shall be taken in circumstances where law enforcement officers (other than school resource officers) come on campus to interview or to arrest a student:

a) If law enforcement officers need to come to a school for official business, they first should contact the school administration. Contact between the school and law enforcement on matters involving students shall be made through the office of the Principal or Superintendent.
b) Law enforcement officers should interview students away from the school regarding non-school related matters.
c) When law enforcement officers must interview or arrest a student at school, all attempts should be made to avoid embarrassing the student before teachers and peers and to avoid disrupting the educational program of the student and the school.
d) If the law enforcement officers have a warrant for the students' arrest, they must be permitted to arrest the student; however, whenever possible, the arrest should be conducted in the Principal's office out of view of other students. No student shall be released from school without the parent's consent unless a warrant for arrest is presented by a properly authorized law enforcement officer or unless the officer represents that no warrant is needed under the circumstances.
e) Law enforcement officers normally should remain in the administration office while school personnel seek out the student unless immediate intervention by the officer is necessary to prevent injury, a serious crime, or flight of the student.
f) If possible, the educational program of the student should not be disrupted to allow for questioning by a law enforcement officer.
g) Any questioning by law enforcement officers, if allowed, should be conducted in a private room or area where confidentiality can be maintained. Guidelines to ensure student rights must be followed.

h) If law enforcement officials are to be allowed to question a student under the age of eighteen, a reasonable attempt shall be made to notify the parents, except in cases of suspected child abuse or child neglect involving the parent/guardian. The parents/guardians should be given the opportunity to come to the school prior to the questioning.

i) If the parents are notified and are able to attend, they should be allowed to be present at the interview. The school administrator should be present at the interview, but should not take part in the questioning. The administrator should at all times remain a neutral observer.

XIII. Random Drug Testing for Extracurricular Activities

To improve the health and safety of students and to prevent and deter illegal drug use by students, the Board of Education adopts the *Random Drug Testing for Extracurricular Activities* to provide for random drug testing of students who participate in extracurricular activities. The Board has determined that this policy is necessary in light of the documented sale, possession and use of illegal drugs by Jones County students.

Coverage

1. Eligible Student - Any student at the high school or middle school level who is a current participant in any extracurricular activity, including school-sponsored and student-initiated clubs; or any student whose parents enrolls his/her children for participation in the random drug testing program.
2. Drugs - The drugs prohibited by this policy include any substance listed or referred to in North Carolina General Statutes sections 90-89 through 90-94, unless used as prescribed by a physician. Prohibited substances specifically include, but are not limited to, cocaine, opiates, marijuana, amphetamines, methamphetamines, barbiturates, PCP, LSD or other hallucinogenic compounds.

Testing Procedure

1. Prior Consent - The student and his/her parent and/or guardian shall sign a written consent to drug testing before the student participates (including try-outs) in an extracurricular activity. If the student is voluntarily participating in the random drug testing program, prior consent must be obtained before the student can participate.
2. Testing Frequency - Random drug tests may be conducted throughout the period of participation.
3. Student Selection - The Central Office/Services administration shall arrange for a method of student selection that ensures that students are selected at random.
4. Sample Collection and Testing - The Central Services administration shall contract with an authorized drug test administrator for sample collection, sample testing including maintenance of a split sample, and test verification by a medical review officer (MRO). Sample collection shall take place under reasonable and sanitary conditions, and shall maintain student privacy and dignity. Any contested positive result shall be confirmed by a scientifically valid confirmatory test, at the expense of the school system. The student

shall be suspended from participation until confirmatory test results are provided to the school.

Consequences

If the drug test result is positive and confirmed by the MRO, the following action will be taken:

