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2017-18 HIGH SCHOOL STUDENT HANDBOOK

UCPS
UNION COUNTY PUBLIC SCHOOLS

STUDENT HANDBOOK

High School

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School Assignment, BOE Policy 4-13, and BOE Policy 5-12 contain important student information, but are not included in their entirety in this document. The complete UCPS Board of Education Policy Manual is available on our website.

UCPS Board of Education policies are revised regularly. Updated information is available at your school or on the UCPS website.

Union County Public Schools maintains a comprehensive web-site at www.ucps.k12.nc.us. The homepage contains the Board of Education Policy Manual, news, current events and links to each department and school. Parents and students can find curriculum resources, current calendars, lunch menus, school assignment maps and many other items of interest on the site.

Any parent or guardian who wishes to prohibit the release of directory information pursuant to UC BOE Policy 4-14 shall do so in writing and deliver it to the school principal within the first month of school.

Attention parents: If you do not speak English or need free translation/interpretation services to understand school processes, please call (704) 289-5460.

Union County High Schools

Central Academy of Technology and Arts

600 Brewer Drive
Monroe, NC 28112
704-296-3088 phone
704-296-3090 fax

Forest Hills High School

100 Forest Hills School Road
Marshville, NC 28103
704-233-4001 phone
704-233-4003 fax

Monroe High School

1 High School Drive
Monroe, NC 28112
704-296-3130 phone
704-296-3138 fax

Piedmont High School

3006 Sikes Mill Road
Monroe, NC 28110
704-753-2810 phone
704-753-2817 fax

South Providence School

500 South Providence Street
Waxhaw, NC 28173
704-843-5771 phone
704-843-5708 fax

Union County Early College

4209-A Old Charlotte Highway
Monroe, NC 28110
704-290-1565 phone
704-282-0956 fax

Wolfe School

722 Brewer Drive
Monroe, NC 28112
704-290-1568 phone
704-296-3075 fax

Cuthbertson High School

1400 Cuthbertson Road
Waxhaw, NC 28173
704-296-0105 phone
704-843-3565 fax

Marvin Ridge High School

2825 Crane Road
Waxhaw, NC 28173
704-290-1520 phone
704-243-0012 fax

Parkwood High School

3220 Parkwood School Road
Monroe, NC 28112
704-764-2900 phone
704-764-2907 fax

Porter Ridge High School

2839 Ridge Road
Indian Trail, NC 28079
704-292-7662 phone
704-296-9733 fax

Sun Valley High School

5211 Old Charlotte Highway
Monroe, NC 28110
704-296-3020 phone
704-296-3029 fax

Weddington High School

4901 Monroe-Weddington Road
Matthews, NC 28104
704-708-5530 phone
704-708-6218 fax

HOUSING EMERGENCIES

At times, students' families may experience a number of housing emergencies. Services are available for students whose families are experiencing a housing crisis and lack fixed, regular and adequate overnight accommodations.

A crisis is defined as:

- Living with a friend, relative, or someone else because you have lost your home or can not afford housing
- Living in motels, hotels, or camping trailer parks or campgrounds due to lack of other accommodations
- Living in emergency, transitional, or domestic violence shelter
- Living in cars, parks, public spaces, bus or train stations or similar settings
- Awaiting foster care placement

Please contact your child's school for information regarding support available for your child.

TITLE IX

The Union County Public Schools Board of Education does not discriminate against any person on the basis of gender in admission or access to the programs, services or activities of the Union County Public Schools or in any aspect of operations. The Board of Education does not discriminate on the basis of gender in its hiring or employment practices.

This notice is provided pursuant to the requirements of Title IX and the Educational Amendments of 1972, 20 USC § 1681 et seq and its implementing regulations, 34 CFR Part 106. Any questions or concerns regarding the application of Title IX can be reported to:

Title IX Coordinator
Union County Public Schools
400 North Church Street
Monroe, North Carolina 28112
704-296-9898

Office for Civil Rights
US Department of Education
Post Office Box 14620
Washington, DC 20044-4620

FEDERAL LAW

Parental Rights Regarding Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 is a nondiscrimination statute that prohibits discrimination and is designed to assure the disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

Under Section 504, an eligible student is a student who (1) has, (2) has a record of having or (3) is regarded as having a physical or mental impairment that substantially limits a major life activity such as learning.

It is the policy of the Union County Public Schools Board of Education not to discriminate on the basis of disabilities in its educational programs, activities, or employment practices as required by the Act.

The regulations for implementing Section 504 provide parents and/or students the following rights:

- Section 504 requires the school district to locate, evaluate and determine if a student is a qualified individual requiring accommodations necessary to provide access to educational programs.
- You have a right to receive notice in a reasonable time before UCPS identifies, evaluates or changes your child's placement.
- You have a right to periodic re-evaluation and evaluation before significant change in placement.
- You have the opportunity to review relevant educational records under the Family Educational Rights and Privacy Act. The requirements are described in the Board's policy manual.
- You have the right to request an informal conference with the principal and the Assistance/Intervention team if you disagree with the decisions reached by the school regarding identification, evaluation, educational program or placement. If your concerns are not resolved, you may request a hearing before an impartial hearing officer by notifying the Board's Section 504 specialist in writing at the address listed below. You have the right to be represented by your counsel in the impartial hearing process and to appeal the impartial hearing officer's decision.

For more information, contact:

Dr. Wendy Gravely

District Administrator for 504 & Compliance

407 North Main Street

Monroe, North Carolina 28112

704-296-6389

EXCEPTIONAL CHILDREN

The Purpose of Programs for Exceptional Children

The primary purpose for Exceptional Children programs is to ensure that students with disabilities develop academically, mentally, physically and emotionally through the provision of an appropriate and individualized education in the least restrictive environment.

Exceptional Children are students who are unable to have all their educational needs met in a regular class without receiving special education or related services. Classifications of Exceptional Children include those who are autistic, hearing impaired, (deaf or hard of hearing), mentally disabled (educable, trainable or severely-profoundly), multi-disabled, orthopedically impaired, other health impaired, behaviorally/emotionally disabled, specific learning disabled,

speech-language impaired, traumatic brain injured and visually impaired (blind or partially sighted). Exceptional Children programs and services are identified as both instructional programs and instructional support services, depending upon the educational needs of an individual student.

Content Sequence and Learning Outcomes

Curricula for most exceptional children follow the curricula for students in general education. Emphasis is placed on instruction in communication and language arts, social studies, healthful living, mathematics, science and career and vocational education, depending upon the needs of the student. Attention is focused upon cognitive, affective, motor and vocational development within the curricular areas. The Individualized Education Program states in writing the special education programs and services to be provided to each Exceptional Children student.

Where to get Assistance

If you have questions about the need for Exceptional Children services or the programs in your school, contact the school directly. You may also contact the school and ask to speak with the Exceptional Children department chairperson. For additional information or assistance, you may contact.

Exceptional Children Department
Old Post Office
407 North Main Street
Monroe, NC 28112
(Phone) 704-296-6370

Parents' Rights

For a complete explanation about rights as parents of students with disabilities, please consult the *Procedural Safeguards: Handbook on Parents' Rights*, which is available at all schools, from the Exceptional Children department, on the UCPS Web site or from the North Carolina Department of Public Instruction.

Non-Discrimination Policy 1-21

In compliance with federal law, Union County Public School System administers all educational programs, employment activities, and admissions without discrimination because of race, religion, national or ethnic origin, color, age, military service, disability, or gender, except where exemption is appropriate and allowed by law and provides equal access to the Boy Scouts and other designated youth groups.

The Americans with Disabilities Act Title II

The Union County Public Schools Board of Education does not discriminate against any person on the basis of disability in admission or access to the programs, services, or activities of the Union County Public Schools, in the treatment of individuals with disabilities, or in any aspect of operations. The school district does not discriminate on the basis of disability in its hiring or employment practices.

The notice is provided as required by Title II of the Americans With Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973. Questions, concerns or requests for additional information regarding the ADA and Section 504 may be forwarded to the designated compliance coordinators listed below:

For ADA matters relating to facilities:

Union County Public Schools

Mr. Mark Strickland, Assistant Superintendent for Administration and Operations
704-225-8420

For Section 504 matters relating to students:

Union County Public Schools

Dr. Wendy Gravely, District Administrator for 504 & Compliance
704-296-6389

For Section 504 matters relating to Employment:

Union County Public Schools

Dr. Christopher Barnes, Assistant Superintendent for Human Resources
704-296-1007

For ADA matters relating to Employment:

Union County Public Schools

Dr. Christopher Barnes, Assistant Superintendent for Human Resources
704-296-1007

Parental Notice

Pursuant to the requirements of the Family Educational Rights and Privacy Act (FERPA), the Union County Public Schools Board of Education (the Board) will share certain student information with Medicaid and its authorized representatives during the 2017-2018 school year. The information will only be used to request reimbursement from Medicaid for certain medical services that the Board provides to students pursuant to their Individualized Education Program under the Individuals with Disabilities Act. The student information is limited and includes the names, birthdates, Medicaid numbers and Social Security Numbers of these students and a description of the type(s) of service(s) provided, the date(s) of service and length of service. Sharing this information with Medicaid and its authorized representatives will not affect the student's premiums, co-pays or services under Medicaid. Sharing the information will enable the Board to receive reimbursement for a portion of the costs of the services. If you are a parent or guardian of a student who may receive such eligible services, or if you have reached the age of 18 and receive or may receive such eligible services, you will receive a consent form to sign at your child's next annual review.

ANNUAL EPA MANDATORY ASBESTOS AWARENESS LETTER

As required by the Asbestos Hazard Emergency Response Act of 1986 (AHERA), inspections of all UCPS facilities were completed in 1989 identifying the type, quantity and location of

asbestos containing materials (ACM). ACM were found in almost every facility constructed prior to 1989. Schools built during and after 1989 were instructed to use no asbestos materials and this was specifically noted in the school designs.

Asbestos is a naturally occurring mineral and has been used in building materials for many years. Unless it is disturbed or damaged, it poses no health risk.

Management plans have been developed for all facilities regardless of ACM content. Depending upon the condition and potential for exposure, the plan calls for repair, continued surveillance and, in some cases, removal of ACM. Many schools that had asbestos have been renovated to remove all inspected ACM. The plan for your school is located in the front office and is available for review during school hours.

If you have any questions concerning the management plan, please contact:

Jarrold McCraw, Safety & Security Director
704-296-3065 ext. 2268

Annual AHERA Notice

This notice is to inform you, as required by the Federal Asbestos Hazard Emergency Response Act (AHERA), that the documentation for the Union County Public Schools Asbestos Management Plan, the semiannual surveillance inspections and the three-year re-inspection are available for your review in the office of every UCPS school. Information regarding response actions may also be found in the Asbestos Management Plan files located at the Building Services facility. If you have any questions feel free to contact:

UCPS contact:
Jarrold McCraw, Safety & Security Director
704-296-3065 ext. 2268

PARENT INVOLVEMENT (BOE Policy 5-8)

The Board recognizes the critical role of parents in the education of their children. Parents are encouraged to become familiar with programs designed by schools for parental involvement and to actively participate in them. Each school will develop a parental involvement plan, which includes, at a minimum, the Board directives below. This policy applies to the parents, legal guardians, and legal custodians of students who are under the age of 18 and are not married.

ANNUAL NOTIFICATION

Each school must notify parents each year of the following:

- Parental rights related to student records
- Grading practices to be followed at the school and, in high schools, the methods for computing the grade point average that will be used for determining class rank
- A description of the curriculum being offered
- Code of student conduct and school rules on conduct
- Any student performance standards of the Board and school district
- Grievance procedure

- Parental rights related to student surveys
- The approximate dates of any non-emergency, invasive physical examination that is: (a) required as a condition of attendance; (b) administered and scheduled in advance by the school administration; and (c) not necessary to protect the immediate health and safety of students; and their right to opt their child out of any such examination
- The schedule of pesticide use on school property and their right to request notification of nonscheduled pesticide use
- Permissible use of seclusion and restraint in the schools
- The Discrimination, Harassment and Bullying Complaint Procedure
- A report containing aggregate information, including, but not limited to, student achievement (disaggregated by category), graduation rates, performance of the school system and teacher qualifications
- The results of the LEA's yearly progress review of each school
- Dates of district-wide and state-mandated tests that students will be required to take during that school year, how the results will be used, the consequences thereof, and whether each test is required by the State Board of Education or by the local board
- Opportunities and the enrollment process for students to take advanced courses and the value of taking advanced courses
- Information about meningococcal meningitis and influenza, including the causes, the symptoms, the vaccines, how the diseases are spread and places where additional information and vaccinations may be obtained
- For students in Grades 5 through 12, information about cervical cancer, cervical dysplasia, and human papillomavirus, including the causes and symptoms of these diseases, how they are transmitted, how they may be prevented by vaccination, including the benefits and possible side effects of vaccination, and places parents and guardians may obtain additional information and vaccinations for their children
- Information about and an application form for free and reduced price meals and/or free milk
- For parents of children with disabilities, procedural safeguards
- For parents of students designated as at-risk, a copy of the student's personalized education plan
- For students in Grades K through 2, written notification of the student's reading progress, three (3) times per year following each benchmark assessment and will include: assessment results, whether the student may not reach proficiency by the end of 3rd grade and instructional support activities for use at home.
- Information on the availability of the asbestos management plan and planned or in-progress inspections, re-inspections, response actions and post-response actions, including periodic re-inspection and surveillance activities
- That the school system does not discriminate on the basis of race, color, national origin, sex, disability, or age

For Title I Schools only:

- the right to request certain information on the professional qualifications of the student's classroom teachers and paraprofessionals providing services to the child
- if the student has been assigned or has been taught for at least four consecutive weeks by a teacher who is not "highly qualified" as defined in the No Child Left Behind Act
- the school's written parental policy, parents' right to be involved in their child's school and opportunities for parents to be involved in the school

OPPORTUNITIES TO WITHHOLD CONSENT

As part of the annual notification process, parents will be notified that consent may be withheld for the following:

- The release of student directory information about his/her child to outside organizations.
- A student's participation in curriculum related to (1) prevention of sexually transmitted diseases, including AIDS, (2) the avoidance of out-of-wedlock pregnancy, reproductive health and safety education.
- A student's use of guidance programs for individual counseling, small group counseling related to addressing specific problems, or referral to community resources on issues of a private nature, as well as information on where to obtain contraceptives or abortion referral services. Neither parental notification nor parental permission is required for large group sessions, initial consultations intended to identify the student's needs or counseling where child abuse or neglect is suspected.
- Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose. Furthermore, parents, upon request, may inspect any instrument used in the collection of such information before the instrument is administered or distributed to students.
- The administration of any third party (non-Department of Education funded) survey containing one or more of the eight items described in Student Records policy 4-14.
- Any non-emergency, invasive physical examination* or screening that is:
 1. Required as a condition of attendance
 2. Administered by the school and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students.

Parents will receive general notification on a yearly basis about routine screenings and notification on case by case basis as needed. In addition, parents may inspect, upon request, any instructional material used as part of the educational curriculum for students by contacting the school principal. Furthermore, parents may opt for alternative assignments for their child(ren) (see policy 5-1).

PARENTAL PERMISSION REQUIRED

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

Written parental permission is required prior to the following activities:

- Medicines administered to students by employees of the school district
- Any release of student records that are not considered directory information unless the release is allowed or required by law
- Providing treatment through the school district health services

*Does not include hearing, vision, or scoliosis screening

- Field trips off campus
- All decisions or actions as required by the IDEA with regard to providing special education or related services to children with disabilities
- Student's participation in surveys funded by the Department of Education that are conducted concerning protected topics
- Disclosure of a student's free and reduced price lunch eligibility status
- Any movie or video with any rating other than General Audiences "G"

WEBSITE NOTIFICATION

The school system shall publish on its website all information required by law, including performance information and information on how state funds have been used to address local educational priorities.

MILITARY RECRUITERS/INSTITUTIONS OF HIGHER LEARNING REQUESTS

Section 9528 of the No Child Left Behind Act requires that each local education agency receiving assistance under this Act shall provide, on a request made by military recruiters or an institution of higher education, access to secondary school students names, addresses, and telephone listings. It further specifies that a secondary school student or the parent of the student may request that the student's name, address, and telephone listing not be released without prior written parental consent, and the local educational agency shall notify parents of the option to make a request and shall comply with any request.

Should you wish for your student's name, address and telephone listing NOT be released to military recruiters or institutions of higher learning, please make this request in writing to your child's principal within the first month of school.

APPEALS (BOE Policy 1-18)

The board strives to resolve concerns and complaints of employees, students and parents whenever possible. To this end, the board has provided opportunities for employees, students and parents to express their concerns through processes established in board policies.

This policy provides employees, parents/guardians/custodians and students procedures for appeals of decisions made by a school official (teacher, administrator, or other support personnel). Persons who have difficulty preparing appeals because of writing or language difficulties shall receive assistance upon request. Unless another Policy or Administrative Guidelines to a Policy prescribes a process, appeals shall be governed by the following procedures:

- A. School and/or Department Level Appeals – Appeals of decisions made at the school or department level should begin at that level. Such appeals shall be made to the principal or director over the department within 30 days of the school-based decision-giving rise to the concern. The school administration or director will conduct any investigation of the facts necessary and respond to such appeals within 10 calendar days of receiving notice of appeal.
- B. Superintendent Level Appeals – If the matter is not resolved at the school or department level, the employee, parent/guardian/custodian and/or student may file an appeal with the

Superintendent. Such appeals shall be made in writing and mailed or hand delivered to the Superintendent's office not later than 15 calendar days after the notice of the school or department's decision. The Superintendent will conduct any investigation of the facts necessary and respond to such appeals in writing, within 10 calendar days of receiving notice of appeal. In responding, the Superintendent will not disclose information about other students or employees that is considered confidential by law.

- C. Board Level Appeals – If the matter is not resolved at the Superintendent's level, the employee, parent/guardian/custodian and/or student may request an appeal to the Board of Education. Such appeals should be made in writing and mailed or hand-delivered to the Superintendent within 15 calendar days of being notified of the Superintendent's decision. All hearings will be heard by Board panels except when a full Board hearing is required by law. Board panel decisions represent the full board and as such are not appealable to the full Board.

The Board of Education will hear appeals regarding:

1. The assignment of a long term suspension (more than 10 days; more than 6 days for condensed academic terms) to or the expulsion of a student Article 27 of Chapter 115C of the North Carolina General Statutes. Parents/guardians/custodians and/or students may submit written documents to support their case and will have the opportunity to appear before the Board panel to present their case in closed session. Legal counsel may be present.

Expulsions hearings will be heard by the full Board in closed session. Parents/guardians/custodians and/or students may appear before the full Board to present their case, and legal counsel may be present.

2. School Assignment Decisions, G.S. 115C-369.

Appeals of school assignments will be considered by the Board in closed session. Parents/custodians/guardians and/or students may submit written documentation to support their case, and will have the opportunity to appear before the Board panel to present their case in closed session. Legal counsel may be present.

3. Loss of credit or retention due to number of absences – Union County Public Schools Attendance Policy 4-1(a), (b), (c).

Appeals of loss of credit or retention due to the number of absences will be considered by the full Board in closed session. Parents/guardians/custodians and/or students may submit written documentation or sworn affidavits to support their case, but they will not appear before the Board.

4. Driver's license revocations, G.S. 20-11(N)(1).

Appeals of driver's license revocations will be heard by the full Board in closed session. Parents/guardians/custodians and/or students may submit written documentation or sworn affidavits to support their case, but they will not appear before the Board.

5. The terms or conditions of employment or employment status of a school employee.
6. Any other decision that by statute specifically provides for a right of appeal to the local board of education and for which there is no other statutory appeal procedure.
7. Appeals of a decision of the Superintendent that alleges violations of a *specified* federal or state law, federal or state regulation, State Board of Education policy or procedure, or local board of education policy or procedure.

The Board will not hear appeals regarding the following subjects except as covered by section 7. above:

- A student's grade in a course or on a test.
- A decision regarding participation in extra-curricular activities.
- A student's schedule or the teacher assigned to teach that class.
- The classification of a student's absences as lawful or unlawful.
- Participation in commencement or promotion exercises.
- Short Term Suspensions and any other disciplinary consequences which do not result in a removal from school.

In its sole discretion, the Board may choose to hear other appeals.

ATHLETIC ELIGIBILITY REQUIREMENTS

1. Scholastic: must pass three (3) subjects during the previous semester and meet local promotion standards.
2. Attendance: must have attended not less than 85% of the previous semester.
3. Age: must not turn 19 on or before October 16.
4. Insurance and Physical: must have school insurance or proof of insurance and a certified physical examination.

COUNTY EXTRA-CURRICULAR AND CO-CURRICULAR ACTIVITIES GUIDELINES:

1. Any student who is charged with a felony or a Class I misdemeanor or is petitioned for an offense that would be a felony or a Class I misdemeanor if committed by an adult, will be removed from all current teams and/or activities for a minimum of twenty (20) school days, and will remain ineligible until such time as the courts render the findings in the case. Pleas of "No Contest" or as part of a deferred prosecution or "Prayer for Judgment Continued" (PJC) will be considered convictions for purposes of these guidelines. In the case of co-curricular activities, the student will attend class and complete work related to the class, but cannot represent the school in any manner during an extra-curricular component of the class. If there are mitigating circumstances, the student may request a review of the evidence surrounding the charge by the Superintendent or his designee. The student is ineligible to participate in extra-curricular activities until a final decision is rendered by the Superintendent or his designee.
2. Any student athlete who is convicted of a felony or is adjudicated delinquent for an offense that would be a felony if committed by an adult is barred from participation in

interscholastic athletics for the remainder of his/her high school career per NCHSAA guidelines. Students involved in other extracurricular or co-curricular activities who are found guilty of a felony or are adjudicated delinquent for an offense that would be a felony if committed by an adult are not eligible to represent the school in such activities for the remainder of their high school careers. Students found guilty of a Class I misdemeanor or are adjudicated delinquent for an offense that would be a felony if committed by an adult are not eligible to participate in teams and/or activities for the remainder of the school year. These guidelines also apply to middle school students; however, eligibility is restored once the student first enters ninth grade per NCHSAA guidelines.

3. Any student charged with a Class II or III misdemeanor or is petitioned for an offense that would be a Class II or III misdemeanor if committed by an adult that takes place on school grounds, during a school sponsored event, or in the course of representing the school will be removed from all current teams and/or activities for a minimum of twenty (20) school days, and will remain ineligible until such time as the courts render findings in the case. Pleas of “No Contest” or as part of a deferred prosecution or “Prayer for Judgment Continued” (PJC) will be considered convictions for purposes of these guidelines. In the case of co-curricular activities, the student will attend class and complete work related to the class, but cannot represent the school in any manner during an extra-curricular component of the class. If there are mitigating circumstances, the student may request a review of the evidence surrounding the charge by the superintendent or his designee. Students found guilty of a Class II or III misdemeanors or are adjudicated delinquent for an offense that would be a Class II or III misdemeanor if committed by an adult are not eligible to participate in teams and/or activities for the remainder of the semester.
4. Mitigating circumstances may include:
 - a. having no history of disciplinary problems;
 - b. having a significant amount of time pass since the student’s last disciplinary problem;
 - c. being a passive participant or playing a minor role in the offense;
 - d. reasonably believing the conduct was legal;
 - e. acting under strong provocation;
 - f. aiding in the discovery of another offender;
 - g. making a full and truthful statement admitting guilt at an early stage in the investigation of the offense;
 - h. displaying an appropriate attitude and giving respectful cooperation during the investigation and discipline process; or mitigating circumstances do NOT exist solely because of demonstrated prowess in a sport or activity or the potential of scholarships or grants in aid.
5. A second unrelated felony or misdemeanor charge or a juvenile petition for an offense that would be a felony or misdemeanor if committed by an adult, will automatically result in removal from all teams and/or activities for the duration of the school year.
6. Any student suspended out of school six (6) days (for a single offense) for high schools on block schedule or ten (10) days (for a single offense) for high schools on traditional schedule will receive a ten (10) school-day suspension from any extracurricular activity. Any middle school student suspended out of school for ten (10) days for a single offense

will receive a ten (10) school-day suspension from any extracurricular activity. Per middle school sports guidelines, a second out-of-school suspension during the sports season will result in the student being removed from the team/squad for the remainder of the season.

