

GASTON COUNTY SCHOOLS



STUDENT CODE OF CONDUCT

AND ANNUAL NOTIFICATION TO PARENTS 2024-2025



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A MESSAGE FOR OUR STUDENTS AND PARENTS

It's a brand new year for Gaston County Schools!

We are delighted to welcome more than 30,000 students (pre-kindergarten through high school) to the classrooms at our 56 schools. Please know how much we value having you as part of our school family, and we hope you are looking forward to a successful 2024-2025 academic year.

Gaston County Schools is fully accredited as a quality school system. All schools have earned the "quality school" distinction from AdvancED/Cognia, the organization that is responsible for reviewing schools and granting accreditation status.

Year after year, our schools continue to make us proud. All schools have a comprehensive instructional program with opportunities for every student at every ability level. We offer Advanced Placement (AP) and honors courses, Career and Technical Education (CTE) programs, services for exceptional children, and a variety of outstanding academic, athletic, extracurricular, fine arts, and student support programs. Additionally, we offer various magnet schools and Academy programs for students. Thanks to the school bonds that were approved by voters in 2018, we are completing significant renovation and repair projects at many schools, and we are working on the construction of a new school to replace W.P. Grier Middle School. The new Grier campus is scheduled to open for the 2025-2026 school year.

As we begin a new school year, we hope you will take time to review all sections of our Student Code of Conduct and Annual Notification to Parents. Once you do, please contact your school's principal if you have questions about any information in this publication.

We invite you to stay connected with Gaston County Schools. You may visit the district website (www.gaston.k12.nc.us) and your school's website for news and information, download our mobile app from the Google Play and App stores, follow us on social media, and watch our programs on Spectrum Channel 21, which is the Education Station for Gaston County Schools. Parents who have questions or concerns during the year are encouraged to contact their child's teacher or the school principal.

Everyone associated with Gaston County Schools joins us in extending our very best wishes to you for a productive school year filled with many exciting opportunities. Working together, we will continue our efforts to inspire success and a lifetime of learning in Gaston County Schools.

Sincerely,



Morgen A. Houchard, Ed.D.
Superintendent of Schools



Jeffrey K. Ramsey, Chairman
Gaston County Board of Education

About this publication

The 2024-2025 Student Code of Conduct and Annual Notification to Parents is a back-to-school resource from Gaston County Schools. The booklet includes the student code of conduct, annual notices for parents,

and other important information.

All students and parents are encouraged to read this publication carefully and direct any questions to your child's teacher or the school principal.

This publication is produced by the Gaston County Schools

Communications/Public Information Department and Academic Services Department.

Each student in Gaston County Schools receives a copy. A PDF version is available on the district website, www.gaston.k12.nc.us.

Student Code of Conduct

Introduction

The basic purpose of the Student Code of Conduct for schools is to help establish and maintain a safe and orderly environment, which must prevail if learning is to take place. The term “school” as it applies to these guidelines refers to all school buildings, parking areas, and properties. These rules are in effect at any function or school-sponsored activity and while students are waiting for, riding, or leaving the bus. These rules apply to any student whose conduct at any time or place has a direct and immediate effect on maintaining order and discipline in the schools. (See policy 4300 for complete policy.)

Principals are authorized to establish individual school rules and regulations in addition to the rules listed in this booklet. School administrators have the responsibility to notify law enforcement officers of certain violations of state or federal laws and to call law enforcement officers to assist in the maintenance of order.

It is the intention of the Gaston County Board of Education to enforce these rules fairly, firmly, without discrimination because of race or sex, and with due respect for the constitutional rights of every student.

The Student Code of Conduct is the short form of the Gaston County Board of Education’s policy on student control and conduct, suspension, and expulsions, which is set forth in the Policy Manual of the Gaston County Board of Education: www.gaston.k12.nc.us.

Rule 1: Compliance with Directions of Principals, Teachers, and Other School Personnel and with School Rules	3
Rule 2: Disruption of School	3
Rule 3: Bomb Threats, Communicating a False Bomb Report, or Perpetrating a Bomb Hoax.....	3
Rule 4: Student Threats	3
Rule 5: Gangs.....	3
Rule 6: Bullying	4
Rule 7: Student Conspiracy or Plotting to Cause Harm to Other Students or Staff	4
Rule 8: Damage or Destruction of School Property	5
Rule 9: Theft.....	5
Rule 10: Physical Abuse of a Student/Fighting.....	5
Rule 11: Physical Abuse of School Employees or Other Persons	5
Rule 12: Written or Verbal Abuse of School Employees and/or Other Adults	6
Rule 13: Weapons and Dangerous Instruments.....	6
Rule 14: Substance Abuse and Drug Paraphernalia	6
Rule 15: Tobacco Policy	7
Rule 16: Dress Code	8
Rule 17: Sexual Harassment	8
Rule 18: Use of Wireless Communication Devices.....	8
Rule 19: Repeated School Violations	9
Rule 20: Responsible Use of School Technology.....	9
Rule 21: Organizational Publications and Printed Materials	9
Rule 22: Walkouts and Boycotts.....	9
Rule 23: Trespassing	10
Rule 24: Violations of North Carolina Criminal Statutes	10
Rule 25: Integrity and Civility	10
<i>Searches and Seizures.....</i>	<i>10</i>
<i>Random Metal Detection/Automobile Searches</i>	<i>11</i>
<i>Recommended Use of Police Canines on School Property.....</i>	<i>11</i>
<i>Notification of Law Enforcement Officials</i>	<i>11</i>
<i>Appeals Procedures: Long-Term Suspension</i>	<i>11</i>
<i>365-Day Suspension</i>	<i>11</i>
<i>Expulsion.....</i>	<i>12</i>
<i>Counseling.....</i>	<i>12</i>
<i>Student Parking</i>	<i>12</i>
<i>Suspension from Athletic Participation; Suspension from Athletics/Buses.....</i>	<i>12</i>
<i>Use of Video Recorders on School Buses</i>	<i>13</i>
<i>Student Records</i>	<i>13</i>
<i>Student Attendance.....</i>	<i>13</i>
<i>Dropout Prevention/Driver License Legislation</i>	<i>15</i>
<i>Lose Control, Lose Your License Legislation</i>	<i>15</i>

Student Code of Conduct

Rule 1: Compliance with Directions of Principals, Teachers, and Other School Personnel and with School Rules

Students shall comply with the directives of all school personnel at all times while a student is at school.

CONSEQUENCES

Elementary School: Ranging from in-school disciplinary action up to 5 days OSS.

Middle School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension.

High School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension.

Rule 2: Disruption of School

A student shall not, by use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance or any other conduct, intentionally cause the disruption or obstruction of any lawful function of the school or classroom while at school.

CONSEQUENCES

Elementary School: Ranging from in-school disciplinary action up to 5 days OSS.

Middle School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension.

High School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension.

RULE 3: Bomb Threats, Communicating a False Bomb Report, or Perpetrating a Bomb Hoax

(See policy 4333 for complete policy)

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

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.

CONSEQUENCES

Elementary School: Ranging from in-school disciplinary action up to OSS and alternative placement. Law enforcement may be contacted if required by law.

Middle School: Ranging from OSS to alternative placement to long-term suspension. Law enforcement may be contacted if required by law.

High School: Ranging from OSS to alternative placement to long-term suspension. Law enforcement may be contacted if required by law.

RULE 4: Student Threats

(See policy 4331 for complete policy)

Students shall respect other students, visitors, school employees and other persons by using appropriate language and behaviors at all times. Any action which is insulting, threatening, abusive, harassing, profane, obscene or seriously disrespectful and which disrupts the learning process for any student or which demeans or degrades another person is specifically prohibited. In addition, students who leave threatening notes or post threats on the internet to other students, faculty or staff will be considered in violation of this rule.

CONSEQUENCES

Elementary School: Ranging from in-school disciplinary action up to 5 days OSS.

Middle School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension.

High School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension.

RULE 5: Gangs

(See policy 4328 for complete policy)

The Board 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 or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts or the purposeful violation of any Gaston County Schools policy, and having a common name or common identifying sign, colors or symbols. No student shall commit any act that furthers gang or gang-related activities. Additional

Student Code of Conduct

information on gang activity can be accessed at each school as information on gang-related activities is subject to change. 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 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 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;
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.
8. Any gang or secret organization or publication is specifically prohibited on any school premises or in connection with any school-related activities.

CONSEQUENCES

Elementary School: Ranging from in-school disciplinary action up to 10 days OSS. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.

Middle School: Ranging from in-school disciplinary action up to and including alternative placement and/or long-term suspension. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.

High School: Ranging from in-school disciplinary action up to and including alternative placement and/or long-term suspension. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.

RULE 6: Bullying

(See policy 4329 and 7311 for complete policy)

Students shall not bully or harass other students.

Harassment or bullying behavior is any pattern of gestures or written, electronic or verbal communications, or any physical act or any threatening communication that:

1. places a student or school employee in actual and

reasonable fear of harm to his or her person or damage to his or her property; or

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

Examples of behavior that may constitute bullying or harassment include, but are not limited to, verbal taunts, name-calling and put-downs, epithets, derogatory comments or slurs, lewd propositions, exclusion from peer groups, extortion of money or possessions, implied or stated threats, assault, impeding or blocking movement, offensive touching or any physical interference with normal work or movement, and visual insults such as derogatory posters or cartoons and sharing photos or videos of a person that may subject a person to ridicule or insult. Legitimate age-appropriate techniques are not considered harassment or bullying.

CONSEQUENCES

Up to 5 days of OSS may be waived if the student shows proof of participation in mediation/counseling from a mediation agency.

Elementary School: Ranging from in-school disciplinary action up to and including long-term suspension. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.

Middle School: Ranging from in-school disciplinary action up to and including alternative placement and/or long-term suspension. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.

High School: Ranging from in-school disciplinary action up to and including alternative placement and/or long-term suspension. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.

RULE 7: Student Conspiracy or Plotting to Cause Harm to Other Students or Staff

Students shall be prohibited from conspiring with others or plotting individually regarding harmful acts of violence against other students, faculty or staff. In addition, students are prohibited from violent acts against the property of other students, faculty or staff.

CONSEQUENCES

Elementary School: Ranging from in-school disciplinary action up to 10 days OSS and/or alternative placement. Law

Student Code of Conduct

enforcement will be contacted if required by law.

Middle School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.

High School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.

RULE 8: *Damage or Destruction of School Property* (See policy 4330 and 6440 for complete policy)

A student shall not cause or attempt to cause damage to any school property or private property on school grounds or during a school activity, function or event off school grounds and premises. Parent(s) or legal guardian(s) of any minor are liable for damage caused to school property.

CONSEQUENCES

Elementary School: Ranging from in-school disciplinary action up to 10 days OSS and/or alternative placement. Law enforcement will be contacted if required by law. Restitution may be required.

Middle School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law. Restitution may be required.

High School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law. Restitution may be required.

RULE 9: *Theft*

(See policy 4330 and 6440 for complete policy)

Students shall not steal, attempt to steal, knowingly be in possession of stolen property, vandalize, intentionally damage, or attempt to damage any school or private property while under school jurisdiction.