1. First Confirmed "Positive" Result:
    a) The MRO will notify the student and the student's parent or guardian of the positive test result and will give the student and the student's parent or guardian an opportunity to explain the positive result. If the MRO concludes that the student has no verified explanation for the positive result, other than illicit drug use, the Principal will be notified, and the next two steps will apply.
    b) The student and the student's parent or guardian will receive information regarding drug-use counseling and prevention.
    c) The student may not participate in any extracurricular activity for three school months. The student will be allowed to participate after the suspension period; contingent on the student's participating in a drug assistance program and receiving a negative drug test result prior to resuming participation. The student will also be required to submit to periodic unannounced drug testing for a period of one calendar year.
2. Second Confirmed "Positive" Result:
    a) The MRO will notify the student and the student's parent or guardian of the positive test result and will give the student and the student's parent or guardian an opportunity to explain the positive result. If the MRO concludes that the student has no verified explanation for the positive result, other than illicit drug use, the Principal will be notified, and the next two steps will apply.
    b) The student and the student's parent or guardian will receive information regarding drug-use counseling and prevention.
    c) The student may not participate in any extracurricular activity for one calendar year. The student will be allowed to participate after the suspension period; contingent on the student's participating in a drug assistance program, receiving a negative drug test result prior to resuming participation and submitting to periodic, unannounced drug testing for the remainder of his/her school career.
3. Third Confirmed "Positive" Result:
    a) The MRO will notify the student and the student's parent or guardian of the positive test result and will give the student and the student's parent or guardian an opportunity to explain the positive result. If the MRO concludes that the student has no verified explanation for the positive result, other than illicit drug use, the Principal will be notified, and the next two steps will apply.
    b) The student and the student's parent or guardian will receive information regarding drug-use counseling and prevention.
    c) The student will not be permitted to participate in any extracurricular activity for the remainder of the student's school career.
4. No consequences other than those outlined above shall result from a confirmed positive test when associated with random testing procedures. Evidence of a positive random test

result shall not be the basis of any other student disciplinary action. School employees shall not notify law enforcement officials of test results.

5. Nothing in this policy shall prevent the Principal or a Coach or Advisor from excluding a student from participation on a team or club for conduct in violation of the Code of Student Conduct, school rules, team rules or criminal law.
6. If a student refuses to comply with the conditions outlined in this policy, the student's privilege to participate in extracurricular activities will be denied or suspended until the student is in full compliance with this policy for the remainder of the school year.
7. Nothing in this policy prohibits the search of any student, consistent with Board policy 4342 (Student Searches), based on school administrators' individualized reasonable suspicion that the student is in possession of illegal or unauthorized material, or any consequent imposition of consequences under Board Policy 4325 (Drugs and Alcohol).

Confidentiality

All records of individual student drug tests shall be confidential student records. The records shall be maintained in files separate from discipline records and other school records.

XIV. Student and Parent Grievance Procedure

A. Options for Resolving Complaints

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

While the Board encourages informal resolutions, the Board recognizes that students and parents may want a more formal process for certain types of complaints or if an informal process was not satisfactory. This policy provides a complaint procedure that can be used as described below.

Any parent or student who is unclear of the options for proceeding with a concern may contact the Principal's office or the Superintendent's office for further information and copies of all applicable Board policies.

B. Definitions

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

Grievance - A formal complaint regarding specific decisions made by school personnel. A grievance may be submitted in specific circumstances such as when a student or parent

believes that Board policy or law has been misapplied, misinterpreted or violated. Any claims of discrimination on the basis of race, color, national origin, sex, pregnancy, religion, age or disability also may be submitted as a grievance.

Grievant - The parent or student or group of parents or students submitting the grievance.

Official - The school district personnel hearing and responding to the grievant.

C. Timelines of Process

The number of days indicated at each level should be considered a maximum and every effort should be made to expedite the process.

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

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

D. General Requirements

- No reprisals of any kind will be taken by the Board or by an employee of the school district against any grievant or other student or employee on account of his or her participation in a grievance filed and decided pursuant to this policy.
- All meetings and hearings conducted pursuant to this policy will be private.
- The Board and school district will consider requests to hear grievances from a group of grievants, but the Board and officials have the discretion to respond to individual grievants.
- The grievant may have a representative, including an attorney, at any stage of the grievance.

E. Process for Grievance

Reporting Grievance

1. A grievance must be filed as soon as possible but no longer then thirty (30) days after disclosure or discovery of the facts giving rise to the grievance. For a grievance submitted after thirty (30) days which claims a violation, misapplication or misinterpretation of state or federal law, including discrimination, the Superintendent or designee will determine whether the grievance will be investigated after considering factors such as the reason for the delay; the extent of the delay; the effect of the delay on the ability of the school

district to investigate and respond to the complaint; and whether the investigation of the complaint is necessary to meet any legal obligations. However, students and parents should recognize that delays in reporting may significantly impair the ability of the school district to investigate and respond effectively to such complaints.

2. A student who has a grievance must provide the following information in writing to the Principal:
    a. the name of the school district employee or other individual whose decision or action is at issue;
    b. the specific decision(s) or actions at issue;
    c. any Board policy or law that the parent or student believes has been misapplied, misinterpreted or violated;
    d. and the specific resolution desired.