7. National and state organizations, school clubs, and athletic teams with rules or by-laws that prescribe stricter consequences for student misconduct will supersede the above guidelines.
8. It is expected that all athletic teams will have team rules that address the off campus behavior of students/athletes regarding drugs and alcohol. These rules should outline consistent consequences that limit and/or prohibit participation by students/athletes involved in such activities.
9. Students who are found not guilty will be eligible for reinstatement to the team or activity immediately. Pleas of “No Contest” or as part of a deferred prosecution or “Prayer for Judgment Continued” (PJC) will be considered convictions for purposes of these guidelines, and students must serve the 20 day suspension from activities.
10. Students involved in co-curricular activities with a required extra-curricular component, such as band, chorus, vocational clubs, etc., will be given alternative assignments to avoid a negative impact on their academic standing in such classes.
11. Principals are asked to communicate and collaborate in dealing with such situations. This is especially important in charges and arrests involving more than one school. All schools are expected to follow these guidelines.
12. Students charged with crimes during the summer months shall be subject to these guidelines beginning the first day of the school year if the charges are still pending at that point.
13. Affected students and their parents will be informed in writing regarding all decisions and actions taken relative to these guidelines.

ATTENDANCE: HIGH SCHOOL (BOE Policy 4-1c)

The Public School Laws of North Carolina require compulsory attendance for all children between the ages of seven and sixteen years (General Statute 115C-378). Every parent* or person having control of a child between these ages enrolled in the Union County Public Schools is responsible by law to make sure the child attends school on a regular basis during the time school is in session.

Class attendance is essential to high student achievement. With this in mind, all students are expected to be in attendance each day school is in session. Following any absence(s), a student is required to present a written document from the parent or guardian stating the reason for the absence. ALL ABSENCES WILL BE CODED UNLAWFUL IN THE COMPUTER UNTIL A WRITTEN NOTE IS RECEIVED FROM THE PARENT OR GUARDIAN. Written

* Guardians and custodians are also considered parents for purposes of this policy.

documentation must be presented within three school days after the student returns to school; otherwise, the absence(s) will be recorded as unlawful. Lawful absences are excused, but not automatically waived. (See Criteria To Waive Absences). Unlawful absences are unexcused. The absence will be coded and recorded accordingly:

CODE 1-LAWFUL -- See listing below

The following are lawful reasons for school absences:

1. Illness or Injury
2. Death in the Immediate Family
3. Medical or Dental Appointments
4. Court, Administrative Proceedings, or Jury Duty
5. Religious Observances – a minimum of two days each academic year for observance of an event required or suggested by the religion of the student or the student's parent(s) with written prior approval from the principal.
6. Educational Opportunity - prior approval by principal
7. Quarantine
8. Military Deployment – for students attending ceremonies related to military deployment of family members.

CODE 2-UNLAWFUL -- All absences that are not classified as lawful.

CODE 3-SUSPENSION (OSS)

Students will not be counted absent from school when participating in school sponsored functions.

School sponsored functions include scholarship interviews for high school students. All scholarship interviews must have been established through appropriate scholarship agencies or committees and the student must have PRIOR approval by the guidance department before attending interviews. When students miss classes for scholarship interviews, written documentation from the agency or committee must be furnished to the guidance department the next school day after the interview to avoid having the day spent off campus count as an absence. Any classes missed for a scholarship interview will not count as an absence toward failure or exam exemption. Military induction interviews will be treated the same as scholarship interviews. Additionally, absences for job shadows and Career and Technical Education student organization activities are not counted as absences from class or school.

Education for Pregnant and Parenting Students

The public school laws of North Carolina require that pregnant and parenting students not be discriminated against nor excluded from any program, class, or extracurricular activity because the student(s) is pregnant or a parenting student.

Pregnant and parenting students shall receive the same educational instruction or its equivalent as other students. A local school administrative unit may provide programs to meet the special scheduling and curriculum needs of pregnant and parenting students. However, student

participation in these programs shall be voluntary. The instruction and curriculum must be comparable to that provided other students.

Therefore, it is the policy of the Union County Board of Education that:

1. This School District shall use, as needed, supplemental funds to support programs for pregnant and parenting students.
2. Notwithstanding NCGS 115C-378 et seq, pregnant and parenting students shall be given excused absences from school for pregnancy and related conditions for the length of time the student's physician finds medically necessary. This includes absences due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent.
3. Homework and make-up work shall be made available to pregnant and parenting students to ensure that they have the opportunity to keep current with assignments and avoid losing course credit because of their absence from school and, to the extent necessary, a homebound teacher shall be assigned.
4. The Superintendent will publish administrative guidelines regarding information needed of pregnant and parenting students, including but not limited to: schedules of clinical visits for the pregnant student or child(ren) of a student who is a custodial parent, and physical limitations on class or extracurricular activities, such as physical education class.

When students develop complications from an injury, illness, pregnancy or delivery of a child, a doctor's documentation is necessary prior to the school providing homebound services. Students are counted as present in school while receiving homebound services. Homebound services will be provided only as long as a doctor certifies in writing to the principal the student must remain at home. All conditions for receiving homebound services must be met according to the regulations set forth in Union County Public Schools Guidelines For Hospital/Home-Based Services.

When principals detect abuse of homebound services, the services will be discontinued.

Upon returning from a lawful absence, the student is responsible for obtaining missed assignments. Students have two days to make up the work missed for each day absent. When arrangements are not made to complete the work the student will receive no credit.

Students who have an out-of-school suspension (including absences under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school) and students with unlawful absences and tardies will be permitted to make up all missed work, including daily work, major tests or projects (i.e. term papers) and take semester exams. The teacher and school staff will determine when work is to be made up. The student is responsible for finding out what assignments are due and completing them within the specified time period.

Credit will not be granted for classes when absences for a student reach eight days for a semester long course and 15 days for a year long course. Absences include those that are lawful, unlawful, and due to suspension. When students accumulate eight or 15 (or more) absences and documentation is on file at the school which indicates circumstances beyond the control of the student and parents contributed to the accumulation of eight or 15 (or more) absences, an appeal may be made to the principal to waive absences and allow the student to pass. An appeal of the principal's decision may be made to the Superintendent.

Criteria To Waive Absences

Principals will use the following criteria to waive absences:

1. Doctor's letter describing an ongoing problem with a chronic illness, communicable disease or injury when the problem is in the beginning stages.
2. Usual and customary doctor and dental visits when documented with a note from the doctor or dentist within three days after returning to school.
3. Documented court appearances where the student specifically is required to appear in court.
4. Death in immediate family (mother, father, sibling, grandmother, grandfather, or legal guardian).
5. Parent's notes are helpful when documenting absences; however, these notes do not necessarily mean absences will be automatically waived.
6. The number of absences meeting the criteria in items #1 through 4 above will be subtracted from the total number of accumulated absences for the semester or year.
7. The school nurse may have input regarding medical conditions of students who do not have access to medical treatment or benefits. This will be done on an individual case basis.

Each school will address tardies in the policies or guidelines that are developed for that school as well as adhere to G.S. 115C-378 (Compulsory Attendance Law).

High School Attendance Recovery

1. Allow students to make up absences based upon recommendation of the principal and/or a school committee established for this purpose. Students who have chance to pass academically, but who are in danger of failing due to absences will be the target population for attendance recovery.
2. Schools will have the flexibility to conduct recovery opportunities as needed.
3. In order to participate in this program, students must meet the following criteria:
 - Must have accumulated 8 absences or more in a class in a given semester
 - Must make satisfactory academic progress on all make up work
4. Parameters of the program are as follows:
 - Students may make up a maximum of 8 class periods with a maximum of 3 make-ups in anyone class.
 - Every effort will be made to ensure that students are engaged in meaningful academic work that goes far beyond mere seat time.
 - Recovered absences do not change attendance records. (Students missing more than 13.5 days in any semester will lose athletic eligibility for the upcoming semester.)
 - Once determined to be eligible to participate in the recovery program, the student may make a proposal to the teacher of the class for which absences will be recovered: Ultimately, the teacher will decide what the student must do to recover the absences. All school and school system rules and policies apply while students participate in the recovery program.
5. Computer-based instruction can be used as a means of recovering absences, provided this is closely monitored by a staff member.
6. Make-up sessions of 90 minutes are required to recover a class period.
7. Recovery (make-up) opportunities will be communicated to students as soon as the principal/school committee determines their eligibility for participation in the program.

8. Each school can determine the "window" of time to offer recovery, (generally 2-3 weeks).

CHECKS

The district will gladly accept your personal check for fees, lunch and most other payments. However, due to the volume of uncollectible checks that the district receives, Union County Public Schools has contracted with CHECKredi for the electronic collection of checks returned for insufficient funds (NSF). In the event your check is returned, your account will be debited electronically for the face amount and fees allowed by the state of North Carolina (currently \$25.00).

Please include the following on your check:

- Drivers License #
- Full Name
- Street Address
- Phone Numbers

If there are any questions, please send e-mail to finance@ucps.k12.nc.us

COMMUNICABLE DISEASES (BOE Policy 4-12)

The board strives to provide a safe and orderly environment for all students and employees. The Board also strives to maintain a balance between the need to educate all eligible students, to protect students and employees' rights, and to control communicable diseases, including HIV and AIDS.

In accordance with the regulations established by the United States Department of Labor pursuant to the Occupational Safety and Health Bloodborne Pathogens Standard, Union County Public Schools shall have in effect a Bloodborne Pathogens Exposure Control Plan. The Plan, which is designed to eliminate or minimize exposure to infectious body fluids and body secretions, shall include specific precautions that must be taken when dealing with blood and other body fluids. The care, referral, and evaluation of students that are suspected to have a blood or body fluid exposure at school/after school activities will be equal to the care given to employees with the exception that costs related to this care will be the responsibility of the family.

Under certain circumstances, students with communicable diseases may pose a threat to the health and safety of other students and staff. Decisions regarding the educational status of students with communicable diseases will be made on a case-by-case basis in accordance with this policy. Nothing in this policy is intended to grant or confer any school attendance or education rights beyond those existing by law. This policy shall be shared with school staff annually and with new employees as part of any initial orientation. New employees shall sign a statement verifying this policy has been shared with them.

A. Definition of Communicable Disease

A communicable disease is defined as an illness due to an infectious agent, or its toxic

products, which is transmitted directly or indirectly to a person from an infected person or animal.

B. Precautions

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

C. Curriculum

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

D. Reporting and Notice Requirements

In accordance with G.S. 130A-136, school principals will report suspected cases of communicable diseases to the county health department. Confidentiality of such reports is protected by law. School principals are presumed by law to be immune from liability for making such reports in good faith. Without releasing any information that would identify the student, the principal also must report suspected cases of communicable diseases to the superintendent. Additionally, parents shall be notified in a timely manner when their child has potentially been exposed to a communicable disease through the exchange of blood with another individual and it shall be suggested that they contact their private physician or the county health department for consultation.

If the local health director determines that there is significant risk of HIV transmission, the local health director is responsible for determining which school personnel will be informed of the identity of a student with AIDS or HIV infection or other communicable diseases required to be reported. Any employee who is informed or becomes aware of the student's condition shall respect and maintain that student's right of privacy and the confidentiality of his/her record and may not share that information unless specifically permitted to do so by the health director, the student's parents, or by other applicable state or federal laws or regulations. Permission from a parent or guardian to share a student's HIV status with other school personnel must be in writing. Any documents related to a student's HIV or AIDS infection shall be retained in a locked cabinet and shall be released or shared only as necessary to comply with this policy. Employees who have such information will sign a statement indicating their pledge to maintain confidentiality.

Employees who are informed of the student's condition shall also be provided with appropriate information concerning necessary precautions and made aware of the strict

confidentiality requirements. Release of this confidential information or records, except as permitted by law, constitutes a misdemeanor and may subject the employee to further discipline.

In order to address the needs of the student within the school environment, school employees are required to notify the principal if they are aware or become aware of any student suffering from a communicable disease. Parents shall be encouraged to notify the principal as well.

Students who are immunodeficient, whether due to AIDS or other causes, face increased risk of severe complications from exposure to communicable diseases that appear in the school setting. Accordingly, students and their parents are encouraged to inform the principal in the event a student suffers from any such immunodeficiency. If notified that a student suffers from such immunodeficiency, the principal should request that the notifying party provide information about what types of exposure might put the student at risk and what reasonable practices can be taken in the school setting to minimize risk to the student. Whenever possible, the principal of a school should notify the parents (or the student himself where appropriate) of an infected or immunodeficient student about the presence of chicken pox, influenza, meningococcus, measles or tuberculosis or other contagious disease occurring in the school that may represent a serious threat to the student's health. Students who are removed from school as a result of such conditions will be provided instruction in an appropriate alternative educational setting.

E. Education/School Attendance for Students with AIDS/HIV Infection

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

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

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

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

All deliberations of the interdisciplinary committee will be kept strictly confidential and shared only as allowed by law.

CONNECT-ED MESSAGES (School Closings, announcements, etc.)

Connect-ED is a telephone messaging system that will enable us to personally communicate with parents about emergency situations, school events, school closings and important issues facing your school and our school district. It will allow us the ability to send personalized telephone messages to your family's home, work or cell phones. Essentially, a school principal can make one phone call that reaches all the families associated with his or her school within minutes. Furthermore, the Superintendent can make one phone call that reaches everyone in the entire school district within minutes. It is important that your school has your current phone number so that your child does not miss any important information. **Early Dismissal and school closings will be announced with a Connect-Ed message as well as posted on the website and Radio/TV stations.**

COUNSELING CONFIDENTIALITY

School counselors recognize their primary obligation for confidentiality is to the student but balance that obligation with an understanding of the family or guardians' legal and inherent rights to be the guiding voice in their children's lives (ASCA Code of Ethics).

The role of the school counselor in regards to confidentiality is:

- To support the students right to privacy and protect confidential information received from students, the family, guardian and staff members
- To explain the meaning and limits of confidentiality to students in developmentally appropriate terms
- To provide appropriate disclosure and informed consent regarding the counseling relationship and confidentiality
- To inform students and the family of the limits to confidentiality when: Student poses a danger to self or others, Court ordered disclosure, Consultation with other professionals in support of the student i.e. colleagues, supervisors, treatment teams, and other support personnel
- To keep personal notes separate from educational records and not disclose their contents except when privacy exceptions exist
- To seek guidance from supervisors and appropriate legal advice when their records are subpoenaed
- To assert their belief that information shared by students is "confidential" and should not be revealed without the student's consent
- To adhere to all laws protecting student records, health information, and special services (i.e., HIPAA, FERPA, IDEA)

DISCIPLINE POLICY - Please note that, unless specifically defined, the language used in the following Discipline and Code of Conduct Policies shall be defined by their common use.

CODE OF STUDENT CONDUCT (BOE Policy 4-3)

The purpose of the Union County Public School System is to provide education for all students enrolled.

The Union County Public Schools Board of Education believes that self-discipline is the key element in a positive school climate. In order to foster and nurture self discipline among students, schools shall implement programs, practices, and procedures designed to encourage and recognize positive and responsible student behavior. Such programs can be a part of or logical extensions of the schools' character education curriculum. In addition, schools shall provide regular staff development opportunities on such topics as positive discipline, recognition of bullying, conflict resolution, etc. Furthermore, schools shall develop intervention strategies to prevent bullying including bullying via electronic devices (including, but not limited to, phones, computers, pads, and other electronic media/devices).

These proactive measures on the part of schools will provide a balanced approach to the Union County Public Schools' goal of expecting, encouraging, and enforcing acceptable student behavior in all schools, and further serve to promote the school district's core value of design in quality and prevention.

Proper procedural due process shall be followed. A student shall be given an opportunity to provide their version of events, identify any witnesses and/or information to support their version or the events and seek clarifying information of an incident that may lead to disciplinary action, or contest the appropriateness of a disciplinary action. **Ignorance of these policies does not excuse inappropriate behavior.**

The welfare of the individual student and of the larger school community is best served when all disciplinary actions and procedures support a positive educational environment.

Students shall be provided with access to a handbook containing Attendance Policy and Code of Student Conduct at the beginning of each school year. Paper copies are available upon request. A copy of the handbook will be placed on the district website and shall be available in the media center, the school office, school counselor's office, and other locations as designated by the principal.

STUDENTS ARE RESPONSIBLE FOR KNOWING THE OFFENSES AND DISCIPLINE/CONSEQUENCES SET IN THE POLICIES. Each student is required to return documentation (provided by school) verifying parents have received and read the Union County Public Schools Code of Student Conduct. Failure to comply will result in disciplinary action to be determined by the school.

Any student or parent who disagrees with disciplinary action shall have the right to an informal conference with the principal or his/her designee. After exhausting this remedy, the student or parent shall have the right to make a formal protest in writing or in person to the Superintendent. (See policy 4-18 for the appeals process.) Appeals from the decision of the Superintendent shall be in writing or in person to the Union County Board of Education.

1. Penalties for violation of the Code of Student Conduct include:

- A. Short-Term Suspension is any out of school suspension of 10 days or fewer (6 days for condensed academic terms). This definition does not include a student's absence under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school).

The principal/designee shall have authority to suspend for a period of 10 days or fewer (6 days for Condensed Academic Terms) any student who willfully violates policies of conduct established by the Board of Education. A student suspended short-term shall be provided the following opportunities:

1. to take any quarterly, semester, or grading period examinations missed during the suspension period;
2. to take home textbooks during the suspension period; and
3. to receive, upon request, any missed assignments and to the extent practicable any materials provided to student to complete these assignments.

- B. Long-Term Suspension is any out of school suspension more than 10 days (6 days for Condensed Academic Terms) and/or for the remainder of the semester or school year. This definition does not include a student's absence under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school).

The Superintendent/designee, upon recommendation of the principal, may suspend a student for periods in excess of 10 days (6 days for Condensed Academic Terms) up to the remainder of the semester or school year, but not exceeding the time remaining in the school year, unless the conduct occurs within the last quarter of school when the suspension may continue through the first semester of the following school year or requires a 365-day suspension. Students and parents should note that, generally, long-term suspensions are for the balance of a semester or school year. In cases where there are fewer than 10 days (6 days for Condensed Academic Terms) left in the semester or school year, the long-term suspension can be fewer than 10 days (6 days for Condensed Academic Terms). The student or his parents may request a hearing on the recommendation of the Superintendent/designee before the local Board of Education.

Students who are long-term suspended shall be offered alternative education services, unless the Superintendent provides a significant or important reason for declining to offer such services. Such reasons include but are not limited to: student exhibits violent behavior, student poses a threat to staff or other students, student substantially disrupts the learning process, student engaged in serious misconduct which makes the provision not feasible, appropriate alternative services are not available in the district, or the student fails to comply with reasonable admission conditions.

- C. Expulsion is permanent removal from the school system.

The Board of Education may, upon recommendation of the principal and Superintendent, expel any student 14 years of age or older whose continued presence in school constitutes a clear threat to the safety and health of other students or

employees. Prior to expelling a student, the Board shall consider if any appropriate alternative educational programs exist.

2. Definitions include:

- A. Disciplinary Reassignment is when a student is reassigned to another full-time educational program which provides the standard course of study and allows for the student to make timely progress toward promotion, is not a long-term suspension and does not require those procedures.
- B. District is all of Union County and any property outside the county where the Board of Education exercises any of its duties.
- C. Out of School Suspension is the exclusion of a student from school attendance for disciplinary purposes from the school to which the student was assigned at the time of the disciplinary action.
- D. Parent also means legal guardian, or custodian or caretaker entitled to enroll the student in school.
- E. School property includes all school campuses, school offices, school vehicles, and any school property owned by the School Board. It also includes any property inside the district, and outside the district where the Board of Education exercises any of its duties.
- F. School sponsored event or function includes events in which any Union County School participates to any extent, whether in or out of the school district.

3. Corporal Punishment

The Board of Education prohibits corporal punishment, believing that other consequences are more appropriate and effective for teaching self control. No principal, assistant principal, teacher, substitute teacher, any other school system employee, or volunteer may use corporal punishment to discipline any student. Corporal punishment is defined as the physical use of a hand, paddle, or other instrument to administer corrective discipline such as paddling, spanking, or otherwise striking a child.

School personnel may use reasonable force in the exercise of lawful authority to restrain or correct pupils and maintain order to prevent immediate threats of harm to person or property:

- a. To correct pupils;
- b. To quell a disturbance threatening injury to others;
- c. To obtain possession of weapons or other dangerous objects on the person, or within the control, of a student;
- d. For self-defense;
- e. For the protection of persons or property; or
- f. To maintain order on school property, in the classroom, or at a school related activity on or off school property.

4. Seclusion, Isolation, Restraint, and Training in Management of Student Behavior

The Board hereby adopts the Deborah Greenblatt Act (N.C.G.S. §115C-391.1) effective at the beginning of the 2006-2007 school year as policy. The Superintendent is directed to provide the necessary notices and copies of NCGS 115C-391.1 to all school personnel and to parents and guardians at the beginning of each school year. The Superintendent shall make known rules and guidelines to direct school personnel in the permissible use of seclusions and restraints and to provide for notices to parents and guardians of the specified incidents where prohibited procedures have been used.

5. The Board hereby adopts the Jessica Lunsford Act (N.C.G.S. §115C-391(d)(2)) as school policy. The Act provides that the local board of education may expel any student who is a convicted sex offender. If the local board of education determines that a student shall be provided educational services on school property, the student who is a convicted sex offender must be under the supervision of school personnel at all times and may be subject to additional conditions, which if violated may result in additional discipline.

6. Procedures

A. Short-Term Suspension – the following procedures will be used in assigning a short-term suspension:

1. The student will be provided the opportunity for an informal hearing with the principal, or designee, unless the continued presence of the student would pose a direct and immediate threat to staff and other students, would substantially disrupt or interfere with the education of others or the maintenance of discipline at the school;
2. The student will be provided with notice of the charges and the basis for the accusation, either orally or in writing;
3. The student has the right to make statements in defense or mitigation of the charges and identify witnesses;
4. The parent shall be provided notice by the end of the workday during which the suspension is imposed or if not reasonably possible no more than two days after the suspension is imposed;
5. If English is the second language, where resources are available, the notice shall be provided in English and the language of the parent; and
6. There is no right to appeal the principal's decision to impose a short-term suspension.

B. Long-Term Suspension – the following procedures will be used in assigning a long-term suspension:

1. The student will be provided the opportunity for a hearing (if requested within 5 days of the recommendation from the principal) with the following rights: to

attend the hearing and be represented by counsel (at own expense); to review any evidence (including documentary and audio or video) that may be presented as evidence at the hearing; question witnesses at the hearing; present evidence on own behalf; have a record made and make own audio recording; a written decision based upon the substantial evidence which includes the basis for the decision, notice of what will be in student's official record and the right to appeal and the procedures to appeal the decision.