CONSEQUENCES

Elementary School: Ranging from in-school disciplinary action up to 10 days OSS and/or alternative placement. Law enforcement will be contacted if required by law. Restitution may be required.

Middle School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law. Restitution may be required.

High School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law. Restitution may be required.

RULE 10: *Physical Abuse of a Student/Fighting* (See policy 4331 for complete policy)

Students shall not fight or attempt to cause bodily harm to another student. If a student is attempting to involve another student in a fight, the other student should walk away and report it to a teacher, assistant principal or principal. Students who instigate fights or participate in group assaults will be subject to the same consequences as those who are actually involved in fighting. This section does not apply when acting in self-defense. Hitting a person back is not self-defense; it is retaliation that will be considered fighting.

CONSEQUENCES

Elementary School: Ranging from in-school disciplinary action up to 5 days OSS. Law enforcement may be contacted if required by law.

Middle School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement may be contacted if required by law.

High School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement may be contacted if required by law.

RULE 11: *Physical Abuse of School Employees or Other Persons*

(See policy 4331 for complete policy)

Students shall not cause or attempt to cause physical or bodily harm to principals, assistant principals, teachers, substitute teachers, student teachers, teacher assistants, coaches, advisors, counselors, media specialists, bus drivers or monitors or other adults at any time while a student is at school.

CONSEQUENCES

Elementary School: Ranging from in-school disciplinary action up to 10 days OSS and/or alternative placement. Law enforcement will be contacted if required by law.

Middle School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.

Student Code of Conduct

High School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.

Rule 12: Written or Verbal Abuse of School Employees and/or Other Adults

(See policy 4331 for complete policy)

Students shall not, through written or oral communication, cause, threaten to cause, or attempt to cause harm to principals, assistant principals, teachers, substitute teachers, student teachers, teacher assistants, coaches, advisors, counselors, media specialists, bus drivers or monitors or other adults at any time while a student is at school or any school-sponsored activities.

CONSEQUENCES

Elementary School: Ranging from in-school disciplinary action up to 10 days OSS and/or alternative placement. Law enforcement will be contacted if required by law.

Middle School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.

High School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.

RULE 13: Weapons and Dangerous Instruments

(See Policy 4333 and 5040 for complete policy)

The Board will not tolerate the presence of weapons or destructive devices, bombs or terrorist threats, or actions that constitute a clear threat to the safety of students or employees.

Category I

As required by law, a student who brings or possesses a firearm or destructive device on school property or at a school-sponsored event must be suspended for 365 days, unless the Superintendent modifies the required 365-day suspension. For this category, a firearm is (1) a weapon, including parts of a gun, that will, is designed to or may readily be converted to expel a projectile by the action of an explosive, (2) the frame or receiver of any such weapon or (3) any firearm muffler or firearm silencer {G.S. 115C-390.1(b)(6)}.

A destructive device is an explosive, incendiary or poison gas (1) bomb, (2) grenade, (3) rocket having a propellant charge

of more than four ounces, (4) missile having an explosive or incendiary charge of more than one-quarter ounce, (5) mine or (6) similar device {G.S. 115C-390.1(b)(3)}.

CONSEQUENCES

Elementary School: Confiscate weapon. 365-day suspension. Law enforcement will be contacted.

Middle School: Confiscate weapon. 365-day suspension. Law enforcement will be contacted.

High School: Confiscate weapon. 365-day suspension. Law enforcement will be contacted.

Category II

Other weapons that are prohibited on school property or at a school-sponsored event include knives, pocket knives, bowie knives, switchblades, dirks, daggers, slingshots, slungshots, leaded canes, blackjacks, metal knuckles, BB guns, air rifles, air pistols, stun guns and other electric shock weapons such as tasers, ice picks, razors and razor blades (except those designed and used solely for personal shaving), fireworks, bullets, and any sharp pointed or edged instrument except unaltered nail files and clips and tools used solely for preparation of food, instruction and maintenance, box cutters and other types of utility blades and blowguns. A student shall not possess disabling, chemical irritants (including, but not limited to pepper spray) or laser light.

CONSEQUENCES

Elementary School: Confiscate weapon. Ranging from in-school disciplinary action up to 10 days OSS and/or alternative placement. Law enforcement will be contacted if required by law.

Middle School: Confiscate weapon. Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.

High School: Confiscate weapon. Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.

Rule 14: Substance Abuse and Drug Paraphernalia

(See policy 4315 and 4325 for complete policy; See policy 6130 "Administering Medications" for complete policy)

No student shall possess, use, distribute, sell, possesses with intent to distribute or sell, or conspire or attempt to distribute or sell, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate,

Student Code of Conduct

marijuana, anabolic steroid, other controlled substance, any alcoholic beverage, malt beverage, fortified wine, or any substance containing cannabidiol (CBD) or tetrahydrocannabinol (THC) regardless of whether it constitutes a controlled substance under state or federal law. Students are also prohibited from possessing, using, selling, delivering, or manufacturing counterfeit (fake) drugs.

CONSEQUENCES

Possession/Under the Influence

Elementary School: Up to 10 days OSS. Up to five days suspension may be waived if the student shows proof of substance abuse assessment and a scheduled first appointment from a substance abuse agency for counseling. Law enforcement may be contacted if required by law.

Middle School: Up to 10 days OSS, alternative placement and/or seek long-term suspension. Up to five days suspension may be waived if the student shows proof of substance abuse assessment and a scheduled first appointment from a substance abuse agency for counseling. Law enforcement will be notified for possession of controlled substances in violation of the law.

High School: Up to 10 days OSS, alternative placement and/or seek long-term suspension. Up to five days suspension may be waived if the student shows proof of substance abuse assessment and a scheduled first appointment from a substance abuse agency for counseling. Law enforcement will be notified for possession of controlled substances in violation of the law.

Sell

Elementary School: Ranging from in-school disciplinary action up to 10 days OSS and/or alternative placement. Law enforcement will be contacted if required by law.

Middle School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.

High School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.

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

1. **Possess:** Having the power or intent to control a prohibited substance and shall include, but is not necessarily limited to, the possession of a prohibited

substance in a student's automobile, locker, bookbag, pocket book, desk or on a student's person.

2. **Use:** The consumption, injection, inhalation or absorption of a prohibited substance into a student's body by any means.

3. **Under the influence:** The use of any prohibited substance at any time or place when the prohibited substance would influence a student's mood, behavior or learning to any degree while a student is at school as defined in the introduction to the Student Behavior Guidelines.

4. **Sell:** The exchange of a prohibited substance for money, property, or any other benefit or item of value.

5. **Distribute:** To give, share or pass a prohibited substance.

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

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

8. **Unauthorized prescription drug:** Any drug or medication that has not been prescribed for the student.

9. **Drug paraphernalia:** Means all equipment, products and materials of any kind that are used to facilitate, or intended or designed to facilitate, violations of the controlled substance act. (Reference N.C.G.S. §90-113.21)

Rule 15: Tobacco Policy

(See policy code 4320 for complete policy)

Students are prohibited from the possession, sale or distribution of tobacco or tobacco paraphernalia and shall not smoke, dip, chew or otherwise use any tobacco products, including electronic cigarettes, vapes, and all lighted and smokeless tobacco products at any time while a student is at school.

CONSEQUENCES

Elementary School: Confiscation. Ranging from in-school disciplinary action up to 1 day OSS.

Middle School: Confiscation. Ranging from in-school disciplinary action up to 5 days OSS.

High School: Confiscation. Ranging from in-school disciplinary action up to 10 days OSS.

Student Code of Conduct

RULE 16: *Dress Code*

The appearance of any young person is primarily the responsibility of that individual and his/her parents. Each student is expected to maintain an appearance that is neither distracting to other students nor disruptive to the educational environment or the safe and healthy climate of school. Students shall not wear:

Headwear: Hats, bandanas, hair picks, combs or other types of headgear or sunglasses in the building.

Clothing: Clothing that displays sexually explicit words or drawings, profanity, alcohol, drugs, weapons, or gang symbols.

No style of clothing or the manner in which it is worn may expose undergarments or create a distraction or disturbance in the educational setting.

The expectations noted above represent the minimum standards established throughout the school system. In addition, items not specifically mentioned may still be deemed inappropriate in a school setting based on the judgment of the school administration.

The Board of Education recognizes that local law enforcement agencies may determine that wearing particular gang-related attire may present a threat to student safety. The Superintendent will work collaboratively with these agencies to prohibit such dress.

This policy shall be reviewed annually by the Superintendent, who will make any proposed recommendations for change to the Gaston County Board of Education.

CONSEQUENCES

Elementary School: In-school disciplinary action.

Middle School: Ranging from in-school disciplinary action up to 3 days OSS.

High School: Ranging from in-school disciplinary action up to 3 days OSS.

Rule 17: *Sexual Harassment*

(See policy code 4329 and 7311 for complete policy)

Sexual harassment means and includes any unwelcomed sexual advances, requests for sexual favors and any other non-consensual and/or offensive verbal or physical contact of a sexual nature between an employee and a student or between students and includes misconduct by males against females, females against males and between students of the same sex. Sexual harassment is further defined to include two different levels or degrees of misconduct.

Physical: This form of sexual harassment includes touching, fondling and/or grabbing a student in a sexual way without

that student's consent or when the student finds such

behavior offensive; and

Verbal: This form of sexual harassment includes teasing, joking and/or making lewd remarks of a sexual nature to a student without that student's consent or when the other student finds such behavior offensive.

Sexually harassing students, school employees and any visitors or other individuals while at school is prohibited. Students are further prohibited from retaliating against an employee or student who has filed a sexual harassment complaint or participated in an investigation, proceeding or hearing regarding said complaint.

Procedures for Reporting and Investigating Sexual Harassment

Any student who believes that he/she has been sexually harassed by a school employee or another student should report such behavior immediately to any school official at his/her school (such as an administrator, teacher or school counselor).

The principal must immediately report assaults that result in serious personal injury to the appropriate law enforcement agency.

CONSEQUENCES

Elementary School: In-school disciplinary action up to 10 days OSS and/or alternative placement. Law enforcement may be contacted if required by law.

Middle School: In-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement may be contacted if required by law.

High School: In-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement may be contacted if required by law.

RULE 18: *Use of Wireless Communication Devices*

(See policy 4318 for complete policy)

The Board recognizes that cellular phones and other wireless communication devices have become an important tool through which parents communicate with their children. Therefore, students are permitted to possess such devices on school property so long as the devices are not activated, used, displayed or visible during the instructional day or as otherwise directed by school rules or school personnel. Wireless communication devices include, but are not limited to, cellular phones, electronic devices with internet capability, paging devices, two-way radios, and similar devices. School employees may immediately

Student Code of Conduct

confiscate any wireless communication devices that are on, used, displayed or visible in violation of this policy. Absent compelling and unusual circumstances, confiscated wireless devices will be returned only to the student's parent.

A student's wireless communication device and its contents, including, but not limited to, text messages and digital photos, may be searched whenever a school official has reason to believe the search will provide evidence that the student has violated or is violating a law, Board policy, the Student Code of Conduct or a school rule.

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

CONSEQUENCES

Elementary School: Confiscate device. Ranging from in-school disciplinary action up to 10 days OSS. Law enforcement will be contacted if required by law.

Middle School: Confiscate device. Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.