    If there is not a specific decision at issue and no concern that state or federal law has been misapplied, misinterpreted or violated, then the procedure established in Board Policy 1742/5060, (Responding to Complaints) is appropriate and the Principal will address the concern following that Board policy.
3. Even if the Principal is the employee whose decision or action is at issue, the student will submit the grievance first to the Principal in order for the Principal to address the issue within the formal process. If, however, the grievance claims that a State or federal haw has been misapplied, misinterpreted or violated, the student may submit the grievance directly to the Superintendent or the Superintendent's designee.

<u>Investigation</u>

1. The Principal will schedule and hold a meeting with the student within five (5) school days of receiving the request. The student may be accompanied by a parent, legal guardian or other person who is in a position of *loco parentis* to the student.
2. The Principal will conduct any investigation of the facts necessary before rendering a decision.

<u>Response by Principal</u>

1. The Principal will provide a written response to the written grievance within ten (10) days of the meeting. The response will include the Principal's decision regarding resolution of the grievance and the basis for the decision. In responding, the Principal cannot disclose information about other students or employees that by law is considered confidential.
2. A copy of the grievance and the Principal's response will be filed with the Superintendent.

Response by Superintendent

1. If the grievant is dissatisfied with the Principal's decision, the grievant may appeal the decision to the Superintendent. The appeal must be made in writing five (5) days of receiving the Principal's decision.
2. The Superintendent may review the written documents and respond or the Superintendent may schedule and hold a conference with the grievant and Principal, and any other individuals the Superintendent determines to be appropriate within five (5) school days after receiving the appeal. The student may be accompanied by a parent, legal guardian or other person who is in a position of *loco parentis* to the student.
3. The Superintendent will provide a written response within ten (10) days after receiving the appeal. In responding, the Superintendent cannot disclose information about other students or employees that by law is considered confidential.

Response by the Board of Education

1. If the grievant is dissatisfied with the Superintendent's response, the grievant may appeal the decision to the local Board within five (5) days of receiving the Superintendent's response.
2. A hearing will be conducted pursuant to Board Policy 2500 (Hearing Before the Board).
3. The local Board will provide a final written decision within thirty (30) days of receiving the appeal unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

F. Special Circumstances

Discrimination on the Basis of Sex

Sexual harassment complaint procedures are established in Board policy 1720/4015/7225 (Discrimination, Harassment and Bullying Complaint Procedure). For other complaints of discrimination on the basis of sex, if the grievant is dissatisfied with the Principal's written response, the grievance may be appealed to the Title IX Coordinator. The Title IX Coordinator will review the written documents and may conduct any factual inquiry and hold a conference as necessary to make a determination of whether there was discrimination on the basis of sex. The Title IX Coordinator will provide a written response within ten (10) days of receiving the grievance unless additional time is necessary to complete any investigation. If the corrective steps involve actions outside of the scope of the Title IX Coordinator's responsibilities, the Superintendent or designee also will be notified so that responsibility for the corrective steps can be delegated to the appropriate individual. If still not satisfied, the student may appeal the Title IX Coordinator's response to the Superintendent and local Board as provided in this policy.

Discrimination on the Basis of Disability

If the student alleged discrimination on the basis of handicapping condition or disability and the student is dissatisfied with the Principal's written response, the grievance may then be appealed to the Section 504/American with Disabilities Act ("504/ADA") Coordinator. The 504/ADA Coordinator will review the written documents and may conduct any factual inquiry and hold a conference as necessary to make a determination of whether there was discrimination on the basis of disability. The 504/ADA Coordinator will provide a written response within ten (10) days of receiving the grievance unless additional time is necessary to complete any investigation. If the corrective steps involve actions outside the scope of the 504/ADA Coordinator's responsibilities, the Superintendent or designee also will be notified so that responsibility for the corrective steps can be delegated to the appropriate individual. If still not satisfied, the student may appeal the 504/ADA Coordinator's response to the Superintendent and local Board as provided in this policy.

Appeal of Superintendent's Decision

If a student wants to initiate a formal grievance in regard to a certain decision made by the Superintendent that directly and specifically affects the student, the general process described in this policy will be used except the grievance will be submitted directly to the Superintendent.

G. Records

Records of discrimination complaints will be maintained as required by 1710/4021/7230 (Prohibition Against Discrimination, Harassment and Bullying).