2. If no request for a hearing is made within 5 days of the principals' recommendation, the Superintendent will review the recommendation and make a decision based upon Board of Education policy.

C. Expulsion – the following procedures will be used in an expulsion proceeding:

- The same procedures for a long term suspension are used in an expulsion proceeding except that the decision of the Board shall be based upon clear and convincing evidence.

D. Request for Readmission – any student suspended for 365 days or expelled may request re-admission after 180 days from the beginning of the suspension or expulsion. The Board of Education shall make a determination, within 30 days, after reviewing the documents submitted by the student and the Superintendent (or meeting in person). The student shall be readmitted if the Board determines that the student's presence in school is no longer a threat to the safety of other students or staff. There is no review of the Board's decision. If readmission is granted the student may be assigned to any program within the district and reasonable conditions may be assigned.

7. Responding to Student Altercations and Other Threats to Safety

All school system employees have a duty to be alert at all times to situations that may pose a threat to the safety of students, employees or visitors on school property, at school events or in other situations in which the students are under the authority of school employees. Even an employee who does not have responsibility for supervising students is expected to make an immediate report if the employee observes or has reason to suspect that a situation poses a threat to safety and no administrator, teacher or other supervisory employee is present and aware of the potential threat.

Teachers, teacher assistants, coaches and other employees with responsibility for supervising students will use appropriate student behavior management techniques to maintain order and discipline on school property, at school events and anywhere that students are under the employees' authority. Such employees must enforce the Code of Student Conduct and address student behavior in accordance with the school plan for management of student behavior.

When employees with responsibility for supervising students have personal knowledge or actual notice of a student altercation or other situation that poses an immediate threat to safety, they shall use their professional judgement to determine how best to address the situation to protect the safety of everyone in the vicinity. Emergency procedures

identified in a student's Behavior Intervention Plan shall be followed to the maximum extent possible under the circumstances. For minor threats or altercations or altercations involving young children, the employee shall intervene directly to end the fight or address the safety threat if the employee can do so safely. An employee who encounters a situation that cannot be managed safely and effectively by that employee immediately shall request assistance from other employees or administrative staff and shall take steps to remove bystanders from the area. Only the degree of force or physical control reasonably necessary shall be used to re-establish a safe environment.

Employees should take further action as appropriate in accordance with any response protocols established by the principal or superintendent. All employees are responsible for knowing and following such protocols to the fullest extent reasonable under the circumstances at the time. Each school must include a plan to address school safety and discipline concerns.

CODE OF STUDENT CONDUCT 4-3 Administrative Guidelines

The District and staff are committed to establishing positive learning environments that ensure that all student have access to a quality education. The District recognizes that a key aspect of maintaining a healthy and safe environment is establishing order and maintaining discipline in our schools. This goal can only be achieved through the cooperative efforts of our school staff, students, parents/guardians and the community.

The District believes that developing strong relationships with families is the first step in establishing safe and healthy schools. The District and staff desire to work collaboratively with families to establish positive relationships that aid in the development and achievement of all students.

The District is committed to eliminating disparity in school discipline with respect to its underserved populations in reducing the number of referrals, suspensions, and expulsions. The staff will engage in restorative practices that enhance school culture and improve discipline systems to address equity.

ALTERNATIVE MEANS OF CORRECTION

Each school is responsible for incorporating a Multi-Tier Systems of Support (MTSS) framework into its School Improvement Plan (SIP) to reduce referrals and suspensions through pro-active intervention, positive behavioral support, restorative practices, and other non-punitive approaches to discipline. MTSS includes a Positive Behavioral Interventions and Supports (PBIS) model of evidenced based practices to address student behavior.

Referral of students from the classroom for misbehavior should be avoided. The District encourages alternatives to suspension and the implementation of progressive discipline approaches prior to removing a student from the educational setting. Classroom based strategies include, but are not limited to:

1. Reteach behavioral expectations;
2. Separate students;
3. Assign additional tasks;
4. Communicate with the parent/guardian;

5. Conference with the student and/or parent; and
6. Implement a behavioral contract and/or plan.

Parents/guardians should be notified if there is a pattern of misbehavior which could result in removal from the classroom environment. Students who exhibit a pattern of misbehavior should be provided more intensive support and interventions. Appropriate school level strategies include, but are not limited to:

1. Conference with parent/guardian and/or student;
2. Implement a case management or counselling plan with the counselor;
3. Convene an intervention team; and
4. Assign after school detention and/or Saturday School.

These are not the only rules of conduct which students are expected to follow. Additional school level rules/consequences will be set by the school site (including but not limited to dress code, honor code and insubordination). There will also be rules for riding the bus. A copy of these guidelines, school level and transportation rules will be provided annually to all students.

DEFINITIONS

1. **Administration.** School level administrators, including the principal and assistant principals.
2. **Bans from School Property.** Students who are suspended or expelled are not entitled, except with the express permission of the site principal, to enter any property of Union County Public Schools. Failure to abide by such restriction will be considered trespassing and will be reported to law enforcement.
3. **Code of Student Conduct.** The behavioral guidelines adopted by the district. The Code of Conduct is published and made available to students on an annual basis. It is available in a variety of means, including but not limited to, online publication and hard copy.
4. **Condensed Academic Term.** Block Schedule.
5. **Disciplinary Reassignment.** A full-time educational program that meets the academic requirements of the NC Standard Course of Study and provides the student with the opportunity to make timely progress towards graduation and grade promotion. A disciplinary reassignment may utilize a combination of online courses, direct teacher instruction and other computer based alternatives for instruction. A disciplinary reassignment is not a long-term suspension and does not require those procedures.
6. **Elementary Students.** Students in grades Pre-K – 5.
7. **Expulsion.** The indefinite removal of a student from school enrollment for disciplinary purposes. Only the Board of Education can expel a student, over the age of 14, whose continued presence is a clear threat to the safety of staff and other students. **An expulsion may be considered for a violation of any of the rules set out below or for other conduct meeting this definition.**
8. **Extracurricular/co-curricular activity participation.** In order to participate in extracurricular/co-curricular activities or athletic programs, students must adhere to Board of Education policies, school-level criteria, North Carolina High School Athletic Association rules (where applicable) and law. The district's behavioral expectations extend beyond the classroom and school campus. Therefore, regardless of when and where the charge arises, any student who is charged with or adjudicated/found guilty of a crime (or what would be considered a criminal violation if the student were an adult) may be excluded from participation in extracurricular/ co-curricular activities.

9. **Long-term Suspension.** A disciplinary removal in excess of 6 days for high schools on condensed academic terms and 10 days for middle schools unless the conduct occurs in the final quarter of the school year in which case the suspension -may run through the end of the first semester of the following year.
10. **Multiple Offense designations.** For offenses where different consequences are applied depending upon the number of violations, the offense is of the overall (numbered) rule. Additionally, the number of violations carries throughout one academic year.
11. **Parent.** Parent, legal guardians, custodians, and caretakers entitled to enroll the student in school.
12. **Parent Conferences.** A meeting between the student, parent and administrator may be required for any length suspension.
13. **Restorative Justice.** Restorative Justice is reactive in nature. It consists of formal and informal responses to wrongdoing. These responses are introduced in an effort to avoid the reoccurrence of the wrongdoing and to begin to rebuild relationships where there has been harm.
14. **Restorative Practices.** Restorative Practices are proactive in nature. They consist of formal and informal processes put in place to create positive school climate. These processes precede any wrongdoing, provide expectation clarity for all involved and have a strong focus on building relationships and a sense of community.
15. **School Authority.** The school has the authority to address any act that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, use of the district Internet system or school provided technology, use of a personal digital device on campus, or off-campus activities that cause or are reasonably expected to cause a direct and immediate impact on the orderly and effective operations of the school or the safety of individuals.
16. **School property.** The physical premises of all school campuses, bus stops, all vehicles under the control of the district (including but not limited to Yellow School and Activity Buses), school sponsored curricular and extra-curricular activities, regardless of where they occur. *The administration may also impose consequences for conduct which occurs off campus if it has a direct and immediate effect on maintaining order and discipline in the schools.*
17. **Secondary Students.** Students in middle and/or high school.
18. **Short-term suspension.** The disciplinary removal of a student for 6 or fewer days for high schools on condensed academic terms and 10 or fewer days for middle and elementary schools.
19. **Suspension.** Unless otherwise noted references to a suspension is an out of school suspension.
20. Any references to Superintendent or Principal shall include that person's designee.

REPORTS TO OUTSIDE AUTHORITIES

1. **Law Enforcement** – Under North Carolina Law, principals are required to report to law enforcement when s/he has personal knowledge or actual notice that one of the following acts has occurred on school property: “assault resulting in serious personal injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a weapon in violation of the law, or possession of a controlled substance in violation of the law.” Additionally, any conduct which may be both a violation of this policy and law will be reported to the School Resource Officer. If a student is arrested consistent with this provision, school officials will notify the parent of the location where their child is taken by law enforcement officials.

2. **Department of Motor Vehicles (DMV)** – Under North Carolina Law, students who receive a long-term suspension for engaging in any of the following conduct will be reported to the DMV: possessing or selling alcoholic beverages or an illegal controlled substance on school property, bringing, possessing, or using on school property any weapon or firearm, and physically assaulting a teacher or other school personnel on school property.

PROHIBITED BEHAVIORS:

1. Abusive Language and Gestures
2. Aggressive Behavior
3. Arson/Use of Fire
4. Attendance
5. Bullying
6. Chronic Disruptive Behavior
7. Electronic Devices
8. False Alarms
9. Firearms and destructive devices
10. Hazing
11. Illegal/Unauthorized Substances
12. Insubordination
13. Misrepresentation
14. Nuisance Items
15. Persistently Dangerous Students
16. Sexual Behavior
17. Student Dress
18. Act of Terror/Bomb Threats
19. Theft (including robbery)
20. Trespassing/Breaking and Entering
21. Unauthorized Use of Technology
22. Weapons (not including firearms and explosives)
23. Vandalism

Principals will have the discretion to determine if a violation of the rule, considering mitigating factors, is serious enough to warrant suspension and should use good judgment when applying these guidelines.

Principals will avoid assigning the maximum consequence unless one of the following conditions exists:

1. The conduct resulted in a serious disruption to the educational environment;
2. The conduct posed a significant threat to the safety of that student or other persons present; or
3. Progressive consequences have already been exhausted.

Principals shall consider the student's intent, disciplinary and academic history, potential benefits of alternatives to suspension and any other mitigating or aggravating factor when considering a recommendation for long-term suspension. When students are suspended for violations of these guidelines, these absences may affect academic standing and promotion. Please refer to the attendance policies (#4-1(b) and #4-1(c)) for further information.

For these prohibited behaviors, the following system-wide disciplinary actions shall be taken (in addition to any consequence enumerated below each behavior, students will be referred to the school counselor for possible counseling and may be banned from school property and/or a parent conference required, as described in the Definitions Section above):

1. **Abusive Language and Gestures:** Students will not use abusive, profane, obscene, words, signs, gestures, and other acts toward or about any school employee, adult on campus or other student. This provision includes but is not limited to written assignments and/or electronic technology where a connection to the school exists. The administration will also consider whether the conduct being investigated was also an act of bullying.
 - a. **Toward a school staff member or other adult on campus.**
 - First Offense:
 - Elementary: 0-3 day suspension
 - Secondary: 0-10 day suspension, 0-6 days for Condensed Academic Terms.
 - Second and subsequent Offenses:
 - Elementary: 1 – 5 day suspension
 - Secondary: 3-10 day suspension or 2-6 days for Condensed Academic Terms. For secondary students, after the second offense the administration may consider a recommendation for long-term suspension.
 - b. **Toward another student or between students.**
 - First Offense: (Elementary and Secondary) 0–3 day suspension
 - Second and subsequent Offenses: (Elementary and Secondary) 1-5 day suspension, 1-3 days for Condensed Academic Terms.
2. **Aggressive Behavior:** Students will not engage in any form of aggressive behavior (physical or verbal) against any other student, staff member or other adult in the school, except in self-defense. Any assault that results in injury must be reported to the principal.
 - a. **Physical violence directed toward any school employee or other adult in the school.**
 - Elementary: 0 - 10 day suspension
 - Secondary: 10 day suspension or 6 days if on a Condensed Academic Term. For secondary students, the administration may consider a recommendation for a long-term suspension. Upon returning from a long-term suspension, the student shall not be returned to the teacher's class unless the teacher consents.
 - b. **Physical Violence directed toward a student.** Violations include but are not limited to any assault, fight, or attempt to cause physical harm to a student or students by another student or students.
 - Elementary and Secondary
 - First Offense (where there were no serious injuries, multiple aggressors/participants or serious disruption to the academic day): 0-10 day suspension or 0-6 days if on a Condensed Academic Term
 - Second and subsequent Offenses (where there were no serious injuries, multiple aggressors/participants or serious disruption to the academic day): 1-10 day suspension or 1-6 days if on a Condensed Academic Term. For secondary students, after the second offense the administration may consider a recommendation for a long-term suspension.

- For assaults which result in serious injury, those involving multiple aggressors or where serious disruption to the academic day results: 10 day suspension, 6 days for Condensed Academic Terms. For secondary students, the administration may consider a recommendation for a long-term suspension.
- c. **Threats about or directed toward any other student, staff member or other adult in the school:** Any physical, verbal, or written threat (including but not limited to threatening gestures, threats communicated via electronic technology where a connection to the school and/or school work exists) directed toward or about any student, staff member or other adult which threatens force, violence, or disruption, or any sign or act which constitutes a threat of force, violence, or disruption. This includes threats and/or retaliation against a student who is a complaining witness or a witness in a student disciplinary matter for the purpose of preventing the student from being a witness or retaliating against a student for being a witness.
- Elementary
 1. **Threats toward staff members or other adults in the school** – 0- 5 day suspension.
 2. **Threats toward students**
 - First Offense: 0-5 day suspension
 - Second and subsequent Offenses: 1-5 day suspension
 - Secondary
 1. **Threats toward staff members or other adults in the school** - 10 day suspension or 6 days if on a Condensed Academic Term. For secondary students, the administration may consider a recommendation for long-term suspension.
 2. **Threats toward students**
 - First Offense: 3-10 day suspension or 2-6 days if on a Condensed Academic Term
 - Second and subsequent Offenses: 1-10 day suspension or 1- 6 days if on a Condensed Academic Term. For secondary students, after the second offense the administration may consider a recommendation for a long-term suspension
- d. **Verbal Confrontation/Provocation** includes approaching another person in a confrontational, provocative or bullying manner. This includes attempts to intimidate or instigate another person to fight or commit other acts of physical aggression.
- Elementary : 0-5 day suspension
 - Secondary: 0-10 day suspension or 1-6 days if on a Condensed Academic Term. For secondary students, after the second offense the administration may consider a recommendation for a long-term suspension.
- e. **Extortion or blackmail** includes threats to take the property of another student under threat of physical harm.
- Elementary : 0-5 day suspension
 - Secondary: 0-10 day suspension or 1-6 days if on a Condensed Academic Term. For secondary students, after the second offense the administration may consider a recommendation for a long-term suspension.

- f. **Behavior that incites a serious disruption to the academic environment** includes behavior which encourages other students to join in to a potentially volatile situation, or disrupts or has the potential to disrupt the school environment including a failure to disperse at the request of staff.
- Elementary : 0-5 day suspension
 - Secondary: 0-10 day suspension or 0-6 days if on a Condensed Academic Term. For secondary students, after the second offense the administration may consider a recommendation for a long-term suspension.
3. **Arson/Use of Fire**: A student will neither set fire nor attempt to set fire to anything on school property or participate with others to damage or destroy school property through the use of fire. This includes striking matches, flicking cigarette lighters or using any instrument capable of producing fire on school property or at a school-sponsored or school-related activity that is on or off school property.
- Elementary and Secondary: 10 day suspension or 6 days if on a Condensed Academic Term. For secondary students, the administration may consider a recommendation for a long-term suspension.
4. **Attendance**: Students will not leave the assigned area/school grounds without permission and/or commit other attendance violations (i.e. skipping class and truancy). Students must attend school and every class every day unless there is a lawful absence. Once at school students will remain on campus and in areas designated by school officials at all times.
- Elementary and Secondary: 0-2 day suspension and principal discretion which may include additional consequences should the conduct violate other rules in this policy or the bus or school level rules. No more than 2 days of suspension can be assigned to a student for an attendance violation.
5. **Bullying**: Students will not bully another person on school property as defined above. Bullying is a form of harassment. Under North Carolina Law, bullying is “any pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication, that takes place on school property”, as defined above, “reasonably perceived as being motivated by any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics”. Bullying may include, but is not limited to, cyber bullying, verbal taunts, name-calling and put-downs, extortion of money or possessions, implied or stated threats and may be directed at the same or different individuals. This rule includes hate-motivated behavior (including injuring or intimidating due to the victim’s race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation or mental, physical, developmental, or sensory disability). Students who feel bullied, harassed or intimidated at school by an adult or another student or who witness such conduct should immediately report the conduct to an administrator.

Both the accused and victim will be referred to a school counselor.

- Elementary and Secondary
 - First Offense: 0 to 10 days suspension or 0-6 for Condensed Academic Terms

- Second and subsequent Offenses: 3-10 day suspension, or 2-6 days for Condensed Academic Terms. For secondary students, after the second offense the administration may consider a recommendation for long-term suspension.

6. **Chronic Disruptive Behavior:** Students will not engage in behavior which disrupts classroom and/or school activities. This rule does not address situations where the student poses a threat of injury to students or staff which may qualify the student for an alternative disciplinary program. The use of an alternative disciplinary program will occur prior to a removal from the instructional environment.

- Elementary: 0-5 day suspension
- Secondary: 3-10 day suspension, or 2-6 days for Condensed Academic Terms.

7. **Electronic Devices:**

Elementary and Middle School: Students will not possess cellular phones or electronic/media devices except pursuant to an authorized purpose or as an instructional tool under the guidance and direction of a staff member during a school activity, from the first bell of the day through the last dismissal bell. Except as identified above, cell phones must be turned off and out of sight (in backpack, pocket, or purse) at all times. Use of a cell phone is defined to include, but is not limited to phone ringing, talking on phone, taking pictures, browsing, gaming and text messaging.

High School: Students will not use cellular phones or electronic/media devices during instructional time except pursuant to an authorized purpose or as an instructional tool under the guidance and direction of a staff member during a school activity. Students may use cellular phones or electronic/media devices during non-instructional times, including class change and lunch, so long as the use is not disruptive to the school environment and the cellular phone or electronic/media device is used in a safe and responsible manner.

The District is not responsible for theft, loss or damage to any electronic devices brought onto school property.

- Elementary and Secondary
 - First Offense: Confiscate item and return to the student at the end of the academic day. If use of the electronic device results in violation of other policies (including but not limited to school based rules) further discipline may be applied.
 - Second and subsequent Offenses: Confiscate item and return only to parents. Parent conference required and may include 1 day of in-school suspension, after school detention, or Saturday School and the student may be prohibited from bringing the item to school for the remainder of the school year, except as authorized in writing by the principal.

Failure to obey the request of a school staff member to hand over an electronic device, including but not limited to a cell phone, shall be considered insubordination.

8. **False Alarms:** In the absence of an emergency, students will not call 911, signal or set off an automatic signal indicating the existence of an emergency, this does not include accidental dialing 911 so long as no disruption occurs.

- Elementary and Secondary

- First Offense: 1- 10 day suspension or 1- 6 days if on a Condensed Academic Term
- Second Offense: 3- 10 day suspension or 2- 6 days if on a Condensed Academic Term. For secondary students, the administration may consider a recommendation for a long-term suspension.

9. **Firearms and destructive devices:** Students will not bring, possess (regardless of the manner received or the length of time possessed) or use a firearm on a school campus or at a school event wherever held as defined by North Carolina General Statutes § 14-269.2b. All firearms and explosives will be confiscated immediately and turned over to law enforcement.

A firearm includes but is not limited to a starter pistol, gun, rifle, pistol, shotgun, frame, receiver, firearm muffler or silencer (loaded or unloaded) or a destructive device. A destructive device includes but is not limited to an explosive, incendiary, poison gas, bomb, grenade, rocket with a propellant charge of more than 4 ounces, a missile with a charge of more than 1/4 ounce, mine or similar device.

- **Elementary and Secondary: A suspension of 365 days shall be imposed for violations of this rule.** Upon recommendation of the Superintendent, the Board of Education may modify this consequence after a review of the facts and circumstances surrounding the incident and considering alternative educational options for the student.

No student may knowingly or willfully cause, encourage or aid any other student to possess, handle or use any of the weapons or weapon-like items listed above (under rule 22). A student who finds a weapon or weapon-like item, who witnesses another student or other person with such items, or becomes aware that another student or other person intends to possess, handle or use such items, must notify a teacher or principal immediately. Failure to do so may result in disciplinary action up to and including a maximum of 10 day suspension or 6 days if on a Condensed Academic Term. The Superintendent and Board shall not impose a 365 day suspension if it is determined that the student took possession of, received or found the firearm or destructive device on campus and had no intent to use it in a harmful or threatening way.

10. **Hazing:** Students will not engage in hazing which is defined as “to subject another student to physical injury as part of an initiation, or as a prerequisite to membership, into any organized school group including any society, athletic team, fraternity or sorority, or other similar group.” For purposes of this policy, hazing may include annoying any student by playing tricks, to frighten, scold, beat or harass him/her, or subject him/her to personal indignity. Per North Carolina General § 14-35 hazing is strictly forbidden on campus and at all off campus school events.

- Elementary and Secondary: 0-10 day suspension, 0-6 days for Condensed Academic Terms. For secondary students, after the second offense the administration may consider a recommendation for long-term suspension.
- Students convicted of Class 2 misdemeanor hazing may be recommended for expulsion from Union County Public Schools.

11. **Illegal/Unauthorized Substances:** Students will not possess, use, be under the influence of or distribute any of the following substances on school property, as defined above. All

substances will be immediately confiscated and provided either to law enforcement or a parent, as appropriate.

- a. **Over-the-Counter Medication:** Outside of the routine, normal usage of medication or without proper authorization.

1. **Being under the influence:**

- Elementary and Secondary: 0-5 day suspension or 0-3 days if on a Condensed Academic Term.
- Required drug counseling class (failure to attend may result in additional days of suspension)

2. **Possession:**

- Elementary and Secondary: 0-5 day suspension or 0-3 days if on a Condensed Academic Term.
- Required drug counseling class (failure to attend may result in additional days of suspension)

3. **Use at School:**

- Elementary and Secondary: 0-5 day suspension or 0-3 days if on a Condensed Academic Term.
- Required drug counseling class (failure to attend may result in additional days of suspension)

4. **Share/Sell/Distribute:**

- Elementary and Secondary: 1-5 day suspension or 1-3 days if on a Condensed Academic Term. The administration may make a recommendation for a long-term suspension
- Required drug counseling class (failure to attend may result in additional days of suspension)

- b. **Prescription Medication** All medication will be provided to the school nurse and properly stored. Without proper medical authorization, students shall not transport prescription or non-prescription medication to or from school or have medication in their possession at any time without meeting conditions prescribed by the Board of Education.

1. **Possession or use of prescription medication:** (Possession only; this does NOT include distribution). Upon arrival to school, the student must secure provide the medication immediately to a school staff member.

