

ATTENDANCE

4000

Attendance in school is central to educational achievement and school success. All children between the ages of seven (7) and sixteen (16) are required by state law to attend school regularly. Parents must ensure that students attend and remain in school daily.

A. The principal must assure adherence to attendance rules and regulations and notify parents of their responsibility under the compulsory attendance law. The teacher must monitor and report student absences on a daily and class basis and follow all rules and regulations concerning attendance.

B. To be counted present a student must be in attendance at least one-half of the student school day. A school day is considered half over at 11:30 a.m. |

Comment [A1]: Is this true for all schools?

1. Students who arrive at school after the school day begins are to report to the principal's office. A tardy pass indicating excused or unexcused, based upon the reason for the tardiness, will be issued. Unexcused tardies will be dealt with in the manner designated by each individual school.

C. Excused Absences

The following shall constitute valid excuses for the temporary non-attendance of a child at school provided satisfactory evidence of the excuse is provided to the principal or his designee:

1. When the absence results from illness or injury which prevents the student from being physically able to attend school. Certification of an illness from a physician may be required to substantiate an illness.
2. When isolation or quarantine of the student is ordered by the local health officer or by the State Board of Health.
3. When the absence results from the death of a member of the immediate family of the student. The immediate family of a student includes, but is not necessarily limited to, grandparents, parents, and siblings.
4. When the absence results from a medical or dental appointment of a student. ~~and approval of the appropriate school official is gained prior to the absence, except in the case of an emergency.~~ A written excuse should be presented with a doctor's signature or stamp.
5. When the student is a party to or under subpoena as a witness in the proceedings of a court or administrative tribunal.
6. When the student or the student's parent/guardian or custodian adheres to a religion whose tenets require, or suggest the observance of a religious event. The parent/guardian or custodian must seek prior approval of the principal for

Strike prior approval

Comment [A2]: Is this (prior approval) enforced?
Not required by law.

such absences and the approval should be granted unless the religious observance or the cumulative effect of religious observances is of such duration as to interfere with the education of the student. Written evidence from church authorities may also be required for absences due to religious observance.

7. When the student obtains the principal's prior approval of a valid educational opportunity, such as travel. Approval for such an absence must be gained prior to the absence.

8. Additional excused absences may be granted for a student whose parent or legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting for the purpose of visiting said parent or legal guardian.

D. Unexcused Absences

All absences for reasons other than those identified under the section entitled "Excused Absences" will be deemed unexcused. An absence also will be deemed unexcused unless the student's parent/guardian or custodian provides written documentation of the reason(s) for the absence within three school days of the student's return to school. A student who is suspended for misconduct will not be considered absent without excuse for the purposes of this policy, although such absences will be considered unexcused for the purpose of makeup work and co-curricular activity eligibility. However, students suspended for ten days or less will be provided an opportunity to ~~take any quarterly, semester or grading period examinations missed during the suspension period~~received missed assignments and complete missed exams as provided in Policy 4220.

E. Make-Up Work

Students are entitled to make up work from an excused absence without receiving penalties to their marks or grades. High school and middle school students are responsible for securing and arranging make-up work from their teachers. In case of elementary students, the teacher will assign make up work where appropriate in the teacher's discretion. Make up work shall be assigned by the principal, upon consultation with teachers, and may be specific material missed by the student, or may be reinforcement or enrichment assignments. Principals may set reasonable deadlines for completion of makeup work.

Comment [A3]: Optional. Can give this authority to teachers if preferred.

F. Extracurricular Activities

A student must be counted present at school in order to ~~No student who is absent from school~~ may participate in any extracurricular, social, or athletic event held on that day the day of his/her absence.

Comment [A4]: For a full day? What about a student absent for half the day for a medical appointment?

G. Excessive Absences

Excessive absences will have serious academic consequences and may result in class or grade-level failure. ~~Students in grades K-8 who are absent from school for twenty one (21) or more days during the school year may be considered for retention in that grade by the principal. Excessive absences may be considered in promotion decisions for students in grades K-8 as determined under Policy 3600, Student Promotion and Accountability.~~

Students in grades 9-12 who are absent 11 or more days during a term may be denied credit toward graduation in that course by the principal.

Decisions of the principal with regard to attendance, grade retention and/or denial of credit made pursuant to this policy may be appealed in accordance with the Student and Parent Grievances policy.

H. Notification of Excessive Unexcused Absences

1. The principal shall be notified when a student has accumulated three unexcused absences during a school year/term.
2. The principal (or his/her designee) shall notify the parent, guardian, or custodian of the child that the unexcused absences have occurred.
3. After not more than six unexcused absences during a school year/term, the parent shall be notified by the principal that he/she may be violating the Compulsory Attendance Law and the consequences of the violation. This notification shall be made by mail.
4. After the parent, guardian, or custodian has been notified of possible violation of the Compulsory Attendance Law, school personnel (i.e., principal, assistant principal, counselor or social worker, when applicable) shall meet with the parent, guardian or custodian and child to determine the reason for the absences. ~~If necessary~~The principal should consider referral to the school intervention team or; alternatives to the student's educational program ~~should be considered~~. A written report of this investigation shall be given to the principal.
5. When the student has accumulated ten (10) unexcused absences, the teacher shall notify the principal and drop the student from membership, but not from enrollment.
6. After being notified of the 10th unexcused absence, the principal shall review the results of the investigation and meet with the student and parent, guardian, or custodian to determine if a "good faith" effort has been made to comply with the law.
7. If it is found that the parent, guardian or custodian has not made an effort to encourage school attendance, the district attorney shall be notified.
8. If it is determined that the parent, guardian or custodian has made an effort

Staff recommends leave as written and include 21 days reference – delete "Excessive absences..."

Comment [A5]: Optional change – if you prefer not to set a specific # of absences in K-8.

Comment [A6]: Consider whether you want to mandate referral to the intervention team for excessive absences.

to comply with the law, a complaint may be filed against the child with the juvenile court intake counselor.

9. The teacher of the child should be informed of any action taken relating to the student's membership and enrollment.

I. **Perfect Attendance**

Perfect Attendance Certificates shall be issued to students who attend school for 180 days. The following requirements shall be considered:

1. If a student is in school 1/2 of the school day or more for 180 days, he/she is entitled to a certificate.
2. If a student comes to school and leaves before 11:30 a.m., he/she shall not receive a certificate.
3. If a student comes to school and leaves before 11:30 a.m., but returns the same day, (assuming he/she is present at least 1/2 of the school day), he/she is entitled to a certificate.

LEGAL REF: G.S. ch. 7B, 115C-36, 115C-307(f), 115C-378 to 115C-381, 115C-391; ~~115C-4-7.5~~; 16 N.C.A.C. § 6E.0100 to 6E.0104.

ADOPTED:

~~REVISED:~~

DROPOUT PREVENTION AND INTERVENTION

4010

The Board recognizes the importance of encouraging students to stay in school and is committed to programs aimed at reducing the number of dropouts. As part of this effort, each school is expected to include strategies for decreasing dropouts in its School Improvement Plan. These strategies should include innovative methods for combating absenteeism and providing appropriate support services for students who may be at risk of dropping out of school.

The Superintendent shall refer all students who drop out of school to appropriate services as they may be available in the school system, in Chowan County, the community college system, or other referral sources.

LEGAL REF: G.S. 115C-47(32)

ADOPTED:

RELEASING A STUDENT FROM SCHOOL

4020

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

| It shall be the responsibility of the principal or his/her designee to determine that any person appearing at a school and requesting permission to take a student from the school is properly authorized to do so.

In the event one parent requests that his or her children not be released to the other parent, the parents shall be informed that the children shall be released to either parent upon request, unless a valid North Carolina court order awarding custody is presented. In such case, the court order will be honored.

LEGAL REF: G.S. § 115C-36, -288
ADOPTED:

STUDENTS SIGNING OUT FROM SCHOOL

4030

Any student who leaves the school building at any time during the school day must sign out in the school's office. Prior to leaving school the student must have:

- A. A written notice from the parent or guardian; or
- B. Verbal consent given to designated school personnel from the parent or guardian by phone.

Unless it is clear that parental permission has been granted, students may not leave school during the school day. A student's departure from school must be authorized by the office.

LEGAL REF: G.S. § 115C-36, -288
ADOPTED:

IMMUNIZATION

4040

No child shall be permitted to attend school unless a certificate of immunization indicating the child has received the immunizations required by G.S. 130A-152 is presented to the school unless the child is a homeless child who is currently found in Chowan County. The school system will endeavor to determine and address the immunization status of homeless students in accordance with applicable state and federal laws and regulations. If on the first day of attendance the child does not present such a certificate, the principal or designee shall notify the child's parent/guardian or responsible person. This parent/guardian or responsible person shall have 30 calendar days from the first day of attendance to obtain the required immunizations for the child. If, following approved medical practice, the administration of a vaccine requires more than 30 calendar days to complete, upon certification of this fact by a physician, and/or the Health Department, additional days may be allowed in order to obtain the required immunization. At the end of the 30 calendar days or extended period, if the required immunizations have not been obtained, the student shall not be permitted to attend school until required immunization has been obtained. No child will be required to have any immunization if the child's parent(s)/guardian object, in writing on the grounds that it conflicts with their religious beliefs, or if the child's physician certifies that the required immunization is or may be detrimental to the child's health.

The principal shall maintain on file immunization records for all students which contain the information required for a certificate of immunization as specified in G.S. 130A-154, and these records may be inspected by officials of the county or state health departments. When a child transfers to another school, the school from which the child is transferring shall send a copy of the child's immunization record to the new school, at no charge.

Each principal shall file an immunization report with the Department of Environment, Health and Natural Resources ~~within 60 calendar days after the commencement of~~ by November 1 of each new school year.

LEGAL REF: G.S. 130A-152 to -157; 42 U.S.C. § 11432

ADOPTED:

REVISED:

SCHOOL ADMISSIONS

4050

Qualifications for admission to the Edenton-Chowan Public Schools shall be considered complete upon satisfaction of the criteria listed under the respective types of entrants.

DEFINITIONS

- A. "Domicile" denotes a permanent, established home, as distinguished from a temporary, although actual, place of residence. The domicile of an unemancipated minor is the same as that of his parents or legal guardian. A student who is married or who is legally emancipated may establish his own domicile.
- B. "Residence" is where a person actually lives, whether permanent or temporary.
- C. "Legal Custodian" is a person or agency awarded legal custody of a child by a court of law.
- D. "Long-term Suspension" is a removal from school for more than ten days ~~but not exceeding the remainder of the school year.~~
- E. "365-day Suspension" is a removal from school for 365 calendar days from the start of the suspension.
- F. "Expulsion" is a permanent removal from the Edenton-Chowan Public Schools.

PREREQUISITES TO ADMISSION

Before a student will be enrolled in the Edenton-Chowan Public Schools, the following requirements must be met:

- A. Student has not completed the prescribed course for graduation from high school.
- B. Student has satisfied North Carolina immunization requirements.
- C. The parent, guardian, or custodian has presented documentation establishing the student's age (birth certificate) and grade placement (transcript or

report card from previous school if transferring from elsewhere).