XV. Staff – Student Relations

The relationship between staff and students should be one of cooperation, understanding and mutual respect. The staff has the responsibility to provide an atmosphere conducive to learning and to motivate each student to perform to his or her capacity. The staff is expected to model the behavior expected of students in staff-student relationships.

All employees are prohibited from dating, courting or entering into a romantic or sexual relationship with any student enrolled in the school system regardless of the student's age. Employees engaging in such inappropriate conduct shall be subject to disciplinary action, up to and including dismissal, and may be subject to criminal action as provided by G.S. 14-202.4 and 14-27.7.

Any employee, who has reason to believe that another employee is inappropriately involved with a student, as described above, is required to report this information to the Superintendent. An employee who fails to inform the Superintendent of a suspected inappropriate relationship between an employee and a student may be subject to disciplinary action, up to and including dismissal.

For the purposes of this policy, the term "employee" includes independent contractors and school safety officers but does not include student employees.

XVI. Gang-Related Activity

The Jones County Board of Education strives to create a safe, orderly, caring and inviting school environment. Gangs and gang-related activities have proven contrary to that mission and are prohibited within the schools. 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. The violence and crime that accompany gangs pose a serious threat to the safety of students and employees of the school system. Even absent acts of violence or crime, the existence of gang-related activity within the schools creates an atmosphere of fear and hostility that obstructs student learning and achievement. Thus the Board condemns the existence of gangs and will not tolerate gang-related activity in the school system.

Prohibited Behavior

Gang-related activity is strictly prohibited within the schools. For the purposes of this policy, "gang-related activity" means: (1) any conduct that is prohibited by another Board policy and is engaged in by a student on behalf of an identified gang or as a result of the student's gang membership; or (2) any conduct engaged in by a student to perpetuate, proliferate or display the existence of any identified gang.

Conduct prohibited by this policy includes:

1. wearing, possessing, using, distributing, displaying or selling any clothing, jewelry, emblems, badges, symbols, signs or other items with the intent to convey membership or affiliation in a gang;
2. communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.) with the intent to convey membership or affiliation in a gang;
3. tagging, or otherwise defacing school or personal property with symbols or slogans intended to convey membership or affiliation in a gang (see Board policy 4330, Theft, Trespass and Damage to Property);
4. requiring payment of protection, insurance or otherwise intimidating or threatening any person related to gang activity (see Board policy 4331, Assaults, Threats and Harassment);
5. inciting others to intimidate or to act with physical violence upon any other person related to gang activity (see Board policy 4331, Assaults, Threats and Harassment);
6. soliciting others for gang membership; and
7. committing any other illegal act or other violation of school system policies in connection with gang-related activity.

In a situation where a student has violated this policy or is otherwise suspected of gang affiliation through other circumstantial evidence, the Principal shall conduct an intervention involving the Principal and/or Assistant Principal, the student and the student's parent. Such intervention also

may include the school resource officer (SRO) and others as appropriate. The purpose of an intervention is to discuss school officials' observations and concerns and to offer the student and his or her parent information and an opportunity to ask questions or provide other information to the school officials.

Notice

1. Current information on gang-related activities will be maintained in the main office at each school.
2. Information on gang-related activities is subject to change and the Principal will be consulted for updates;
3. Wearing or displaying clothing, hand signs or symbols identified in the list with the intent to convey membership or affiliation in any gang may subject a student to discipline under this policy.

Gang Related Information

Gang Awareness Handbook: www.sanantonio.gov/sapd/pdf/Awareness.pdf

XVII. Acceptable Use of Electronic Resources

It is a Jones County Public School Board of Education objective to make appropriate electronic information resources available to employees and students to assist in furthering educational goals, to support valid business uses, and to provide for efficient school-related communication. This policy will govern the use of Jones County Public Schools electronic information resources and defines employees and students proper conduct and responsibilities while using Jones County Public School electronic information resources. Users are defined as all students, teachers, administration, and staff. This policy also applies to any non-students who are expressly authorized by the Jones County Board of Education to use electronic information resources, including, but not limited to Board of Education members, contractors, consultants, and temporary workers.

Electronic information resources are defined as all Jones County Board of Education computer equipment, including any desktop or laptop computers or other hardware owned or leased by the school system; the Jones County Board of Education computer network; e-mail accounts, stored data, and any computer software licensed to the Jones County Board of Education. Because electronic information resources are an integral part of the educational environment, all users must comply with the system's Board policy 3225/7320 (Internet and the Educational Program).