- Elementary and Secondary:
 - First Offense – 0-3 day suspension or 0-2 days if on a Condensed Academic Term. Required drug counseling class (failure to attend may result in additional days of suspension)
 - Second Offense - 0-5 day suspension or 0-3 days if on a Condensed Academic Term. Required drug counseling class (failure to attend may result in additional days of suspension)

2. **Under the Influence of prescription medication**

- Elementary and Secondary: 0 - 5 day suspension or 0- 3 days if on a Condensed Academic Term.
 - Required drug counseling class (failure to attend may result in additional days of suspension)
 - Suspension is not warranted when a student comes to campus under the influence when used in compliance with the directions of the prescription.
3. **Share/Sell/Distribute:**
- Elementary and Secondary: 10 day suspension or 6 days if on a Condensed Academic Term. For secondary students, the administration may consider a recommendation for a long-term suspension.
 - Required drug counseling class (failure to attend may result in additional days of suspension)
- c. **Alcohol** (Includes but is not limited to wine, beer, non-alcoholic beer, and energy drinks containing alcohol)
- **Under the influence, possession or use on school property, as defined above:**
 - Elementary and Secondary:
 - First Offense – 1-10 day suspension or 1-6 days if on a Condensed Academic Term. Required drug/alcohol counseling class (failure to attend may result in additional days of suspension)
 - Second and subsequent Offenses - 10 day suspension or 6 days if on a Condensed Academic Term. For secondary students, after the second offense the administration may consider a recommendation for a long-term suspension. Required drug/alcohol counseling class (failure to attend may result in additional days of suspension)
 - **Share/Sell/Distribute :**
 - Elementary and Secondary: 10 day suspension or 6 days if on a Condensed Academic Term. For secondary students, the administration may consider a recommendation for a long-term suspension.
 - Required drug/alcohol counseling class (failure to attend may result in additional days of suspension)
- d. **Tobacco Products:** Students will not possess, use, sell or distribute tobacco products on school property (as defined above). For rolling papers, see drug paraphernalia. All tobacco products, including but not limited to cigars, cigarettes, electronic cigarettes, snuff, chew packets, and all lighted and smokeless tobacco and/or nicotine products are prohibited and will be confiscated.
- Elementary and Secondary:
 - First Offense: 1 day suspension and required Tobacco Education class. Failure to complete tobacco education class will result in additional days of suspension.
 - Second and subsequent Offenses: 3 -5 day suspension and required Tobacco Education class. Failure to complete tobacco education class will result in additional days of suspension.

- e. **Illegal Drugs, Counterfeit or Synthetic Drugs, Huffing** (including the misuse of inhalants), **and/or Drug Paraphernalia** (including but not limited to rolling papers, bongs, pipes and scales) **and misuse of chemical/material** (organic or otherwise) **that causes or is purported to cause a hallucinogenic/mind altering effect or might bring about a state of exhilaration, euphoria or of otherwise altering student's mood or behavior.**

1. **Under the Influence, Use or Possession (includes possession of drug paraphernalia)**

- Elementary: 0-10 day suspension.
- Secondary:
 - First Offense – 5 - 10 day suspension or 3 - 6 days if on a Condensed Academic Term. Required drug/alcohol counseling class (failure to attend may result in additional days of suspension).
 - Second and subsequent Offenses - 10 day suspension or 6 days if on a Condensed Academic Term. For secondary students, after the second offense the administration may make a recommendation for long-term suspension. Required drug/alcohol counseling class (failure to attend may result in additional days of suspension)

2. **Share/Sell/Distribute (Actual or Attempt) or possession with intent to distribute** (possession of a large quantity or of more than one individually wrapped package will be considered evidence that the student intended to sell or distribute the substance).

- Elementary and Secondary: 10 day suspension or 6 days if on a Condensed Academic Term. For secondary students, the administration may make a recommendation for long-term suspension.
- Required drug/alcohol counseling class (failure to attend may result in additional days of suspension)

Share/Sell/Distribute (Actual or Attempt) of drug paraphernalia.

- Elementary and Secondary: –2-5 day suspension or 1 - 3 days if on a Condensed Academic Term. Required drug/alcohol counseling class (failure to attend may result in additional days of suspension)

12. **Insubordination**: A student will obey the lawful direction of any authorized staff member while in school, participating in a school activity or on school property. All students are expected to behave in a respectful manner. This includes but is not limited to, complying with the direction or instruction of a staff member, not walking away from a staff member while being spoken to, speaking to staff in an appropriate manner.

- Please see school level rules for the consequence.

13. **Misrepresentation**: A student will be honest and submit his/her own work.

- a. Cheating: Violating rules of honesty and Honor Codes, including but not limited to plagiarism or copying another student's test or assignment is prohibited.
- b. Altering Report Cards or notes: Tampering with report cards, official passes, notes or other school documents in any manner, including changing grades or forging names to excuses is prohibited.
- c. False information: Making false statements, written or oral, to anyone in authority is prohibited.

- Please see school level rules for the consequence.

14. **Nuisance Items**: Students will not possess or use nuisance items including but not limited to: laser pointers, matches, cigarette lighters, empty shells, or other like items on school property as defined above. Nuisance items kept in locked private vehicles are exempt. No skateboards are allowed on campus at any time. All nuisance items will be immediately confiscated and returned to the parent where appropriate. Any nuisance item that results in property damage to the school system or individual will require restitution by the parents of the perpetrator. The District is not responsible for theft, loss or damage to any nuisance items brought onto school property.

- Elementary and Secondary:
 - First Offense: Confiscate item and return only to parents.
 - Second and subsequent Offenses: 1-5 days suspension, 1-3days for Condensed Academic Terms.

15. **Persistently Dangerous Students**: Students, over the age of 14, will not engage in behavior that constitutes a clear threat to the safety of other students or employees as defined in North Carolina Law. Examples of conduct which would fall under this rule include, but are not limited to, multiple rule violations for assault, the sale or distribution of illegal drugs, gang related activities, possession of weapons and inappropriate sexual behavior. A single severe behavior may fall under this category. This also includes students who are registered sex offenders (who will be constantly supervised, if allowed to attend any educational program).

- Violation of this section may result in long-term suspension, 365-day suspension, or expulsion dependent upon the severity of the offense.

16. **Sexual Behavior**: Students will not engage in any sexual activity or possess sexually graphic or violent materials on school property as defined above.

a. **Indecent Exposure**: Students will not expose private body parts on school property.

- Elementary:
 - First Offense: 0-3 day suspension
 - Second and subsequent Offenses: 1-5 day suspension
- Secondary:
 - First Offense: 1- 5 day suspension, or 1-3 days suspension for Condensed Academic Terms.
 - Second and subsequent Offenses: 5- 10 day suspension, or 3-6 days for Condensed Academic Terms. For secondary students, after the second offense the administration may consider a recommendation for a long-term suspension.

b. **Consensual Sexual Activity**: Consensual means all parties are willing participants in the activity.

- Elementary and Secondary:
 - First Offense: 3-10 day suspension or 2-6 days for Condensed Academic Terms.
 - Second and subsequent Offenses: 5-10 day suspension, or 3-6 days for Condensed Academic Terms. For secondary students, after the second offense the administration may consider a recommendation for a long-term suspension.

c. **Sexual Harassment**: Includes but is not limited to the following conduct committed against another student, a staff member or any adult in the school:

1. Any “unwelcome” contact of a sexual nature with another’s body
 2. Any suggestive comments, propositions or gestures.
 3. Any sexually provocative commentaries about the body.
 4. Any suggestive writings, artworks, or notes.
 5. Any slurs or innuendos.
- Elementary and Secondary:
 - First Offense: 3-5 day suspension, 2-3 days for Condensed Academic Terms and counseling at the school level.
 - Second and subsequent Offenses or when two or more students are engaged in this type of behavior against another person or when one student engages in this type of behavior against multiple persons: 10 day suspension, 6 days for Condensed Academic Terms. For secondary students, the administration may consider a recommendation for a long-term suspension.

The UCPS Title IX Coordinator, and law enforcement shall be notified.

- d. **Sexual Assault/Battery:** Students will not engage or attempt to engage in sexual activity with another person by force, threat or fear.
 - Elementary and Secondary: 5-10 day suspension, or 3-6 days for Condensed Academic Terms. For secondary students, the administration may make a recommendation for long-term suspension. The principal will refer to school counselor and contact parent.
 - e. **Possession of Pornographic, Profane and/or Violent Material:** Students will not possess any pornographic, profane, sexually explicit or graphically violent materials, including but not limited to pictures, magazines, drawings, DVDs, CDs, email or text or images and sexually explicit or graphically violent materials (including documents or instructions concerning the creations and/or use of a weapon).
 - Elementary: 0-3 day suspension
 - Secondary:
 - First Offense: 3-5 day suspension, or 2-3 days for Condensed Academic Terms.
 - Second and subsequent Offenses: 10 day suspension, 6 days for Condensed Academic Terms. For secondary students, after the second offense the administration may consider a recommendation for a long-term suspension.
17. **Student Dress:** A student will maintain personal attire that promotes safety, health and acceptable standards of social conduct, and is not disruptive to the educational environment. This includes student clothing that materially and substantially disrupts classes or school activities, including but not limited to gang-related articles of clothing. Please see the dress code at your school.
- Please see school level rule for consequences.
18. **Act of Terror/Bomb Threats:** Students will not make, aide, conspire, and/or abet in making a terrorist threat or perpetrating a terrorist hoax against school district property by making a false report that a device, substance, or material designed to cause harmful or life-threatening illness or injury to another person is located on school property as defined above, or possessing, bringing onto school property, concealing, placing, disseminating, or displaying (or threatening any of the above) a device, machine, instrument, artifact, letter,

package, material, or substance on school property as defined above with the intent to cause others to believe the device is a substance or material capable of causing harmful or life-threatening illness or injury to another person; or

Students will not threaten to commit on school property as defined above an act of terror that is likely to cause death, with the intent to cause a significant disruption to the instructional day or school-sponsored activity which actually causes such disruption (this includes but is not limited to making a bomb threat); or

Students will not make a false report that there is about to occur or is occurring on school property as defined above an act of terror that is likely to cause serious injury or death, with the intent to cause a significant disruption to the instructional day or school-sponsored activity or which actually causes such disruption (this includes but is not limited to making a bomb threat).

Conspire to commit any of the above-described acts.

- Elementary and Secondary: 10 day suspension or 6 days if on a Condensed Academic Term. For secondary students, the administration may consider a recommendation for a long-term suspension.

No student may knowingly or willfully cause, encourage, or aid another student to make or engage in any of the activities defined under Rules 8 or 54 (False Alarm and Bomb Threats). Any student who becomes aware that another student or other person intends to violate either of these rules must notify a teacher or principal immediately.

- Failure to do so may result in disciplinary action up to and including a maximum of 10 days of suspension (6 days for Condensed Academic Terms).

19. **Theft (including robbery):** Students will not steal the property of the school, school employees, students or any other person. Robbery requires the use of force or threat of violence.

- Elementary : 0-5 day suspension
- Secondary: 0-10 day suspension or 0-6 days if on a Condensed Academic Term. For secondary students, after the second offense the administration may make a recommendation for a long-term suspension.

20. **Trespassing/Breaking and Entering:** A student will not enter school property or a school; facility without proper authority. This rule includes entering any school during a period of suspension.

- Elementary : 0-5 day suspension
- Secondary: 0-10 day suspension or 0-6 days if on a Condensed Academic Term. For secondary students, after the second offense the administration may make a recommendation for a long-term suspension.

21. **Unauthorized Use of Technology:** A student shall refrain from the inappropriate use of district owned technology or from using the district electronic communications and wireless connection network without proper authority. This includes authorized use of sign on codes and unauthorized attempts to contact any district computer site from any computer. Violations of other rules through the unauthorized use of technology will be considered

under both rules. Repeated violations of this rule may result in technology privileges being limited or removed.

- Elementary: 0-5 day suspension
- Secondary: 0-10 day suspension or 0-6 days if on a Condensed Academic Term.

22. **Weapons (not including firearms and explosives)**: Students will not possess, handle, use, or transmit, whether concealed or open, any weapon, or any instrument that reasonably looks like a weapon (including toys) or could be used as a weapon and any object thrown from a bus. All weapons will be confiscated immediately and turned over to law enforcement. Weapons include all of the following:

Knife, including a pocket knife, bowie knife, box cutters and other types of utility blades, switchblade, dirk, dagger or machete; slingshot; leaded cane; blackjack; metal knuckles or nun-chucks; BB gun; air rifle or air pistol; blowgun, stun gun or other electric shock weapon (i.e. taser); ice pick; defensive sprays; razor or razor blade (except solely for personal shaving); compound bow or other archery equipment; live ammunition (shotgun shells, bullets, etc.), not used for instructional purposes and under the supervision of school staff; fireworks; and any sharp pointed or edged instrument except unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance.

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

- **Possession:**
 - Elementary: Regardless of the manner in which received and the length of time the weapon is possessed: 0-10 day suspension
 - Secondary: Regardless of the manner in which received and the length of time the weapon is possessed: 3-10 day suspension or 2-6 days if on a Condensed Academic Term.
- **Use of weapon:**
 - Elementary and Secondary: 5-10 day suspension and 3-6 if on a Condensed Academic Term. For secondary students, the administration may consider a recommendation for a long-term suspension.

23. **Vandalism**: Students will not vandalize property owned by the school system, school staff or other students.

- Elementary: 0-5 day suspension
- Secondary: 0-10 day suspension or 0-6 days if on a Condensed Academic Term. For secondary students, after the second offense the administration may make a recommendation for a long-term suspension.

PROHIBITION AGAINST UNLAWFUL DISCRIMINATION, HARASSMENT, BULLYING (STUDENTS) (BOE Policy 4-7)

The Board believes that all employees and students should be free of unlawful discrimination, including harassment and bullying, as a part of a safe, orderly and inviting working and learning environment. It commits itself to non-discrimination in all its educational and employment activities. The Board expressly prohibits unlawful discrimination, harassment, or bullying however motivated, directed toward any person or group, including, but not limited to acts reasonably perceived as being motivated by any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

The Board also prohibits retaliation against an employee or student who has exercised any rights made available through state or federal law, including prohibiting retaliation for reporting violations of this policy.

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

A. Prohibited Behaviors and Consequences

1. Discrimination, Harassment, and Bullying

Students, school system employees, volunteers, and visitors are expected to behave in a civil and respectful manner. The board expressly prohibits unlawful discrimination, harassment, and bullying.

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

Any violation of this policy is serious and school officials shall promptly take appropriate action. Students will be disciplined in accordance with the school's student behavior management plan (see policy 4-3, Code of Student Conduct). Based on the nature and severity of the offense and the circumstances surrounding the incident, the student will be subject to appropriate consequences and remedial actions ranging from positive behavioral interventions up to, and including, expulsion.

Employees who violate this policy will be subject to disciplinary action, up to, and including, dismissal. Volunteers and visitors who violate this policy will be directed to leave school property and/or reported to law enforcement, as appropriate, in accordance with policy 1-25, Visitors to Schools.

When considering if a response beyond the individual level is appropriate, school administrators should consider the nature and severity of the misconduct to determine whether a classroom, school-wide, or school system-wide response is necessary. Such classroom, school-wide, or school system-wide responses may include staff

training, harassment and bullying prevention programs, and other measures deemed appropriate by the superintendent to address the behavior.

2. Retaliation

The board prohibits reprisal or retaliation against any person for reporting or intending to report violations of this policy, supporting someone for reporting or intending to report a violation of this policy, or participating in the investigation of reported violations of this policy.

After consideration of the nature and circumstances of the reprisal or retaliation and in accordance with applicable federal, state or local laws, policies, and regulations, the superintendent or designee shall determine the consequences and remedial action for a person found to have engaged in reprisal or retaliation.

B. Application of Policy

All persons, (including but not limited to employees, students, and visitors), agencies, vendors, contractors and other persons, and organizations doing business with or performing services for the school district must comply with all applicable state and federal laws and regulations regarding non-discrimination. Visitors also are expected to comply with applicable laws, including the prohibition against harassment and bullying of students and employees. Any employee, student, or volunteer who witnesses or has reliable information that a student has been subject to any act of bullying or harassing behavior shall report the incident to his/her supervisor or the building administrator.

This policy will apply in the following circumstances:

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

C. Definitions

For the purposes of this policy, the following definitions will apply

1. Discrimination

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

2. Harassment and Bullying

- a. 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 or by adversely altering the conditions of an employee's employment.

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

Harassment and bullying include, but are not limited to, behavior described above that is reasonably perceived as being motivated by any actual or perceived differentiating characteristic or motivated by an individual's association with a person who has or is perceived to have a differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability. Examples of behavior that may constitute bullying or harassment include, but are not limited to, 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. Legitimate age-appropriate pedagogical techniques are not considered harassment or bullying.

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

- b. Sexual harassment is one type of harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
 - 1) submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, academic progress, or completion of a school-related activity;
 - 2) submission to or rejection of such conduct is used as the basis for employment decisions affecting the individual, or in the case of a student, submission to or rejection of such conduct is used in evaluating the student's performance within a course of study or other school-related activity; or

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

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

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

D. Unlawful Discrimination, Harassment or Bullying Complaint Procedures

1. Students

Students and parents are encouraged to submit any complaints of unlawful discrimination, harassment, or bullying other than sexual harassment, through the Appeals Policy (4-18). The complaint procedure for sexual harassment is established in Policy (4-7b), Sexual Harassment Complaint Procedure for Students. Any such complaints may be made anonymously through the school guidance office or Board Policy 4.7b or 4.18 and any appropriate Administrative Guidelines to Policy 4-7.

2. Employees

Employees are encouraged to submit any complaints of unlawful discrimination harassment, or bullying other than sexual harassment, through the grievance procedure established in Policy 3-10 Grievance Procedure for Employees. The complaint procedure for sexual harassment is established in Policy (3-7b), Sexual Harassment Complaint Procedure for Employees and any appropriate Administrative Guidelines to Policy 3-7.

3. Investigations

All complaints shall be investigated beginning within 48 hours of receipt of complaints and shall be completed in a timely manner.

E. Notice

The Superintendent is responsible for providing effective notice to students, parents, and employees of the procedures for reporting and investigating complaints of unlawful discrimination, including sexual harassment and bullying. The school district will investigate complaints of unlawful discrimination and harassment and will take reasonable steps to eliminate the unlawful discrimination or harassment.

F. Coordinators

The Superintendent or his/her designee will publish the names, addresses, and phone numbers of the "Title IX Coordinator" (for sex discrimination), "Section 504 Coordinator" (for unlawful discrimination on the basis of disability), and the "ADA Coordinator" (also for unlawful discrimination on the basis of disability) in a manner intended to ensure that employees, applicants, students, parents, and other individuals who participate in school district's program are aware of the coordinators. The purpose of the coordinator positions is to provide additional protection of non-discrimination rights. The coordinator must either (1) implement a resolution to unlawful discrimination, harassment, or bullying complaint, to the extent a resolution can be reached and the coordinator has the authority to implement corrective action or (2) notify the Superintendent that intervention by other school officials is required to resolve the situation.

G. Records and Reporting

The Superintendent or his/ her designee shall maintain confidential records of complaints or reports of unlawful discrimination which identify the names of any individuals accused of unlawful discrimination and the resolution of such reports or complaints. The Superintendent also shall maintain records of training, corrective actions, and/or other steps taken by the district to help provide an environment free of unlawful discrimination, harassment, and bullying.

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

H. Diversity Programs

The Board is committed to promoting the worth and dignity of all individuals regardless of race, color, religion, national origin, sex, pregnancy, age or disability. The Board directs the Superintendent to establish training and other programs to help eliminate unlawful discrimination, harassment, and bullying and to foster an environment of understanding and respect for all individuals.

I. Evaluation

The Superintendent is required to evaluate the effectiveness of efforts to correct or

prevent unlawful discrimination, harassment, and bullying and will share these evaluations periodically with the Board.

NOTICE

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

DISABILITY DISCRIMINATION/ HARASSMENT COMPLAINT PROCEDURE FOR STUDENTS (BOE Policy 4-7), Administrative Guidelines

The Board takes seriously all complaints of discrimination. Students and parents are encouraged to submit any complaints of discrimination to the site supervisor. The process provided in this policy is available for students who may have been harassed or discriminated against due to a disabling condition.

A. Informal Resolution

The Board acknowledges that reports of harassment and discrimination may be addressed informally through such methods as conferences or mediation, and the Board encourages the use of such procedures to the extent possible. If an informal process is used the principal or other appropriate personnel must notify the complainant of his or her option to request formal procedures at any time and must make a copy of formal procedures at any time and must make a copy of this policy and other relevant policies available. In those circumstances where informal procedures fail or are inappropriate or where the complainant requests formal procedures, the complaints will be investigated promptly, impartially, and thoroughly according to this policy.

B. Definitions

Accused harasser: the employee, student, or visitor alleged to have harassed the complainant.

Complainant: the parent, student, or staff member reporting a complaint that the student was harassed.

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

Investigator: the school official responsible for investigating and responding to the complaint (which may be the principal, assistant superintendent, the District Section 504 Coordinator, or another designated school official).

C. Timeliness of Process

The number of days indicated at each level should be considered a maximum. Every effort should be made to expedite the process. Failure by the investigator at any step to communicate a decision within the specified time limit will permit the complainant to appeal the complaint to the next step unless the investigator has notified the complainant of the delay and the reason for the delay, such as the complexity of the investigation or report. The investigator will make reasonable efforts to keep the complainant apprised of progress being made during any period of delay. Delays that interfere with exercise of any legal rights are not permitted.

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

D. General Requirements

1. No reprisals or disciplinary action of any kind will be taken by the Board or by an employee of the school district against any complainant or other student or employee on account of his/her participation in the investigation of a complaint filed and decided pursuant to this policy, unless the complainant or participating student or employee knows or has reason to believe the report is false or knowingly provides false information. The district will also protect individuals from retaliation by students and third parties.
2. All meetings and hearings conducted pursuant to this policy will be private.
3. The Board and school district will consider request to hear complaints from a group, but the Board and officials have the discretion to respond to complainants individually.
4. The complainant or accused harasser may have a representative, including an attorney, at any stage of the complaint.