High School: Confiscate device. Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.

RULE 19: *Repeated School Violations*

A student who has violated any rules repeatedly as set forth in the Student Code of Conduct will be subject to disciplinary action.

CONSEQUENCES

Elementary School: Ranging from in-school disciplinary action up to 10 days OSS and/or alternative placement.

Middle School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.

High School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.

RULE 20: *Responsible Use of School Technology* (See policy 3230 and 7370 for complete policy)

Students shall not violate any policies adopted by the Board

of Education regarding student internet and electronic mail usage or the terms of Gaston County Schools Network and Internet Responsible Use Guidelines or individual school policy. Students must not access inappropriate materials on the internet as may be defined under such internet policy; should not violate any safety and security rules when using electronic mail, chat rooms, or other forms of electronic communication, as provided under the internet policy; should not engage in unauthorized access ("hacking") or other unlawful activities online while using school system computer equipment or internet access; and should not engage in unauthorized disclosure, use and/or dissemination of personal and/or identification information as outlined in the technology/internet policy.

CONSEQUENCES

Elementary School: Ranging from in-school disciplinary action up to 5 days OSS. Students may be required to pay restitution.

Middle School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or suspension. Students may be required to pay restitution.

High School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or suspension. Students may be required to pay restitution.

RULE 21: *Organizational Publications/Printed Materials*

Distribution of all printed material must be approved by the principal, including all student publications such as the student newspaper, yearbook and student magazine.

CONSEQUENCES

Elementary School: Ranging from in-school disciplinary action up to 5 days OSS.

Middle School: Ranging from in-school disciplinary action up to 10 days OSS, or alternative placement and/or long-term suspension.

High School: Ranging from in-school disciplinary action up to 10 days OSS, or alternative placement and/or long-term suspension.

RULE 22: *Walkouts and Boycotts*

Walkouts or boycotts by a student or group of students or the urging of others to exercise these tactics when actions do cause or would reasonably and likely cause a material and substantial disruption of the normal and continuing operation of the educational processes within the school shall not be used.

Student Code of Conduct

CONSEQUENCES

Elementary School: Ranging from in-school disciplinary action up to 10 days OSS. Law enforcement may be contacted.

Middle School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement may be contacted.

High School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement may be contacted.

RULE 23: Trespassing

(See policy 4330 for complete policy)

Students shall not willfully enter or remain in any school structure, conveyance or property without having been authorized by school personnel. No student shall be on the campus of another school other than his/her assigned school without the knowledge and consent of the officials of the school being visited, with the exception of athletic activities and other public events.

Any student suspended or expelled from Gaston County Schools will not be allowed on any property of Gaston County Schools during the period of suspension without the expressed permission of his/her principal. This includes long-term and short-term suspension and expulsion. Failure to comply with this provision may lead to further disciplinary action and/or criminal prosecution for trespassing.

CONSEQUENCES

Elementary School: Ranging from in-school disciplinary action up to 1 day OSS.

Middle School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement may be contacted.

High School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement may be contacted.

RULE 24: Violations of North Carolina Criminal Statutes

(See policy 4300 for complete policy)

Students shall not violate any criminal statute or local ordinance or commit any act which could result in criminal prosecution or juvenile proceedings not previously covered elsewhere in these rules at any place or time when the student's behavior has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment.

CONSEQUENCES

Elementary School: Ranging from in-school disciplinary action up to 10 days OSS. Law enforcement may be contacted if required by law.

Middle School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement may be contacted.

High School: Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement may be contacted.

RULE 25: Integrity and Civility

(See policy 4310 for complete policy)

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 of 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. These behaviors are specifically prohibited: cheating, plagiarizing, violating copyright laws, cursing or using vulgar, abusive or demeaning language toward another person, and playing abusive or dangerous tricks or otherwise subjecting a student or an employee to personal indignity.

CONSEQUENCES

Elementary School: Ranging from individual classroom disciplinary action to in-school disciplinary action up to 10 days OSS.

Middle School: Ranging from individual classroom disciplinary action to in-school disciplinary action up to 10 days OSS and/or alternative placement.

High School: Ranging from individual classroom disciplinary action to in-school disciplinary action up to 10 days OSS and/or alternative placement.

Searches and Seizures

(See policy 4306 and 4318 for complete policy)

To maintain order and discipline in the schools and to protect the safety and welfare of students and school personnel, school authorities may search a student, their effects, student lockers, desks, motor vehicles or other school property, and may seize any evidence discovered in the search whereby a student has violated a state law or the policy and/or rules of the Gaston County Board of Education and/or the school attended by the student.

Student Code of Conduct

Student lockers, desks, etc. are school property and may be searched at any time.

A student's wireless communication device and its contents, including, but not limited to, text messages and digital photos, may be searched whenever a school official has reason to believe the search will provide evidence that the student has violated or is violating a law, Board policy, the Student Code of Conduct or a school rule.

Random Metal Detection/Automobile Searches

Students may be required to submit to a screening for metal as a condition of entering or continuing attendance at school.

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains the authority to conduct routine patrols of student parking lots and inspection of the exteriors of student automobiles on school property. The interiors of student vehicles may be searched whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside. Such patrols and searches may be conducted without notice, without student consent and without a search warrant.

In addition, random searches of automobiles may be conducted to deter the possession of contraband such as weapons, guns, knives, illegal drugs and alcohol on school property or parking lots owned or leased by the school. If a search yields evidence that a student has violated a state law or the policy and/or rules of the Gaston County Board of Education and/or the school attended by the student, such evidence shall be seized by school officials and turned over to proper authorities for ultimate disposition.

Recommended Use of Police Canines on School Property

The principal or his/her designee may request a law enforcement agency to use a police canine whenever he/she feels there is reasonable suspicion to conduct a search on school property.

- The principal may honor the request of the sheriff or chief of police to use police canines if the principal feels the request is based on reasonable suspicion.
- The principal may allow police canines to be used anywhere on the school campus, including unoccupied classrooms, athletic facilities and vehicles.
- At no time shall a principal permit the search of a student or employee using a police canine.

Notification of Law Enforcement Officials

Under North Carolina General Statute §115C-288(g),

principals must report immediately to law enforcement agencies the following acts that occur on school grounds that involve:

- assault resulting in serious personal injury
- sexual assault
- sexual offense
- rape
- kidnapping
- taking indecent liberties with a minor
- assaults involving the use of a weapon
- possession of a weapon in violation of the law
- possession of a firearm in violation of the law
- possession of controlled substance in violation of the law

Appeals Procedures: Long-Term Suspension

(See policy 4353 for complete policy)

1. Parents will be notified by registered mail or in person of the principal's recommendation to the Superintendent to long-term suspend a student.
2. Parents shall, within 72 hours, give written notice of appeal to the hearing officer for Gaston County Schools. Appeal form is included in the long-term letter from the school.
3. Upon notification of appeal, the hearing officer shall convene an appeals committee to hear the appeal, establish a date and time agreeable to the parent and give notification of the appeals hearing date and time to all parties involved.
4. The appeals hearing committee shall allow the school to present a summary report regarding the nature of the offense(s), provide the results of the school's investigation and outline the penalties the principal has recommended. The student and his/her parents will have access to all the information shared with the appeals committee and will be provided opportunity to present evidence.
5. The central office appeals committee, after hearing all the evidence and witnesses, will make a recommendation of their decision to the Superintendent.
6. The Superintendent will make the final decision concerning the appeal. Parents will be notified by letter of the Superintendent's decision.

365-Day Suspension

(See policy 4353 for complete policy)

A student must be suspended who brings a weapon or explosive device as outlined in policy 4333 and {G.S. 115C-390.1(b)(3)} and {G.S. 115C-390.1(b)(6)} on school property or to a school-sponsored event unless modified by the Superintendent pursuant to policy 4333.

Student Code of Conduct

Expulsion

(See 4353 for complete policy)

Upon the recommendation of the principal and Superintendent, the Board of Education may expel a student who is fourteen years of age or older if the student's behavior indicates that his or her continued presence in school constitutes a threat to the safety of other students or employees.

The student's conduct need not result in the filing of criminal charges and need not have taken place on school premises or at a school activity in order for expulsion to be considered.

Depending on the circumstances – including the age and maturity of the student, the student's intention in committing the offense and the student's record of conduct, the following conduct may result in expulsion:

1. Theft or attempted theft by a student from another person by using or threatening to use a weapon.
2. The intentional and malicious burning of any structure or personal property, including any vehicle.
3. An attack or threatened attack by a student against another person wherein the student uses a weapon or displays a weapon in a manner found threatening to that person.
4. An attack by a student on any employee, adult volunteer or other student that does not result in serious injury but that is intended to cause or reasonably could cause serious injury.
5. An attack by a student on another person whereby the victim suffers obvious severe or aggravated bodily injury, such as broken bones, loss of teeth, possible internal injuries, laceration requiring stitches, loss of consciousness, or significant bruising or pain; or whereby the victim requires hospitalization or treatment in a hospital emergency room as a result of the attack.
6. Any intentional, highly reckless or negligent act that results in the death of another person.
7. Confining, restraining or removing another person from one place to another, without the victim's consent or the consent of the victim's parent, for the purpose of committing a felony or for the purpose of holding the victim as a hostage, for ransom, or for use as a shield.
8. The possession of a weapon on any school property, including in a vehicle with the intent to use or transmit for another's use or possession in a reckless manner so that harm is reasonably foreseeable.
9. 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.
10. 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 genital areas of the male and female.

11. The possession, manufacture, sale or delivery, or any attempted sale or delivery, of a controlled substance in violation of Chapter 90 of the North Carolina General Statutes.

12. Any behavior resulting in a felony conviction on weapons, drug, assault or other charge that implicates the safety of other persons.

13. Any other behavior that demonstrates a clear threat to the safety of others in the school environment.

Counseling

(See policy 3600 and 6020 for complete policy)

Following violations of the Student Code of Conduct, a student shall cooperate with any interventions recommended by the principal with regard to assessment/evaluations and/or counseling concerning his/her conduct that constituted the violation.

Student Parking

(See policy 6370 for complete policy)

The parking of motor vehicles and other modes of conveyance on school grounds shall comply with the rules and regulations adopted by the individual school. Failure to abide with such rules and regulations may result in the student's loss of the privilege of parking a vehicle on campus. Student parking is a privilege and all students' motor vehicles on campus may be subject to search by school officials as outlined in policy 4306.

Suspension from Participation in Athletics and Extracurricular Activities

(See policy 4395 and 3610 for complete policy)

Participation in athletics is a privilege with which comes certain responsibilities. A student may be suspended from participation in athletics or extracurricular activities for conduct either on or off school grounds that constitutes a felony or any crime of moral turpitude including, but not limited to, the illegal possession, sale or use of drugs or alcohol. Conviction of a crime is not mandatory for this suspension to be enforced.

Suspension from Attendance at Athletic/ Extracurricular Activities and Bus Privileges

A student who exhibits violent or disruptive behavior during the school day(s) may be banned from attending extracurricular activities and riding the school bus at the discretion of the principal.

Student Code of Conduct

Use of Video Recorders on School Buses

It is the practice of Gaston County Schools to use video recorders on school buses. Use of such video recorders shall be for the purposes of identifying safety concerns and to substantiate bus conduct violations.