D. For a student presented for enrollment, after enrollment in a private or public school in this or any other state, the student's parents, guardian, or custodian shall provide a statement made under oath or affirmation before a qualified official indicating whether the student is, at the time, under suspension or expulsion from the previous school and/or has been convicted of a felony in this state or any other state.

1. The Board may deny admission or place reasonable conditions on the admission of a student who has been suspended from a school under G.S. § ~~115C-391~~115C-390.5 through 390.10 or who has been suspended from another public or private school within this state or any other state for conduct that could have led to a suspension in the Edenton-Chowan Public Schools, until the period of suspension has expired.

2. The Board may deny admission or place reasonable conditions on the admission of a student who has been expelled from a school under G.S. § ~~115C-391~~390.11 or who has been expelled from another public or private school within this state or any other state for conduct that could have led to an expulsion in the Edenton-Chowan Public Schools; or who was expelled from a school for behavior that indicated the student's continued presence in the school constituted a clear threat to the safety of other students or employees; or who has been convicted of a felony in this or any other state.

3. A student who has been expelled from another public or private school in this or any other state or who has been convicted of a felony in North Carolina or any other state and who is denied admission to Edenton-Chowan Public Schools may request the Board to reconsider that decision as provided in the Due Process Policy. Suspended students who are denied admission are not entitled to a hearing to request the Board to reconsider its decision to deny admission.

4. When a student who has been identified as eligible to receive special education and related services under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400, et seq., is denied admission under this subsection, the local board shall provide educational services to the student to the same extent it would if the student were enrolled in the local school administrative unit at the time of the suspension or expulsion.

E. No child shall be permitted to enter kindergarten unless a current health assessment form is presented to the principal on or before the child's first day of attendance. If the form is not presented, the principal shall present a notice of deficiency to the parent/guardian, or person in loco parentis. If the health assessment form is not received within 30 calendar days from the first day of

attendance, the child may not continue to attend school until the health assessment form has been presented.

The health assessment shall be made no more than 12 months prior to the date of school entry. It must include a medical history and physical examination with screening for vision and hearing and, if appropriate, testing for anemia and tuberculosis.

Within 60 calendar days after the commencement of a new school year, the principal shall file a health assessment status report with the Department of Environment, Health and Natural Resources. The report shall document the number of children in compliance and not in compliance with the requirement to provide the health assessment form.

F. The student meets the age requirements outlined below:

1. Preschool: To enroll in a preschool program, a child must meet the age requirements for the program in which he seeks to enroll.

2. Kindergarten: To enroll in kindergarten, a student must be at least five years of age by ~~October 16~~August 31 of the school year in which the student seeks to enroll; ~~be qualified to enroll as a four- and a half-year-old under State Board of Education guidelines and the principal's discretion— be granted discretionary admission by the principal;~~ or be qualified because of previous enrollment in kindergarten in another public school system or private school in another state or country.

The initial point of entry shall be at the kindergarten level. After initial entry into kindergarten, the principal may place a child in first grade, by reason of the child's maturity, without regard to chronological age.

The parent or guardian of a child who is making initial entrance into school shall be required to furnish, before admission is approved, a certified copy of the child's birth certificate.

When a child has begun attendance in a public school in another state or foreign country in accordance with the laws or regulations of that state or country, and upon receipt of official school records, the child will be eligible for official enrollment regardless of his or her age. Grade placement will be determined by the principal.

3. Older Students: Students older than 21 years of age or who have already completed the requirements for graduation from high school are

no longer eligible to enroll.

G. The parent, guardian, or custodian must present a child for initial [Type a quote from the document or the summary of an interesting point. You can position the text box anywhere in the document. Use the Text Box Tools tab to change the formatting of the pull quote text box.] enrollment into kindergarten **within the first 120 days of the school year.**

ENTITLEMENT TO ADMISSION

A student is legally entitled to be enrolled in the Edenton-Chowan Public Schools if the student meets one of the following criteria:

- A. The student is domiciled in Chowan County; or
- B. The student resides with a legal custodian who is domiciled in Chowan County; or
- C. The student meets the abandonment exception as follows:
 - 1. Student resides with an adult, who is domiciliary of Chowan County, as a result of:
 - a. Death, serious illness, or incarceration of a parent or legal guardian; or
 - b. Abandonment by a parent or legal guardian of complete control of the student as evidenced by the failure to provide substantial financial support and proper guidance; or
 - c. Abuse or neglect by parent or legal guardian; or
 - d. Physical or mental condition of the parent or legal guardian is such that he or she cannot provide adequate care and supervision of the student; or
 - e. The relinquishment of physical custody and control of the student by the student's parent or legal guardian upon the recommendation of the department of social services or the Division of Mental Health; or
 - ef. Loss or uninhabitability of the student's home as a result of a natural disaster; ~~and~~or
 - g. The student's parent or legal guardian is on active military

Leave original statement

Comment [A7]: Optional: A child presented for kindergarten enrollment after the first 120 days may be admitted if the child reached the age of 5 before August 31 of that year or has been attending school during that school year in another state before moving to North Carolina.

duty and is deployed out of the local school administrative unit in which the student resides. For purposes of this policy, the term 'active duty' does not include periods of active duty for training for less than 30 days. Assignment under this provision is only available if some evidence of the deployment is tendered with the affidavit required in paragraph 3 below.

2. The student is:
 - a. not currently under a term of suspension or expulsion from a school for conduct that could have led to a suspension or expulsion from the Edenton-Chowan Public Schools; ~~and/or~~
 - b. Currently under a term of suspension or expulsion from a school for conduct that could have led to a suspension or an expulsion from the local school administrative unit and is identified as eligible for special education and related services under the Individuals with Disabilities Education Improvement Act, if evidence of current eligibility is tendered with the affidavit required in paragraph 3 below.

3. The adult with whom the student resides and the student's parent, guardian, or legal custodian presents to the school principal a completed and signed separate affidavit that

- a. Confirms the qualifications set out in this subsection establishing the student's residency;
- b. Attests that the student's claim of residency in Chowan County is not primarily related to attendance at a particular school within Chowan County or attendance in the Edenton-Chowan Public schools generally; and
- c. Attests that the adult with whom the student is residing has been given and accepts responsibility for the educational decisions for the child, including receiving notices of discipline, attending conferences, granting permission for school-related activities, and taking appropriate action in connection with student records.

D. The student is living in a foster home, group home, or other institution or care facility that is located in Chowan County; or

E. The student is a homeless student who is currently found in Chowan County (~~The the~~ homeless student must be enrolled immediately, even if the student is not accompanied by an adult and cannot provide proof of residency, school and immunization records, birth certificates or other documents.); or

~~F. The student is identified as “special needs” student residing in Chowan County; or~~

~~GF.~~ The student is otherwise found by the Edenton-Chowan Board of Education to be entitled to enroll in the Edenton-Chowan public schools.

DISCRETIONARY ADMISSION STUDENTS:

A. The Superintendent may grant discretionary admission to a students who ~~satisfy~~ satisfies the following requirements for admission:

1. Submits an application form completed by the parent or guardian;
2. Presents a planned course of study for the current or coming year if a secondary student;
3. Furnishes transcripts and other student record data including evidence of compliance with North Carolina immunization requirements;
4. Presents evidence that the pupil is in good standing at the last school attended;
5. Presents evidence that the student has not completed the prescribed course for graduation from high school; and
6. Presents a release from the school district of residence.

B. Applications for discretionary admission will be considered only when space is available.

C. Any approved admission of students is valid only for the school year for which approval is granted. Requests may be made annually. Final decisions by the Superintendent regarding discretionary admission may be appealed to the Board in accordance with the Student and Parent Grievance Policy.

D. The Edenton-Chowan School System will not provide transportation to students granted discretionary admission.

~~E. Discretionary admission may be revoked for disciplinary violations at any time.~~

~~F. Discretionary admission or consideration of discretionary admission may be revoked or withheld if false information is provided and/or if required information is withheld.~~

Comment [A8]: Note: does the Board charge tuition for out-of-county students? If not, do you want to start? If so, that information should be included here.

ADMISSION DECISIONS

The Superintendent or designee shall determine the domiciliary status and qualification for admission for each pupil desiring to attend the Edenton-Chowan Public Schools. Final decisions by the Superintendent regarding admission may be appealed to the Board in accordance with the Student and Parent Grievance Policy.

DISCRETIONARY RELEASES TO ATTEND SCHOOLS IN OTHER DISTRICTS

- A. Chowan County students seeking release to attend public school in another public school system may apply to the Board for a release.
- B. Release from the Edenton-Chowan Public Schools releases the school system from any obligation to provide transportation and/or tuition for the student.
- C. The Superintendent shall grant release of students only upon such terms and conditions as may be agreed in writing with the Board of Education of the other school administrative unit involved in the release. Any approved release of a student is valid only for the school year for which approval is granted. Requests may be made annually. Final decisions by the Superintendent regarding discretionary releases may be appealed to the Board in accordance with Student and Parent Grievance Policy.

APPEALS TO THE EDENTON-CHOWAN BOARD OF EDUCATION

Final decisions by the Superintendent regarding domiciliary status of students seeking to attend the Edenton-Chowan Public Schools may be appealed to the Board.

LEGAL REF: G.S. 115C-40,- 364, -366, -366.1, -366.2; G.S. 130-87 through 93.01, G.S. 130a-440, - 441, § 16 N.C.A.C. 6E-0105; 42 U.S.C. § 11432

ADOPTED:

REVISED:

SCHOOL ASSIGNMENT

4055

Each student who qualifies for enrollment in the Edenton-Chowan Public Schools shall be assigned to ~~the~~ a school of his or her grade level as determined by domicile and the Board's assignment plan. Exceptions will be made as necessary to limit enrollment of a school due to overcrowding or for special programmatic reasons; e.g., special education, English as a Second Language, or alternative school programs.

LEGAL REF: G.S. 115C-47(3), -366, -367

ADOPTED:

REVISED:

IMMEDIATE TRANSFER WHEN CRIMINAL CHARGES ARE PENDING

4060

Whenever a student is charged with a criminal offense, either as a juvenile or an adult, the Superintendent or designee, based upon a review of the allegations associated with the arrest or criminal charges and an informal meeting with the student and parent/guardian, shall have the authority to effect an immediate involuntary transfer, including homebound or other alternative setting, if the Superintendent or designee, based upon a preponderance of the evidence, is of the opinion that the peace, health, safety, or welfare of the students or staff of the Edenton-Chowan Public Schools may be disturbed by maintaining the student in his or her current placement. The student's parent/guardian may subsequently request a hearing ~~with the Superintendent or designee~~under the Board's transfer policy to review the involuntary transfer.

Nothing in this policy precludes Edenton-Chowan Public Schools from suspending or expelling a student pursuant to the school system's policy on suspension or expulsion. Students with disabilities will receive services in accordance with the laws governing special education services.