E. Process for Complaint

- Reporting Complaint

A complaint must be filed as soon as possible, but no longer than 30 days after disclosure or discovery of the facts giving rise to the complaint. For a complaint submitted after 30 days which claims a violation, misapplication or misinterpretation of state or federal law,

- a. Including discrimination, the Superintendent or designee will determine whether the complaint will be investigated after considering factors such as the reason for the delay; the extent of the delay; the effect of the delay on the ability of the school district to investigate and respond to the complaint; and whether the

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

- b. A parent or student should report complaints of harassment to any of the following individuals:
 - principal or assistant principal at the school attended by the student;
 - the District Section 504 Coordinator. (See policy 4-7 Prohibition Against Discrimination and Harassment regarding coordinators for further information.)
 - c. A student does not have to report an incident of harassment to trigger an investigation if a school official knows or, in the exercise of reasonable care, should have known about the harassment. Any employee, including a teacher or counselor, who has reason to believe that a student may have been harassed, including any employee who has witnessed possible harassment or has received reports by the victim or other individual will notify the principal immediately unless the principal or other school employee is the accused harasser, in which case the employee will notify the Superintendent. An employee who fails to report possible harassment of a student may be subject to disciplinary action and/or legal action. The principal or superintendent/designee will promptly investigate any reports and take appropriate action. The process provided in the policy will be used if at any time a complaint is made by a parent or student. Failure to appropriately investigate and/or address claims of harassment will result in disciplinary action. All reports and resolutions, regardless of whether this policy is used, will be maintained in accordance with policy (See policy 4-7 Prohibition Against Discrimination and Harassment.)
 - d. If the accused harasser is a student or visitor, the principal will respond to the complaint and investigate. If the accused harasser is an employee, the principal will notify the District Section 504 Coordinator immediately of the complaint.
 - e. If the accused harasser is an employee, the District Section 504 Coordinator will respond to the complaint and assign someone to investigate.
 - f. The investigator will notify the District Section 504 Coordinator immediately of the complaint.
 - g. The investigator will explain the process of investigation to the complainant and inquire as to any proposed corrective action.
- Investigation
 - a. The investigator will impartially, promptly, and thoroughly investigate the complaint. The investigator will interview (1) the complainant; (2) the accused harasser; and (3) any other individuals, including other possible victims of harassment, who may have relevant information. The investigator will allow parties, the complainant and the harasser, the opportunity to provide relevant information and evidence and to identify witnesses.
 - b. There shall be no face to face confrontations between complainant and accused harasser(s).
 - c. Information will be shared only with individuals who need the information in order to appropriately investigate and address the complaint. Any requests by the complainant for confidentiality will be evaluated within the context of the legal

responsibilities of the school district. Any complaints withdrawn to protect confidentiality still will be recorded in accordance with Board policy (See policy 4-7 Prohibition Against Discrimination and Harassment).

- d. In assessing whether the conduct complained of was harassment, the investigation will consider all factual information, the context in which the alleged incidents occurred, the age and maturity of the complainant, and other relevant circumstances. If the alleged harasser is a student, the investigator also will consider the age and maturity of the alleged harasser.
- e. The investigator will report to appropriate law enforcement if it appears that laws have been violated.

- Investigator's Report

The investigator will make a written report of the findings of the investigation. The investigator will notify the complainant, in writing, of the outcome of the investigation within 15 days of receiving the complaint, unless additional time is necessary to conduct an impartial, thorough investigation. At the close of the investigation the complainant will be notified the investigation was conducted, completed and appropriate action was taken.

Information regarding conditions of behavior imposed on the accused harasser will not be given to the complainant, unless the information relates directly to the complainant (e.g., an order requiring the accused harasser not to have contact with the complainant and if the accused harasser will be out of school for a period of time).

- a. The investigator will submit the full report and investigative findings to the District Section 504 Coordinator. The report will specify:
 1. whether the complaint was substantiated;
 2. whether the accused offender violated relevant law or Board policy by his/her actions (regardless of whether the complaint as submitted is substantiated); and
 3. if the investigator determines that disability discrimination/harassment has occurred, the investigator also will specify:
 - reasonable, timely, age appropriate effective corrective action intended to end the harassment and prevent it from reoccurring;
 - as needed, reasonable steps to address the effects of the harassment on the complainant; and
 - as needed, reasonable steps to protect the complainant from retaliation as a result of communicating the complaint,
 - whether law enforcement has been notified.
- b. If the corrective steps involve actions outside the scope of the investigator's responsibilities, the Superintendent also will be notified so that responsibility for the corrective steps can be delegated to the appropriate individual.
- c. The accused harasser will be informed in writing of the results of the investigation in regard to whether the complaint was substantiated, whether the accused harasser violated Board policy or law (regardless of whether the complaint was

substantiated), and what, if any, disciplinary actions or consequences will be imposed upon the accused harasser in accordance with Board policy. The accused harasser may appeal any disciplinary action or consequences in accordance with the provisions below and law. The filing of an appeal by the alleged harasser does not preclude school officials from taking appropriate action to address the alleged harassment.

- Appeal Of Investigator's Report

If the complainant or accused harasser is dissatisfied with the results of the investigation, an appeal may be made in writing to the District

- a. Section 504 Coordinator within five days of receiving the investigator's response. The District Section 504 Coordinator will review the investigation and make any further investigation necessary and provide a written response within ten days unless additional time is necessary to complete an investigation. If the corrective steps involve actions outside the scope of the District Section 504 Coordinator's authority, the Superintendent also will be notified so that responsibility for taking the corrective steps can be delegated to the appropriate individual.
- b. If the complainant or accused harasser is dissatisfied with the District Section 504 Coordinator's response, an appeal of the decision may be made to the Superintendent. The appeal must be made in writing within five days of receiving the District Section 504 Coordinator's response. The Superintendent may review the documents, conduct any further investigation necessary or take any other steps the Superintendent determines to be appropriate in order to respond to the complaint. The Superintendent will provide a written response within 10 days after receiving the appeal, unless further investigation is necessary.
- c. If the complainant or accused harasser is dissatisfied with the Superintendent's response, an appeal of the decision may be made to the Board within five days of receiving the Superintendent's response. The Board may review the documents, direct any further investigation be conducted before making a determination or take any other steps the Board determines to be appropriate in order to respond.

The Board will hold a hearing pursuant to Board Policy 4-18 upon request of the complainant or accused harasser and at the Board's discretion. The Board will provide a written response within 30 days after receiving the complaint, unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

F. Records

Records will be maintained as required by policy (See policy 4-7 Prohibition Against Discrimination and Harassment).

G. Students will receive this policy on an annual basis.

SEXUAL HARASSMENT COMPLAINT PROCEDURE FOR STUDENTS (BOE Policy 4-7b)

The Board takes seriously all complaints of discrimination. Students and parents are encouraged to submit any complaints of discrimination on the basis of race, religion, national origin, disability, or sex (except sexual harassment) through the appeals procedure established in Board policy 4-18. The process provided in this policy is available for students who believe that they may have been sexually harassed.

A. Informal Resolution

The Board acknowledges that reports of harassment, including sexual harassment, may be addressed informally through such methods as conferences or mediation, and the Board encourages the use of such procedures to the extent possible. If an informal process is used the principal or other appropriate personnel must notify the complainant of his or her option to request formal procedures at any time and must make a copy of formal procedures at any time and must make a copy of this policy and other relevant policies available. In those circumstances where informal procedures fail or are inappropriate or where the complainant requests formal procedures, the complaints will be investigated promptly, impartially, and thoroughly according to this policy.

B. Definitions

Accused harasser: the employee, student, or visitor alleged to have harassed the complainant.

Complainant: the parent, student, or staff member reporting a complaint that the student was harassed.

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

Investigator: the school official responsible for investigating and responding to the complaint (which may be the principal, assistant superintendent, the Title IX coordinator, or another designated school official).

Sexual Harassment: Sexual harassment is one form of harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when under circumstances described in policy 4-7a. Examples of sexual harassment include, but are not limited to, deliberate, unwelcomed touching of a sexual nature or that takes on sexual connotations; suggestions or demands for sexual involvement accompanied by implied or covert promises of preferential treatment or threats; pressure for sexual activity; continued or repeated offensive sexual flirtations, advances or propositions; continued or repeated verbal remarks about an individual's body; sexually degrading words or gestures used toward an individual or to describe an individual; and the display in the work place of sexually suggestive objects or pictures.

C. **Timeliness of Process**

The number of days indicated at each level should be considered a maximum. Every effort should be made to expedite the process. Failure by the investigator at any step to communicate a decision within the specified time limit will permit the complainant to appeal the complaint to the next step unless the investigator has notified the complainant of the delay and the reason for the delay, such as the complexity of the investigation or report. The investigator will make reasonable efforts to keep the complainant apprised of progress being made during any period of delay. Delays that interfere with exercise of any legal rights are not permitted.

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

D. **General Requirements**

1. No reprisals or disciplinary action of any kind will be taken by the Board or by an employee of the school district against any complainant or other student or employee on account of his/her participation in the investigation of a complaint filed and decided pursuant to this policy, unless the complainant or participating student or employee knows or has reason to believe the report is false or knowingly provides false information.
2. All meetings and hearings conducted pursuant to this policy will be private.
3. The Board and school district will consider request to hear complaints from a group, but the Board and officials have the discretion to respond to complainants individually.
4. The complainant or accused harasser may have a representative, including an attorney, at any stage of the complaint.

E. **Process for Complaint**

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

- b. A parent or student should report complaints of harassment to any of the following individuals:
- principal or assistant principal at the school attended by the student;
 - the assistant superintendent for human resources, or the Title IX coordinator. (See policy 4-7 Prohibition Against Discrimination and Harassment regarding coordinators for further information.)
- c. A student does not have to report an incident of harassment to trigger an investigation if a school official knows or, in the exercise of reasonable care, should have known about the harassment. Any employee, including a teacher or counselor, who has reason to believe that a student may have been harassed, including any employee who has witnessed possible harassment or has received reports by the victim or other individual will notify the principal immediately unless the principal or other school employee is the accused harasser, in which case the employee will notify the Superintendent. **An employee who fails to report possible harassment of a student may be subject to disciplinary action and/or legal action.** The principal or superintendent/designee will promptly investigate any reports and take appropriate action. The process provided in the policy will be used if at any time a complaint is made by a parent or student. Failure to appropriately investigate and/or address claims of sexual harassment will result in disciplinary action. All reports and resolutions, regardless of whether this policy is used, will be maintained in accordance with policy (See policy 4-7 Prohibition Against Discrimination and Harassment.)
- d. If the accused harasser is a student or visitor, the principal will respond to the complaint and investigate. If the accused harasser is an employee, the principal will notify the assistant superintendent for human resources immediately of the complaint.
- e. If the accused harasser is an employee, the assistant superintendent for human resources/designee will respond to the complaint and investigate.
- f. The investigator will notify the Title IX coordinator immediately of the complaint.
- g. The investigator will explain the process of investigation to the complainant and inquire as to any proposed corrective action.

2. Investigation

- a. The investigator will impartially, promptly, and thoroughly investigate the complaint. The investigator will interview (1) the complainant; (2) the accused harasser; and (3) any other individuals, including other possible victims of harassment, who may have relevant information.

- b. There shall be no face to face confrontations between complainant and accused harasser(s).
- c. Information will be shared only with individuals who need the information in order to appropriately investigate and address the complaint. Any requests by the complainant for confidentiality will be evaluated within the context of the legal responsibilities of the school district. Any complaints withdrawn to protect confidentiality still will be recorded in accordance with Board policy (See policy 4-7 Prohibition Against Discrimination and Harassment).
- d. In assessing whether the conduct complained of was sexual harassment, the investigation will consider all factual information, the context in which the alleged incidents occurred, the age and maturity of the complainant, and other relevant circumstances. If the alleged harasser a student, the investigator also will consider the age and maturity of the alleged harasser.
- e. The investigator will report to appropriate law enforcement if it appears that laws have been violated.

3. Investigator's Report

The investigator will make a written report of the findings of the investigation. The investigator will notify the complainant, in writing, of the outcome of the investigation within **15 days** of receiving the complaint, unless additional time is necessary to conduct an impartial, thorough investigation. At the close of the investigation the complainant will be notified the investigation was conducted, completed and appropriate action was taken.

Information regarding conditions of behavior imposed on the accused harasser will not be given to the complainant, unless the information relates directly to the complainant (e.g., an order requiring the accused harasser not to have contact with the complainant and if the accused harasser will be out of school for a period of time).

- a. The investigator will submit the full report and investigative findings to the Title IX coordinator. The report will specify:
 - 1. whether the complaint was substantiated;
 - 2. whether the accused offender violated relevant law or Board policy by his/her actions (regardless of whether the complaint as submitted is substantiated); and
 - 3. if the investigator determines that sexual harassment has occurred, the investigator also will specify:
 - reasonable, timely, age appropriate effective corrective action intended to end the harassment and prevent it from reoccurring;
 - as needed, reasonable steps to address the effects of the harassment on the complainant; and

- as needed, reasonable steps to protect the complainant from retaliation as a result of communicating the complaint,
 - whether law enforcement has been notified.
- b. If the corrective steps involve actions outside the scope of the investigator's responsibilities, the Superintendent also will be notified so that responsibility for the corrective steps can be delegated to the appropriate individual.
 - c. The accused harasser will be informed in writing of the results of the investigation in regard to whether the complaint was substantiated, whether the accused harasser violated Board policy or law (regardless of whether the complaint was substantiated), and what, if any, disciplinary actions or consequences will be imposed upon the accused harasser in accordance with Board policy. The accused harasser may appeal any disciplinary action or consequences in accordance with the provisions below and law. The filing of an appeal by the alleged harasser does not preclude school officials from taking appropriate action to address the alleged harassment.

4. Appeal Of Investigator's Report

- a. If the complainant or accused harasser is dissatisfied with the results of the investigation, an appeal may be made in writing to the Title IX coordinator within five calendar days of receiving the investigator's response. The Title IX coordinator will review the investigation and make any further investigation necessary and provide a written response within ten days unless additional time is necessary to complete an investigation. If the corrective steps involve actions outside the scope of the Title IX coordinator's authority, the Superintendent also will be notified so that responsibility for taking the corrective steps can be delegated to the appropriate individual.
- b. If the complainant or accused harasser is dissatisfied with the Title IX coordinator's response, an appeal of the decision may be made to the Superintendent. The appeal must be made in writing within five calendar days of receiving the Title IX coordinator's response. The Superintendent may review the documents, conduct any further investigation necessary or take any other steps the Superintendent determines to be appropriate in order to respond to the complaint. The Superintendent will provide a written response within 10 days after receiving the appeal, unless further investigation is necessary.
- c. If the complainant or accused harasser is dissatisfied with the Superintendent's response, an appeal of the decision may be made to the Board within five calendar days of receiving the Superintendent's response. The Board may review the documents, direct any further investigation be conducted before making a determination or take any other steps the Board determines to be appropriate in order to respond.

The Board will hold a hearing pursuant to Board Policy 4-18 upon request of the complainant or accused harasser and at the Board's discretion. The Board will provide a written response within 30 calendar days after receiving the complaint,

unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

F. Records

Records will be maintained as required by policy (See policy 4-7 Prohibition Against Discrimination and Harassment).

E. Students will receive this policy on an annual basis.

DRESS CODE

For student dress code, please refer to the school level student handbook.

FOOD ALLERGIES (BOE Policy 4-19)

The Union County Board of Education recognizes the increasing frequency and intensity of allergic reactions to foods by certain students and the impact these reactions may have on all children in the educational environment. While it is not possible for the district to eliminate totally the risk of exposure of students with life threatening allergies to certain foods, the Union County Public Schools (UCPS) will:

- Make reasonable efforts to promote and protect the health of children in school by providing food choices that are safe as well as nutritious; and
- provide environments that reduce the risk of ingestion or contact with foods that trigger allergic reactions for students with known life-threatening food allergies.

The Superintendent will adopt administrative guidelines for how the district will develop appropriate accommodations for students with life-threatening allergies to foods.

GANGS: PROHIBITION OF GANGS AND GANG ACTIVITIES (BOE Policy 4-3c)

Introduction:

One of the goals of the Union County Public Schools is to provide a safe, orderly, and caring learning environment for all students and staff. The Union County Public Schools have determined that gangs and gang-related activities materially and substantially interfere with the requirements of appropriate discipline in the operation of schools. Therefore, principals shall work with the school's Site-based Management Team to develop prevention and intervention strategies to discourage gangs and gang-related activities. Such strategies and interventions may include support groups, counseling programs, and extra-curricular activities, or other initiatives, as deemed appropriate by the Site-based Team.

- No student shall commit any act that furthers gangs or gang-related activities.

Definitions:

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 and/or

violations of school policy and having a common name and/or common identifying signs, colors, or symbols.

Conduct prohibited by this policy includes:

1. Wearing, possessing, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs or other items which indicate a student's membership or affiliation with a gang.
 - If the principal determines by a reasonable suspicion that any of the items indicated above are gang-related, the principal can ban the wearing or display of such items after giving verbal and written notice to students.
2. Communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.), to convey membership or affiliation in a gang;
3. Defacing school or personal property with gang-related graffiti, symbols or slogans;
4. Extortion or requiring payment of anything of value for "protection", "insurance", or threats, intimidation or other gang-related activities involving any persons(s).
5. Inciting other students to intimidate or to act with physical violence upon any other person related to gang activity;
6. Soliciting others for gang membership; or
7. Committing any other illegal act or other violation of school district policies that relates to gang activity.

Notice of Prohibited Activity

- Schools

The Superintendent or his/her designee shall consult with law enforcement officials to obtain information about gang-related activities, including but not limited to: gang names, gang leaders, gang symbols and gang behaviors. This information shall be shared with principals. Principals shall notify faculty and students of the gangs, their symbols and behaviors prohibited by this policy.

- Business Community

The Superintendent or designee will notify the local Chamber of Commerce if certain garments are determined to be gang related.

- Parents and Community

Principals will provide information to parents and the school community relative to gang activities.

Guidelines for Discipline

If gang-related activity is associated with another act of misconduct, evidence of gang activity shall be considered an aggravating factor and may result in a recommendation for long-term suspension, even for first offenses. In addition, law enforcement will be notified.

For a first offense, a student will receive a warning the first time he/she violates this policy, unless the student also violates another provision of the Student Code of Conduct at the same time. Parent notification is required. School based interventions will be initiated at this time. In situations where a violation of this policy occurs in conjunction with a violation of another provision of the Student code of Conduct, the violation of this policy will be considered an aggravating factor.

For a second offense of this policy, students will be suspended out of school for 3 – 5 days (2 – 3 days for Condensed Academic Terms) dependent upon the nature and severity of the violation. Parent notification is required with a warning that a third such violation will result in recommendation for long-term suspension.

For a third violation/subsequent offense of this policy, students will be suspended out of school for 10 days (6 days for Condensed Academic Terms) with recommendation for long-term suspension.

Training for Staff

Union County Public Schools staff will receive training on how to recognize gangs, their symbols and activities at least annually or more often, as deemed appropriate by the Superintendent.

“HEALTHY SCHOOLS AND HEALTHY YOUTH”

Information to promote healthy schools and healthy youth per BOE Policy 4-12.

Influenza:

What is it? Influenza is a contagious respiratory illness caused by influenza viruses and can be easily spread to others. Infection with flu viruses can result in illness ranging from mild to severe and to life-threatening complications.

What are the symptoms? Symptoms include fever (usually high), headache, extreme tiredness, dry cough, sore throat, runny or stuffy nose and muscle aches. Other symptoms such as nausea and vomiting, and diarrhea are much more common in children than adults.

How is it spread? Flu is spread when a person with the flu coughs, sneezes or speaks and sends the flu virus into the air. The virus enters the nose, throat or lungs of a person and multiplies.

Vaccine Information: The best way to prevent the flu is to get a flu shot. Vaccine against flu is available every year beginning in October through private physicians as well as the Union County Health Department.

Meningococcal Meningitis:

What is it? Meningococcal Meningitis is a form of bacteria meningitis. People sometimes refer to it as spinal meningitis. It is rare but potentially fatal bacterial infection that can cause severe swelling of the fluid around the brain and spinal cord, or a serious blood infection.

What are the symptoms? Symptoms can progress rapidly and may resemble the flu. They can include fever, severe headache, stiff neck, nausea, vomiting, confusion, sleepiness and sensitivity

to light. Some people may develop a rash mainly on their arms and legs. Children with these symptoms should be checked by a doctor right away.

How is it spread? The disease is spread from person to person through the air or by contact with saliva, usually through close, personal contact with an infected person. The disease can be spread through coughing, sneezing, or shared items like a drinking glass.

Vaccine Information: A vaccine against the most common types of the disease is available through private physicians as well as the Union County Health Department.

Human Papilloma Virus (HPV):

What is it? Human Papilloma Virus (HPV) is a common virus that is spread from one person to another by close intimate contact. There are greater than 40 types of HPV that can cause infection and raise the risk of cervical cancer in women. HPV infection is most common in young women and men in their late teens and early 20's.

What are the symptoms? Some people will develop visible growths or bumps in the genital areas but the virus can live in the body and cause no symptoms, which is why it is so easily spread. Most people who have HPV do not know they are infected.

How is it spread? HPV is spread through close intimate contact. Both males and females can get it – and pass it on without even realizing it.

Vaccine Information: A vaccine is now available that can protect females (ages 9-26) from four major types of HPV. Check with your health insurance provider to see if they will cover the cost of the vaccine. If you are uninsured, contact your local Department of Social Services (DSS) to see if your child may qualify for HealthCheck/NC Health Choice insurance.

Cervical Cancer:

What is it? Cancer is a disease in which cells in the body grow out of control. Cancer is always named for the part of the body where it starts, even if it spreads to other body parts later. When cancer starts in the cervix, it is called cervical cancer. The cervix is the lower, narrow end of the uterus. The cervix connects the vagina (birth canal) to the upper part of the uterus.

What are the symptoms? Abnormal cervical cell changes rarely cause symptoms. But you may have symptoms if those cell changes grow into cervical cancer. Symptoms of cervical cancer may include: Bleeding from the vagina that is not normal, or a change in your menstrual cycle that you can't explain, bleeding or pain when something comes in contact with your cervix, such as during intercourse, vaginal discharge unassociated with menstruation that is tinged with blood.

How is it spread? The human papillomavirus (HPV) is the main cause of cervical cancer. HPV is a common virus that is passed from one person to another during sex. At least half of sexually active people will have HPV at some point in their lives, but few women will get cervical cancer.

Vaccine Information: a vaccine to prevent HPV infections are available. When cervical cancer is found early, it is highly treatable and associated with long survival and good quality of life.

Cervical Dysplasia:

What is it? Cervical dysplasia refers to abnormal changes in the cells on the surface of the cervix. The cervix is the lower part of the uterus (womb) that opens at the top of the vagina. The changes are not cancer. But they can lead to cancer of the cervix if not treated. Cervical dysplasia is most often seen in women ages 25 to 35, but can develop at any age.

What are the symptoms? There are usually no symptoms.

How is it spread? Most often, cervical dysplasia is caused by the human papilloma virus (HPV). HPV is a common virus that is spread through sexual contact. There are many different types of HPV. Some types lead to cervical dysplasia or cancer. The following may increase your risk of cervical dysplasia:

- Having sex before age 18
- Having a baby before age 16
- Having multiple sexual partners
- Having other illnesses or using medicines that suppress your immune system
- Smoking

Vaccine Information: Ask your health care provider about the HPV vaccine. Girls who receive this vaccine before they become sexually active reduce their chance of getting cervical cancer.

Additional information regarding these and other important health-related issues is available at the NC Department of Health and Human Services website at www.immunizenc.com, the Centers for Disease Control at www.cdc.gov and the Network for Immunization Information at www.immunizationinfo.org. If you do not have access to a computer, you may obtain this information from your child's school.

INTEGRATED PEST MANAGEMENT (IPM)

Pests are significant problems for people and property both inside and outside the school buildings. IPM is a comprehensive approach that combines effective, economical, environmentally sound, and socially acceptable methods to prevent and solve pest problems. Pests will be managed to:

- Reduce any potential human health hazard or to protect against a significant threat to the public safety.
- Prevent loss or damage to school resources, structures or property.
- Prevent pests from spreading in the community, or to plant and animal populations beyond the school site.
- Enhances the quality of life for students, staff, and others.

The Schoolchildren's Health Act and Union County Public Schools Board Policy (3-32) are both in place to help maintain and control pest problems as well as keeping all people in the school community safe from pest and pesticide applications.