The use of the Internet is a privilege, not a right. Any users of the Internet, including staff and students, must comply with the following requirements:

- The Internet is provided for school-related purposes only. No right of privacy exists in any communication on the Internet. The school district may monitor all communication and intercept e-mail messages as part of enduring compliance with Board policy and applicable laws and regulations.

- Students must meet all standards of expected student behavior and comply with all Board policies and school standards and rules.
- Employees must comply with all relevant Board policies in using the Internet.
- No user of the Internet, including electronic communications, may engage in creating or transmitting defamatory, pornographic or harassing images or documents.
- All applicable laws and Board policies apply, including those relating to copyrights and/or trademarks, confidential information and public records.
- Teachers will make reasonable efforts to supervise a student's use of the Internet during instructional time.
- Use of the Internet for commercial gain or profit is not allowed from an educational site.
- Views may be expressed as representing the view of the school district or part of the school district only with prior approval by the Superintendent or his or her designee.

Restricted Material

Before a student may use the Internet for any purpose, the parent must be made aware of the possibility that the student could obtain access to inappropriate material. The parent and student must sign a consent form acknowledging that the student user is responsible for appropriate use of the Internet and consenting to the school district monitoring the student's e-mail communication and use of the Internet.

The Board is aware that there is information on the Internet that is not related to the educational program. The Board is also aware that there is information and opportunities to communicate on subjects that are not suitable for school-age children and that many parents would find objectionable. The school district will take reasonable precautions to prevent students from having access to inappropriate materials, such as violence, nudity, obscenity or graphic language which does not serve a legitimate pedagogical concern. The school district will not limit access to the Internet for the purpose of restricting access to political ideas or social perspectives if the action is not rated simply by a school district official's disapproval of the ideas involved. However, the user is ultimately responsible for his or her activity on the Internet.

Everyone who wishes access to Jones County Public Schools internet must be required to read and sign the *Internet/Computer Use Policy*.

Internet access is available to students and teachers in the Jones County Public Schools. The intent of the Jones County Public Schools Internet Use Policy is to ensure that all uses of this valuable resource are consistent with the purpose of the County. The policy does not attempt to detail all required behavior by its members.

Our goal in providing this service to teachers and students are:

- To support the North Carolina Standard Course of Study.
- To promote educational excellence in schools by facilitating resource sharing, innovation, and communication.
- To enhance learning opportunities by focusing on information retrieval, searching strategies, research skills, and critical thinking.

- To promote lifelong learning.

With access to computers and people all over the world also comes the availability of material that may not be considered of educational value in the context of the school setting. Jones County Public Schools does not condone the use of such materials and takes all reasonable precautions. We, (the Jones County Public Schools) firmly believe that the valuable information and interaction available on this worldwide network far outweigh the possibility that users may procure material that is not consistent with the educational goals of Jones County Public Schools. Freedom of speech and access of information will be honored, as referenced in the American Library Association Bill of Rights and Interpretation on Electronic Access. School employees, students, and parents must be aware that access to the internet will be withdrawn from users who do not respect the rights of others or who do not follow the rules and regulations established by their school and/or Jones County Public Schools.

Internet – Terms and Conditions

1. Acceptable Use – jonesnet is to be used in a reasonable, efficient, ethical and legal manner and must be in support of the educational objectives and student behavior guidelines of Jones County Public Schools. Transmissions of any materials in violation of any U.S. or State regulations are prohibited. Unacceptable uses include, but are not limited to the following:
    - Illegal use of copyrighted material.
    - Threatening or obscene material.
    - Material protected by trade secret.
    - Reposting (forwarding) personal communications without the author's prior consent.
    - Utilizing jonesnc.net for commercial purposes.
    - Product advertisement.
    - Utilizing the network for buying, selling or trading of any items or for any commercial use (sites such as eBay, Yahoo, Auctions etc.), are not allowed.
    - Individuals may not use another person's account.
    - Using computer network to gain or attempt to gain unauthorized or unlawful access to other computers of computer systems or engaging in unauthorized or unlawful activities such as hacking, port sniffing or other programs, tools and utilities against the network or any internet/intranet resource.
    - Participating in any malicious attempt to harm or destroy the data of another user.
    - Intentionally accessing or transmitting images, documents or other material that is obscene, defamatory, and pornographic, harassing or considered harmful to minors.
    - Deliberately attempting to destroy or damage data, software or hardware.
    - Attempting to access network resources beyond authorized use.