Such recordings may be periodically and regularly reviewed by school officials, are considered confidential, but may be disclosed as part of school disciplinary proceedings or safety programs.

The placing of a student on a school bus shall constitute parental consent to have a child recorded in such a manner.

Student Records

(See policy 3470 for complete policy)

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

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

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

Student Attendance

Attendance in school and participation in class are integral parts of academic achievement and the teaching-learning process. Through regular attendance, students develop patterns of behavior essential to professional and personal success in life. Regular attendance by every student is mandatory. The State of North Carolina requires that every child in the state between the ages of 7 (or younger if enrolled) and 16 attend school. Parents and legal guardians are responsible for ensuring that students attend and remain at school daily.

A. Attendance Records

School officials shall keep accurate records of attendance, including accurate attendance records in each class. Students will be considered in attendance if present at least half of the instructional day on-site in the school or at a place other than the school attending an authorized school-related activity.

To be in attendance during remote instruction days, students must: (1) complete their daily assignments, either online or offline; and/or (2) have a daily check-in through two-way communications with (a) the homeroom teachers for grades K-5 or (b) for all other grade levels, each course teacher as scheduled.

B. Late Arrivals and Early Departures

Students are expected to be at school on time and to remain at school until dismissed. During the school day, students are expected to be present at the scheduled starting time for each class and to remain until class ends.

C. Excused Absences

Following any absence(s), it is required that a written document or email be presented from the parent or guardian stating the reason for the absence. All absences will be coded unexcused in the computer until a written note or email is received from the parent or guardian. Written documentation must be presented within three school days after the student returns to school; otherwise, the absence(s) will be recorded as unexcused. In particular situations that may involve court-related proceedings, Gaston County social workers are given the authority to review attendance documentation as necessary. Absences will be coded according to the North Carolina Compulsory Attendance Law regulations as printed below. Absences due to extended illnesses may also require a statement from a healthcare practitioner. An absence may be excused for any of the following reasons:

Student Code of Conduct

1. personal illness or injury that makes the student physically unable to attend school;
2. isolation ordered by the local health officer or the State Board of Health or isolation or quarantine that is a required state or local control measure;
3. death in the immediate family;
4. medical or dental appointment;
5. attendance at the proceeding of a court or administrative tribunal if the student is part to the action or under subpoena as a witness;
6. a minimum of two days each academic year for observance of an event required or suggested by the religion of the student or the student's parent(s);
7. participation in a valid educational opportunity, such as travel or service as a legislative or Governor's page, with prior approval from the principal;
8. pregnancy and related conditions or parenting, when medically necessary; or
9. a minimum of two days each academic year for visitation with the student's parent or legal guardian if the student is not identified as at-risk of academic failure because of unexcused absences and the student's parent or legal guardian (a) is an active duty member of the uniformed services as defined by policy 4176, Children of Military Families, and (b) has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting; or
10. any other reason as approved by the Board in a Board resolution.

D. School-Related Activities

While recognizing the importance of classroom learning, the Board also acknowledges that out-of-classroom, school-related activities can provide students with valuable experiences not available in the classroom setting. The following school-related activities will not be counted as absences from either class or school:

1. field trips sponsored by the school;
2. job shadows and other work-based learning opportunities, as described in G.S. 115C-47(34a);
3. school-initiated and -scheduled activities;
4. athletic events that require early dismissal from school;
5. Career and Technical Education student organization activities approved in advance by the principal; and
6. Students participating in disciplinary techniques categorized as in-school suspension will not be counted as absent.

E. Makeup Work

In the case of absences, short-term out-of-school suspensions, and absences under G.S. 130A-440 (for

failure to submit a school health assessment form within 30 days of entering school), the student will be permitted to make up his or her missed work. (See also policies 4110, Immunization and Health Requirements for School Admission, and 4351, Short-Term Suspension.) Assignments missed due to participation in school-related activities also are eligible for makeup by the student. The teacher shall 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.

F. Unexcused Absences

The principal shall notify parents and take all other steps required by G.S. 115C-378 for unexcused absences.

Any school disciplinary consequences for unexcused absences will be consistent with Section D of policy 4300, Student Behavior Policies. The Superintendent or designee shall list in the Student Code of Conduct the specific range of consequences that may be imposed on a student for such offenses. Consequences may not exceed a short-term suspension or two days.

When a student reaches ten (10) or more cumulative absences, a letter may be sent requiring a doctor's note to excuse future absences. Students with excused absences due to documented chronic health problems are exempt from this policy.

In addition, for students experiencing homelessness (see policy 4175, Homeless Students), school officials must consider issues related to the student's homelessness, such as a change of caregivers or nighttime residence, before taking disciplinary action or imposing other barriers to school attendance based on excessive absences or tardies.

Excessive absences may impact eligibility for participation in interscholastic athletics, extracurricular activities and student organizations. (See policy 3610)

G. Chronic Absenteeism

Because class attendance and participation are critical elements of the educational process, any absences, whether excused or unexcused, can have a negative impact on a student's academic progress. Regular attendance must be prioritized within each school and encouraged throughout the community. School administrators shall monitor and analyze attendance data to develop and implement strategies for reducing chronic absenteeism. Such strategies should involve engaging students and parents, recognizing good and improved attendance, providing early outreach to families of students missing school, and identifying and addressing barriers to attendance.

K-8 Elementary and Middle School Students

For K-8 students, only 12 absences, including excused and

Student Code of Conduct

unexcused absences, are permitted each school year. The principal of each school will review information on students who have exceeded 12 absences and will consider the possibility of retention based on absences.

9-12 High School Students

Each day school is in session for students, classroom teachers will report student attendance for each class period and maintain accurate student attendance records for report cards. At the eleventh absence (excused or unexcused) per semester from a class, students who are passing the class must file for an appeal in order to be eligible to earn credit for the class. The appeal will be requested to the designated official at each high school (appointed by the principal). The appeal may be requested by the student or parent, classroom teacher, advisory teacher, counselor or other staff member. The deadline for an appeal request is the 75th school day of each semester (unless the eleventh absence falls after this day). Each high school principal will appoint an attendance appeal committee(s) as deemed appropriate. Guidelines from the school system will be provided to the principals and these committees. The committee(s) will meet to conduct student attendance appeals during a period between the 76th school day of each semester and the last teacher workday of each semester. In the event the student appeal is granted, the student will receive the final grade earned in the course. Should the appeal be rejected, the student will receive a failing final grade and receive no credit for the course. In order to facilitate acceptable course attendance, the following interventions and communications should be implemented:

- By the third absence in a course where no contact has been received from the parent/guardian, the school official will contact the parent/guardian using telephone, email, letter or automated telephone message. The school official will remind the parent/guardian of the number of absences and the Gaston County Board of Education policy on high school student attendance.
- After not more than six absences in a course, the parent/guardian will be contacted using telephone, email, letter or automated telephone message. The school official will remind the parent/guardian of the number of absences, the policy on high school student attendance and specifics regarding the appeal process. After not more than six absences from a course, the classroom teacher will notify Multi-Tiered System of Supports (MTSS) team.
- Upon notification from the classroom teacher, the MTSS team will evaluate the overall academic and attendance information of the student and if deemed appropriate, consult with the school social worker and/or other

support personnel for possible additional interventions, recommendations or consequences for the student/parent/guardian.

- On the tenth absence in a course, the parent/guardian will be contacted by using telephone, email, letter or automated telephone message. The school official will remind the parent/guardian of the number of absences, the policy on high school student attendance and that an appeal must be initiated upon the eleventh absence from a course if the student is passing the course.
- On the eleventh absence, the teacher or other school personnel, student or parent can give/request the Gaston County Schools student attendance appeal request form.

Dropout Prevention/Driver License Legislation

North Carolina has legislation reflecting a coordinated statewide effort to motivate and encourage students to complete their high school education. The law provides for the revocation of the student's driving permit or license if the student does not maintain adequate academic progress or drops out of school. Adequate academic progress is defined as passing five (5) subjects under a traditional schedule (6- or 7-period day) or 3 out of 4 classes in a block schedule school.

This law applies to all North Carolina students under the age of 18 who are eligible for a driving permit or license. Previously, a student had to present a birth certificate, Social Security Card and Driver Education Completion Certificate to the Department of Motor Vehicles in order to obtain a permit or license. A student is now required to present a Driving Eligibility Certificate, issued by the school and good for 30 days, to the Department of Motor Vehicles to obtain a permit or license.

The Driving Eligibility Certificate will only be issued to students making adequate academic progress. Students who do not meet the academic progress requirements will be reported to the Department of Motor Vehicles and their permit or license will be revoked. There is a provision for a request for a review of the student's situation based on hardship considerations. Students may regain academic eligibility at the end of each semester.

Lose Control, Lose Your License Legislation

Students given an expulsion/suspension for more than 10 (ten) consecutive days for one of the three reasons listed below are subject to having their permit/license suspended for up to one calendar year.

- The possession or sale of an alcoholic beverage or an illegal

Student Code of Conduct

controlled substance on school property.

- The possession or use on school property of a weapon or firearm that resulted in disciplinary action under G.S. §115C-391(d1) or that could have resulted in that disciplinary action if the conduct had occurred in a public school.

- The physical assault on a teacher or other personnel on school property.

Students who are at least 14 years old or who are rising eighth graders are subject to this law. The law applies to all students, even to those exempted under Dropout Prevention/Driver License Legislation.

Unlike the Dropout Prevention/Driver License Legislation law that ends when a student turns 18 years old, the “Lose Control” law does not stop at age 18 nor does it stop when the student graduates.

Students who may lose their permit/license under this legislation may be eligible to regain the permit/license after a six-month period by displaying exemplary behavior in an alternative education setting or having successfully completed a school district-approved drug or alcohol treatment counseling program.

Legal References: McKinney-Vento Homeless

Assistance Act, 42 U.S.C. 11431, et seq.; G.S.115C-47,-84.2,-288(a),-375.5,-378to-383,-390.2(d),-390.2(l),-390.5,-407.5;130A440; 16N.C.A.C.6E.0102,0103, .0106; State Board of Education PoliciesATND-000, -003

Adopted: 07/16/2001

Revised: 06/02/2008, 04/20/2009, 04/18/2011, 06/18/2012, 06/18/2013, 05/18/2015, 08/22/2016, 07/09/2018, 07/09/2019, 07/02/2020, 8/15/2022, 7/18/2023

NOTES

The Gaston County Schools Student Code of Conduct printed in this booklet is the current version as of July 18, 2023. Any updates to the Student Code of Conduct made by the Board of Education during the school year will be reflected in the online version, which is available on the Gaston County Schools website, www.gaston.k12.nc.us.

The term OSS used in the Student Code of Conduct is the acronym for Out-of-School Suspension.

Annual Notification to Parents

The following Gaston County Board of Education policies may be of particular interest to parents, students, community volunteers, and other citizens. For the complete Board of Education policy manual, please visit the Gaston County Schools website (www.gaston.k12.nc.us) and click on the Board of Education tab. If you are not able to access the Board of Education policy manual online, please contact your school principal or the Gaston County Schools Communications Department, (704) 866-6237, to review a copy of the policy manual.