The Schoolchildren's Health Act and UCPS Board Policy 3-32 both require notification to be done for any chemical application made in or around schools. UCPS has a scheduled application of herbicide (weed killer) that can be applied once a month. It will always be the first full week of each month that any herbicide application will be made unless unwanted weather comes into play. At the bottom of this page you will see the school years herbicide application schedule. If weather doesn't cooperate with this schedule then a 72 hour notice will be required before any application can be made. This 72 hour notification will also take place for fire ant treatments and any other unscheduled application of pesticides in or around school grounds. This notification will be done by a recorded phone message that parents, staff, and students will receive prior to application. If an emergency situation occurs then the application will take place and you will be notified after the application. All unscheduled applications will be taking place when either the students are not in the school or not in the area that needs to be treated.

The IPM Specialists for Union County Public Schools are Greg Capehart and Jared Collins. The IPM Specialists will also help teachers, students, staff members, and parents understand what Integrated Pest Management is and how it will be safer for people and the environment. You can contact Greg Capehart or Jared Collins, IPM Specialists, through e-mail at greg.capehart@ucps.k12.nc.us or jared.collins@ucps.k12.nc.us or by calling the office at (704) 296-3160.

Herbicide Application Schedule 2017-2018 School Year

July 10 - 14, 2017
August 7 - 11, 2017
September 11 - 15, 2017
October 2 - 6, 2017
November 6 - 10, 2017
December 4 - 8, 2017
January 8 - 12, 2018
February 5 - 9, 2018
March 5 - 9, 2018
March 12 - 16, 2018
April 2 - 6, 2018
April 9 - 13, 2018
May 7 - 11, 2018
June 4 - 8, 2018

INTERNET USE (BOE Policy 5-20)

I. ACCESS TO INFORMATION SYSTEMS/ACCEPTABLE USE

The Union County Board of Education recognizes that telecommunications and other new technologies change the ways that information may be accessed, communicated and transferred by members of society. These changes will alter instruction and student learning. The Board generally supports access by students to rich information resources along with the development by staff of appropriate skills to analyze and evaluate such resources. Electronic information research skills are now fundamental to preparation of citizens and future employees in the Information Age. To enhance student learning and teaching, electronic resources will be used:

- To support the Union County Public Schools Curriculum and the North Carolina Standard Course of Study
- To provide additional information opportunities focusing on information retrieval, searching strategies, research skills and critical thinking
- To promote lifelong learning.

Students are responsible for appropriate behavior on school computers just as they are in a classroom or school hallway. Electronic communication in schools is public in nature. General school rules for behavior and communications apply as outlined in Board Policy. Computer resources are provided for students to conduct research and communicate with others. Access to computers and electronic resources will be provided to students who agree to act in a considerate and responsible manner.

Students will be allowed to use telecommunications and electronic information resources for academic purposes unless parents indicate in writing that they do not wish their children to have such access. Ultimately, parents and guardians are responsible for setting and conveying the standards that their children should follow when using information sources at home or at school.

Union County Public Schools are committed to the safety of children while using Internet resources. To this end, schools will engage the use of filtering software designed to prevent access to pornography, obscene content, and other materials that may be harmful to minors. During school, teachers will guide students toward appropriate materials. It is impossible to control all resources and the determined user may find controversial materials, racially insensitive content or information that may even be offensive to some. Although the school system provides software that blocks access to inappropriate content on the Internet, new sites appear daily.

Benefits to students of access to information resources, the practice of electronic research skills, and opportunities for collaboration far exceed the disadvantages of possibly accessing controversial materials. The system does not condone the use of such materials and takes all reasonable precautions to limit access to them by using software programs which may block them, by providing adult supervision, and by training students to use the service responsibly. Computer storage areas may be treated as school lockers.

Administrators may review files and communications to maintain system integrity and insure that users are acting responsibly. Users shall not expect that files stored on school equipment will be private.

Students and parents must be aware that access to electronic resources will be withdrawn from users who do not respect the rights of others or who do not follow the rules and regulations established by the Union County Public School System and the individual schools. Individuals who use the school's electronic resources to communicate information that is protected by law, such as student or staff confidential personnel or disciplinary information, copyrighted or protected material, may forfeit all rights to further use and be subject to disciplinary as well as legal action. Students gaining access to unauthorized files will be subject to disciplinary action up to suspension and/or legal action.

INTERNET SAFETY (BOE Policy 5-21)

A. Introduction

It is the policy of the board to: (a) prevent user access via its technological resources to, or transmission of, inappropriate material on the Internet or through electronic mail or other forms of direct electronic communications; (b) prevent unauthorized access to the Internet and devices or programs connected to or accessible through the Internet; (c) prevent other unlawful online activity; (d) prevent unauthorized online disclosure, use or dissemination of personal identification information of minors; and (e) comply with the Children's Internet Protection Act.

B. Definitions

1. Technology Protection Measure

The term “technology protection measure” means a specific technology that blocks or filters Internet access to visual depictions that are obscene, child pornography or harmful to minors.

2. Harmful to Minors

The term “harmful to minors” means any picture, image, graphic image file or other visual depiction that:

- a. taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex or excretion;
- b. depicts, describes or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts or a lewd exhibition of the genitals; and
- c. taken as a whole, lacks serious literary, artistic, political or scientific value as to minors.

3. Child Pornography

The term “child pornography” means any visual depiction, including any photograph, film, video picture or computer or computer-generated image or picture, whether made or produced by electronic, mechanical or other means, of sexually explicit conduct, where:

- a. the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
- b. such visual depiction is a digital image, computer image or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or
- c. such visual depiction has been created, adapted or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

4. Sexual Act; Sexual Contact

The terms “sexual act” and “sexual contact” have the meanings given such terms in section 2246 of title 18, United States Code.

5. Minor

For purposes of this policy, the term “minor” means any individual who has not attained the age of 17 years.

C. Access to Inappropriate Material

To the extent practical, technology protection measures (or “Internet filters”) will be used to block or filter access to inappropriate information on the Internet and World Wide Web. Specifically, blocking will be applied to audio and visual depictions deemed

obscene or to be child pornography or harmful to minors. Student access to other materials that are inappropriate to minors will also be restricted. The board has determined that audio or visual materials that depict violence, nudity or graphic language that does not serve a legitimate pedagogical purpose are inappropriate for minors. The superintendent, in conjunction with a school technology and media advisory committee, shall make a determination regarding what other matter or materials are inappropriate for minors. School system personnel may not restrict Internet access to ideas, perspectives or viewpoints if the restriction is motivated solely by disapproval of the viewpoints involved.

Subject to staff supervision, technology protection measures may be disabled during use by an adult for bona fide research or other lawful purposes.

D. Inappropriate Network Usage

All users of school system technological resources are expected to comply with the requirements established in Policy 5-20 Computers, Networks and Related Technologies. In particular, users are prohibited from: (a) attempting to gain unauthorized access, including “hacking”, and engaging in other similar unlawful activities; and (b) engaging in the unauthorized disclosure, use or dissemination of personal identifying information regarding minors.

E. Education, Supervision and Monitoring

To the extent practical, steps will be taken to promote the safety and security of users of the school system’s online computer network, especially when they are using electronic mail, chat rooms, instant messaging and other forms of direct electronic communications. It is the responsibility of all school personnel to educate, supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy, the Children’s Internet Protection Act, the Neighborhood Children’s Internet Protection Act and the Protecting Children in the 21st Century Act.

Procedures for the disabling or otherwise modifying any technology protection measures are the responsibility of the technology director or designated representatives.

The technology director or designated representatives shall provide age-appropriate training for students who use the school system’s Internet services. The training provided will be designed to promote the school system’s commitment to educating students in digital literacy and citizenship, including:

1. the standards and acceptable use of Internet services as set forth in Policy 5-20 Computers, Networks and Related Technologies;
2. student safety with regard to safety on the Internet, appropriate behavior while online, including behavior on social networking websites and in chat rooms, and cyberbullying awareness and response; and
3. compliance with the E-rate requirements of the Children’s Internet Protection Act.
4. Following receipt of this training, the student must acknowledge that he or she

received the training, understood it and will follow the provisions of Policy 5-20 Computers, Networks and Related Technologies.

The superintendent shall develop any regulations needed to implement this policy and shall submit any certifications necessary to demonstrate compliance with this policy.

NOTICE OF LAWFUL ABANDONMENT

North Carolina General Statutes §115C-47(50) requires that schools provide students in grades 9-12 with information on the manner in which a parent may lawfully abandon a newborn baby. In compliance with that state law, please be aware of the following:

North Carolina General Statutes §7B-500 provides that an infant, under seven (7) days old, may be voluntarily delivered to any of the following persons:

- A health care provider who is on duty or at a hospital or at a local or district health department or at a nonprofit community health center.
- A law enforcement officer who is on duty or at a police station or sheriff's department.
- A social services worker who is on duty or at a local department of social services.
- A certified emergency medical service worker who is on duty or at a fire or emergency medical services station.

If you have any questions or concerns, please contact a counselor at your high school.

MEDICATION (BOE Policy 4-6)

PART I

- A. The Board of Education discourages the use and administration of medication at school or at school-sponsored events and outings but realizes that sometimes it is necessary for the health of the student.
- B. All medications that can be given outside school hours without adversely affecting the health of the student should not be administered at school during school hours. Reasonable efforts should be made by the parent or guardian to obtain physician permission to adjust the dosages of medication prescribed so it can be given at home before and/or after school hours.
- C. Pursuant to N.C. Gen. Stat. § 115C-375.1, the Board of Education authorizes teachers, substitute teachers, student teachers, instructional assistants, school secretaries and office personnel, guidance counselors, assistant principals, and principals to administer medications prescribed by a health care provider upon written request of a parent or guardian or to administer non-prescription medications upon the request of a parent or guardian as provided in this policy. Each principal will designate the person(s) responsible for giving medication at his/her school. The person(s) will receive annual training in safe, accurate medication administration procedures with the school nurse.

Students who are at risk for a medical emergency will have an Individual Health Plan on file in their cumulative folder with a copy kept in an accessible, central location, describing the nature of the problem and the intervention and equipment needed to manage such an emergency. The Individual Health Plan must be provided to and should be signed by the parent/guardian. All other supervisory personnel will be advised of the contents and implementation of the plan.

Please note that this provision only applies to administration of medications while in the District. If medication must be provided on field trip situations the school nurse should be consulted prior to finalizing the trip.

- D. When medication is to be administered in school, school personnel shall communicate with the student's parent or guardian about its administration at school and explain the Board's policy and its procedures for the administration of medications at school.
- E. The responsibilities of the parent or guardian are:
 - 1. Obtain and return to school a medication consent form signed by the doctor and parent/guardian for all medications to be administered at the school (including prescription and over the counter).
 - 2. Medication shall be hand-delivered by the parent/guardian to the school in the original prescription bottle or the original over the counter packaging.
- F. No medication may be administered by school personnel to students without the written authorization of the student's parents or guardian. However, oral approval may be accepted in an emergency, if:
 - 1. It is determined to be in the best interests of the child;
 - 2. The oral authorization is witnessed by two school employees;
 - 3. A written record of the date, time, and specifics of the verbal authorization, with the signatures of the witnesses, shall be made on the medication log; and
 - 4. A written authorization is provided by the parent or guardian within 24 hours.
- G. A locked storage area will be provided at each school for the storage of medication. Exceptions may be made for medication requiring refrigeration. A staff member appointed by the principal shall be responsible for the security and administration of medication. An alternative person shall be identified to fill in when needed.
- H. A daily medication log shall be maintained by the trained designated individual for each student receiving medication. The individual shall record on the log the name of medication, date, dosage, and time of each administration. The log also shall reflect whether or not the medication was prescribed and whether it was "as scheduled" or "as needed". All controlled tablets/capsules received at school for students will be counted and the number will be recorded. School staff that are called upon to administer medication in unusual circumstances (ie. during testing, field trips, etc.) should meet with the nurse for instruction in handling medications before the specific event occurs.
- I. All notes, forms and individual student logs will be kept together in the student's

Individual Health Record. Short-term medication logs will be kept at the school for a period of three (3) years.

- J. The school nurse will review the medication log and forms authorizing the administration of the medications at school periodically and will serve as a consultant to the school.
- K. Change in dosage of medication can be made with a written note or fax from the health care provider. Consent Forms sent by fax are acceptable.
- L. It is the intent of this policy to discourage students from bringing prescription and non-prescription drugs to school and administering such drugs to themselves without the assistance of school officials. Neither the Board of Education nor any of its employees are responsible for the improper self-administration of non-prescription or prescription drugs at school.
- M. No student can possess, use or transmit any drug or counterfeit drug prohibited by board policy. No medications will be sent home with children (exception: emergency medicines, i.e. epi pen, inhaler).
- N. The school, its personnel and the Board of Education shall assume no liability for complications or side effects of medication when administered in accordance with the instructions provided by the parent/guardian and health care provider. The Board of Education further reserves the right for itself and its employees to refuse to administer medications when, in the opinion of the Superintendent in consultation with school nursing personnel, there is a substantial risk of harm to the student or others if medication is administered by school personnel. Such situations include but are not limited to non-FDA approved treatments and medications, "off-label" prescriptions (i.e., used of FDA-approved treatments and medications which are not FDA approved), treatments that cannot safely be delegated to non-licensed personnel, and treatments that require monitoring and/or lifesaving equipment.

PART II.

Possession and self-administration of asthma medication by students with asthma or students subject to anaphylactic reactions, or both.

A student with asthma or a student subject to anaphylactic reactions, or both, may possess and self-administer asthma or another prescribed medication on school property during the school day, at school-sponsored activities, or while in transport to or from school or school-sponsored events as provided by N.C. Gen. Stat. § 115C-375.2 and this policy. As used in this policy, "asthma medication" means a medicine prescribed for the treatment of asthma or anaphylactic reactions and includes a prescribed asthma inhaler or epinephrine auto-injector.

- A. Pursuant to state law and this policy, the student's parent or guardian is required to provide to the school:
 - 1. Written authorization from the student's parent or guardian for the student to possess and self-administer asthma medication.
 - 2. A written statement from the student's health care practitioner verifying that the

- student has asthma or an allergy that could result in an anaphylactic reaction, or both, and that the health care practitioner prescribed medication for use on school property during the school day, at school-sponsored activities, or while in transit to or from school or school-sponsored events.
3. A written statement from the student's health care practitioner who prescribed the asthma medication that the student understands, has been instructed in self-administration of the asthma medication, and has demonstrated the skill level necessary to use the asthma medication and any device that is necessary to administer the asthma medication.
 4. A written treatment plan and written emergency protocol formulated by the health care practitioner who prescribed the medicine for managing the student's asthma or anaphylaxis episodes and for medication use by the student.
 5. A statement provided by the school and signed by the student's parent or guardian acknowledging that the Union County Public Schools and its employees and agents are not liable for an injury arising from a student's possession and self-administration of asthma medication.
 6. Any other items necessary to comply with State and federal laws.
- B. The student must demonstrate to the school nurse, or the nurse's designee, the skill level necessary to use the asthma medication and any device that is necessary to administer the medication.
- C. The student's parent or guardian shall provide to the school backup asthma medication that shall be kept at the student's school in a location to which the student has immediate access in the event of an asthma or anaphylaxis emergency.
- D. Information provided to a school by the student's parent or guardian shall be kept on file at the student's school in a location easily accessible in the event of an asthma or anaphylaxis emergency.
- E. If a student uses asthma medication prescribed for the student in a manner other than as prescribed and in violation of the Board's policies and administrative guidelines, a school administrator may impose on the student disciplinary action according to the Board's student discipline policies. A school administrator may not impose disciplinary action that limits or restricts the student's immediate access to the asthma medication.
- F. The requirement that permission granted for a student to possess and self-administer asthma medication shall be effective the current school year and must be renewed annually.
- G. Pursuant to N.C. Gen. Stat, § 115C-375.2, no local Board of Education, nor its members, employees, designees, agents, or volunteers, shall be liable in civil damages to any party for any act authorized by this subsection, or for any omission relating to that act, unless that act or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing.
- H. Written information maintained by the school or school personnel regarding a student's medical and health needs is confidential. Parents and students must be accorded all rights provided by the Family Educational Rights and Privacy Act and state confidentiality

laws. Any employee who violates the confidentiality of the records may be subject to disciplinary action.

- I. Students with special needs will be afforded all rights provided by federal and state law as enumerated in the Procedures Governing Programs and Services for Children with Special Needs. Students with disabilities also will be accorded all rights provided by anti-discrimination laws, including Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

STUDENT PROMOTION AND ACCOUNTABILITY (BOE Policy 5-12)

A. PURPOSE

The board believes that students should progress to the next level of study only after they are proficient in their knowledge and application of the current curriculum level. To the extent reasonably possible, students should be given as much time or as little time needed to be proficient at a particular level of study. Each placement decision shall consider the best interests of the child and the school system. Local and state student standards and performance guidelines are based on the need to provide early intervention and ongoing assistance to students who are not performing on a proficient level.

B. STANDARDS FOR PROGRESSION

The superintendent shall establish standards and a process for determining a student's readiness to progress to the next level of study. The standards must provide multiple criteria for assessing the student's readiness, such as standardized tests, grades, a portfolio or anthology of the student's work and, when appropriate, consideration of accepted standards for assessing developmental growth. Principals shall ensure that the standards are used by teachers and school administrators in assessing each student's readiness to progress to the next level of study. Principals have the authority to promote and to retain students based upon the standards set by the local board and the State Board of Education.

C. STUDENT ACCOUNTABILITY STANDARDS

In addition to any other promotion standards established by the board and/or superintendent, students must also meet the following accountability standards, as set forth by the North Carolina State Board of Education, including the following specific requirements for promotion.

1. Kindergarten

Kindergarten students start school with a wide range of prior experiences and background. Therefore, it is especially important to assess the growth from the beginning to the end of the year. Growth is documented on an ongoing basis using multiple formal and informal assessments along with teacher observations. If a student is not making expected progress in the content areas, intervention and ongoing support should begin immediately, and a Personal Education Plan (PEP) or intervention plan must be developed. Parents shall be invited to participate in the PEP/intervention plan development. Absences can impact promotion decisions. Retention should be considered as a last resort.

2. Grades 1 & 2

Students in first and second grade are administered formal and informal assessments in reading, writing, and mathematics on a regular basis. Instruction is differentiated to meet individual needs. When a student is not making adequate progress as determined by system benchmarks, intervention and ongoing support should begin immediately, and a PEP or plan of intervention strategies must be developed or revised. Parents shall be invited to participate in the PEP/intervention plan development/or revision. Absences can impact promotion decisions. Retention should be considered as a last resort.

3. Grade 3

To be promoted to the next grade level, students in grade three must score at least an Achievement Level III on end-of-grade tests in both reading and mathematics, unless otherwise determined by the school principal in accordance with Subsection F of this policy or the Superintendent pursuant to state law. When a student is not making adequate progress as determined by system benchmarks, a plan of intervention and ongoing support should begin immediately. Students who do not score at Level III or above on the first administration of EOG tests will be retested, when a retest is available, in accordance with State Board of Education policy. The superintendent shall develop, in accordance with State Board policy, procedures addressing personalized education or intervention plans and promotion requests for students who fail to score at Level III or above. Parents shall be invited to participate in the PEP/intervention plan development/ or revision. Absences and previous retentions can also impact promotion decisions.

4. Grade 4

To be promoted to the next grade level, students in grade four must score at least an Achievement Level III on end-of-grade tests in both reading and mathematics. When a student is not making adequate progress as determined by system benchmarks, intervention and ongoing support should begin immediately. Students who do not meet the promotion standards will be required to receive remediation and retesting, when a retest is available. Students who do not score an Achievement Level III in reading and mathematics after receiving remediation and retesting may not be promoted, unless otherwise determined by the school principal in accordance with Subsection F of this policy. A PEP or plan of intervention must be developed for these students to address targeted interventions. Parents shall be invited to participate in the PEP/intervention plan development/ or revision. Absences and previous retentions can also impact promotion decisions.

5. Grade 5

To be promoted to the next grade level, students in grade five must score at least an Achievement Level III on end-of-grade tests in both reading and mathematics. When a student is not making adequate progress as determined by system benchmarks, intervention and ongoing support should begin immediately. Students who do not

score at Level III or above on the first administration of EOG tests will be retested, when a retest is available, in accordance with State Board of Education policy. The superintendent shall develop, in accordance with State Board policy, procedures addressing appropriate personalized education or intervention plans and promotion requests for students who fail to score at Level III or above. Parents shall be invited to participate in the PEP/intervention plan development/ or revision. Students who do not score an Achievement Level III in reading and mathematics after receiving remediation and retesting may not be promoted, unless otherwise determine by the school principal in accordance with Subsection F of this policy. Absences and previous retentions can also impact promotion decisions.

6. Grade 6

A PEP or appropriate intervention plan must be developed for students who do not score at least an Achievement Level III on the end-of-grade tests in reading or mathematics in grade five. Parents shall be invited to participate in the PEP/intervention plan development/ or revision.

To be promoted to the next grade level, students in grade six must score at least an Achievement Level III on the end-of-grade tests in both reading and mathematics, unless otherwise determined by the school principal in accordance with Subsection F of this policy. When a student is not making adequate progress as determined by system benchmarks, intervention and ongoing support should begin immediately. Students who do not meet the promotion standards will be required to receive remediation and retesting, when a retest is available. Students who do not score an Achievement Level III in reading and mathematics after receiving remediation and retesting may not be promoted, unless otherwise determined by the school principal in accordance with Subsection F of this policy. Attendance and past retentions can also impact promotion decisions.

7. Grade 7

A PEP or appropriate intervention plan must be developed for students who do not score at least an Achievement Level III on the end-of-grade tests in reading or mathematics in grade six. Parents shall be invited to participate in the PEP/intervention plan development/ or revision.

To be promoted to the next grade level, students in grade seven must score at least an Achievement Level III on the end-of-grade tests in both reading and mathematics. When a student is not making adequate progress as determined by system benchmarks, intervention and ongoing support should begin immediately. Students who do not meet the promotion standards will be required to receive remediation and retesting, when a retest is available. Students who do not score an achievement Level III in reading and mathematics after receiving remediation and retesting may not be promoted, unless otherwise determined by the school principal in accordance with Subsection F of this policy. Attendance and past retentions can also impact promotion decisions.

8. Grade 8

A PEP or appropriate intervention plan must be developed for students who do not score at least an Achievement Level III on the end-of-grade tests in reading or mathematics in grade seven. Parents shall be invited to participate in the PEP/intervention plan development/ or revision. When a student is not making adequate progress as determined by system benchmarks, intervention and ongoing support should begin immediately.

To be promoted to the next grade level, students in grade eight must score at least an Achievement Level III on the end-of-grade tests in both reading and mathematics, unless otherwise determined by the school principal in accordance with Subsection F of this policy. Students who do not score at Level III or above on the first administration of EOG tests will be retested, when a retest is available, in accordance with State Board of Education policy. The superintendent shall develop, in accordance with State Board policy, procedures addressing personalized education plans and promotion requests for students who fail to score at Level III or above. Attendance and past retentions can also impact promotion decisions.

Note: Generally, no student should be retained more than once in grades K-3, 4-6, or 7-8. Retention, as a general rule, should be used as a last resort after remediation, re-teaching, and retesting. Principals shall retain the statutory authority to grade and classify students.

9. High School End-of-Course Tests

Students enrolled in all End-of-Course (EOC) courses must score at least an Achievement Level III or above. In addition, students who do not score at Level III or above on the first administration of EOC tests may be retested, when a retest is available, in accordance with State Board of Education policy. For courses where there is not an EOC test, there will be a Common Core Exam, district made and/or teacher made examination.