2. Privileges – The use of jonesnet is a privilege, not a right. Inappropriate use will result in limitation or cancellation of user privileges. The system administrators will deem what is

inappropriate use and if questions arise the final decision will be with the Jones County Board of Education.

3. Netiquette Rules – Users must abide by network etiquette rules. These rules include, but are not limited to the following:
    - Vandalism – Vandalism will result in cancellation of user privileges. Vandalism is defined as any malicious attempt to harm or destroy equipment and/or data of anyone connected to the Internet. This includes, but is not limited to the uploading or creation of computer viruses. Vandalism may also result in long-term suspension based on Board policy 4330 (Theft, Trespass and Damage to Property).
    - Security – Security on any computer system is a high priority, especially when the system involves many users. If you feel you can identify a security problem on the Internet, you must notify a system administrator. Attempts to login to the system as any other user or to share a password will result in cancellation of user privileges. Any user identified as a security risk or having a history of problems with other computer systems may be denied access to the internet. All jonesnet conferences and bulletin board will be moderated.
    - Privacy – The Internet is provided for school-related purposes only. No right or privacy exists in any communication on the internet. Jones County Public Schools reserves the right, at the sole discretion of the District, to log, monitor, examine and evaluate all usage of its network including, but not limited to, its email system and users mailboxes as a part of ensuring compliance with Board policy and applicable laws and regulations. All users waive any right to privacy with respect to their files and communications and consent to access and disclosure of them to authorized District personnel. In the event of any violations of District policy of the law, Jones County Public Schools and school-based disciplinary guidelines will be followed. This may include revocation of access to the network and appropriate disciplinary or legal action.

    - Disclaimer – jonesnet will not be responsible for any damages suffered, including loss of data resulting from delays, non-deliveries, service interruptions, or inaccurate information. Use of any information via the Internet is at your own risk. The user accepts personal responsibility for any information obtained via jonesnet. Privacy cannot be guaranteed.

XVIII. Student Attendance Policy - Compulsory Attendance

Every parent, guardian or custodian in this State having charge or control of a child between the ages of seven (7) and sixteen (16) years shall cause the child to attend school continuously for a period equal to the time which the public school to which the child is assigned shall be in session. Every parent, guardian, or custodian in this State having charge or control of a child under age seven (7) who is enrolled in a public school in grades kindergarten through two (2) shall also cause the child to attend school continuously for a period equal to the time which the public

school to which the child is assigned shall be in session unless the child has withdrawn from school.

No person shall encourage, entice or counsel any child of compulsory school age to be unlawfully absent from school. The parent, guardian, or custodian of a child shall notify the school of the reason for each known absence of the child, in accordance with local school board policy.

The Principal, Superintendent, or a designee of the Principal or Superintendent shall have the right to excuse a child temporarily from attendance on account of sickness or other unavoidable cause that does not constitute unlawful absence as defined by the State Board of Education.

A. Attendance Records

School officials will keep an accurate record of attendance, including accurate attendance records in each class. Attendance records will be used to enforce the Compulsory Attendance Law of North Carolina.

B. Excused Absences

When a student must miss school, a written excuse signed by a parent or guardian must be presented to the teacher on the day returning after an absence. An absence may be excused for the following reasons:

- personal illness or injury which makes the student physically unable to attend school;
- isolation ordered by the State Board of Health;
- death in the immediate family;
- emergency medical or dental appointment or such an appointment which has been approved in advance by the Principal;
- participation under subpoena as a witness in a court proceeding;
- observance of an event required or suggested by the religion of the student or the student's parent(s) with prior approval by the Principal; or
- participation in a valid educational opportunity, such as travel, with prior approval by the Principal.

Extended illnesses generally require a statement from a physician.

In the case of excused absences and out of school suspensions, the student will be permitted to make up his or her work. The teacher will determine when work is to be made up. The student is responsible for finding out what assignments are due and completing them within the specified time period.

C. School-Related Activities

All classroom activities are important and difficult, if not impossible, to replace if missed. It is the intention of the Board of Education that classes missed be kept to an absolute minimum through close scrutiny and a monitoring system on the part of the Principal. The following school-related activities will not be counted as absences from either class or school;

- field trips sponsored by the school;

- school-initiated and scheduled activities;
- athletic events requiring early dismissal from school; or
- in-school suspension.