Policy 3470	Student Records
Policy 3600	Counseling Program
Policy 4020	Parental Involvement
Policy 4021	Title I Parent and Family Engagement
Policy 4030	Student and Parent Grievance Procedure
Policy 4304-R	Rules for Use of Seclusion and Restraint in Schools
Policy 4329/7311	Bullying and Harassing Behavior Prohibited
Policy 4331	Assaults and Threats
Policy 4339	School-Level Investigations
Policy 4375/7310	Staff-Student Relations
Policy 5010	School Volunteers
Policy 7220	Nondiscrimination on the Basis of Disabilities
Policy 7232	Discrimination and Harassment in the Workplace
Policy 1710/4023/7230	Discrimination and Harassment Prohibited by Federal Law
Policy 1720/4031/7235	Title IX Nondiscrimination on the Basis of Sex Policy
Policy 1725/4035/7236	Title IX Sexual Harassment-Prohibited Conduct and Reporting Process
Policy 1726/4036/7237	Title IX Sexual Harassment Grievance Process

Annual Notification to Parents

At the beginning of each academic year, school districts are required to provide students and their parents with certain annual notices. Review the following information carefully and contact your child's principal if you have questions.

A. Student Records: Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act ("FERPA"), a federal law, gives parents and students over eighteen (18) years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

- The right to inspect and review your child's education records within forty-five (45) days of the day the school receives a request for access. You should submit to the school principal a written request that identifies the record(s) you wish to inspect. The principal will make arrangements for access and notify you of the time and place where the records may be inspected.
- The right to request an amendment of your child's education records that you believe are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. You should write the school principal, clearly identify the part of the record you want changed and specify why it should be changed. If the school decides not to amend the record as requested, the school will notify you of the decision and advise you of your right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to you when you are notified of the right to a hearing.
- The right to consent to disclosures of personally identifiable information contained in your child's education records. FERPA requires that the school obtain your written consent prior to the disclosure of any such information with certain exceptions. School officials with a legitimate educational interest are an exception and do not need parental consent. For a complete list of the disclosures that elementary and secondary schools may make without parental consent, see 34 CFR Part 99.37. A school may disclose Personal Identifiable Information (PII) from the education records of a student without obtaining prior written consent to:
 - Officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer;
 - Authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of

Education, or state and local educational authorities, such as the State Educational Agency (SEA) of North Carolina;

- Financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid;
- State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a state statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released;
- Organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction;
- Accrediting organizations to carry out their accrediting functions;
- Parents of an eligible student if the student is a dependent for IRS tax purposes;
- Comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in connection with a health or safety emergency;
- Agency case worker or other representative of a state or local child welfare agency or tribal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with state or tribal law, for the care and protection of the student in foster care placement; and
- The Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs.

A school official includes any of the following when that person has a "legitimate educational interest" in having access to the information:

- a. Any administrator, supervisor, instructor, certified staff member, or support staff member (including health, medical, safety, law enforcement unit personnel, and security staff) employed by the school district;
- b. A school board member;
- c. A contractor, consultant, volunteer, or other party who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records and is subject to FERPA requirements governing the use and redisclosure of PII

Annual Notification to Parents

from education records, including but not limited to, an attorney, auditor, cloud storage provider, consultant, expert witness, hearing officer, law enforcement unit, investigator, insurer/insurance company adjuster, investigator, or any other claims representative, medical providers or consultants, or counselors/therapists;

d. A person serving on a committee appointed by the school board or by the administration of the school district, such as a disciplinary or grievance committee or other review committee.

e. A school official has a "legitimate educational interest" if the official needs to review an education record in order to fulfill his or her professional responsibility.

The school district may release "directory information" about a student unless you have advised the school to the contrary. The school district has designated the following information as directory information:

- Student's name
- Address
- Date and place of birth
- Telephone listing
- Electronic mail address
- Photograph
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Diplomas (including endorsements earned), industry credentials/certifications, and awards received
- Grade level
- Most recent school or institution attended by the student
- Dates of attendance

The primary purpose of directory information is to allow the school to include this type of information from your child's education records in certain school publications. Examples include:

- i. A playbill, showing your student's role in a drama production;
- ii. The annual yearbook;
- iii. Honor roll or other recognition lists;
- iv. Graduation programs; or
- v. Sports activity sheets, showing weight and height of team

members.

Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to you, § 99.32

of the FERPA regulations requires the school to record the disclosure. You have a right to inspect and review the record of disclosures.

Directory information may also be disclosed to outside organizations without your prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

In addition, under federal law, we are required to provide military recruiters and institutions of higher education, upon their request, with the names, addresses and telephone numbers of high school students unless the student or parent has advised the school that they do not want such information disclosed without their prior written consent.

If you do not want the school to disclose some or all of the directory information described above from your child's education records to all or certain recipients without your prior written consent, the school district must be notified in writing within fourteen (14) days of the beginning of the school year or within fourteen (14) days of your enrolling in the school district. An "opt out" is perpetual and can only be rescinded in writing. You have a right to inspect and review the record of disclosures.

You have the right to file a complaint with the U.S. Department of Education concerning alleged failures of the school district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

B. Non-Discrimination: Title VI of the Civil Rights Act of 1964; The Rehabilitation Act of 1973 (Section 504); and The Americans with Disabilities Act of 1990 (ADA)

It is the school district's policy not to discriminate on the basis of race, color, national origin, sex, disability, religion, age, genetic information or veteran's status in its educational programs, activities, admissions, or employment policies. For inquiries or complaints or to request a copy of the school district's grievance procedures, contact:

Taner Jarrett
504 Coordinator
215 W. Third Ave.
Gastonia, N.C. 28052
(704) 866-6160

Dana Lutz
ADA/ Title IX Coordinator
215 W. Third Ave.
Gastonia, N.C. 28052
704-866-6245

Annual Notification to Parents

The coordinator for other nondiscrimination laws is:

Dr. Morgen Houchard, Human Resources
1351 Bradford Heights Road
Gastonia, NC 28054
(704) 866-6129

C. Students with Disabilities: Individuals with Disabilities Act (IDEA)

Pursuant to the IDEA, a federal law, the school district must provide special education services to all children residing in the school district who are between the ages of three (3) and twenty-one (21) who have been diagnosed with or are suspected to have mental, physical or emotional disabilities and who are unable to benefit from a regular school program without special assistance. If your child or a child you know may qualify for special assistance, contact:

Stacy Huffman
Executive Director
Department for Exceptional Children
(704) 866-6160

D. Homeless Students: McKinney-Vento Homeless Assistance Act

For information concerning the educational rights of homeless students, consult board policy 4175 or contact:

Jill Payne
Executive Director of Student Support Services
943 Osceola Street
Gastonia, N.C. 28054
(704) 866-2675

E. Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to:

- Parents must consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education:

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom students have

close family relationships;

6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;

7. Religious practices, affiliations, or beliefs of the student or student's parent; or

8. Income, other than as required by law to determine program eligibility.

- Parents must receive notice and an opportunity to opt a student out of:

1. Any other protected information survey, regardless of funding;

2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school district, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under state law; and

3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others.

(This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)

- Parents may inspect, upon request and prior to the administration or use of:

1. Protected information surveys of students and surveys created by a third party;

2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and

3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under state law.

Parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. The following is a list of the specific activities and surveys covered under this direct notification requirement:

- Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution.

- Administration of any protected information survey not funded in whole or in part by U.S. Department of Education.

- Any non-emergency, invasive physical examination or

Annual Notification to Parents

screening as described above.

Parents who believe their rights have been violated may file a complaint with the Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202

F. Student Health: N.C.G.S. § 115C-375.4

With the passage of N.C.G.S. 115C-375.4, the school district must provide families with information on influenza and meningococcal diseases and the vaccines that are available to prevent each. Influenza (“flu”) is caused by a virus that spreads from infected persons to the nose or throat of others. Influenza can cause fever, sore throat, chills, coughs, headache, and muscle aches.

Anyone can get influenza. Most people are ill with flu for only a few days, but some get much sicker and may need to be hospitalized. Influenza causes an average of 36,000 deaths each year in the U.S., mostly among the elderly.

Influenza vaccine is available in two types. Inactivated (killed) flu vaccine, given as a shot, has been used in the U.S. for many years. A live, weakened vaccine, FluMist, was licensed in 2003. It is sprayed into the nostrils. It is available for persons age 5-49 years of age. Influenza viruses change often. Therefore, influenza vaccine is updated every year. Protection develops in about two weeks after getting the shot and may last up to a year. The best time to get the vaccine is in October or November. Contact your local health department or physician for more details.

Meningococcal disease is a serious illness caused by bacteria. It is the leading cause of bacterial meningitis in children 2-18 years old in the United States. Meningitis is an infection of the brain and spinal cord coverings. Meningococcal disease can also cause blood infections. About 2,600 people get meningococcal disease each year in the U.S. Ten to fifteen percent of these people die in spite of treatment with antibiotics. Of those who live, another 10% have chronic complications. It is most common in infants less than one year of age, international travelers, and people with certain medical conditions. College freshmen, particularly those who live in dormitories, have a slightly increased risk of getting meningococcal disease.

Learn more about these vaccines by consulting with your family doctor or nurse or contacting the Gaston County Health Department at (704) 853-5000 or contacting the Centers for Disease Control and Prevention (CDC) at 1-800-

232-2522 (English) or 1-800-232-0233 (Spanish) or visiting <http://cdc.gov/vaccines/>.

G. Student Health: N.C.G.S. § 115C-47(51)

North Carolina General Statute § 115C-47(51) requires schools to provide information concerning cervical cancer, cervical dysplasia and human papillomavirus and the vaccines available to prevent these diseases.

Information on these diseases and the vaccines can be found at www.cdc.gov/vaccines/. Those individuals without internet access can contact a school nurse or the Gaston County Health Department at (704) 853-5000.

H. North Carolina Safe Surrender Law

Pursuant to N.C.G.S. §7B-500(b), an individual may legally surrender their newborn baby to a responsible adult without fear of criminal prosecution. While any responsible adult may receive a newborn, school social workers, school nurses, counselors and law enforcement agents are examples of responsible adults who are familiar with this law. More information can be found at <http://www.ncdhhs.gov/assistance/pregnancy-services/safe-surrender>. Those individuals without internet access can contact a school nurse or social worker for information.

I. Asbestos Hazard Emergency Response Act

This notice is provided to you with information regarding the Asbestos Hazard Emergency Response Act (AHERA) Management Plan for Gaston County Schools. AHERA is a provision of the Toxic Substance Control Act and was passed by Congress in 1986. It requires schools to “ensure that workers and building occupants, or their legal guardians, are informed at least once each school year about inspections, response actions, and post-response action activities, including periodic re-inspection and surveillance activities that are planned or in progress as well as the availability of the AHERA Management Plan for public review.” (§763.84(c))

The AHERA Management Plan contains documents of the initial AHERA inspection, six-month periodic surveillances, triennial re-inspections, employee training and operations and maintenance procedures. If you have any questions regarding the AHERA Management Plan for this school district, you can contact the Gaston County Schools Facilities Services Department, (704) 866-6146.