LEGAL REF: G.S. 115C-366

ADOPTED:

REVISED:

ALTERNATIVE SCHOOLS/PROGRAMS

4065

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

Alternative schools/programs are provided as an option for when a student's behavior management or academic performance needs cannot be met in a regular education setting. The purposes of an alternative school/program are to (1) intervene and address problems that prevent a student from successfully achieving in the regular educational setting; (2) reduce the risk of the student dropping out of school by directing resources to helping the student resolve issues affecting performance at school; (3) return the student to the regular educational setting as soon as practical with the skills necessary to succeed in that environment; and (4) preserve a safe, orderly and inviting learning environment at the regular educational setting.

The Superintendent shall develop and publish clear procedures for entrance and exit from alternative programs, including program content and goals, in accordance with state law and State Board of Education guidelines.

LEGAL REF: G.S. 115C-36, -47(32a), -105.48

ADOPTED:

REVISED:

HOMEBOUND/HOSPITALIZED STUDENTS

4070

Students who are unable to attend school for health reasons **or other legitimate reasons as approved by the Superintendent** for an extended period of time will be provided with homebound or hospital school services. A medical statement signed by the physician must be completed prior to the student receiving homebound instruction. These homebound placements will be reviewed each 9 weeks. When appropriate, principals and regular classroom teachers shall work cooperatively with students who are receiving such services.

Homebound instruction may also be provided as an educational placement for students with disabilities, as decided by the IEP team and in compliance with the Policies Governing Services for Children with Disabilities adopted by the State Board of Education. Homebound placements for students with disabilities made for disciplinary reasons will be reviewed monthly.

LEGAL REF: G.S. 115C-47; G.S. 115C-107.7

ADOPTED:

REVISED:

DUAL ENROLLMENT IN POST-SECONDARY INSTITUTIONS

4080

Comment [A9]: No legal changes to this policy, but may require updating if you have early college or community college programs.

High school students will be allowed to enroll in courses at post-secondary institutions on an individual basis in accordance with the following provisions:

- A. The student must obtain written approval of the post-secondary institution and the secondary school principal to enroll in courses at a post-secondary institution.
- B. The student must obtain written approval for the courses he plans to take at the post-secondary institution from both his secondary school principal and the admissions office of the post-secondary institution.
- C. The student must be sixteen years of age (16) or older before requesting approval to attend a post-secondary institution, or meet the community college criteria for “Intellectually Gifted and Mature Students Under 16 Years Old.”
- D. The student, who is sixteen years or older, may seek admission to a post-secondary institution during the summer session only with the approval of his/her high school principal.
- E. The student may use courses taken at a post-secondary institution for credit towards graduation as follows:
 1. There is written approval for credit before the course is taken.
 2. The Superintendent or designee will determine the amount of credit a student will receive in accordance with law and regulations.
 3. The course must be an academic or vocational course, not an avocational or adult enrichment course.
 4. Only in unusual circumstances, such as scheduling conflicts, will students be allowed to take courses at post-secondary institutions that are offered in the regular high school program.
 5. The course must be teacher directed instruction, not independent study or programmed study, unless prior written approval is obtained from the Superintendent or designee.

| LEGAL REF: [N.C.G.S. 115D-20\(4\); 23 NCAC 02C.0305](#)

ADOPTED:

FOREIGN EXCHANGE STUDENT PROGRAM

4090

The Edenton-Chowan School System is committed to admitting foreign exchange students. The experience will broaden the cultural understanding of the students as well as the host school and community.

The benefits of such programs carry with them the responsibility of taking reasonable measures to protect the safety and well being of the exchange students and the host families while at the same time not burdening the school or school system unnecessarily. All agencies wishing to operate in the Edenton-Chowan Schools must be approved by the Edenton-Chowan Board of Education. Such agencies must follow the regulations established by Edenton-Chowan Schools in administering their programs in the school system. Furthermore, all such agencies must adhere to state and federal regulations related to foreign exchange programs. The agency sponsoring exchange students must accept responsibility for the safety and well being of students in its program and in responding to concerns of the host family and the school.

The Director of Curriculum and Instructional Services shall administer the foreign exchange program in the Edenton-Chowan School System and develop appropriate regulations and procedures.

LEGAL REF: None

ADOPTED:

In compliance with the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. Section 1232g, and its implementing regulations, 34 C.F.R. Part 99, the Edenton-Chowan Board of Education requires its staff and administrators to protect the confidentiality of student records as provided in this policy. All student records shall be up-to-date and maintained with appropriate measures of security and confidentiality.

1. Definitions of parent and eligible student

- A. A parent includes a natural parent, a guardian, a guardian ad litem or an individual who is acting as a parent in the absence of a parent or guardian. Unless a court order or other legally binding document specifies otherwise or terminates or suspends all parental rights, both custodian parents and non-custodial parents have a right to review and give consent for release of the child's school record. A copy of any court order restricting a parent's access to a student's files shall be included with the student's cumulative record and shall be complied with by all school personnel.
- B. An eligible student is a student who is 18 years of age or older or a student who is attending a post-secondary educational institution.

2. Definitions of records; types of records; location of records

Student records protected by this policy include those records, files, documents and other materials in any form that contain information directly related to a student. Student records do not include the records of school personnel that are in the sole possession of the maker and which are not accessible or revealed to any other person except a temporary substitute for the person who made the record.

- A. The principal is the custodian of student records maintained at the school, including a student's cumulative file and, if applicable, a confidential file. Each student's records are maintained and released in accordance with this policy by the principal of the school the student currently is attending or most recently attended.
 - 1.. The student's cumulative file may include, but is not limited to: a photograph of the student; a personal data sheet; achievement, scholastic, aptitude and other standardized test scores; literacy assessments; a transcript; a certified birth certificate; immunization records; emergency medical and other health data; and family

background information.

2. The student's confidential file contains information regarding the referral, identification and service for special needs, disabled, and academically gifted children. These folders are kept at the school the child attends and are kept in a secure location as part of the student's official record. Copies of some special education records may also be kept at the Edenton-Chowan Public Schools Central Office. See Section 10 below for further information regarding special education records.

- B. Official records must be maintained permanently and must include: the student's date of birth, attendance data, grading and promotion data, and notice of any expulsion or long-term suspension (a suspension for a period of more than 10 days) and the conduct for which the student was expelled or suspended.

The Superintendent or designee may expunge a notice of expulsion or long-term suspension from the student's record if all of the following criteria are met: (1) the student graduates from high school or is not suspended or expelled during a two-year period following the student's return to school after the suspension or expulsion; (2) the Superintendent or designee determines that maintenance of the record is no longer required to maintain safe and orderly schools; and (3) the Superintendent or designee determines that the maintenance of the record is no longer needed to adequately serve the student. The Superintendent or designee shall expunge a notice of expulsion or long-term suspension from the student's record if all of the above criteria are met and a parent, eligible student, student who is married, or student who is at least 16 years old requests expungement.

- C. Temporary student records may be kept but shall be reviewed annually and destroyed when their usefulness is no longer apparent or when the student leaves school, unless there is an outstanding request to inspect.
- D. Juvenile records include documentation or information regarding students who are under the jurisdiction of the juvenile court. These records may be received from local law enforcement and/or other local agencies authorized to share information concerning juveniles in accordance with G.S. 7B-3100. A list of such agencies and the order authorizing the sharing of information shall be ~~contained in the administrative regulation and procedure adopted pursuant to this policy~~ maintained by the Superintendent. Such documents shall not be part of a student's official records, but shall be maintained by the principal in a safe, locked record storage that is separate from the student's other records. The principal

shall not make a copy of such documents under any circumstances.

Juvenile records shall be used only to protect the safety of or to improve the education opportunities for the student or others. The principal may share juvenile records with individuals who have direct guidance, teaching, or supervisory responsibility for the student and a specific need to know in order to protect the safety of the student and others.

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

- E. 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 notify the Superintendent and the agency that notified the school that the child was missing of the request and provide the agency with a copy of any written request for information concerning the missing child's record.
- F. Upon transfer of a child into the Edenton-Chowan Public Schools from any other school system, the principal shall, within thirty (30) days of the child's enrollment, obtain the child's record from the school in which the child previously was enrolled. If a copy of the child's record from the previous school is provided by the parent, the principal shall, within thirty (30) days of the child's enrollment, request written verification of the school record from the previous school. Any information received indicating that the transferring child is a missing child shall be reported promptly to the Superintendent and the North Carolina Center for Missing Persons.

3. Who May Inspect and Review Student Records

A parent or an eligible student shall be allowed to inspect and review the student's records upon proper request. ~~Access shall be allowed only for the requested records.~~ The school may attempt to notify the custodial parent of any request made by the

non-custodial parent for access to or release of information in the child's education records. If information within a student's record includes information on any other student, the parent or eligible student shall have the right to inspect and review only the part of the record that pertains to their student or to be informed of the specific information related to their student.

Once a student becomes an eligible student, the rights of the parent under this policy terminate and all such rights transfer to the student with one exception: the parents of an eligible student, who is classified as a dependent of the parent for income tax purposes, may review their child's records without his/her student's consent.

4. Right to Inspect and Review Student Records

Except as modified in section 10 below, requests to review a student's records, including records that are electronically maintained, should be made in writing to the school principal or designee. The review shall be scheduled within a reasonable period of time, no later than 45 calendar days following the written request to the principal or designee. A formal review of a student's complete records shall be conducted only in the presence of the principal or a school official designated by the principal.

5. Copies of Student Records

Copies of student records shall be provided within 45 calendar days of receiving a written request of a parent or eligible student. A fee shall may be charged to a parent or eligible student for copies of a student's record according to a fee schedule developed by the Superintendent, unless the effect of charging the fee is to effectively prevent a parent or eligible student from exercising the right to inspect and review the student's educational records.

Replace shall with may

Comment [A10]: I know that schools rarely charge fees, but consider establishing a fee schedule for copy requests above a certain level (such as more than 100 pages).

6. Release of Student Records

Except in the circumstances outlined below, a parent or eligible student must provide written consent prior to the release of personally identifiable information from a student's record.

When personally identifiable information from a student's records is released without prior written consent of the parent or eligible student, the party to whom the information is released shall agree not to disclose the information to any other party without the prior consent of the parent or eligible student. This restriction does not apply to the release of directory information (L below) or information released in accordance with a court order or subpoena (D below). Information may be released to the following persons or in the following circumstances without prior written consent:

- A. Officials within the school system who have a legitimate educational need to review the student's records. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. A school official is a person employed by the school system as an administrator, supervisor, instructor, or support staff member (including health or medical staff, school security, and school resource officers); a school Board member; or a person or company with whom the school system has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist).
- B. Officials of other schools and school systems in which the student has enrolled or intends to enroll, provided that the parent or eligible student receive notice of the disclosure, either through the annual notice provided in the Edenton-Chowan Public Schools parent/student handbook or through specific individual notice. The Edenton-Chowan Public Schools shall give the parent or eligible student, upon request, (i) a copy of the

record that was disclosed and/or (ii) an opportunity to challenge the contents of the record.