Assignments missed for these reasons will be completed by students. The teacher will determine when work is to be made up. The student is responsible for finding out what assignments are due and completing them within the specified time period.

D. Excessive Absences

Class attendance and participation are critical elements of the educational process and may be taken into account in assessing academic achievement.

The Principal or the Principal's designee shall notify the parent, guardian, or custodian of his or her child's excessive absences after the child has accumulated three (3) unexcused absences in a school year. After not more than six (6) unexcused absences, the Principal or the Principal's designee shall notify the parent, guardian, or custodian by mail that he or she may be in violation of the Compulsory Attendance law and may be prosecuted if the absences cannot be justified under the established attendance policies of the State and local Board of Education. Once the parents are notified, the School Counselor shall work with the child and the child's family to analyze the causes of the absences and determine steps, including adjustment of the school program or obtaining supplemental services, to eliminate the problem. The School Counselor may request that a law enforcement officer accompany him or her if the School Counselor believes that a home visit is necessary.

After ten (10) accumulated unexcused absences in a school year, the Principal or the Principal's designee shall review any report or investigation prepared and shall confer with the student and the student's parent, guardian, or custodian, if possible, to determine whether the parent, guardian, or custodian has received notification pursuant to this section and made a good faith effort to comply with the law. If the Principal or the Principal's designee determines that the parent, guardian, or custodian has not made a good faith effort to comply with the law, the Principal shall notify the District Attorney and the Director of Social Services of Jones County. If the Principal or the Principal's designee determines that the parent, guardian, or custodian has made a good faith effort to comply with the law, the Principal may file a complaint with the Juvenile Court Counselor that the child is habitually absent from school without a valid excuse. Upon receiving notification by the Principal or the Principal's designee, the Director of Social Services shall determine whether to undertake an investigation.

If a student in grades K-8 is absent from school for twenty (20) or more days in a school year the student will be retained or if a student in grades 9-12 is absent from class for five (5) or more days in a semester, the student will not receive credit. A waiver of student absences may be considered to determine whether or not the student's grades will be reduced because of absences. The Principal or a committee designated by the Principal will review other measures of academic achievement, the circumstances of the absences, the number of absences, and the extent to which the student completes missed work. A

committee may recommend to the Principal and the Principal may make any of the following determinations:

- the student will not receive a passing grade for the semester or year;
- the student's grade will be reduced;
- the student will receive the grade otherwise earned; or
- the student will be given additional time to complete the missed work before making a determination of the appropriate grade.

XIX. Student Fees

The Board will hold student fees to a minimum. No fee will be charged for required courses or activities.

Each Principal is required to submit a list of any fees to the Superintendent prior to the August Board meeting. The Superintendent will ensure that student fees, including those for graduation, the school annual or supplies for elective classes, are consistent among the different levels and schools. The Board must approve all fees. The Superintendent will submit the schedule of approved fees and charges to the Superintendent of Public Instruction.

Any fees imposed will be waived or reduced for students who demonstrate real economic hardship. The Superintendent will be responsible for establishing procedures to review requests for fee waivers or reductions.

Each Principal will publish or post the schedule of fees and notify students and parents of the availability of and the process for requesting a fee waiver or reduction.

XX. Student Records

All student records will be current and maintained with appropriate measures of security and confidentiality. The Principal is responsible for meeting all legal requirements pertaining to the maintenance, review and release of records retained at the school.

Annual Notification of Rights

The Superintendent or designee is responsible for providing 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. The school district does not have 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 who are disabled or whose primary or home language is not English.

Review, Release of Records to Parent, Guardian or Eligible Student

A parent, guardian or eligible student (one who is at least eighteen (18) years old or is married) will be allowed access to the student's records upon proper request. A formal review of a

student's complete records will be conducted only in the presence of the Principal or his or her designee. School personnel will not destroy any educational records if there is an outstanding request to inspect or review the records.
A parent, guardian or eligible student has the right to challenge an item in the student record believed to be inaccurate or inappropriate. The Principal will examine a request to amend a student record item and respond in writing to the person who challenges the item. Subsequent steps, if necessary, will follow the student grievance procedures as provided in Board Policy 1740/4010, Student and Parent Grievance Procedure.

Release of Records to Others
Student records will be released promptly when a student transfers to another school, and in other circumstances specifically permitted by law. Written permission by a parent, guardian or eligible student is required for the release of a student's records in any other circumstances.