J. Use of Pesticides: N.C.G.S. § 115C-47(47)

With the passage of N.C.G.S. § 115C-47(47), the school

Annual Notification to Parents

district must provide notification regarding pesticide use on school property. For more information, consult board policy 9235 or contact:

Mark Schultz
Operations Manager
943 Osceola Street
Gastonia, N.C. 28054
(704) 866-6270

K. Student Restraint/Seclusion/Isolation

The school district has adopted board policy 4304, as required by N.C.G.S. § 115C-391.1. Board policy 4304 and N.C.G.S. § 115C-391.1 are provided below.

Board policy 4304: Rules For Use of Seclusion and Restraint in Schools

The following rules will govern the use of seclusion and restraint by school personnel. As used in this regulation, "school personnel" means employees of the Board and any persons working on school grounds or at a school function (1) under a contract or written agreement with the school system to provide educational or related services to students or (2) for another agency providing educational or related services to students.

Seclusion and restraint will not be used on students with disabilities (1) for behavior(s) that would not result in seclusion or restraint for students without identified disabilities, unless the use is authorized by the student's IEP or Section 504 Plan for an educational or safety-related purpose, or (2) based on assumptions or stereotypes about disabilities or students with disabilities generally.

A. Physical Restraint

Physical restraint means the use of physical force to restrict the free movement of all or a part of a student's body.

Physical restraint will be considered to be a reasonable use of force when used in the following circumstances:

1. as reasonably needed to obtain possession of weapons or other dangerous objects on the person or within the control of a student;
2. as reasonably needed to maintain order or to prevent or break up a fight;
3. as reasonably needed for self-defense;
4. as reasonably needed to ensure the safety of any student, employee, volunteer, or other person present;
5. as reasonably needed to teach a skill, to calm or comfort a student, or to prevent self-injurious behavior;
6. as reasonably needed to escort a student safely from one area to another;
7. if used as provided for in an IEP, Section 504 plan, or behavior intervention plan; or

8. as reasonably needed to prevent imminent destruction to school or another person's property.

Except as set forth above, physical restraint of students will not be considered a reasonable use of force, and its use is prohibited. In addition, physical restraint will not be considered a reasonable use of force when used solely as a disciplinary consequence.

Prone restraint is a form of physical restraint in which a person is held in a face-down position on the floor or other surface. Prone restraint does not include placement in a face-down position as part of a necessary medical intervention. The use of prone restraint is prohibited.

B. Mechanical Restraint

Mechanical restraint means the use of any device or material attached or adjacent to a student's body that restricts freedom of movement or normal access to any portion of the student's body and that the student cannot easily remove.

Mechanical restraint of a student by school personnel is permissible only in the following circumstances:

1. when properly used as an assistive technology device included in the student's IEP, Section 504 plan, or behavior intervention plan or as otherwise prescribed by a medical or related service provider;
2. when using seat belts or other safety restraints to secure a student during transportation;
3. as reasonably needed to obtain possession of weapons or other dangerous objects on the person or within the control of a student;
4. as reasonably needed for self-defense; or
5. as reasonably needed to ensure the safety of any student, employee, volunteer, or other person.

Except as set forth above, mechanical restraint, including the tying, taping, or strapping down of a student, will not be considered to be a reasonable use of force, and its use is prohibited.

C. Seclusion

Seclusion means the confinement of a student alone in an enclosed space from which the student is (a) physically prevented from leaving by locking hardware or other means or (b) incapable of leaving due to physical or intellectual capacity.

Seclusion of a student by school personnel may be used in the following circumstances:

1. as reasonably needed to respond to a person in control of a weapon or other dangerous object;
2. as reasonably needed to maintain order or prevent or break up a fight;
3. as reasonably needed for self-defense;

Annual Notification to Parents

4. as reasonably needed when a student's behavior poses a threat of imminent physical harm to self or others or imminent substantial destruction of school or another person's property; or
5. when used as specified in the student's IEP, Section 504 plan, or behavior intervention plan; and
 - a. the student is monitored by an adult in close proximity who is able to see and hear the student at all times while the student is in seclusion;
 - b. the student is released from seclusion upon cessation of the behaviors that led to the seclusion or as otherwise specified in the student's IEP, Section 504 plan, or behavior intervention plan;
 - c. the confining space has been approved for such use by the school district;
 - d. the space is appropriately lighted, ventilated, and heated or cooled; and
 - e. the space is free from objects that unreasonably expose the student or others to harm.

Except as set forth above, the use of seclusion is not considered to be reasonable force, and its use is prohibited. In addition, seclusion will not be considered a reasonable use of force when used solely as a disciplinary consequence.

D. Isolation

Isolation means a behavior management technique in which a student is placed alone in an enclosed space from which the student is not prevented from leaving.

Isolation is permitted as a behavior management technique provided that:

1. the isolation space is appropriately lighted, ventilated, and heated or cooled;
2. the duration of the isolation is reasonable in light of the purpose for the isolation;
3. the student is reasonably monitored while in isolation; and
4. the isolation space is free from objects that unreasonably expose the student or others to harm.

E. Time-Out

Time-out means a behavior management technique in which a student is separated from other students for a limited period of time in a monitored setting. Teachers are authorized to use time-out to regulate behavior within their classrooms.

F. Aversive Procedures

Aversive procedure means a systematic physical or sensory intervention program for modifying the behavior of a student with a disability that causes or reasonably may be expected to cause one or more of the following:

1. significant physical harm, such as tissue damage, physical

illness, or death;

2. serious and foreseeable long-term psychological impairment; or

3. obvious repulsion on the part of observers who cannot reconcile such extreme procedures with acceptable standard practice; for example:

- a. electric shock applied to the body;
- b. extremely loud auditory stimuli;
- c. forcible introduction of foul substances to the mouth, eyes, ears, nose, or skin;
- d. placement in a tub of cold water or shower;
- e. slapping, pinching, hitting, or pulling hair;
- f. blindfolding or other forms of visual blocking;
- g. unreasonable withholding of meals;
- h. eating one's own vomit; or
- i. denial of reasonable access to toileting facilities.

The use of aversive procedures is prohibited.

G. Notice, Reporting, and Documentation

1. School personnel shall promptly notify the principal or designee of any of the following:

- a. any use of aversive procedures;
- b. any prohibited use of mechanical restraint;
- c. any use of physical restraint resulting in observable physical injury to a student;
- d. any prohibited use of seclusion; or
- e. any seclusion exceeding 10 minutes or the amount of time specified in a student's behavior intervention plan.

2. Notice to Parents

When a principal or designee has personal or actual knowledge of any of the incidents listed in subsection G.1, above, he or she shall promptly notify the student's parent or guardian and shall provide the name of the school employee whom the parent or guardian may contact regarding the incident. Such notice shall be provided by the end of the workday during which the incident occurred when reasonably possible, but no later than the end of the following workday. Such notice also shall be provided in addition to the written incident report required in subsection G.3 below.

3. Written Report to Parents

Within a reasonable period of time not to exceed 30 days after any incident listed in subsection G.1 of this regulation occurs, the principal or designee shall provide the parent or guardian with a written incident report. This report must include the following:

- a. the date, time of day, location, duration, and description of the incident and interventions;
- b. the event or events that led up to the incident;
- c. the nature and extent of any injury to the student; and

Annual Notification to Parents

d. the name of a school employee the parent or guardian can contact regarding the incident.

4. Reporting to State Board

The local Board will maintain a record of incidents reported under the procedure described in subsection G.3 above and will provide this information annually to the State Board of Education.

5. Non-Retaliation for Reporting

Any employee making a report alleging a prohibited use of physical or mechanical restraint, seclusion, or aversive procedure will not be discharged, threatened, or retaliated against through compensation, terms, conditions, location, or privileges of employment unless the employee knew or should have known that the report was false.

N.C.G.S. § 115C-391.1

Permissible use of seclusion and restraint

A. It is the policy of the State of North Carolina to:

- (1) Promote safety and prevent harm to all students, staff, and visitors in the public schools.
- (2) Treat all public school students with dignity and respect in the delivery of discipline, use of physical restraints or seclusion, and use of reasonable force as permitted by law.
- (3) Provide school staff with clear guidelines about what constitutes use of reasonable force permissible in North Carolina public schools.
- (4) Improve student achievement, attendance, promotion, and graduation rates by employing positive behavioral interventions to address student behavior in a positive and safe manner.
- (5) Promote retention of valuable teachers and other school personnel by providing appropriate training in prescribed procedures, which address student behavior in a positive and safe manner.

B. The following definitions apply in this section:

- (1) "Assistive technology device" means any item, piece of equipment, or product system that is used to increase, maintain, or improve the functional capacities of a child with a disability.
- (2) "Aversive procedure" means a systematic physical or sensory intervention program for modifying the behavior of a student with a disability which causes or reasonably may be expected to cause one or more of the following:
 - a. Significant physical harm, such as tissue damage, physical illness, or death.
 - b. Serious, foreseeable long-term psychological impairment.
 - c. Obvious repulsion on the part of observers who cannot reconcile extreme procedures with acceptable, standard practice; for example: electric shock applied to the body; extremely loud auditory stimuli; forcible introduction of

foul substances to the mouth, eyes, ears, nose, or skin; placement in a tub of cold water or shower; slapping, pinching, hitting, or pulling hair; blindfolding or other forms of visual blocking; unreasonable withholding of meals; eating one's own vomit; or denial of reasonable access to toileting facilities.

(3) "Behavioral intervention" means the implementation of strategies to address behavior that is dangerous, disruptive, or otherwise impedes the learning of a student or others.

(4) "IEP" means a student's Individualized Education Plan.

(5) "Isolation" means a behavior management technique in which a student is placed alone in an enclosed space from which the student is prevented from leaving.

(6) "Law enforcement officer" means a sworn law enforcement officer with the authority to arrest.

(7) "Mechanical restraint" means the use of any device or material attached or adjacent to a student's body that restricts freedom of movement or normal access to any portion of the student's body and that the student cannot easily remove.

(8) "Physical restraint" means the use of physical force to restrict the free movement of all or a portion of a student's body.

(9) "School personnel" means:

- a. Employees 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.

(10) "Seclusion" means the confinement of a student alone in an enclosed space from which the student is:

- a. Physically prevented from leaving by locking hardware or other means.
- b. Not capable of leaving due to physical or intellectual incapacity.

(11) "Time-out" means a behavior management technique in which a student is separated from other students for a limited period of time in a monitored setting.

C. Physical Restraint:

(1) Physical restraint of students by school personnel shall be considered a reasonable use of force when used in the following circumstances:

- a. As reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person.
- b. As reasonably needed to maintain order or prevent or break up a fight.

Annual Notification to Parents

c. As reasonably needed for self-defense.
 d. As reasonably needed to ensure the safety of any student, school employee, volunteer, or other person present, to teach a skill, to calm or comfort a student, or to prevent self-injurious behavior.

e. As reasonably needed to escort a student safely from one area to another.

f. If used as provided for in a student's IEP or Section 504 plan or behavior intervention plan.

g. As reasonably needed to prevent imminent destruction to school or another person's property.

(2) Except as set forth in subdivision (1) of this subsection, physical restraint of students shall not be considered a reasonable use of force, and its use is prohibited.

(3) Physical restraint shall not be considered a reasonable use of force when used solely as a disciplinary consequence.

(4) Nothing in this subsection shall be construed to prevent the use of force by law enforcement officers in the lawful exercise of their law enforcement duties.