- C. Federal government representatives and state and local educational authorities, for the purposes of auditing, evaluating, enforcing or complying with federal or state-supported educational programs.
- D. Persons acting under a court order or lawfully-issued subpoena. Before releasing records under this provision, the principal should attempt to verify that the subpoena is lawful. The principal or his or her designee must make a reasonable effort to notify the parent or eligible student of the request for release prior to release of the records under this exception.
- E. In court proceedings, without a court order or subpoena, the education records of the student that are relevant to the legal action, if a parent or eligible student initiates legal action against the school or if the school initiates legal action against a parent or eligible student.
- F. Financial aid organizations, if the release is in connection with a student's application for or receipt of financial aid.
- G. Accrediting organizations, to the extent necessary to allow them to carry out their accrediting functions.
- H. Organizations conducting educational studies, provided the purpose of the study is to develop, validate or administer predictive tests, to administer student aid programs, or to improve instruction. The study must be conducted in such a way that there is no personal identification of parents and students to individuals outside the organization conducting the study. In addition, student record information must be destroyed when no longer needed for purposes of the study.
- I. To appropriate persons in connection with an emergency, if the release of the information is necessary to protect the health or safety of the student or other persons;
- J. ~~Representatives~~To representatives of the juvenile justice system for students under juvenile court jurisdiction, prior to adjudication, when the release of records concerns the system's ability to effectively serve the student whose records are released;:-

K. Parents of an eligible student, if the student is classified as a dependent of the parent for income tax purposes.

L. Directory information, including a student's name and grade, photograph, the school the student is attending or most recently attended, dates of attendance, date of graduation, awards received, participation in officially recognized activities and sports, and the weight and height of members of athletic teams. Directory information will not be released to requestors seeking to use the information for commercial or marketing purposes.

Annually, parents and eligible students will be given an opportunity to object to the release of directory information. If an objection is made, then no directory information about that student will be released.

N. Pursuant to federal law, names, addresses and telephone listings of secondary school students shall be released to military recruiters and institutions of higher education upon request. Parents or eligible students may request that this information not be released without prior written consent by the parent or eligible student. Annually, parents and eligible students will be notified of the opportunity to make such a request. If a request is made, then the school system shall comply with the request and shall not release the name, address and telephone listing of the student without prior written consent.

Comment [A11]: Optional. Under new revisions to FERPA you can limit the groups to whom you will release directory information. This is just one suggestion.

7. Record of Requests and Disclosures of Student Records

A record of each request for access to and disclosure of personally identifiable information from a student's record shall be maintained with that record. A parent or eligible student shall have access to this record of disclosures. The record will include

- A. The parties who have requested or received information; and
- B. The legitimate reason(s) for requesting or obtaining the information.

A record of requests for access from and disclosures to the following individuals is not required:

- a. Parents and eligible students.
- b. School officials who have a legitimate educational purpose.
- c. Parties seeking directory information.

8. Process for Amending Student Records

A parent or eligible student shall have the right to challenge, in writing, the content of a document contained in the student's record on the grounds that the information is inaccurate, misleading, or otherwise in violation of the student's privacy rights. Except as modified in section 10 below, challenges shall be processed as follows:

A. The parent or eligible student shall make a request for amendment in writing to the Superintendent or designee. The request shall identify the information in the student's record that is claimed to be inaccurate, misleading, or in violation of the student's privacy rights; the basis for the request, and the proposed change to the record. This request shall become a part of the student's official record.

B. The Superintendent or designee shall examine all written requests for amendment to student record items. He/she shall decide whether a challenged document should be removed, altered, or remain as it is. The Superintendent or designee shall provide a written decision, to the parent or student within 15 school days after the parent/student request is received.

If the Superintendent or designee determines that the record is inaccurate, misleading, or in violation of the student's privacy rights, he or she shall amend the record accordingly and inform the challenger of the amendment in writing. If the Superintendent or designee determines that the record is not inaccurate, misleading, or in violation of the student's privacy rights, he or she shall inform the parent or student, in writing, of the right to appeal the Superintendent/designee's decision through the procedure set forth below and the right to place a statement in the student's record commenting on the contested information and/or stating his disagreement with the decision not to remove or amend the challenged item. If such a statement is submitted, it shall be maintained with the challenged item in the student's record and released with the challenged item whenever it is released.

C. The parent or student may appeal the Superintendent/designee's decision in writing to the Board. The appeal must be made within five (5) school days following receipt of the Superintendent/designee's written response in Step I. The hearing shall be held within ten (10) school days following the written appeal or as soon as possible thereafter. Both the parent/student and the school may be represented by an attorney. Both sides shall have an opportunity to present evidence relevant to the issue of whether the contested information is inaccurate, misleading, or in violation of the student's right to privacy.

The Board shall issue a written decision summarizing the evidence and

providing the reason(s) for its decision. If the Board determines that the record is inaccurate, misleading, or in violation of the student's privacy rights, the school shall amend the record accordingly and inform the challenger of the amendment in writing. If the Board determines that the record is not inaccurate, misleading, or in violation of the student's privacy rights, the school shall inform the parent or student, in writing, of the right to place a statement in the student's record commenting on the contested information and/or stating disagreement with the decision not to remove or amend the challenged item. If such a statement is submitted, it shall be maintained with the challenged item in the student's record and released with the challenged item whenever it is released. The Board shall endeavor to provide its written decision within thirty (30) calendar days.

9. Availability of Policy to Parents

A copy of this policy shall be made available to a parent or eligible student upon request.

10. Special Education Records

Additional rights of parents and eligible students concerning a student's special education records are explained in the Handbook on Parents' Rights and in the North Carolina Procedures Governing Programs and Services for Children with Disabilities.

11. School Health Records

School health records are an integral part in communicating student health concerns, legal evidence, research, education, quality assurance monitoring, statistics, accreditation/licensing, and reimbursement. These records, whether in paper or electronic form must be kept confidential, secure, accessible only by authorized staff, and protected from loss or destruction in accordance with current state and federal regulations.

LEGAL REF: Family Education Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, 34 C.F.R. Part 99, 10 U.S.C. § 503, 32 C.F.R. Part 83, G.S. 115C-47 (26), G.S. 115C-114, G.S. 115C-402, G.S. 115C-403, and G.S. 174.13.

ADOPTED:

AMENDED: 9/8/2008

AMENDED:

COLLECTION, DISCLOSURE AND USE OF STUDENT INFORMATION

4120

1. No school employee or agent or contractor with the school system may collect, disclose, use, or provide to a third party personal information collected from students for the purpose of marketing or selling such information. In addition, third parties, including but not limited to non-school groups or individuals, may not collect, disclose, use or provide to a third party personal information collected from students for the purpose of marketing or selling such information.
2. Personal information means individually identifiable information including a student's or parent's first and last name; a home or other physical address; a telephone number; or a Social Security number.
3. Personal information from students may be collected, disclosed, or used for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:
 - a. college or other postsecondary education recruitment, or military recruitment.
 - b. book clubs, magazines, and programs providing access to low-cost literary products.
 - c. curriculum and instructional materials used by elementary and secondary schools.
 - d. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments.
 - e. the sale by students of products and services to raise funds for school- or education-related activities.
 - f. student recognition programs.

When information is collected from students for the above purposes, the requirements of federal law and the Maintenance, Review and Release of Student Records Policy shall be followed.

4. Notification regarding the rights of parents and guardians under this policy shall be placed in the student/parent handbook and distributed at the beginning of each school year. Notice will be provided to parents and guardians, within a reasonable period of time, regarding any revision made to this policy during the school year.
5. The rights provided to parents and guardians under this policy transfer to the

student when the student turns 18 years old or is an emancipated minor at any age.

The Superintendent may establish and enforce additional reasonable rules and regulations to implement this policy; such rules may include arrangements to protect student privacy in the event of the collection, disclosure or use of personal information of students.

LEGAL REF: 20 U.S.C. § 1232h; G.S. 115C-401.1

ADOPTED:

STUDENT DISCIPLINE

4200

Principals

The principal shall have authority to exercise discipline over the pupils of the school. The principal may suspend a student for 10 school days or less or recommend long-term suspension or expulsion of a student following the procedure outlined in the Due Process Policy.

A principal may choose to delegate to an individual or group the authority to make or review disciplinary decisions, but the final responsibility for making or recommending those decisions shall rest with the principal.

Teachers

According to G.S. 115C-307(a), teachers have a responsibility to maintain order and discipline. "It shall be the duty of all teachers, including student teachers, substitute teachers, voluntary teachers, and teacher assistants when given authority over some part of the school program by the principal or supervising teacher, to maintain good order and discipline in their respective schools."

A teacher may not suspend a student from school nor may he/she permanently remove a child from a classroom. A teacher should report serious misconduct to the principal or designee for appropriate disciplinary action.

Responsibility for supervising each student's conduct should be assumed by all teachers of the school. The responsibility shall include supervision of students in the classroom, halls, restrooms, gym, lunchroom, and auditorium, on the playground or at school-sponsored events.

School Staff Responsibility for Discipline

All staff members should assume their responsibility as adults to help maintain good order in the school. Consequences for student misconduct should ordinarily be left to certified employees. All school staff will follow permissible use of seclusion and restraint, as outlined in the NC General Statute 115C-391.1.

The Superintendent is authorized to establish regulations for student control and discipline as necessary to implement the Code of Student Conduct and promote good discipline.

LEGAL REF: G.S. 115C-307, -391

ADOPTED:

Amended: 10/5/09

CODE OF STUDENT CONDUCT

4210

Since an educated citizenry is essential to good government and can be attained only in an atmosphere conducive to teaching and learning, the Edenton-Chowan Board of Education requires the maintenance of good order in the schools.

All students shall comply with the Code of Student Conduct, state and federal laws, school Board policies, and local school rules governing student behavior and conduct. This policy applies to any student who is on educational property, including school bus stops, who is in attendance at any school or any school-sponsored activity, or whose conduct at any time or place, on or off campus, has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operations of the schools or the safety of individuals in the school environment. This policy also applies to regular school buses, school activity buses, other school vehicles, or any private vehicle located on property owned or managed by the Edenton-Chowan Board of Education.

The definitions of terms set forth in Policy 4220, Due Process, apply to this policy as well.

It should be understood that this policy is not intended to restrict in any way the authority of principals to make such rules, not inconsistent with this code, as they are authorized by law to make for the government and operation of their respective schools or with the authority of teachers to make such rules, not inconsistent with this code, as they are authorized by law to make for their respective classes. Principals, with the prior approval of the Superintendent, may, under extraordinary circumstances, including the age of the child, make exceptions to the level of punishment except when the punishment is required by law.

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

Violations of the Code of Student Conduct, other Board policies, regulations issued by the individual school, or the North Carolina General Statutes may result in disciplinary action including suspensions for ten (10) school days or less ("short-term"); suspensions for more than ten days ("long-term"); suspensions for 365 calendar days; and/or expulsion. A long-term suspension is any suspension of more than ten school days and up to the remainder of the school year, except that if the conduct leading to the long-term suspension occurs during the final quarter of the school year, the suspension may extend up to the first semester of the following school year. Students also may be assigned to an alternative program approved by the Board of Education for disciplinary reasons, consistent with Board Policy and guidelines developed by the Superintendent.

Principals and other school officials are authorized to involve law enforcement in serious violations in any category and are **required** to involve law enforcement in cases of certain alleged criminal acts as set forth in G.S. 115C-288(g). In such cases, school officials shall

cooperate fully with the law enforcement agency. Internal disciplinary proceedings shall take place independently from the criminal investigation and prosecution.