When a student is not making adequate progress as determined by system benchmarks, intervention and ongoing support should begin immediately. The superintendent shall develop, in accordance with State Board policy, procedures addressing appropriate personalized education or intervention plans and promotion requests for students who fail to score at Level III or above or otherwise earn a passing score. Students must also meet all other course requirements (attendance, written work, test scores, homework, etc.) in order to receive credit for the courses.

The End of Course (EOC) test, Common Core Exam and other Exam results shall count as twenty- five percent (25%) of a student's final grade in each class.

10. Diploma Standards

To receive a North Carolina high school diploma, all students must meet all existing local and state graduation requirements.

11. UCPS Diploma Standards

Students must meet UCPS exit standards. The exit standards will apply to all students except for those enrolled in the Occupational Course of Study. Students will

be required to perform at Achievement Level III or above on three End-of-Course (EOC) assessments.

- Biology
- English II
- Math I

Students following the Occupational Course of Study must meet rigorous exit standards as outlined in State Board of Education Policy HSP-N-004 (16 NCAC 6D.0503).

Beginning in the 2014-2015 school year, students will be required to successfully complete cardiopulmonary resuscitation instruction (CPR) in order to receive their diplomas.

Retaking Courses Previously Passed or Failed

The term “repeating a course for credit” refers to a high school course repeated via any delivery method when the entire Common Core/Essential Standards Curriculum for that course is being taught to the student for a second time. A student wishing to “repeat a course for credit” will receive a grade and take the associated End-of-Course (EOC) assessment or NC Final Exam. Those students who have already made a Level III, IV, or V on the associated EOC assessment may elect to either retake the EOC or use the previous passing EOC score as 25% of their final grade. If the student retakes the EOC, the higher of the two scores will be used in the calculation of the final grade. The original grade earned will be replaced by the new grade and will not be factored in when computing GPA. All EOC assessments administered for a repeating course must be administered during the NCDPI specified testing window. Courses taken previously to the 2015-2016 school year are ineligible for grade suppression (removing a course from a transcript due to repeated course credit). When repeating a previously passed course, students will only earn credit toward graduation, and graduation requirements, once. A student may only repeat 1 course per academic year and must complete the entire course.

Remediation

Careful review of the student’s previous school record will identify students who need special assistance in meeting the test standards. Each school must provide remediation before school hours, after school hours, during the school day, on Saturday, and/or during the summer-consistent with its own School Improvement Plan.

12. Teacher Responsibilities

The teacher is responsible for early assessment of a student’s ability and providing opportunities for remediation during the school year. The teacher shall be responsible for early notification to parents that their student is in danger of failure. The teacher will also inform parents if their child fails to meet the test standards and must notify them of opportunities for retesting.

Records of any student who fails to meet the standards of the policy must be reviewed by an accountability review committee comprised of school-based staff who do not currently teach the student to determine if the student is eligible for a waiver. Waivers are based on other evidence of on-grade level performance, previous retentions, exceptional children's status, or Limited English Proficiency.

13. Parent Responsibilities

Parents are responsible for contacting the teacher regarding their child's progress and teacher expectations. They will also be expected to sign an agreement to be a partner in their child's education.

D. OPPORTUNITIES FOR RETESTING, IF AVAILABLE, TO MEET STUDENT ACCOUNTABILITY STANDARDS

1. Grades 3 through 8

Students in grades 3 through 8 who score below Level III on the state end-of-grade reading and mathematics tests must be provided intervention in the area(s) of deficiency. Following remediation, students must be given a second test, when a retest is available, within 21 days from the receipt of test results, but before the end of the school year. If a student has achieved at Level III (or Level II with one standard error) or better in both reading and mathematics after retest one, the student shall be promoted, provided that other promotion criteria also are met. If the student does not score at Level III with at least one standard error on the second test in the area(s) of deficiency, the student again will be referred to the accountability review committee.

2. Class of 2010 and Beyond

- If a student passes the course and scores below Achievement Level III on an end-of-course test (i.e. standard administration with or without accommodations) the student must be given a retest, when a retest is available, no later than three weeks from the receipt of test results.
- Following intervention/remediation, the retest/evaluation, when a retest is available, occurs.
- If the student does not score Achievement Level III or above on the second retest/evaluation, when a retest is available, documentation (e.g. a portfolio) of the student's performance in the EOC course must be updated.
- The student's documentation (e.g. portfolio) is reviewed by an accountability review committee to determine if the exit standard for that course has been met. The accountability review committee must consist of school-based staff who do not teach the student during the current semester. An Exceptional Children's (EC) teacher must be present if the student has exceptional needs. A Limited English Proficient (LEP) teacher must be present if the student is identified as LEP. The accountability review committee has the option of recommending that the student (1) retake the course, (2) be provided additional remediation, or (3)

based on the documentation, has met the requirements for the UCPS exit standard associated with the course.

- The principal reviews the recommendation by the committee and makes the final decision regarding the student meeting the UCPS exit standard for the course.

3. High School Diploma Standards

- a. High school students must meet the graduation requirements for North Carolina.
- b. The standards are effective with the class of 2010.

- Test Requirements

Students must pass Level 3-5 on three EOC exams. Students must be given one retest opportunity (when a retest is available).

- ☐ Math I
- ☐ Biology
- ☐ English II

E. INTERVENTION FOR STUDENTS NOT MEETING PROMOTION STANDARDS

The goal of the school district is to identify as early as possible students who are unlikely to meet the standards for progression to the next level of study so that the school can provide appropriate intervention. Intervention must be provided for any student who does not meet grade level proficiencies established by the State.

The principal or designee is responsible for ensuring that teachers identify students at risk and that the school improvement team develops a plan to include successful transition between grade spans for such students.

1. Intervention Plans

By the end of the first school month, each school must submit to the superintendent/designee the school's plan for intervention. Schools also must include in the school improvement plan the types of intervention strategies that will be offered at the school. At a minimum, the intervention plan must address the following elements:

- a. identification of an intervention for students at-risk of failing the student accountability standards;
- b. intervention for students retaking the student accountability tests prior to the end of the school year;
- c. differentiated instruction for students who have been retained; and
- d. meeting individual students' needs.

2. Intervention Strategies

Intervention involves identifying strategies specifically designed to increase grade level proficiency. Strategies used outside the school day may include, but are not limited to, alternative learning models, smaller classes, ad hoc grouping, year-round schools, modified instructional programs, small or large group counseling sessions, individualized instruction or goals, or remedial instruction.

Strategies used in the classroom may include, but are not limited to, special homework, tutorial sessions, extended school day, Saturday school, parental involvement, summer school instruction, participation in or restriction of participation in extracurricular activities, the option for teacher to progress with students to the next grade level. Retention should be considered as a last resort when intervention strategies have not succeeded.

A personalized education or intervention plan must be developed by the students' teachers for every situation in grades 3 through 8 who is not promoted after the second administration of the accountability tests (when a second administration/retest is available). Additionally, a personalized education or intervention plan must be developed for every student in grades K-2 who is not making expected growth. Each plan must include diagnostic evaluation, intervention strategies and monitoring strategies.

Supplemental instructional opportunities must reinforce and extend regular classroom instruction. The school must seek to involve parents and the student in discussing intervention strategies when possible. Students must participate in the intervention strategies and demonstrate acceptable growth and achievement before being promoted to the next grade.

The board will provide reading camp opportunities as required by law at no fee for students who have not yet demonstrated reading proficiency on a third grade level at the end of third grade and for first and second grade students whose demonstrated reading comprehension is below grade level. The superintendent or designee shall encourage parents of eligible students to enroll their students in a reading camp. To the extent resources permit, the board will offer fee-based reading camp opportunities to students who have successfully demonstrated reading proficiency appropriate for a third grade student and to first and second grade students who have demonstrated appropriate developmental abilities in reading comprehension. Annually, the board will establish criteria for priority enrollment in its fee-based reading camps and will set the attendance fee at an amount not to exceed the statutory limit. The superintendent or designee shall notify interested parents of the application procedure for the fee-based reading camps.

F. WAIVER OF STUDENT ACCOUNTABILITY STANDARDS

1. Review Process

Within five (5) working days of receiving tests scores, teachers or parents may request a waiver of student accountability standards for students scoring below Level

III on the end-of-grade test in grades three through eight after the second administration of the test (when a second administration/retest is available). Teachers must provide documentation of the student's performance during a review process. Documentation may include:

- Student work samples;
- Other test data;
- Information supplied by parents;
- For students with disabilities, information that is included in the individualized education program; and
- Other information that verifies that a student is at grade level or, for students with disabilities or limited English proficiency, is making adequate progress to meet both IEP goals and grade level requirements.

2. Principal Waiver Review Committee

The principal or his/her designee must appoint a Waiver Review Committee to review student waiver requests. The committee must be composed of teachers and administration from the school who do not currently teach the student. Special education personnel must be on the committee if a student with a disability is being considered for a waiver. English as a Second Language teaching staff must be on the committee if a student with limited English proficiency is being considered for a waiver. Upon request, the parents of any student being presented for review must have the right to be a non-voting participant of the Review Committee and to speak on behalf of their child.

The committee must consider and provide written findings on the following issues:

- a. Whether the student previously was retained and, if so, how many times;
- b. Whether the student is performing at grade level in spite of the EOC, EOG or other required test results;
- c. If working below grade level, whether the student could reasonably be expected to be able to "catch up" to grade level and/or be successful at the next grade level in spite of the deficiencies;
- d. Why the committee believes its recommendation to promote or not to promote is in the best interests of the student; and
- e. If promotion is recommended, what additional or special instruction or resources would be necessary to provide the student with a reasonable opportunity for success in the next grade level.

Within five (5) working days after receiving a waiver request, the committee must make a recommendation to the principal about whether the student should be promoted, based upon documentation provided by the student's teacher(s). Within five (5) days after receiving the committee's recommendation, the principal must review the recommendation and decide whether to promote or retain the student. The principal must consider the committee's written findings and may promote the

student if he/she determines that the student can reasonably be expected to be successful at the next grade level and/or that promotion is in the best interests of the student. The principal must make written findings about why he/she believes the student should be promoted or retained. The principal must promptly notify the student's parent(s) of his/her decision and provide the parent(s) with copies of his/her written findings and the Review Committee report. The principal has the statutory authority to make final decision regarding promotion/retention.

Parents who disagree with the principal's decision may refer to Policy 1.18 Appeals Policy.

G. PROMOTION STANDARDS FOR STUDENTS WITH DISABILITIES

To the extent possible, students with disabilities will be held to the same promotion standards as all other students. All intervention and other opportunities, benefits and resources that are made available to students without disabilities shall be made available to students with disabilities who participate in the student promotion standards. Such opportunities must be in addition to the special education services provided to the student.

However, for students who take alternative assessments in lieu of the EOG or the EOC tests, promotion decisions shall be based on criteria as recommended by the IEP team.

- North Carolina's statewide testing policy, effective with the 2000-01 school year, requires all students with disabilities to participate in the statewide testing program by taking the State-mandated tests under standard conditions, taking State mandated tests with available accommodations, or by participating in North Carolina alternate assessment(s). This policy is in accordance with the IDEA Reauthorization of 2004. Results from student performance in each of these categories are reported in The North Carolina State Testing Results reports generated and published annually by the NCDPI.

H. ACCELERATION

Some students may need less time to master the curriculum. Teachers are encouraged to challenge these students by expanding the curriculum, providing opportunities to explore the subject in greater detail or providing different types of educational experiences. To sufficiently challenge a student, the principal may reassign the student to a different class or level of study, and/or may identify community resources, such as college classes. The principal must involve teachers and other appropriate staff in making this decision.

The principal, after consulting with the professional staff and parents, may determine that skipping a grade level is appropriate. If permitted by state law or State Board policy, credit toward high school graduation may be awarded for a student's advancing or placing out of a high school course. The superintendent will provide any additional criteria necessary to make the determination as to whether credit may be awarded.

I. CHILDREN OF ACTIVE DUTY MILITARY PERSONNEL

For students entering the Union County Public Schools who are children of parents who:

1. Are active duty members of the uniformed services, including members of the national Guard and Reserve on active duty orders pursuant to 10 U. S. C. Sections 1209 and 1211; or
2. Are members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement; or
3. Are members of the uniformed services who die on active duty for a period of one (1) year after death.

The school will review school records from the sending school to ensure that the student is placed consistent with the status at the sending school until appropriate evaluation of the student can be made. This includes, but is not limited to, waiving course requirements for promotion/graduation, providing alternative assessments to the EOC/EOG's, and senior year transfer issues as appropriate as provided by the Interstate Compact on Educational Opportunity for Military Children.

If, after considering all alternatives, a student in his/her senior year will be ineligible to graduate in the receiving district, the sending district will be contacted to facilitate graduation from the sending district if so eligible in the sending district.

As required by the Interstate Compact on Educational Opportunity for Military Children (G.S. 115C-407.5), school administrators have the authority to exercise flexibility in waiving course or program prerequisites or other preconditions for the placement of children of military families in courses or programs offered by the school system.

J. REPORTING REQUIREMENTS

1. Superintendent's Report to Board

At least on an annual basis, the superintendent must provide the board with the following information for each school:

- aggregate student performance scores on state-mandated tests and any other standardized tests used by a school or the school district;
- the proportion of students not meeting standards for grade level; and
- remedial or additional educational opportunities provided by the school district and the success of these efforts in helping students to meet promotion standards.

2. Superintendent's Report to Department of Public Instruction

Pursuant to standards established by the Department of Public Instruction, the superintendent must provide the Department with all required information regarding student performance.

K. RESOURCES

Consistent with the objective of improving student performance, the board will provide maximum flexibility to schools in the allocation of state funds. Schools are expected to budget

financial resources in a manner which will meet the standards established in this policy. The board will consider requests to transfer funds from other funding allotment categories to intervention strategies as a part of the School Improvement Plan submitted by a school. All funds must be used in a fiscally sound manner in accordance with Fiscal Management Standards (policy 2-7).

L. NOTIFICATION TO PARENTS

The superintendent must ensure that a copy of this policy is provided to all students and parents. In addition, the teacher(s) of a student who does not meet the standards in this policy must notify the student's parents that the student has failed to meet the test standards and must provide the parents with information concerning retesting and intervention opportunities.

M. TIME FOR LEARNING

The board believes that time is of utmost importance in the educational process and the children may need different amounts of instructional time.

1. Interruption of instructional time must be kept to an absolute minimum. Visitors, including parents, who engage in conduct which disrupts, or attempts to disrupt, the orderly education environment, of the school may be removed from the premises and have their access to the school restricted.
2. Every school must provide a minimum of 1,025 hours of instructional time within the academic year.
3. The principal is responsible for ensuring that instructional time is maintained and protected in the school schedule.
4. Each teacher is responsible for ensuring maximum use of instructional time in his/her classes.
5. An extended school year, a year-round school, or non-traditional program may be included as part of the School Improvement Plan. Modified programs that include, but are not limited to, Extended School Year, Year Round Schools, and Multi-tracking, must seek and receive Board approval.

N. TRANSITION PLANS

Transitions in the school environment can be stressful experiences that pose academic, social and emotional challenges for students. Addressing students' academic, social and emotional needs to create successful transitions provides students with a better chance of academic success. A comprehensive and coordinated transition plan will be implemented for students who are at risk of academic failure in order to facilitate their educational transitions between elementary school and middle school and between middle school and high school.

The superintendent shall appoint a transition team to design, implement and evaluate a school system transition plan. This team will be comprised of stakeholders who can identify the needs of students at the different developmental levels and implement plans that produce positive results for students at risk of academic failure. Such stakeholders may include principals,

teachers, support staff and other school system employees, parents of students in the school system, and local business and community leaders such as civic group leaders, health department personnel, preschool and Head Start program personnel, faith community leaders, and personnel from local colleges, universities and community colleges. At each school, the principal shall lead a school transition team or an existing school-based leadership team in using the school system transition plan to design a school-based transition plan tailored to meet the specific needs of that school's population.

The transition plans should be designed to encourage successful transitions that foster respect for individual differences, encourage understanding of the whole child, create a sense of trust and belonging, and reduce child and family anxiety about school. The plans must include an on-going evaluation process to verify that the outcomes established for the different transition levels are being accomplished and that these goals are updated as student data and environmental changes occur.

RACE DISCRIMINATION/ HARASSMENT COMPLAINT PROCEDURE FOR STUDENTS (BOE Policy 4-7), Administrative Guidelines

The Board takes seriously all complaints of discrimination. Students and parents are encouraged to submit any complaints of discrimination to the site supervisor. The process provided in this policy is available for students who may have been harassed or discriminated against due to a disabling condition.

A. Informal Resolution

The Board acknowledges that reports of harassment and discrimination may be addressed informally through such methods as conferences or mediation, and the Board encourages the use of such procedures to the extent possible. If an informal process is used the principal or other appropriate personnel must notify the complainant of his or her option to request formal procedures at any time and must make a copy of formal procedures at any time and must make a copy of this policy and other relevant policies available. In those circumstances where informal procedures fail or are inappropriate or where the complainant requests formal procedures, the complaints will be investigated promptly, impartially, and thoroughly according to this policy.

B. Definitions

Accused harasser: the employee, student, or visitor alleged to have harassed the complainant.

Complainant: the parent, student, or staff member reporting a complaint that the student was harassed.

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

Investigator: the school official responsible for investigating and responding to the complaint (which may be the principal, assistant superintendent, the Assistant Superintendent for Auxiliary Services, or another designated school official).

C. Timeliness of Process

The number of days indicated at each level should be considered a maximum. Every effort should be made to expedite the process. Failure by the investigator at any step to communicate a decision within the specified time limit will permit the complainant to appeal the complaint to the next step unless the investigator has notified the complainant of the delay and the reason for the delay, such as the complexity of the investigation or report. The investigator will make reasonable efforts to keep the complainant apprised of progress being made during any period of delay. Delays that interfere with exercise of any legal rights are not permitted.

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

D. General Requirements

1. No reprisals or disciplinary action of any kind will be taken by the Board or by an employee of the school district against any complainant or other student or employee on account of his/her participation in the investigation of a complaint filed and decided pursuant to this policy, unless the complainant or participating student or employee knows or has reason to believe the report is false or knowingly provides false information. The district will also protect individuals from retaliation by students and third parties.
2. All meetings and hearings conducted pursuant to this policy will be private.
3. The Board and school district will consider request to hear complaints from a group, but the Board and officials have the discretion to respond to complainants individually.
4. The complainant or accused harasser may have a representative, including an attorney, at any stage of the complaint.

E. Process for Complaint

1. Reporting Complaint

A complaint must be filed as soon as possible, but no longer than 30 days after disclosure or discovery of the facts giving rise to the complaint. For a complaint submitted after 30 days which claims a violation, misapplication or misinterpretation of state or federal law,

- a. including discrimination, the Superintendent or designee will determine whether the complaint will be investigated after considering factors such as the reason for the delay; the extent of the delay; the effect of the delay on the ability of the school district to investigate and respond to the complaint; and whether the investigation of the complaint is necessary to meet any legal obligations.

However, students and parents should recognize that delays in reporting may significantly impair the ability of the school district to investigate and respond effectively to such complaints.

- b. A parent or student should report complaints of harassment to any of the following individuals:
 - principal or assistant principal at the school attended by the student;
 - the Assistant Superintendent for Auxiliary Services. (See policy 4-7 Prohibition Against Discrimination and Harassment regarding coordinators for further information.)
 - c. A student does not have to report an incident of harassment to trigger an investigation if a school official knows or, in the exercise of reasonable care, should have known about the harassment. Any employee, including a teacher or counselor, who has reason to believe that a student may have been harassed, including any employee who has witnessed possible harassment or has received reports by the victim or other individual will notify the principal immediately unless the principal or other school employee is the accused harasser, in which case the employee will notify the Superintendent. An employee who fails to report possible harassment of a student may be subject to disciplinary action and/or legal action. The principal or superintendent/designee will promptly investigate any reports and take appropriate action. The process provided in the policy will be used if at any time a complaint is made by a parent or student. Failure to appropriately investigate and/or address claims of harassment will result in disciplinary action. All reports and resolutions, regardless of whether this policy is used, will be maintained in accordance with policy (See policy 4-7 Prohibition Against Discrimination and Harassment.)
 - d. If the accused harasser is a student or visitor, the principal will respond to the complaint and investigate. If the accused harasser is an employee, the principal will notify the Assistant Superintendent for Auxiliary Services of the complaint.
 - e. If the accused harasser is an employee, the Assistant Superintendent for Auxiliary Services will respond to the complaint and assign someone to investigate.
 - f. The investigator will notify the Assistant Superintendent for Auxiliary Services immediately of the complaint.
 - g. The investigator will explain the process of investigation to the complainant and inquire as to any proposed corrective action.
2. Investigation
- a. The investigator will impartially, promptly, and thoroughly investigate the complaint. The investigator will interview (1) the complainant; (2) the accused harasser; and (3) any other individuals, including other possible victims of harassment, who may have relevant information. The investigator will allow

parties, the complainant and the harasser, the opportunity to provide relevant information and evidence and to identify witnesses.

- b. There shall be no face to face confrontations between complainant and accused harasser(s).
- c. Information will be shared only with individuals who need the information in order to appropriately investigate and address the complaint. Any requests by the complainant for confidentiality will be evaluated within the context of the legal responsibilities of the school district. Any complaints withdrawn to protect confidentiality still will be recorded in accordance with Board policy (See policy 4-7 Prohibition Against Discrimination and Harassment).
- d. In assessing whether the conduct complained of was harassment, the investigation will consider all factual information, the context in which the alleged incidents occurred, the age and maturity of the complainant, and other relevant circumstances. If the alleged harasser is a student, the investigator also will consider the age and maturity of the alleged harasser.
- e. The investigator will report to appropriate law enforcement if it appears that laws have been violated.

3. Investigator's Report

The investigator will make a written report of the findings of the investigation. The investigator will notify the complainant, in writing, of the outcome of the investigation within 15 days of receiving the complaint, unless additional time is necessary to conduct an impartial, thorough investigation. At the close of the investigation the complainant will be notified the investigation was conducted, completed and appropriate action was taken.

Information regarding conditions of behavior imposed on the accused harasser will not be given to the complainant, unless the information relates directly to the complainant (e.g., an order requiring the accused harasser not to have contact with the complainant).

- a. The investigator will submit the full report and investigative findings to the Assistant Superintendent for Auxiliary Services. The report will specify:
 - 1. whether the complaint was substantiated;
 - 2. whether the accused offender violated relevant law or Board policy by his/her actions (regardless of whether the complaint as submitted is substantiated); and
 - 3. if the investigator determines that race discrimination/harassment has occurred, the investigator also will specify:
 - reasonable, timely, age appropriate effective corrective action intended to end the harassment and prevent it from reoccurring;
 - as needed, reasonable steps to address the effects of the harassment on the complainant; and

- as needed, reasonable steps to protect the complainant from retaliation as a result of communicating the complaint,
 - whether law enforcement has been notified.
- b. If the corrective steps involve actions outside the scope of the investigator's responsibilities, the Superintendent also will be notified so that responsibility for the corrective steps can be delegated to the appropriate individual.
 - c. The accused harasser will be informed in writing of the results of the investigation in regard to whether the complaint was substantiated, whether the accused harasser violated Board policy or law (regardless of whether the complaint was substantiated), and what, if any, disciplinary actions or consequences will be imposed upon the accused harasser in accordance with Board policy. The accused harasser may appeal any disciplinary action or consequences in accordance with the provisions below and law. The filing of an appeal by the alleged harasser does not preclude school officials from taking appropriate action to address the alleged harassment.