D. Mechanical Restraint:

(1) Mechanical restraint of students by school personnel is permissible only in the following circumstances:

a. When properly used as an assistive technology device included in the student's IEP or Section 504 plan or behavior intervention plan or as otherwise prescribed for the student by a medical or related service provider.

b. When using seat belts or other safety restraints to secure students during transportation.

c. As reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person.

d. As reasonably needed for self-defense.

e. As reasonably needed to ensure the safety of any student, school employee, volunteer, or other person present.

(2) Except as set forth in subdivision (1) of this subsection, mechanical restraint, including the tying, taping, or strapping down of a student, shall not be considered a reasonable use of force, and its use is prohibited.

(3) Nothing in this subsection shall be construed to prevent the use of mechanical restraint devices such as handcuffs by law enforcement officers in the lawful exercise of their law enforcement duties.

E. Seclusion

(1) Seclusion of students by school personnel may be used in the following circumstances:

a. As reasonably needed to respond to a person in control of a weapon or other dangerous object.

b. As reasonably needed to maintain order or prevent or break up a fight.

c. As reasonably needed for self-defense.

d. As reasonably needed when a student's behavior poses a threat of imminent physical harm to self or others or imminent substantial destruction of school or another person's property.

e. When used as specified in the student's IEP, Section 504 plan, or behavior intervention plan; and

1. The student is monitored while in seclusion by an adult in close proximity who is able to see and hear the student at all times.

2. The student is released from seclusion upon cessation of the behaviors that led to the seclusion or as otherwise specified in the student's IEP or Section 504 plan.

3. The space in which the student is confined has been approved for such use by the school district.

4. The space is appropriately lighted.

5. The space is appropriately ventilated and heated or cooled.

6. The space is free of objects that unreasonably expose the student or others to harm.

(2) Except as set forth in subdivision (1) of this subsection, the use of seclusion is not considered reasonable force, and its use is not permitted.

(3) Seclusion shall not be considered a reasonable use of force when used solely as a disciplinary consequence.

(4) Nothing in this subsection shall be construed to prevent the use of seclusion by law enforcement officers in the lawful exercise of their law enforcement duties.

F. Isolation – Isolation is permitted as a behavior management technique provided that:

(1) The space used for isolation is appropriately lighted, ventilated, and heated or cooled.

(2) The duration of the isolation is reasonable in light of the purpose of the isolation.

(3) The student is reasonably monitored while in isolation.

(4) The isolation space is free of objects that unreasonably expose the student or others to harm.

G. Time-out – Nothing in this section is intended to prohibit or regulate the use of time-out as defined in this section.

H. Aversive Procedures – The use of aversive procedures as defined in this section is prohibited in public schools.

I. Nothing in this section modifies the rights of school personnel to use reasonable force as permitted under G.S. 115C-390.3 or modifies the rules and procedures governing discipline under G.S. 115C-390.1 through G.S. 115C-390.12

J. Notice, Reporting, and Documentation.

(1) Notice of Procedures – Each local board of education shall provide to school personnel and parents or guardians at the beginning of each school year copies of this section and all local board policies developed to implement this section.

Annual Notification to Parents

(2) Notice of specified incidents:

a. School personnel shall promptly notify the principal or principal's designee of:

1. Any use of aversive procedures.
2. Any prohibited use of mechanical restraint.
3. Any use of physical restraint resulting in observable physical injury to a student.
4. Any prohibited use of seclusion or seclusion that exceeds ten minutes or the amount of time specified on a student's behavior intervention plan.

b. When a principal or principal's designee has personal knowledge or actual notice of any of the events described in this subdivision, the principal or principal's designee shall promptly notify the student's parent or guardian and will provide the name of a school employee the parent or guardian can contact regarding the incident.

(3) As used in subdivision (2) of this subsection, "promptly notify" means by the end of the workday during which the incident occurred when reasonably possible, but no event later than the end of the following workday.

(4) The parent or guardian of the student shall be provided with a written incident report for any incident reported under this section within a reasonable period of time, but in no event later than 30 days after the incident. The written incident report shall include:

- a. The date, time of day, location, duration, and description of the incident and interventions.
- b. The events or events that led up to the incident.
- c. The nature and extent of any injury to the student.
- d. The name of a school employee the parent or guardian can contact regarding the incident.

(5) No local board of education or employee of a local board of education shall discharge, threaten, or otherwise retaliate against another employee of the board regarding that employee's compensation, terms, conditions, location, or privileges of employment because the employee makes a report alleging a prohibited use of physical restraint, mechanical restraint, aversive procedure, or seclusion, unless the employee knew or should have known that the report was false.

K. Nothing in this section shall be construed to create a private cause of action against any local board of education, its agents or employees, or any institutions of higher education or their agents or employees or to create a criminal offense.

L. Parental Information for Title I Schools

The following schools in the district receive federal funding through Title I: H.H. Beam Elementary, W. Blaine Beam Intermediate, W.A. Bess Elementary, Bessemer City Central,

Bessemer City Middle, Bessemer City Primary, Brookside Elementary, Carr Elementary, Catawba Heights Elementary, Chapel Grove Elementary, Cherryville Elementary, Costner Elementary, Gardner Park Elementary, Grier Middle, Ida Rankin Elementary, Kiser Elementary, Lingerfeldt Elementary, Lowell Elementary, McAdenville Elementary, North Belmont Elementary, Pinewood Elementary, Pleasant Ridge Elementary, Robinson Elementary, Sadler Elementary, Sherwood Elementary, Springfield Elementary, Southwest Middle, Tryon Elementary, Woodhill Elementary, and York Chester Middle.

These funds are used to provide supplemental instruction to students who are in need of assistance in the area of reading and, on occasion, in the area of mathematics. Our goal is to provide early intervention to struggling learners.

Federal guidelines require that school districts provide a process by which parents may request the qualifications of their child's teacher. As a parent of a student in a Title I school, you have the right to know the following information:

- Whether the teacher has met state qualifications for the grade levels and subject areas in which the teacher provides instruction;
- Whether the teacher is teaching under emergency or other provisional status through which state qualifications have been waived;
- The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree;
- Whether the child is provided services by paraprofessionals and, if so, their qualifications.

To request this information, contact:

Cynthia Reynolds
Title I Director
#1 Learning Place
Gastonia, N.C. 28052
(704) 810-8804

M. Free or Reduced School Lunch

A free or reduced lunch application form, or instructions on how to access the application online, will be sent home with your child at the beginning of the school year. Complete the form and return it to your child's teacher. You will be notified if your child(ren) qualifies for free or reduced meal prices. All information is strictly confidential. For more information on participation in the Free or Reduced School Lunch program or questions about breakfast and summer

Annual Notification to Parents

lunch programs, contact your school's principal or the Gaston County Schools Nutrition Department, (704) 836-9110.

N. Student Discipline Policies

Pursuant to N.C.G.S. § 115C-390.2(i), schools must make available all policies, rules and regulations regarding student discipline. For the Board's policies and regulations regarding student discipline, consult the Board's online policy manual at www.gaston.k12.nc.us. All other student discipline information will be printed in student handbooks or made available on the school's website.

O. Student and Parent Complaint and Grievance Procedures

For information concerning student and parent complaint and grievance procedures, see board policy 4030.

P. Equal Access to Facilities

The school district provides equal access to its facilities. For more information about accessing school facilities, consult board policy 8370.

Q. Information Regarding Advanced Courses

Pursuant to N.C.G.S. § 115C-174.26(d), schools must provide information to students and parents on available opportunities and the enrollment process for students to take advanced courses. This information will be printed in student handbooks or made available on the school's website at the beginning of the year.

R. School Bullying/Cyber-Bullying Policies

Pursuant to N.C.G.S. § 115C-407.16(d), school principals shall provide the local board of education's policy prohibiting bullying and harassing behavior, including cyber-bullying, to staff, students and parents. A copy of these policies is available at www.gaston.k12.nc.us and will be printed in student and employee handbooks. Printed copies of the policies are available from the school principal upon request.

S. Student Testing Information

For information concerning the dates of systemwide and state-mandated tests that students will be required to take during the school year, how the results from the test will be used and whether each test is required by the State Board of Education or the local board of education, contact Michael Foust, director of testing, at (704) 861-2498. For a list of student testing dates, visit www.gaston.k12.nc.us or contact your child's school.

T. School Annual Report Card Grade

Pursuant to N.C.G.S. § 115C-47(58), you will be notified of the most recent grade of the school your child is attending, as issued by the State Board of Education, if the school received a grade of "D" or "F".

U. Student Wellness Policy

For information concerning the district's student wellness policy, see board policy 3530.

V. School Health Education Program

You have the right to opt-out your child's participation in curricula related to: (a) prevention of sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS); (b) avoidance of out-of-wedlock pregnancy; or (c) reproductive health and safety education. A copy of the materials that will be used in these curricula will be available in the school media center during the school year and at other times that the media center is available to the public. Materials also may be made available for review in the central office.

W. School District Report Card

For information concerning the Report Card that is required by Section 6311(h)(1) and (2) of the Elementary and Secondary Education Act or a copy of the Report Card, visit www.gaston.k12.nc.us or contact the school principal.

X. Title IX Nondiscrimination on the Basis of Sex

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

The Board has designated a Title IX coordinator to coordinate its efforts to comply with its responsibilities under Title IX and its implementing regulations. Our Title IX Coordinator, Dana Lutz, may be contacted at (704) 866-6245.

Inquiries about the application of Title IX and its implementing federal regulations may be referred to the Title IX Coordinator and/or the Assistant Secretary for Civil Rights in the Office for Civil Rights at the U.S. Department of Education. The contact information for the Office for Civil Rights with jurisdiction over North

Annual Notification to Parents

Carolina is: 4000 Maryland Ave, SW, Washington, D.C. 20202. Telephone: 202-453-6020. Email: OCR.DC@ed.gov.

For more information about the Title IX policies and grievance procedures, consult the following Board policies: Title IX Nondiscrimination on the Basis of Sex Policy 1720/4031/7235; Title IX Sexual Harassment Prohibited Conduct And Reporting Process Policy 1725/4035/7236; and Title IX Sexual Harassment Grievance and Process Policy 1726/4036/7237. This information is also available at <http://www.gaston.k12.nc.us/Page/8992> and will be printed in student and employee handbooks.

Y. Third Party App Opt Out Under 13

Chromebooks and iPads allow for the use of educational tools created by third parties. Gaston County Schools (GCS) thoroughly reviews these services before their use. While some tools do not require a student user to provide any identifying information, others require the creation of an account using our Google for Education program where basic identifying information (a username, birth date, and account address) is provided.

Under a federal law, the Children's Online Privacy Protection Act (COPPA), the school district may consent to the use of certain third-party or cloud-based educational services on a parent's behalf. COPPA applies only to

children less than 13 years of age. In order to keep you informed, best protect your child, and best protect the liability of Gaston County Schools, we are asking for your approval for Gaston County Schools to consent on your behalf to your child's use of account-based online services. Gaston County Schools' educational technology team reviews and approves these services; they are not released to your child before being approved.