In addition to the rules contained in this Code, students shall be informed of local school rules that, if violated, may result in suspension or expulsion. Parents and students shall receive a copy of the Code of Student Conduct when a child is first enrolled in the Edenton-Chowan Schools and at the beginning of each school year.

Policies listed in the Code of Student Conduct may be categorized by severity as a Level 1, 2, 3 or 4 offense. The Code contains presumptive ranges of disciplinary consequences based on the severity of each offense. However, in imposing or recommending disciplinary consequences principals may consider the presence of aggravating and mitigating factors which may justify a disciplinary consequence outside of the recommended range. Examples of aggravating or mitigating circumstances that may be considered include but are not limited to:

- The student's age;
- The student's intent;
- The student's disciplinary history, including number of infractions and prior discipline for the same violation;
- The student's academic history;
- Whether the conduct caused a threat to safety;
- Whether school property or personal property was damaged;
- Whether the conduct caused a substantial disruption of the educational environment;
- Whether a weapon was involved and whether any injury resulted.

Suspensions of greater than ten days are reserved for serious misconduct which either threatens the safety of others within the school or threatens to substantially disrupt the educational environment.

Rules of Conduct

Level One Violations - The following conduct is prohibited as outlined below:

1. **Gambling** - Participation in any unauthorized event, action, or statement which relies on chances for the monetary advantage of one participant at the expense of others.
2. **Verbal Abuse or Disrespect** - Participation in serious or persistent verbal action that prevents an orderly and peaceful learning environment. Cursing; using vulgar, obscene, or abusive language, including slurs or insults intended to mock a person's race, religion, sex, national origin, disability or intellectual ability; or using sexually offensive or degrading language are specifically prohibited.
3. **Peer Relations** - Engaging in behavior which is immoral, indecent, overly affectionate, or of a sexual nature while in the school setting.

4. **Integrity** - Engaging in or attempting to engage in cheating, plagiarism, falsification, violation of software copyright laws, or violation of computer access. Students are subject to disciplinary action as outlined in this policy and/or academic penalty.
5. **Disruption** - Using passive resistance, noise, threat, fear, intimidation, coercion, force, violence, or any other form of conduct that causes the disruption of any lawful function, mission, or process of the school, or urging any other student to engage in such conduct.
6. **Threat / False Threat** - Making any threat through written or verbal language, sign, electronic means, or act which conveys a serious expression of intent to cause harm or violence. Furthermore, no student shall make a false threat of harm or violence, even in jest, which causes or is reasonably likely to cause fear or a disruption to school activities. See Level II for violations involving threats of serious bodily harm.
7. **Hazing** - Subjecting a fellow 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, or other similar group.
8. **Intimidation** - Extorting or attempting to extort money, personal property, or personal services.
9. **Protests** - Engaging in any protest, march, picket, sit-in, or similar activity, either on or off any school campus, which has as its purpose the disruption of any lawful function, mission, or process of the school or which in fact creates such a disturbance.
10. **Boycotts** - Participating in any boycott or walk-out of any lawful school function at which attendance is required.
11. **Disruptive or Obscene Literature and Illustrations** - Possessing or distributing literature or illustrations in any form that are obscene or that significantly disrupt the educational process.
12. **Aggressive Behavior** - Hitting, shoving, scratching, biting, blocking the passage of, or throwing objects at another person. Taking any action or making comments or writing messages which might reasonably be expected to result in a fight. See Level II for violations involving physical injury to another student.
13. **Theft** - Stealing, attempting to steal, or knowingly being in possession of stolen property.
14. **Damage to Property** - Intentionally damaging or attempting to damage or deface school or private property while under school jurisdiction. This level applies to damage or vandalism not exceeding \$1,000, including cost of replacement, repair or restoration of property.
15. **Tobacco Products** - Using or possessing any tobacco product at any time on any school-owned or managed property or at any school-sponsored activity.

16. **Trespassing** - Being on the campus of any school except the one to which the student is assigned during the school day without the knowledge and consent of the officials of that school. Students who loiter at any school after the close of the school day without special need or proper supervision are trespassers and may be prosecuted if they fail to leave when instructed to do so. A student who has been suspended or expelled from school is trespassing if he or she appears on the property of any Edenton-Chowan Public School or at any school-sponsored activity during the suspension or expulsion period without the express permission of the principal.
17. **Conduct on the School Bus** - Failing to follow the directives of the school bus driver and the rules and regulations of school bus safety as well as the rules of this policy while at a school bus stop, or in the school bus parking lot, or while riding on a school bus or other school vehicle. Violation of these rules may result in temporary or permanent suspension from the privilege of school transportation services as well as from school.
18. **Skipping School** - Leaving school grounds or being in an unauthorized area of the school during the instructional day without prior approval from a site administrator.
19. **Failure to Comply with Lawful Directive** - Failing to follow a directive after being personally notified by any school employee.

Penalty - Except as otherwise noted, violation of any of the **Level One** offenses may result in in-school disciplinary action or short-term suspension from the Edenton-Chowan Public Schools. Any short-term suspension for truancy or tardiness shall not exceed two school days.

Level Two Violations - The following conduct is prohibited as outlined below:

1. **Fireworks or Ammunition** - Possessing, distributing, igniting or using any fireworks or ammunition on school premises, or in any vehicles on school premises.
2. **Fighting/Assault on Another Student** - Assaulting or attacking, or causing or attempting to cause physical injury to another student or intentionally behaving in such a manner that could reasonably cause physical injury to any student.
3. **Fire Alarms** - Setting off, attempting to set off, or aiding and abetting anyone in giving a false fire alarm. It shall also be prohibited to interfere with or damage any part of a fire alarm, fire detection, smoke detection, or fire extinguishing system.
4. **Threats of Serious Bodily Harm** - Threats of death or serious bodily injury communicated toward any student, school employee, or school volunteer by verbal, electronic, written or other means.

5. **Damage to Property and Vandalism** - Intentionally damaging or vandalizing or attempting to damage or vandalize, or deface school property or private property, while located on any properties owned by the Edenton-Chowan Board of Education. This level applies to damages or vandalism exceeding \$1,000, including costs of replacement, repair, or restoration of property.
6. **Sexual Acts** - Engaging in any consensual sexual act while on school property or at a school-sponsored activity or event.
7. **Sexual Harassment or Harassment (Non-physical)** - Engaging, verbally or through other non-physical means, in sexual harassment or other harassment as defined in the Sexual Harassment and Harassment policies.
8. **Harassment or Bullying** – engaging in conduct prohibited by Board Policy 4400, Prohibition Against Discrimination, Harassment and Bullying.

Penalty – Level II violations are more serious in nature and result in a presumed short-term suspension. Principals may recommend a long-term suspension based on the presence of aggravating factors.

Level Three Violations - The following conduct is prohibited as outlined below:

1. **Assault on a School Employee.** No student may cause or attempt to cause physical injury to any school personnel.
2. **Possession or Use of Weapons other than Firearms** - Possessing, handling, transferring, or bringing on to school property any items including, but not limited to, knife, razor, BB gun, stungun, air rifle, air pistol, bowie knife, dirk, dagger, sling shot, leaded cane, switchblade knife (a knife containing a blade that opens automatically by the release of a spring or a similar contrivance), blackjack, metallic knuckles, razors and razor blades (except solely for personal shaving), and any sharp-pointed or edged instrument, brass knuckles or facsimile or other item that could be considered a weapon or dangerous instrument. Using in a threatening or dangerous manner any weapon or other object that can reasonably be considered a weapon or a facsimile of a weapon. This policy does not apply to instructional supplies, unaltered nail files and clips, or tools used solely for preparation of food, instruction, or maintenance, unless such items are used as a weapon.
3. **Arson** - Burning or attempting to burn any school building or property. Possessing incendiary material, (i.e., gasoline, kerosene, or other flammable liquid), for the purpose of burning or the attempted burning of school property.
4. **Sexual Harassment or Harassment (Physical) or Sexual Assault** - Engaging in physical sexual harassment or harassment as defined in the Sexual Harassment and Harassment Policies or offensively touching another person's private parts, including

buttocks or breasts, or forcing or attempting to force another to engage in a sexual act against their will.

5. **Drugs or Alcohol** - Knowingly possessing, using, distributing, selling, possessing with intent to distribute or sell, or conspiring or attempting to distribute or sell, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid, other controlled substance, any alcoholic beverage, malt beverage, fortified wine, other intoxicating liquor, drug paraphernalia, counterfeit drugs, or possessing or using any other chemicals or products with the intention of bringing about a state of exhilaration, euphoria, or of otherwise altering the student's mood or behavior.
6. **Bomb Threat or Hoax** -
 - (a) Communicating by any means to any person or group of persons, a report, knowing or having reason to know the report is false, that there is located on educational property or at a school-sponsored curricular or extracurricular activity off educational property any device designed to destroy or damage property by explosion, blasting, or burning; or
 - (b) With intent to perpetrate a hoax, concealing, placing, or displaying a device, machine, instrument, or artifact on educational property or at a school-sponsored curricular or extracurricular activity off educational property, so as to cause any person reasonably to believe the same to be a bomb or other device capable of causing injury to persons or property.
7. **Terrorist Threat or Hoax** -
 - (a) Communicating by any means to any person or group of persons, a report, knowing or having reason to know the report is false, that there is located on educational property or at a school-sponsored curricular or extracurricular activity off educational property any device, substance or material designed to cause harmful or life-threatening illness or injury to another person;
 - (b) With intent to perpetrate a hoax, concealing, placing, or displaying a device, machine, instrument, artifact, letter, package, material or substance on educational property or at a school-sponsored curricular or extracurricular activity off educational property, so as to cause any person reasonably to believe the same to be a substance or material capable of causing harmful or life-threatening illness or injury to another person.
 - (c) Threatening to commit on educational property or at a school-sponsored curricular or extracurricular activity off educational property an act of terror that is likely to cause serious injury or death, when that threat is intended to cause a significant disruption to the instructional day or a school-sponsored activity, or causes such a disruption.
 - (d) Making a report, knowing or having reason to know the report is false, that there is about to occur or is occurring on educational property or at a school-sponsored curricular or extracurricular activity off educational property, an act of terror that is likely to cause serious injury or death, when that report is intended to cause a significant disruption to the instructional day or a school-sponsored activity, or causes such a disruption.
 - (e) Conspiring to make a terrorist threat or hoax within the meaning of this policy.

Penalty - Level III rule violations are more severe in nature and support long-term suspension. The principal may impose a short-term suspension based on mitigating factors.

When a first violation of item (5) does not involve the distribution, sale, possession with intent to distribute or sell, or conspiracy or attempt to distribute or sell a substance prohibited by this policy, an alternative to long-term suspension shall be offered. This alternative shall be offered only one time to students during their school career unless an exception is made by the Superintendent. The alternative shall consist of a 10 school day suspension and shall also require participation in an approved corrective education and/or counseling program. The program shall be determined by the Superintendent and agreed to in writing by the parent and/or guardian, student, and school principal. Parents/guardians and students shall be provided information by school authorities concerning approved alternative programs. Failure to meet any requirements of the alternative program reactivates the long-term suspension.