4. Appeal Of Investigator's Report

If the complainant or accused harasser is dissatisfied with the results of the investigation, an appeal may be made in writing to the District

- a. Assistant Superintendent for Auxiliary Services within five days of receiving the investigator's response. The Assistant Superintendent for Auxiliary Services will review the investigation and make any further investigation necessary and provide a written response within ten days unless additional time is necessary to complete an investigation. If the corrective steps involve actions outside the scope of the Assistant Superintendent for Auxiliary Services' authority, the Superintendent also will be notified so that responsibility for taking the corrective steps can be delegated to the appropriate individual.
- b. If the complainant or accused harasser is dissatisfied with the Assistant Superintendent for Auxiliary Services' response, an appeal of the decision may be made to the Superintendent. The appeal must be made in writing within five days of receiving the Assistant Superintendent for Auxiliary Services' response. The Superintendent may review the documents, conduct any further investigation necessary or take any other steps the Superintendent determines to be appropriate in order to respond to the complaint. The Superintendent will provide a written response within 10 days after receiving the appeal, unless further investigation is necessary.
- c. If the complainant or accused harasser is dissatisfied with the Superintendent's response, an appeal of the decision may be made to the Board within five days of receiving the Superintendent's response. The Board may review the documents, direct any further investigation be conducted before making a determination or take any other steps the Board determines to be appropriate in order to respond.

The Board will hold a hearing pursuant to Board Policy 4-18 upon request of the complainant or accused harasser and at the Board's discretion. The Board will provide a written response within 30 days after receiving the complaint, unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

F. Records

Records will be maintained as required by policy (See policy 4-7 Prohibition Against Discrimination and Harassment).

G. Students will receive this policy on an annual basis.

CODE OF STUDENT CONDUCT (BOE Policy 4-3)
Administrative Guidelines on Searches

School officials have the authority to conduct reasonable searches of students and to seize students' unauthorized materials for the purposes of maintaining a safe, orderly environment and upholding standards of conduct established by the board or school. Any searches or seizures must be conducted in accordance with the standards described in this policy and any other applicable legal requirements. All school officials carrying out a search or seizure are expected to be knowledgeable about the constitutional rights of students and the appropriate procedures for conducting the search or seizure. A search must be justified at its inception and permissible in scope. School officials shall make reasonable, good faith efforts to investigate allegations of misconduct before a student search is conducted.

This policy applies to searches conducted on school grounds, in school facilities, or at school-sponsored events.

A. SEARCHES BASED ON INDIVIDUALIZED REASONABLE SUSPICION

A student or the student's possessions may be searched when a school official has reasonable suspicion that the search will turn up evidence that the particular student has violated or is violating a specific law or school rule. This reasonable suspicion must be based upon specific and articulable facts, which have been acquired through reliable and/or corroborated information from employees, students, law enforcement officers, or other credible sources, or upon visual or other evidence (e.g., the smell of alcohol or marijuana, an alert from a metal detector or drug dog) viewed in light of the totality of the circumstances and the school official's professional judgment. The scope of the search and the methods used to conduct the search must be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Reasonable suspicion is not required if a student freely and voluntarily consents to the search of his or her person or possessions.

In accordance with the standards described above, the board authorizes the following types of searches based on reasonable suspicion.

1. Searches of Personal Effects

School officials may search a student's desk, locker, and/or personal effects, including but not limited to purses, book bags, and outer clothing.

2. Searches of Motor Vehicles

School officials may search the interior of a student's motor vehicle.

3. Searches of Technology

Students, employees, visitors, and other users have no expectation of privacy in anything they create, store, send, delete, receive, or display when using the school system's network, devices, Internet access, email system, or other technological resources owned or issued by the school system, whether the resources are used at school or elsewhere, and even if the use is for personal purposes. Users should not assume that files or communications created, transmitted, or displayed using school system technological resources or stored on servers or on the storage mediums of individual devices will be private. The school system may, without notice, (1) monitor, track, and/or log network access, communications, and use; (2) monitor and allocate fileserver space; and (3) access, review, copy, store, delete, or disclose the content of all user files, regardless of medium, the content of electronic mailboxes, and system outputs, such as printouts, for any lawful purpose. Such purposes may include, but are not limited to, maintaining system integrity, security, or functionality, ensuring compliance with board policy and applicable laws and regulations, protecting the school system from liability, and complying with public records requests. School system personnel shall monitor online activities of individuals who access the Internet via a school-owned device.

By using the school system's network, Internet access, email system, devices, or other technological resources, individuals consent to have that use monitored by authorized school system personnel as described in this policy.

4. Searches of Wireless Communication Devices

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 Code of Student Conduct or a school rule. The scope of such searches must be reasonably related to the objectives of the search and not excessively intrusive in light of the nature of the suspected infraction.

5. "Pat-down" Searches

A school official may conduct a frisk or "pat-down" search of a student's person. The search must be conducted in private by a school official of the same gender with an adult witness present.

6. More Intrusive Personal Searches

A personal search is more intrusive when it extends beyond a student's personal effects and outer clothing and potentially exposes intimate body parts and/or undergarments. Such intrusive personal searches will not be permitted to be conducted by school officials. If the school official has reasonable suspicion that a search of a particular student will yield dangerous contraband (e.g., drugs or weapons) and the school official has reasonable suspicion that the student has hidden the contraband in his or her undergarments, law enforcement will be contacted immediately.

7. Metal Detector Searches

Except as provided in Section B.2, below, a metal detector may be used to search a student's person and/or personal effects. The search must be conducted by a school official and will be done in private, when feasible.

B. **SUSPICIONLESS GENERAL SEARCHES**

In an effort to maintain a safe, drug-free, and weapon-free learning environment, school officials may conduct certain types of general, suspicionless searches in the schools. All general searches must be conducted in a minimally-intrusive, nondiscriminatory manner (e.g., all students in randomly selected classrooms, every third individual entering a school-sponsored extracurricular activity) and may not be used to single out a particular individual or category of individuals. The searches must be conducted in accordance with standardized procedures established by the superintendent or designee. Absent exigent circumstances (e.g., a report of a weapon on campus), prior to conducting general searches, school administrators must: (1) demonstrate to the superintendent or designee the need for general searches based upon a pattern or expectation of violence, drug activity, or disruption; and (2) provide written notice to students and parents of the school policy and/or procedures governing general searches, but not of specific times when or places where searches will be conducted.

When conducted in accordance with the standards described above and any corresponding procedures, the board authorizes the following types of general, suspicionless searches.

1. Searches of Desks and Lockers

School officials may conduct routine searches of student desks and lockers. Student desks and lockers are school property and remain at all times under the control of the school. However, students are expected to assume full responsibility for the security of their desks and lockers. Student desks and lockers may not be used to store illegal, unauthorized, or contraband materials.

A student's personal effects found within a desk or locker, such as a backpack, gym bag, or purse, may be searched only in accordance with the guidelines for individualized searches of personal effects described in Section A, above.

2. Point-of-Entry Metal Detector Searches

Due to the increasing problem of weapons in schools, school officials may use metal detectors to conduct general point-of-entry searches of students and other persons for weapons.

3. Use of Trained Dogs

With the prior approval of the superintendent, and in conjunction with local law enforcement, school officials may use trained dogs (canines) to locate illegal materials. All dogs must be accompanied by a certified and authorized trainer who is responsible for the dog's actions and who is able to verify the dog's reliability and accuracy in sniffing out illegal material. Trained dogs may sniff lockers, desks, book bags, motor vehicles, and other inanimate objects. Dogs may not be used to sniff students or other persons under any circumstances. No students should be present during a dog search. Before a search occurs in a classroom, students will first be moved to a location outside the classroom.

C. **SEIZED ITEMS**

Any illegal contraband seized by school officials must be promptly turned over to the proper law enforcement authorities.

D. **FAILURE TO COOPERATE**

A student's failure to cooperate with a reasonable search or seizure as provided in this policy will be considered a violation of the expected standard of behavior, and will subject the student to appropriate consequences.

Any person who is not a student who refuses to permit a general metal detector search of his or her person and/or belongings at the point-of-entry to a school-sponsored activity may be denied entry to the activity.

E. **NOTICE**

School principals shall take reasonable steps to provide notice of this policy to students and parents at the start of each school year.

SECLUSION AND RESTRAINT

PERMISSIBLE USE OF SECLUSION AND RESTRAINT (N.C.G.S. 115C-391.1)

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

1. Promote safety and prevent harm to all student, 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 procedures” 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 not prevented from leaving.
6. “Law enforcement officer” means a sworn law enforcement officer with the power 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 student 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.
 - 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 local education agency.
 4. The space is appropriately lighted.
 5. The space is appropriately ventilated and heated and 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 or modifies the rules and procedures governing discipline under G.S. 115C-391(a).
- J. Notice, Reporting, and Documentation
1. Notice of procedures – Each local board of education shall provide copies of this section and all local board policies developed to implement this section to school personnel and parents or guardians at the beginning of each school year.

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 10 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 in no event later than the end of 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 teacher education or their agents or employees or to create a criminal offense.

SOCIAL MEDIA (BOE Policy 5-22)

The Board of Education is committed to ensuring that all stakeholders who utilize social media technology for professional purposes, including staff and students, do so in a safe and responsible manner.

1. Definitions
 - a. Social Media. Social media is any form of online publication or presence that allows interactive communication, including, but not limited to, social networks, blogs, Internet websites, Internet forums, and wikis. Examples of social media include, but are not limited to, Facebook, Twitter, YouTube, Google+, and Flickr.

- b. Professional Social Media. Professional social media is a work-related and district established social media activity that is either District-wide, school-based or departmental.
- c. Personal Social Media. Personal social media use is a non-work-related social media activity.

2. Professional Social Media Use

- a. Communication on a professional social media space should be handled in the same manner as communication in a classroom and/or workplace. The same standards expected in UCPS professional settings are expected on professional social media sites.
- b. Employees shall exercise caution, sound judgment, and common sense when using professional social media sites.
- c. Professional social media communication must be in compliance with existing UCPS policies and applicable laws, including, but not limited to, prohibitions on the disclosure of confidential information and prohibitions on the use of harassing, obscene, discriminatory, defamatory or threatening language.
- d. No personally identifiable student information may be posted by employees on professional social media sites.
- e. The Board reserves the right to direct the removal of postings and/or disable a page, of professional social media sites that do not adhere to the law or do not reasonably align with the goals of the district.
- f. Communication with students shall only occur communicate through professional social media sites and shall follow these guidelines:
 - 1. Professional social media sites that are school-based should be designed to address reasonable instructional, educational, or extra-curricular program matters;
 - 2. Each school year, schools will notify parents about the professional social media activities their children may participate in.
 - 3. Employees using professional social media have no expectation of privacy with regard to their use of such media. The district will regularly monitor professional social media sites to protect the school community.

3. Personal Social Media Use

The Board recognizes that some employees may choose to post personal information on the Internet through personal websites, blogs, chat rooms, uploading content, or by making comments on other websites or blogs. The Board values the employees' creativity and honors the interest in engaging in these forms of personal expression on their own time, should they choose to do so. However, problems can arise when a person posting identifies or appears to be associated with the district, or when a person posting violates the rights of the district, or the rights of its employees.

a. Communication with UCPS Students

In order to maintain a professional and appropriate relationship with students, employees should not communicate with students who are currently enrolled in schools on personal social media sites. UCPS employees' communication with

UCPS students via personal social media is subject to the following exceptions: (a) communication with relatives or friends and (b) if an emergency situation requires such communication, in which case the employee should notify his/her supervisor of the contact as soon as possible.

4. Any postings, on professional or personal social media sites, of the following nature are prohibited:
 - Creates a harassing, demeaning, or hostile working environment for any employee.
 - Disrupts the smooth and orderly flow of work, or the delivery of services to the staff or students.
 - Harms the goodwill and reputation of staff, students or the community at large.
 - Erodes the public's confidence in the district.
 - Involves any kind of criminal activity or harms the rights of others, may result in criminal prosecution or civil liability to those harmed, or both.
5. Social Media Use Policy Agreement

The Superintendent will ensure that staff receives a copy of this policy annually and that a Social Media Use Agreement is signed.

STUDENT RECORDS (BOE Policy 4-14)

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

A. Annual Notification of Rights

The superintendent/designee is responsible for providing parents or eligible students (those at least 18 years old or married) 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 district 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 the school discloses or intends to disclose personally identifiable information to school officials without consent; and
8. notification if the school system uses contractors, consultants, volunteers or similar persons as school officials to perform certain school system services and functions that it would otherwise perform itself; and
9. the right to file complaints with the Family Policy Compliance Office in the U.S. Department of Education.

The school district does not have to individually notify parents or eligible students of their rights, but must provide the notice in a reasonable manner likely to inform the parents and eligible students of their rights. Effective notice must be provided to parents or eligible students who are disabled or whose primary or home language is not English.

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

A parent or eligible student will be allowed access to the student's records upon proper request. A formal review of a student's complete records will be conducted only in the presence of the principal/designee and must be conducted within 45 days of the written request. School personnel will not destroy any educational records if there is an outstanding request to inspect or review the records.

A parent or eligible student has the right to challenge an item in the student record believed to be inaccurate, misleading or otherwise in violation of the student's privacy rights. The principal shall examine a request to amend the student record and respond in writing to the person who challenges the record. If the final decision is that the information in the record is not accurate, misleading or otherwise in violation of the privacy rights of the student, the principal shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why s/he disagrees with the decision of the school system.

C. Release of Records to Others

Student's records will be released promptly when a student transfers to another school and in other circumstances specifically permitted by law. Student's official record will also include notice of any suspension for a period of more than 10 days (6 days for Condensed Academic Terms) or of any expulsion under General Statute 115C-391 and the conduct for which the student was suspended or expelled. Written permission by a parent or eligible student is required for the release of a student's records in any other circumstance. Such release must specify the records to be released, the purpose of the release and to whom they are to be released.

Directory information on students may be utilized by the school district, individual schools or organizations and parental permission is not required for the release of

directory information provided that the parent or eligible student has received proper notice and opportunity to object.

The following information is considered to be directory information:

1. student's name
2. address
3. telephone listing
4. date and place of birth
5. participation in officially recognized activities and sports
6. weight and height of members of athletic team
7. dates of attendance
8. diplomas, certification and awards received
9. electronic mail address
10. photograph
11. grade level
12. most recent previous school or education at institution attended by the student
13. pictures or videos taken on buses, school grounds, in school buildings and at school activities unless the picture or video may reveal confidential information about a student

The board strongly discourages the release of directory information to any outside organizations which have requested the information for their own purposes, including commercial organizations. Decisions to provide directory information to outside organizations must be approved by the superintendent/designee.

As required by law, the names addresses and telephone numbers of secondary school students shall be released, upon request, to military recruiters or institutions of higher learning, whether or not such information is designated as directory information by the school system. Students and/or their parents, however, may request that the student's name, address and telephone number not be released without prior written parental consent. Through the provision of a copy of this policy parents are notified of the option to make a request and that the school system shall comply with any requests made.

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

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

Students or their parents, however, may request that the student's directory information not be released without parental consent. Such request should be made in writing annually to the school principal within the first month of school.

D. Procedures to Expunge a Discipline Record

To have a suspension of greater than ten days (6 days for condensed academic terms) or an expulsion expunged from a student's official record, one of the following persons must submit a written request to the Superintendent or his/her designee:

1. The student's parent, legal guardian, or custodian; or
2. The student, if the student is at least 16 years old or is emancipated.

The Superintendent/ designee shall expunge from the record the notice of suspension or expulsion if the following criteria are met:

1. The student either graduates from high school or is not expelled or suspended again during the two year period commencing on the date of the student's return to school after the expulsion or suspension.
2. The Superintendent/ designee determines that the maintenance of the record is no longer needed to maintain safe and orderly schools.
3. The Superintendent/ designee determines that the maintenance of the record is no longer needed to adequately serve the child.

In the absence of a request as outlined above, the Superintendent may expunge from a student's official record any notice of suspension or expulsion provided all of the above criteria are met.

E. Surveys

The school system must obtain prior consent of a parent or eligible student before the student is required to participate in any Department of Education-funded survey, analysis or evaluation that reveals information concerning the following "protected topics":

1. political affiliations or beliefs of the student or the student's parent;
2. mental or psychological problems of the student or the student's family;
3. sex behavior and attitudes;
4. illegal, antisocial, self-incriminating and/or demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
7. religious practices, affiliations, or beliefs of the student's parent; or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Parents will be informed by the school at the beginning of the year of any survey instrument being distributed to students of which they are aware, however at the very least no fewer than ten-10 days in advance. Such notification will include information regarding students' rights in not answering questions related to the eight-(8) above items and safeguards to protect student privacy should the survey instrument include any of those items. Collection, disclosure, or use of directory information of students and/or parents will not be for purposes of marketing or selling beyond the school community (i.e. PTSA, Booster Clubs, Student Council, etc.). The school system will take measures to protect the identification and privacy of students participating in any survey concerning any of the protected topics.

Parents may inspect, upon request, any survey instrument created by a third party before the survey is administered or distributed to students. Parents may opt for their students

not to participate in such surveys. Parents may also inspect such survey instruments after they are administered.

F. Definition of Parent and Eligible Student

For purposes of this policy, the term parent includes a natural parent or guardian or an individual acting as a parent in the absence of a parent or guardian.

If the parents of a student are separated or divorced, both parents have access to the student's records as provided in this policy, unless the school district has been provided with evidence that there is a court order, state statute, or legally binding document that specifically revokes these rights.

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

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

G. Records of Missing Children

Upon notification by a law enforcement agency or the North Carolina Center for Missing Persons of a child's disappearance, the school shall flag the record of any child who is currently or who was previously enrolled in a school and who is reported as missing. If the missing child's record is requested by another school system, the principal shall provide notice of the request to the superintendent and the agency that notified the school that the child was missing. The principal shall provide the agency with a copy of any written request for information concerning the missing child's record. Any information received indicating that a student transferring into the system is a missing child must be reported to the superintendent and the North Carolina Center for Missing Children.

H. Records Received from the Department of Social Services

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

I. Records of Students Participating in the North Carolina Address Confidentiality Program

Records of students participating in the North Carolina Address Confidentiality Program must show only the substitute address provided by the Address Confidentiality Program and must not be released to any third party other than a school to which the student is transferring, or as otherwise provided by law. When transferring the record of a student participating in the North Carolina Address Confidentiality Program to a school outside of the system, the transferring school may send the files to the Address Confidentiality Program participant (parent or guardian) via the substitute address provided by the Address Confidentiality Program.

J. Record of Access

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

K. Destruction of Records

School officials may only destroy student records in accordance with state and federal law and the *Records Retention and Disposition Schedule for Local Education Agencies*. Upon notifying parents, student records may be destroyed when they are no longer needed to provide educational services to the student or to protect the safety of the student or others. Student records must be destroyed if the parent or eligible student requests their destruction and such records are no longer needed to provide educational services to the student or to protect the safety of the student or others. Student records may not be destroyed if there is an outstanding request to inspect the particular records.

L. Records of Military Children

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

In addition, children of military families, as defined by law, are entitled to the following:

1. For Students Leaving the School System

In the event that official educational records cannot be released to the parents of military children who are transferring away from the school system, the custodian of records shall prepare and furnish to the parent a complete copy of unofficial educational records containing uniform information as determined by the Interstate Commission. When a request for a student's official records is received from the student's new school, school officials shall process and furnish the official records to the new school within 10 days or within such time as is reasonably determined by the Interstate Commission.

2. For Students Enrolling in the School System

Upon receiving an unofficial education record from the student's previous school, school administrators shall enroll the student and place him/her in classes as quickly as possible based upon the information in the unofficial records, pending validation by the official records. Simultaneous with the enrollment and conditional placement of the student, school administrators shall request the official records from his/her previous school.

M. Juvenile Records

Any information received from law enforcement or the Department of Juvenile Justice and Delinquency Prevention regarding a felony charge or placement on the sex offender registry will be maintained in a separate, confidential location by the school principal and shall be destroyed once the principal is notified that the court no longer has jurisdiction over the student or if the court grants a petition for expunction of the records. The principal may share juvenile records with individuals who have (a) direct guidance, teaching or supervisory responsibility for the student and (b) a specific need to know in order to protect the safety of the student and others. Persons provided access to juvenile records must indicate in writing that they have read the documents and agree to maintain confidentiality of the records.

TOBACCO POLICY (BOE Policy 3-5a)

The use of tobacco products is a health, safety, and environmental hazard for students, employees, visitors, and school facilities. In order to promote positive role models in schools and provide a healthy learning and working environment, the Board adopts the following policy.

No one is permitted to use any tobacco product at any time including non-school hours - in any building, property, or vehicle owned, leased, rented or contracted by the school district; on school grounds, athletic grounds, or parking lots; or at any school-sponsored event off campus. Signs will be posted on all school campuses forbidding the use of tobacco products at any time, by any person, on school grounds. This prohibition pertains to all persons on school property, including but not limited to students, employees and other persons performing services or activities on behalf of the district, volunteers, contractors, visitors and parents.

Tobacco products may be displayed for a legitimate instructional or pedagogical purpose, conducted or supervised by a staff member. The activity may not include smoking, chewing or otherwise ingesting the tobacco product.

The Board strongly encourages students and staff to participate in school and community programs designed to prevent and cure tobacco addiction (see below).

For purposes of this policy, "tobacco product" is defined to include cigarettes, electronic or smokeless cigarettes, cigars, pipes, chewing tobacco, snuff, and any other items containing or reasonably resembling tobacco or tobacco products. "Tobacco use" includes smoking, chewing, dipping, or any other use of tobacco products.

Students and employees who violate this policy are subject to disciplinary action (see cross references below for applicable policies). All newly hired employees will receive a copy and explanation of this policy. The policy will be reviewed with all employees on a yearly basis.

SCHOOL TOBACCO EDUCATION PROGRAM

Tobacco Education Program

The one-hour Tobacco Education Program is part of a comprehensive approach to preventing and reducing tobacco use in our school system. It helps make students aware that smoking or chewing tobacco has dire consequences and that tobacco use is the leading preventable cause of death in our country.

Alternative to Suspension (ATS)

Alternative to Suspension (ATS) is a four-session education program for students who have violated the school tobacco policy. Typically, sessions are conducted after school. This program covers:

- Tobacco use and decision making
- Effects of tobacco use
- Experimentation and addiction
- Thinking about quitting

ATS helps schools send a clear message to a student that says:

1. Smoking at school is against school rules, state and federal law, and is unacceptable behavior;
2. Exposing others to tobacco smoke at school is unacceptable behavior; and
3. Tobacco use at school violates the federal Pro-Children Act of 1994. These behaviors carry consequences.

Teen Smoking Cessation Not On Tobacco (N-O-T) - Developed by The American Lung Association

Not on Tobacco (N-O-T) is a ten-session school-based adolescent smoking cessation program. It offers a "total health approach" by focusing on overall health and improving life management skills. Objectives of the program are to help adolescents:

- Quit smoking.
- Reduce the number of cigarettes used by young people who are unable to quit.
- Increase healthy lifestyle behaviors in physical activity and nutrition.
- Enhance their sense of self-control.
- Improve life skills such as stress management, decision making, coping, and interpersonal skills.

Adult Cessation Program

Union County Public Schools (UCPS) Safe and Drug-Free Schools Coordinator will provide a tobacco use cessation class to interested employees.