Students and employees may be allowed to create accounts approved by Gaston County Schools that are necessary for using cloud services, accessing resources, sharing information, turning in assignments, or communicating with teachers. These accounts will be created in full compliance with COPPA laws. All resource terms of agreements, including under age 13 restrictions, will be followed.

Information/policies printed in this publication are current as of July 18, 2023. Local Board policies may be revised due to changes in state legislation or the Gaston County Board of Education's approval. To access board policies, visit www.gaston.k12.nc.us.

If you have questions about the Annual Notice to Parents section of this publication, contact your school's principal or call (704) 866-6100.

Notice about Pest Management

This notice is being distributed to comply with the North Carolina School Children's Health Act.

IPM (Integrated Pest Management) is explained further in the District's Pest Management Policy (Policy Code 9235), which can be accessed on our website (www.gaston.k12.nc.us) - click the Board of Education section for policies.

The IPM coordinator for our school district is:

Mark Schultz, Operations Manager
943 Osceola Street, P.O. Box 1397
Gastonia, North Carolina 28053
(704) 866-6270

Our school system may find it necessary to use pesticides to control pests. Chemicals are used in the least toxic form (active ingredient and/or formulation). North Carolina state law gives you the right to be notified annually of our use of pesticides. You may request notification ahead of time of pesticide applications.

Certain relatively low-risk pesticides are exempt from these notification requirements, including antimicrobial cleaners, disinfectants, self-contained baits and crack-and-crevice treatments, and any other pesticide products classified by the U.S. Environmental Protection Agency (EPA) as belonging to the U.S. EPA's Toxicity Class IV - "relatively nontoxic" group.

Currently, all interior pest treatment products that we use belong to the U.S. EPA's Toxicity Class IV - "relatively nontoxic" class of pesticides. In the event that a non-exempt pesticide must be used for a pest control emergency at a school and you have requested notification, you will be notified of the application in advance or as soon as possible after the pesticide application.

If you would like notification of pesticide application, you will need to submit a written request for notification of non-exempt pesticide applications at your child's school and/or at the school site where you are employed by the school district. Submit your written request to the school's principal, or for non-school facilities, to the building manager.

The objectives of the Integrated Pest Management program are to:

- Protect the health and well-being of students and staff and maintain a productive learning environment.
- Maintain the integrity of school buildings and grounds and prevent damage or loss to school resources, structures, or property.
- Prevent pests from spreading in the school.
- Prevent disruptions of the learning environment.
- Enhance the quality of life for students, staff, and others.

Our Integrated Pest Management program depends on the cooperation of everyone involved, including administrators, teachers, other school staff, students and parents, and pest management professionals. Communication is an important factor to the success in preventing and solving pest problems in our schools.

Notice about Asbestos

Some of Gaston County Schools' older buildings contain asbestos building materials. Because we value the health and safety of our students and employees, we want to advise you of this and tell you what to do should you encounter any materials you know or suspect to be asbestos.

Gaston County Schools employees must not handle any asbestos nor undertake any activity that would cause anyone to come in contact with asbestos. Any work involving asbestos will be handled by a vendor, who will be hired to deal with the asbestos. Any vendor hired will be appropriately licensed and qualified to perform asbestos work. Gaston County Schools employees must not be involved in any such work.

In case of an asbestos release, all occupants must immediately evacuate the area. The area must be secured and posted "no entry." Under no circumstances must the asbestos be left exposed to students, employees, or visitors. A supervisor or principal must be notified immediately. Principals and/or supervisors must immediately contact the Gaston County Schools Facilities Services Department at (704) 866-6146 or call the Emergency Line at (704) 866-6142.

All schools and facility offices have an Asbestos Hazard Emergency Response Act (AHERA) Plan, which shows all locations with asbestos-containing building materials. The AHERA Management Plan is available in the main office of each school for review upon request by parents, teachers, and school employees or their representatives. The school will make the Management Plan available within five working days of it being requested. The school may charge a reasonable cost to make copies.

Every six months, an inspection is completed by Facility Services for all sites containing asbestos. Every three years, a re-inspection is performed by an appropriately licensed and qualified third-party consultant for each school building occupied by Gaston County Schools. Information about the AHERA Management Plan is on the Gaston County Schools website, www.gaston.k12.nc.us.

Automated Telephone Notification System

Keeping families informed is a priority for Gaston County Schools. We use the ParentLink/Blackboard notification system to provide emergency weather communication, attendance notification, and community outreach information. By providing your contact information to your child's school, you are consenting to receive recorded phone calls from your child's school and the school system. If you do not wish to receive messages from the school or school system, you must notify the school in writing. By opting out of the automated telephone notification system, you will not receive any phone calls from the district or your child's school. To ensure that you receive notification calls, please let the school know about any updates to your contact information.

Connect With Us

There are several ways to connect with Gaston County Schools. You can receive news and information from the district website (www.gaston.k12.nc.us) as well as the school websites. On social media, check us out on Facebook, Twitter, and YouTube. If you have Spectrum, make sure to watch Cable Channel 21 (our Education Station) for news and information and educational/school district programs. Additionally, the Board of Education regular meetings are televised each month on Channel 21 and YouTube. And, the best "one-stop" source for information from Gaston County Schools is our mobile app. You can download it for free from the Google Play and App online stores.

Health Requirements

Each child entering a North Carolina public school for the first time must submit proof of a health assessment to the school’s principal within 30 calendar days of the child’s first day of attendance. All children entering kindergarten this fall must have a health assessment dated after August 16, 2022. The assessment must be submitted to the principal on the North Carolina Health Assessment Transmittal Form provided by the N.C. Department of Human Resources and the N.C. Department of Public Instruction. The forms are available at all schools. Students who do not meet the state requirements for immunizations and a health assessment will not be allowed to remain in school.

Immunization Requirements

Students should be up-to-date on all the vaccines required for kindergarten entry. In addition, all seventh graders need one dose of Tdap (Tetanus, Diphtheria, Pertussis) and one dose of MCV (meningoccal conjugate vaccine). All twelfth graders need a second dose of MCV.

Administering Medicine to Students

To minimize disruptions to the school day, medication should be taken at home rather than at school whenever possible. However, the Board of Education recognizes that students may need to take medication during school hours. When it is necessary, school personnel may administer medication prescribed by a medical provider dependant upon a completed, signed authorization for medication form and written request from the student’s parent. The forms are effective for one school year and can be obtained from the school nurse or principal’s office. Medication taken at school should be administered in compliance with board policy 6130.

Contact the school nurse if you have questions about student immunization records or health requirements. Also, please let the school nurse know if your child has any health issues, medical treatments, or medications that he/she will need during the school year.

School Nutrition

Special Diet Needs

Students with medical conditions such as allergies and diabetes may request modification to school meals by completing a diet order form. Parents may obtain a diet order application from the cafeteria manager, school nurse, School Nutrition office, or online at www.gaston.k12.nc.us. The form must be signed by a medical professional and returned to the school nurse, who will submit it to the Gaston County Schools Nutrition Office.

Free and Reduced Lunch

All students enrolled in Gaston County Schools are given an opportunity to apply for free or reduced-price breakfast and lunch. To apply, a parent or guardian must complete and sign a Free and Reduced Price Meal application form. The form must be submitted each year. Only one application per household is necessary. Eligibility for free and reduced-price meals is based on household income and number of people in the household. Applications are available from the cafeteria manager, school office, the School Nutrition office, and on the district website.

Immunizations

5 DTP/DTaP (Diphtheria, Tetanus, Whooping Cough)

If the fourth dose is on or after the fourth birthday, fifth dose is not required.

4 Polio - IPV

Three doses are acceptable if the last dose was given on or after the fourth birthday and separated from dose 2 by 6 months.

1 Hib (Haemophilus Influenza B)

Must be given at 15 months and before five years. Not required after age five.

3 Hepatitis B

2 Measles

One dose after the first birthday and before 16 months, and second dose before enrolling in school. Usually given as MMR (measles, mumps, rubella).

2 Mumps

One dose after 12 months and before 16 months, and second dose before enrolling in school.

1 Rubella

One dose on or after 12 months and before 16 months.

2 Varicella (Chicken Pox)

Required for all students entering kindergarten after July 1, 2015.

Breakfast Prices

Elementary	\$1.40
Middle	\$1.40
High	\$1.40
Staff	\$2.00
Adult Guest	\$2.00

Lunch Prices

Elementary	\$2.90
Middle	\$3.00
High	\$3.00
Staff	\$4.00
Adult Guest	\$4.00

Notes

Lined area for notes, partially obscured by a decorative pattern in the bottom left corner.

JULY						
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2024-2025 School Calendar



CALENDAR DATES

July 4 Holiday (Independence Day)
 August 5 Optional Teacher Workday
 August 6-9 Mandated Teacher Workdays
 August 12-13 Mandated Teacher Workdays
 August 14 Students' First Day
 September 2 Holiday (Labor Day)
 October 10 End of First 9-Week Grading Period
 Parent-Teacher Conferences
 (All Grade Levels)
 Early Dismissal for Students
 October 11 Optional Teacher Workday
 October 17 9-Week Report Cards Distributed
 November 5 Mandated Teacher Workday
 Presidential Election Day
 November 11 Holiday (Veterans Day)
 November 27 Student Holiday
 Teacher Annual Leave
 November 28-29 Holidays (Thanksgiving)
 December 19 .. End of Second 9-Week Grading Period
 December 20 Student Holiday
 Teacher Annual Leave
 December 23-25 Holidays (Winter)
 December 26-27 Student Holidays
 Teacher Annual Leave
 December 30-31 Student Holidays
 Teacher Annual Leave
 January 1 Holiday (New Year's Day)
 January 2-3 Mandated Teacher Workdays
 January 9 9-Week Report Cards Distributed
 January 20 Holiday (Martin Luther King Jr. Day)
 February 17 Optional Teacher Workday
 March 11 End of Third 9-Week Grading Period
 March 13 Parent-Teacher Conferences
 (All Grade Levels)
 Early Dismissal for Students
 March 14 Optional Teacher Workday
 March 20 9-Week Report Cards Distributed
 April 18 Holiday (Spring)
 April 21-24 Student Holidays
 Teacher Annual Leave
 April 25 Optional Teacher Workday
 May 21 Students' Last Day
 May 22-23 Mandated Teacher Workdays
 May 23 Graduation Day
 May 26 Holiday (Memorial Day)
 May 27-28 Mandated Teacher Workdays
 May 29-30 Optional Teacher Workdays

Inclement Weather Makeup Days

January 3 February 17 March 14
 April 25 April 24 April 23 April 22

The Board of Education reserves the right to use early release days and Saturdays as makeup days for inclement weather. The Board may add days of employment to end of the school year.

Testing dates will be available on the district website after they are determined by the state.

Calendar Key

- Holiday
- First/Last Day of School
- Mandated Teacher Workday
- Optional Teacher Workday
- Teacher Annual Leave
- 9-Week Report Cards Distributed
- Parent-Teacher Conferences/Early Dismissal for Students

Gaston County Schools

P. O. Box 1397 Gastonia, NC 28053 (704) 866-6100
www.gaston.k12.nc.us Channel 21 Education Station

The Board of Education approved the 2024-2025 school calendar on December 18, 2023.

Calendar design produced by the Communications Department

JANUARY						
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Inspiring Success and a Lifetime of Learning