Level Four Violations - The following conduct is prohibited by the Board and by state law as outlined below:

Firearms or Destructive Devices –

No student shall bring onto school property or possess a firearm or destructive device. A firearm is any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, or any firearm muffler or firearm silencer. The definition of firearm under this rule does not include an inoperable antique firearm, a BB gun, stun gun, air rifle, or air pistol.

A destructive device is an explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge or more than one-quarter ounce, mine, or similar device.

A student shall not be found in violation of this policy if it is determined that the student took or received the firearm or destructive device from another person at school or found the firearm or destructive device at school, provided that the student delivered or reported the firearm or destructive device as soon as practicable to a law enforcement officer or a school employee and had no intent to use such firearm or destructive device in a harmful or threatening way.

Penalty - A **Level Four** violation shall result in a recommendation for suspension for **365 calendar days** from the Edenton-Chowan Public Schools in accordance with **G.S. 115C-390.10**.

The Superintendent may modify this suspension requirement on a case-by-case basis. Law enforcement will also be contacted for any Level IV violation.

LEGAL REF: G.S. 115C-390.1 – 390.12; 14-35

ADOPTED:

REVISED: August 1, 2011

DUE PROCESS

4220

It is the objective of the Edenton-Chowan Board of Education to maintain the orderly, efficient, and safe operation of the Edenton-Chowan School System while respecting the individual rights of students.

Students may be suspended from school or expelled only in accordance with state law and Board policy.

Definitions

1. Board - Edenton-Chowan Board of Education
2. Hearing Officer - the Superintendent's designee who conducts appeal hearings
3. Informal Hearing - the provision for direct communication between the principal and the student to assure the opportunity for a student to respond to any allegation giving rise to disciplinary action
4. Long-Term Suspension - removal from school for a period of more than ten (10) school days or, if the conduct giving rise to the suspension occurs in the last quarter of the school year, for a period up to the end of the first semester of the following school year.
5. Parent - natural parent, legal guardian, legal custodian, or other caregiver adult who is acting in the place of a parent and is entitled to enroll the student in school under state law.
6. Principal - school principal or any school professional to whom official authority has been delegated
7. Educational property – any school building or bus, bus stop, school campus, grounds, recreational area, athletic field, or other property under the control of the board.
8. Short-Term Suspension - removal from school for a period of up to and including ten (10) school days
9. Student - any person attending any of the Edenton-Chowan public schools
10. Summary Suspension - immediate removal from school to prevent further disruption and ensure safety at the school
11. Superintendent - the Superintendent of the Edenton-Chowan Public School System or the Superintendent's designee

Procedure

The principal shall investigate all instances of alleged misconduct, including violations of the General Statutes of the State of North Carolina occurring on school property and violations of the Code of Student Conduct or other Board policy.

The principal shall attempt, within reason, to hear every side of the controversy and to question witnesses identified by the student. Except in the case of a summary suspension as described below, no short-term suspension shall be imposed without first providing the student an opportunity for an informal hearing with the principal or principal's designee. An informal hearing consists of notice to the student of the charges, whether orally or in writing, and the opportunity for the student to respond to the charges.

A. Summary Suspension

If the principal witnesses or is made aware of any serious student misconduct and has reasonable grounds to believe that the presence of the student creates a direct and immediate threat to the safety of other students and staff, or substantially disrupts or interferes with the education of other students or the maintenance of discipline at the school, the student may be suspended immediately. In such cases, the principal is not required to conduct a full investigation before removing the student from campus. In all cases, however, the student is entitled to minimal due process, as described in section B for short-term suspensions, as soon as reasonably possible.

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

B. Short-Term Suspension

A short-term suspension is removal from school for a period up to and including ten (10) school days. The principal may invoke a short-term suspension only after investigating the misconduct and confronting the student with the allegations against the student and giving the student an informal hearing as described above.

When a student is issued a short-term suspension, the principal shall:

1. Provide notice to the student's parent of the suspension, including the reason for the suspension and a description of the conduct on which it is based. This notice may be given by telephone, fax, email, or other method reasonably designed to achieve actual notice, and should be given by the end of the workday during which the suspension is imposed, if reasonably possible, and in no event more than two days after the suspension is imposed. If the suspension notice is

provided verbally, a written notice shall follow by fax, mail or email. If English is the parent's second language and appropriate translation resources are readily available, the suspension notice should be provided in English and the parent's language.

2. Make every effort to hold a conference with the parents before or at the time the student returns to school.

Any student suspended short-term shall be provided:

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

A short-term suspension may not be appealed to the Superintendent or the Board of Education. Principals are authorized to develop in-school review processes for disciplinary consequences short of long-term suspension, if the principal so chooses and with the approval of the Superintendent.

C. Sending a Student Home During the School Day

When a student is suspended, a reasonable attempt shall be made to reach the student's parents to inform them of the school's action and request that they come to the school or make arrangements for the student to leave the school. If the parents are available to receive the student but unable to make arrangements to pick up the student, the school shall provide transportation. A suspended student may only be released to a parent or as authorized by the parent. If the parents are unreachable, then the student must remain on school property until the close of the school day, unless, in extreme circumstances, immediate removal of the student from school grounds is necessary to restore or maintain order or to protect school property or people on the school grounds.

D. Long-Term Suspension - Initiation of Notice and Proceeding

If the principal, following the investigation, determines that a long-term suspension is appropriate, a short-term suspension of ten (10) school days shall be invoked and a recommendation to invoke a long-term suspension shall be made, in writing, to the Superintendent.

The principal shall provide written notice of a recommendation for long-term suspension to the parent. The written notice should be provided to the parent by the end of the workday during which the suspension is recommended, but in no event later than the end of the following workday. The written notice shall be delivered by hand by a responsible adult, by certified mail,

by fax, by e-mail, or by any other written method reasonably designed to achieve actual notice of the recommendation. The notice must include:

- (1) A description of the incident and the student's conduct that led to the long-term suspension recommendation, including any aggravating or mitigating factors that were considered in determining the consequence.
- (2) A reference to the provisions of the Code of Student Conduct that the student is alleged to have violated.
- (3) The specific process by which the parent may request a hearing to contest the decision, as described in this policy.
- (4) The process by which a hearing will be held, as described in this policy.
- (5) Notice that the parent is permitted to retain an attorney to represent the student in the hearing process, or to have a single non-attorney advocate represent the student.
- (6) Notice that the parent has the right to review and obtain copies of the student's educational records before the hearing.
- (7) A reference to the board policy on the expungement of discipline records as required by G.S. 115C-402.

All notices of a recommendation for long-term suspension shall contain the following information translated into Spanish:

- (1) The nature of the document, i.e. that it is a long-term suspension notice;
- (2) The process by which the parent may request a hearing to contest the long-term suspension;
- (3) The identity and phone number of a school employee that the parent may call to obtain assistance in understanding the English language information included in the document.

If school personnel are aware that the parent's first language is not English and foreign language resources are readily available, ~~this~~ the full notice shall be provided in both English and the parent's primary language.

A copy of the written notice of suspension shall be forwarded to the Superintendent. If the student/parent does not request an appeal hearing, the Superintendent shall review the principal's recommendation and notify the parent in writing of his or her decision by the tenth day of suspension. The Superintendent's notice to the parent shall include written notice of whether the student will be offered alternative education services, in accordance with board policy and procedures; the information that will be included in the student's official record; and the procedure for seeking expungement of that information.

Comment [A12]: The statutes says "the dominant non-English language spoken in" your county. I have assumed that this is Spanish.

E. Formal Hearing

If a formal hearing is desired, the student or parent must notify the Superintendent in writing within three (3) school days following the notice of impending long-term suspension.

Upon receipt of the notice of appeal, the Superintendent or his designee shall appoint a three-member hearing panel ("hearing panel"), consisting of three (3) members of the school system's central office professional staff. One member of the hearing panel will also serve as the hearing officer.

The hearing shall be convened and conducted and a final decision made on or before the tenth day of suspension. If the hearing is scheduled outside of the first ten days of suspension at the request of the parent/student, or the request for a hearing is received after the expiration of the three day deadline, the student will not have the right to return to school pending the hearing

Prior to the hearing, the student, parent, and/or student's representative have the right to review the student's educational records and, consistent with federal and state student records privacy laws, any audio or video recording of the incident and any information supporting the suspension that may be presented as evidence at the hearing. This shall include witness statements, except that school officials need not disclose the names or other identifying information of witnesses if such identification could create a safety risk for the witness.

The following rules shall govern all formal hearings:

1. The hearing shall be conducted in private and may be attended by the principal, the student, the student's parent and if desired, the student's ~~and district's~~ legal representatives or single non-attorney advocate, the district's legal representative, the hearing panel and such other persons as the hearing officer deems necessary. Third-party witnesses may be called by either side and will only be present in the hearing during their testimony.
2. The hearing panel may consider the testimony of any witness, including hearsay evidence considered reliable by the hearing officer.
3. At the hearing, the principal or other representative of the school shall offer competent evidence concerning the student's violation of the Code of Student Conduct. The student or the student's representative may then present evidence, including documents and witnesses.
4. Both the principal or school representative and the student or his or her legal representative may question the witnesses presented by the other side. The

hearing officer has the power to limit questioning by any person if such questioning is repetitive, immaterial or irrelevant.

5. The hearing officer shall make provisions for an audio recording of the hearing and shall maintain a record of any evidence presented.

6. After the evidence has been presented and the hearing adjourned, the hearing panel shall proceed to reach a decision in private. The hearing officer may provide advice on policy or procedural issues. The panel will make a factual determination regarding the alleged violations of the Code of Conduct as well as a recommendation regarding the appropriate disciplinary consequence. The decision will be reached by simple majority and will be based solely on the evidence presented at the hearing. The hearing panel will forward its factual determination and recommendation to the Superintendent. The Superintendent will review the panel's findings and recommendation and make a final decision regarding the suspension. The Superintendent is bound by the panel's factual determinations unless they are not supported by substantial evidence in the record, but may make an independent determination of the appropriate disciplinary consequence. The Superintendent will send a written notice of the hearing panel's decision and the Superintendent's decision to the parent on or before the tenth day of suspension. The notice should explain the findings upon which the decision was based as well as any conditions associated with the decision. The Superintendent's notice to the parent shall include written notice of whether the student will be offered alternative education services, in accordance with board policy and procedures, the information that will be included in the student's official record, and the procedure for seeking expungement of that information.

F. Appeal to the Board of Education

Any student or parent who disputes the final decision of the hearing panel regarding a **long-term suspension** may appeal to the Board of Education. The appeal must be made, in writing, within five (5) school days of the mailing of the notice from the hearing officer.

The appeal shall be held before the Board of Education. The student shall have the right to be represented by counsel. The hearing shall be conducted in closed session, and the appeal shall be on the record unless the Board determines that additional information is necessary. The period of suspension decided by the hearing panel will not be postponed pending the appeal.

The Board hearing will be held and the Board's decision issued within thirty days of the request for a Board appeal. The Board's written decision will be sent to the parent, with a copy to the principal.