Directory information on students may be utilized by the school district, individual schools or organizations, after providing proper notice and the opportunity to object to the parent, guardian or eligible student. The following information is considered to be directory information:

- student's name
- address;
- telephone listing;
- date and place of birth;
- participation in officially recognized activities and sports;
- weight and height of members of athletic team;
- dates of attendance;
- diplomas, certification and awards received;
- most recent previous school or education at institution attended by the student; and
- Pictures or videos taken on buses, school grounds, in school buildings and at school activities unless the picture or video may reveal confidential information about the student.

The Board strongly discourages the release of directory information to any outside organizations which have requested the information for their own purposes, including commercial organizations. Decisions to provide directory information to outside organizations must be approved by the Superintendent or his or her designee. If information is to be provided to outside organizations, parents, guardians and eligible students should be notified of this potential use. The school district is not to discriminate between requests for directory information from organizations that are similar in purpose. If directory information is made available to persons or organizations which make students aware of occupational or educational options, the school district will provide access on the same basis to recruiters of the military forces of the State or United States for the purpose of informing students of educational and career opportunities available in the military.

Students with recognized exceptionalities will be afforded all rights in regards to their records as provided by state and federal law, including the Individuals with Disabilities Education Act (IDEA).

Records cannot be withheld from a valid request by a parent, eligible student or school for any reason, including in order collecting fines assessed to the parent or student.

No student will be required, as a part of any applicable program, to submit to a survey, analysis or evaluation that reveals information concerning:

- political affiliations;
- mental and psychological problems potentially embarrassing to the student or the student's family;
- sexual behavior and attitudes;
- illegal, anti-social, self-incriminating and demeaning behavior;
- critical appraisals of other individuals with whom respondents have close family relationships;
- legally recognized privileged and comparable relationships, such as those of lawyers, physicians and ministers; or
- income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

XXI. Educational Programs

Homework

The Board of Education recognizes the importance of homework in supplementing classroom instruction and furthering the goals of the educational program. Homework reinforces learning and stimulates independence, responsibility and self-direction.

Homework assignments should strengthen and provide practice in skills which already have been taught in class. Teachers should take into consideration the differences in financial, educational and technological resources of students and their parents or guardians when making assignments. In addition, homework assignments should improve a student's ability to work independently. Assignments also should be reasonable in the amount of time necessary to complete the tasks in light of the age and maturity of students and other assignments given to the students.

Principals will be responsible for ensuring that homework assignments are made in accordance with this policy. Principals are encouraged to involve staff, parents and student in developing guidelines for standards of appropriate homework for the school or particular grade levels.

Education for Pregnant and Parenting Students

The Board of Education will provide all pregnant and parenting students with the same educational instruction or its equivalent as other students. Pregnant and parenting students shall not be discriminated against or excluded from school or any program, class or extracurricular activity because they are pregnant or parenting students.

Students who are pregnant or parenting shall be given excused absences from school for pregnancy and related conditions for the length of time the students' physicians find medically necessary. This includes absences due to the illness or medical appointment during school hours of a child of who the student is the custodial parent. Homework and make-up work shall be made available to pregnant and parenting students to ensure that they have the opportunity to keep current with assignments and avoid losing course credit because of their absence from school, and, to the extent necessary, a homebound teacher shall be assigned.

XXII. Equal Educational Opportunities

The Board affirms the principle that every student – regardless of race, creed, color, national origin, sex, cultural or economic background, or disability – should be given an equal opportunity for a sound basic education. Further, no student, on the basis of sex, marital status, pregnancy, or parenthood, will be excluded from participating in, denied the benefits of, or subjected to discrimination under any educational program or activity conducted by the school system. The school system will treat its students without discrimination in regard to course offerings, athletics, counseling, employment assistance and extracurricular activities.

Any student, parent or guardian who feels that this policy has been misinterpreted, misapplied or violated may file a grievance in accordance with policy 1740/4010 (Student and Parent Grievance Procedure).

XXIII. Translating Policies for Students and Parents

The Board of Education recognizes that there are students and parents in the school system for which English is a second language. The Board further recognizes the importance of communicating the policies of the school system to all students and parents. As funds permit, to the extent practicable, and as otherwise required by law, the school system will provide translations of pertinent school system information and policies to those students and parents who speak English as a second language or in the medium of communication (i.e., sign-language interpreter). During non-instructional times, staff in the English as a Second Language Department may assist schools in providing such translations. The Superintendent may explore additional options for providing translations or interpretations of student and their parents.