G. 365-Day Suspension for Firearms/Destructive Devices

The procedures for long-term suspension above shall apply in cases of 365-day suspension except: The hearing panel shall only decide whether the student committed the violation and not what form of discipline is appropriate. The Superintendent will review the panel's decision and may impose the 365-day suspension or modify it. The Superintendent's decision may be appealed to the Board as set forth above.

H. Alternative Education Services

Students who are long-term suspended shall be offered alternative education services unless the superintendent determines that a significant or important reason exists to deny entrance to the alternative program. Depending on the circumstances, the following may constitute significant or important reasons for denying entrance to the alternative program:

- The student exhibits violent behavior;
- The student poses a threat to staff or other students;
- The student substantially disrupts the learning process;
- The student otherwise engaged in serious misconduct that makes the provision of alternative educational services not feasible;
- Educationally appropriate alternative education services are not available for this student within the Edenton-Chowan School System due to limited resources;
- The student failed to comply with reasonable conditions for admittance into the alternative program.

If the superintendent determines that a significant or important reason exists for denying alternative program admittance to a long-term suspended student, the superintendent will notify the student's parent or guardian of this determination in writing along with the decision to uphold the recommendation for long-term. The decision to deny entrance to the alternative education program is appealable to the board of education utilizing the board-appeal procedure of the Student Parent Grievance Policy.

A student may be administratively reassigned to an alternative education program for disciplinary reasons as an alternative to long-term suspension, if the program is a full-time program that meets the academic requirements of the North Carolina Standard Course of Study and provides the student with the opportunity to make timely progress toward grade promotion and graduation. Such administrative reassignments may be recommended by the principal and must be approved by the Superintendent. The Superintendent may establish guidelines and procedures for entrance to and exit from alternative education programs.

I. Suspension of Children with Disabilities

The policies and procedures for the discipline of students with disabilities shall be consistent with federal laws and regulations. Any change in placement shall be made by the child's IEP team.

The procedures for the suspension of children with disabilities are addressed in *Procedures Governing Programs and Services for Children with Disabilities* which is available in the Exceptional Children's office.

J. Expulsions

Upon recommendation of the principal and Superintendent, the Board may expel a student who is fourteen years of age or older and whose behavior indicates that the student's continued presence in school constitutes a clear threat to the safety of other students or employees. Prior to imposing an expulsion, the Board shall conduct a hearing, and the Board's decision to expel such a student shall be based on clear and convincing evidence that the student's presence in school constitutes a clear threat to the safety of other students or employees. The Board may also consider the State Board of Education guidelines defining acts and conduct that are considered a clear threat to the safety of students or employees. Prior to ordering the expulsion of such a student, the Board shall consider whether there is an appropriate alternative program offered by the Board that may provide education services to the student.

The student shall be given reasonable notice of the recommendation for expulsion. Students recommended for expulsion may appeal the recommendation under the procedures specified in this policy for long-term suspension. If the student does not request a hearing under this policy, the Board shall still schedule a confidential hearing on the recommendation for expulsion, notify the student/parent of the date and time for the hearing, and review the evidence presented before reaching a decision on the recommendation for expulsion. The Board shall notify the student in writing of its decision and, if the expulsion is imposed, of the right to petition for readmission as set forth in this policy. The decision of the Board under this provision is final, subject only to judicial review in accordance with Article 4 of Chapter 150B of the General Statutes.

K. Petitions for Readmission

All students suspended for 365 days or expelled may, after 180 calendar days from the date of the beginning of the student's suspension or expulsion, request in writing readmission to the school system. A decision on readmission shall be issued within 30 days of the written request. If a student is readmitted under this policy, the Board and the Superintendent have the right to assign the student to any program within the school system and to place reasonable conditions on the readmission.

- (1) Process for 365-day suspended students:
 - (a) The student/parent must make their request in writing to the Superintendent's office.

(b) The Superintendent or designee shall consider and decide on requests for readmission. The Superintendent will determine whether the student's presence no longer constitutes a threat to the safety of other students or staff.

(c) The Superintendent or designee shall offer the student an opportunity for an in-person meeting prior to making a determination. The student/parent shall be given written notice of the Superintendent's decision, the right to appeal to the Board, and the appeal process.

(d) The Superintendent's decision not to readmit the student may be appealed to the board of education pursuant to G.S. 115C-45(c). The superintendent shall notify the parents of the right to appeal.

(2) Process for expelled students:

(a) The student/parent must make the request in writing to the Superintendent's office.

(b) The Superintendent shall review the request and make a recommendation to the Board. The Board shall consider all petitions for readmission of expelled students, together with the recommendation of the superintendent on the matter, and shall rule on the request for readmission. The board shall consider the petition based on the records submitted by the student and the response by the administration and shall allow the parties to be heard by a hearing panel of the Board. The Board will determine, based on the information submitted, whether the student's presence in school no longer constitutes a clear threat to the safety of other students or staff.

(c) The student/parent will be given written notice of the Board's final decision.

(d) An expelled student may subsequently request readmission not more often than every six months. The Board is not required to consider any subsequent readmission request filed sooner than six months after the previous request was filed.

If a petition for readmission is granted, the board or superintendent may assign the student to any program within the school system, and may place reasonable conditions on the student's readmission. No student will be returned to the classroom of a teacher whom he/she assaulted, unless the teacher consents.

LEGAL REF: G.S. 115C-112, G.S. 115C-288(e), G.S. 115C-307, G.S.115C-390, and G.S. 115C-391

ADOPTED:

REVISED: August 1, 2011

CORPORAL PUNISHMENT

4230

No principal, teacher, substitute teacher, voluntary teacher, teacher assistant, student teacher, or staff member may use corporal punishment to discipline a student. Corporal punishment is any kind of punishment inflicted on the body, including, but not limited to, spanking, paddling, or slapping.

Notwithstanding the policy prohibiting the use of corporal punishment as a means of discipline, school personnel may use reasonable force to control behavior or to remove a person from the scene in these situations when necessary:

- § To quell a disturbance threatening injury to others;
- § To obtain possession of weapons or other dangerous objects on the person or within the control of a student;
- § For self defense;
- § For the protection of persons or property; or
- § To restrain or correct pupils or otherwise maintain order.

| LEGAL REF: G.S. 115C-288(e) ~~391(a)~~390.3
ADOPTED:

SEARCH AND SEIZURE

4240

To maintain order and discipline in the schools and to protect the safety and welfare of students and school personnel, school authorities may search a student, student lockers or student motor vehicles under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search.

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

A student’s failure to permit searches and seizures as provided in this policy will be considered grounds for disciplinary action.

Personal Searches

A student’s person and/or personal effects (e.g., purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion that the student is in possession of illegal or unauthorized materials.

If a pat-down search of a student’s person is conducted, it will be conducted in private by a school official of the same sex and with an adult witness of the same sex present.

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

The parent or guardian shall be notified of the search and any items impounded.

Locker Searches

Student lockers are school property and remain at all times under control of the school. Students are expected to assume full responsibility for the security of their lockers. However, periodic general inspections of lockers may be conducted by school authorities for any reason, at any time without notice, without student consent, and without a search warrant.

Motor Vehicle Searches

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school authority has reasonable suspicion that illegal or unauthorized

materials are contained inside. Exterior patrols and inspections, including canine searches, may be conducted without notice, without student consent, and without a search warrant.

Use of Metal Detectors

A. School officials or law enforcement officers may conduct metal detector checks of groups of individuals if the checks are done in a minimally-intrusive, nondiscriminatory manner (e.g., on all students in a randomly selected class; on every third individual entering an athletic event). Metal detector checks of groups of individuals may not be used to single out a particular individual or category of individuals.

B. If a school official or a law enforcement officer has reasonable suspicion to believe that a particular student is in possession of an illegal or unauthorized metal-containing object or weapon, he or she may conduct a metal detector check of the student's person and personal effects.

Canine Searches

School officials are authorized to use trained dogs with established reliability and accuracy for detecting the presence of contraband materials. Each dog must be supervised by an authorized and qualified trainer who shall be responsible for the dog's actions. An indication by the dog that contraband is present on school property or in a vehicle parked on school property shall be a reasonable basis for a further search by school officials. A dog may not be used to search students.

Seizure of Illegal Materials

If a properly conducted search yields illegal or contraband materials, such property shall be turned over to proper legal authorities for ultimate disposition.

School Computers

School computers and any data they contain remain under control of the school and are subject to inspection at any time.

LEGAL REF: G.S. 115C-36; U.S. Const. Amend. IV.

ADOPTED:

DISPOSAL OF CONFISCATED WEAPONS, DRUGS OR ALCOHOL

4250

Any school employee who confiscates a weapon, drugs, or alcohol from a student shall promptly deliver the item to the school principal, or secure the item in a safe manner and immediately notify the principal. The principal shall maintain and dispose of the material in the following manner:

Weapons

Any firearm confiscated from a student shall be delivered to law enforcement within twenty-four (24) hours of its receipt. Any firearm facsimile, other than an obvious toy (e.g., a plastic water pistol), or any other weapon as defined in the Code of Student Conduct shall be delivered to law enforcement within thirty (30) days of its receipt. If a facsimile firearm or other weapon other than a firearm is needed as evidence in a school disciplinary hearing, it shall be delivered to law enforcement within thirty (30) days after the final disciplinary hearing.

Drugs

Any controlled substance or counterfeit drugs confiscated from a student shall be delivered to law enforcement within twenty-four (24) hours of receipt. If the drugs are needed as evidence in a school disciplinary hearing, the principal shall request that law enforcement officials hold the evidence until needed. If drugs are discovered on school grounds but the owner is unknown, the drugs shall be promptly disposed of as recommended by law enforcement.

Alcohol

Any alcohol confiscated from a student shall be destroyed as soon as it is no longer needed as evidence in any school disciplinary hearing.

Maintenance of Confiscated Items

While storing any of the items described above, the principal shall keep them in a secure location, not immediately accessible to any student or staff member.

LEGAL REF: G.S. § 115C-288(g)

ADOPTED:

INVESTIGATIONS AND ARRESTS BY LAW ENFORCEMENT

4260

If law enforcement officers need to come to a school for official business, they first should contact the school administration. Contact between the school and law enforcement on matters involving students shall be made through the office of the principal or Superintendent.

Law enforcement officers should interview students away from the school regarding non-school related matters.

When law enforcement officers must interview or arrest a student at school, all attempts should be made to avoid embarrassing the student before teachers and peers and to avoid disrupting the educational program of the student and the school.

If law enforcement officers have a warrant for the student's arrest, they must be permitted to arrest the student; however, whenever possible, the arrest should be conducted in the principal's office out of the view of other students.

Law enforcement officers normally should remain in the administration office while school personnel seek out the student unless immediate intervention by the officer is necessary to prevent injury, a serious crime, or flight of the student.

If possible, law enforcement officer questioning should not cause a student to miss class time.

Any questioning by law enforcement officers should be conducted in a private room or area where confidentiality can be maintained. This should be an area removed from observation by or contact with other students and school personnel.

Before law enforcement officers may question a student, a reasonable attempt shall be made to notify the parent/guardian, except in cases of suspected child abuse or child neglect involving the parent/guardian. The parent/guardian should be given the opportunity to come to the school prior to questioning.

No student shall be released from school without the parent's consent unless a warrant for arrest is presented by a properly authorized law enforcement officer or unless the officer represents that no warrant is needed under the circumstances.

LEGAL REF: G.S. 115C-36; 115C-40

ADOPTED:

STUDENT SEX OFFENDERS

4262

The board is committed to the safety of students, employees and other persons on school property. In order to create and maintain a safe school environment and comply with G.S. 14-208.18, the board establishes the following policy provisions.

A. STUDENT SEX OFFENDER ON SCHOOL PROPERTY

A student who is enrolled in the school system and is a registered sex offender subject to policy 5022, Registered Sex Offenders, is expressly forbidden (1) to knowingly be present on any property owned or operated by the school system, including school buildings, athletic fields, playgrounds, parking lots, buses or other property, and (2) to attend school-sponsored or school-related activities, except to the extent the student is permitted to be on school property to receive educational services.

A student subject to policy 5022, Registered Sex Offenders, who is receiving educational services on school grounds must comply with the requirement that he or she be supervised by school personnel at all times.

B. EDUCATIONAL SERVICES FOR STUDENT SEX OFFENDERS

1. If permitted by the board, a student who is subject to Section A of this policy and is eligible to attend public school under G.S. 115C-378 (compulsory attendance) may be present on school property subject to any conditions and restrictions imposed by the board.
2. The board will hold a hearing to determine whether to expel the student or provide the student with educational services. The decision to expel the student will be based on the standard established by G.S. 115C-~~391(d)(2)~~390.11
3. Prior to expelling a student pursuant to G.S. 115C-~~391(d)(2)~~390.11, the board will consider whether there is an alternative program offered by the school system that may provide educational services to the student.
4. If the board of education determines that a student will be provided educational services on school property, the student must be under the supervision of school personnel at all times.
5. If a student subject to this policy violates the conditions and restrictions placed upon the student by the board, school administrators and the board will follow established student discipline procedures and impose an appropriate disciplinary measure, up to and including expulsion.
6. If a student subject to this policy is a child with disabilities, he or she will be provided educational services in compliance with federal and state law.

Legal References: Americans With Disabilities Act, 42 U.S.C. 12132, 28 C.F.R. Part 35;
Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. Part 300;
Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 14-208.18, -25A;
115C, art. 9; 115C-378, ~~391~~[390.11](#)

Adopted: 12/1/2008

Revised:

REGISTERED SEX OFFENDERS – REGULATIONS

4262-R

Sex Offender and Public Protection Registry: All principals are required to register with the Sex Offender and Public Protection Registry to receive email notifications when a registered sex offender moves into the area. It is highly recommended that the principal's administrative assistant registers as well. Attached are directions that will allow for notification whenever a registered sex offender moves into Chowan County.

Enforcement and Notification:

- All school personnel must immediately report to a school administrator the presence or suspected presence of a known or suspected sex offender on school property or school event.
- Principals shall report to the superintendent when they reasonably believe a sex offender (student, parent/guardian, or non-parent) is or has been on school property or school event.
- The superintendent shall check with law enforcement or the school attorney to determine if the sex offender identified by the principal is covered by the Jessica Lunsford Act. The Act does not apply to everyone on the Registry and the determination can only be made by checking the criminal record of each individual.
- Principals shall provide direct notification of the law and Edenton-Chowan Schools Policy 5022 – Registered Sex Offenders to any covered parent/guardian sex offender.

Exceptions to Being on School Property:

- Students: Refer to Policy 4262 – Student Sex Offenders
- Voters: If schools are used as a voting site, refer to Policy 5022 – Registered Sex Offenders, Section D.2.
- Parents/Guardians: An individual who is covered by the Act and is the parent or guardian of a student may be on school property only under limited exceptions and in accordance with Policy 5022 – Registered Sex Offenders, Section D.3.a-d.

Contractual Personnel: To ensure compliance with this policy, each contract must include the following provision that requires the contracted party to conduct an annual check to affirm all employees who may be sent to school property are not registered sex offenders. Any person subject to Policy 5022 may not be sent onto school property for any reason. Employees of Edenton-Chowan Schools already have a criminal history background check as required by law.

“All employers of personnel must conduct an annual check of the State Sex Offender and Public Protection Program and the State Sexually Violent Predator Registration Program on all employees who may be sent to perform tasks on or deliver products to school property. In addition, an annual check of the National Sex Offender Register must be conducted on all contracted employees who may have direct contact with children. As a term of this contract, said annual checks must be performed by the employer and reported to the Superintendent. The Edenton-Chowan Board of Education and the North Carolina General Statutes prohibit any personnel listed on such Registries from being on school property or from having direct interaction with students.”

REFERRAL OF DISRUPTIVE STUDENTS

4270

If, after a teacher has requested assistance from the principal two or more times because of a student's disruptive behavior, the teacher finds that the student's disruptive behavior continues to interfere with the academic achievement of that student or other students in the class, then the teacher may refer the matter to a school committee designated by the principal. The teacher may request that additional classroom teachers participate in the committee's proceedings.

The committee shall notify the student's parent/guardian or legal custodian and shall encourage that person's participation in the deliberations of the committee.

The committee shall review the matter and shall take one or more of the following actions:

- A. advise the teacher on managing the student's behavior more effectively;
- B. recommend to the principal the transfer of the student to another class within the school;
- C. recommend to the principal a multidisciplinary diagnosis and evaluation of the student;
- D. recommend to the principal that the student be assigned to an alternative learning program; or
- E. recommend to the principal that the student receive any additional services that the school or the school unit has the resources to provide for the student.

The principal may accept or reject the committee's recommendation. If the principal rejects the committee's recommendation, the principal shall provide a written explanation to the committee, the teacher who referred the matter, and the Superintendent of any actions taken to resolve the matter and of the reason the principal rejected the committee's recommendation.

LEGAL REF: G.S. § 115C-397.1

ADOPTED:

The board assures the safe administration of medications in school for those students who require them. This policy applies to both prescription and non-prescription medications.

Medications may not be administered to a student during school hours or by school personnel unless the health of the student would be adversely affected without the medication. If a student is required to take medication during school hours, and the parent/guardian cannot be at school to administer the medication, school personnel may administer the medication upon the completion of a Request For Administration of Medication form by the parent and the physician with approval by school principal or his/her designee.

Under no circumstances will any member of the school staff give unauthorized medication to any student. The administration of medication in an emergency situation must be approved by the ~~school nurse or trained first responder~~. Neither the Edenton-Chowan Schools, nor any of its employees, are responsible for the improper self-administration of prescription or non-prescription medications at school. Self-medication for asthma, diabetes, anaphylaxis may be prescribed for students; however, proper documentation on the medication authorization form including the physician and parental/guardian consent that students can self-medicate, shall be filed in the principal's/designee office.

Self-Administration of Medication by Students with Asthma or Students Subject to Anaphylactic Reaction

~~At all grades, students may self-medicate with prescription medicine or with over the counter medicine only with written permission from the student's parent or legal guardian and physician on the "Authorization for Medication" form provided by the school. Permission for students to possess and self-administer medication must be obtained each school year. The physician's statement on the Authorization for Medication form shall include:~~

- ~~1. Confirmation that the student understands, and has been instructed in self-administration of the medication, and has demonstrated the skill level necessary to use the medication and any device necessary to administer the medication.~~
- ~~2. If the student has asthma or an allergy that could result in an anaphylactic reaction, or both, a written statement verifying the nature of the diagnosis and a written treatment plan and written emergency protocol for managing the student's asthma or anaphylaxis episodes.~~
- ~~3. A statement provided by the school and signed by the student's parent or guardian acknowledging that the local school administrative unit and its employees and agents are not liable for an injury arising from a student's possession and self-administration of medication.~~

~~In the case of self-administered asthma medication, and other self-administered medications as appropriate, the student must demonstrate to the school nurse or the nurse's designee the skill~~

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level necessary to use the asthma medication and any device that is necessary to administer the medication.

In cases where students self-administer medication during the school day, the Board of Education will assume no liability.

The principal or his designee will be responsible to ensure that the policy is followed.

NCGS 115C-307

LEGAL REF: G.S. 115C-307, -375.2

ISSUED:

AMENDED: 9/8/2008

AMENDED: 7/12/2010

AMENDED:

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STUDENTS WITH SPECIAL HEALTH CARE NEEDS

4305

Consistent with State Board of Education Policy, the Edenton-Chowan Schools will make available a registered nurse for assessment, care planning, and ongoing evaluation of students with special health care service needs in the school setting. The school nurse shall determine the level of personnel (licensed or unlicensed) needed to perform the care at school and with the school administrator(s) will identify appropriate persons to provide care. The school nurse shall delegate health care tasks and procedures according to his/her professional judgment in compliance with the North Carolina Nursing Practice Act.

| LEGAL REF: [16 NCAC 06D .0402](#)
ADOPTED:

STUDENTS WITH SPECIAL HEALTH CARE NEEDS – PROCEDURES

4305-R

1. Students with special health care needs, including those who are technology dependent shall be referred to the school nurse. Parents, teachers, and administrators are responsible for notifying the school nurse and, when appropriate, the 504 coordinator when students with special health care needs enroll in school. At this time the school nurse shall obtain information to determine health needs that may occur at school.
2. The school nurse, as the school staff member with the knowledge and expertise in health care management at school, shall develop a plan of care. This plan of care will describe the care that is needed to safely care for the student at school and will be based upon consultation with the student's medical care provider(s), parents/guardians, IEP/504 team, and the student when applicable.
3. The school nurse will be responsible for teaching and monitoring procedures performed and for evaluating the student's response to care. The nurse will develop a system of documentation validating training, performance and ongoing supervision of designated personnel. *Designated* school personnel shall keep a daily log documenting care given and student's response to care.
4. Students shall be instructed in self care when appropriate to do so.
5. School personnel shall be made aware of the existence of health problems for purposes of emergency care as well as for daily programming. Inservice training shall be provided to teachers and other school personnel as necessary to instruct them in types of emergency care that might be needed (e.g., what to do during a seizure, what to do during an asthma attack, how to recognize signs of insulin shock or diabetic coma, or how to move students to and from wheelchairs). Underlying this involvement of the regular education personnel shall be an understanding of their informed choice to participate and related release from liability offered by school law.
6. The school shall follow the physicians' written requests for adaptive health care or limited activities for students.
7. The school nurse shall assist in coordinating services by acting as a liaison with the health care provider, students, family, and school.

ADOPTED:

REVISED:

COMMUNICABLE DISEASES OR CONDITIONS-STUDENTS

4310

It is the goal of the Edenton-Chowan Board of Education to provide a safe and secure environment for all students and employees. In an effort to maintain a balance between the need to educate all eligible students, to protect the rights of students and employees, and to control the spread of serious communicable diseases or conditions, decisions regarding the educational status of affected students shall be made on a case-by-case basis in accordance with this policy.

This policy shall be shared with school staff annually and with new employees as part of any initial orientation.

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.

1. In order to prevent the spread of communicable diseases and conditions, universal health and safety precautions, which include regulations regarding the cleanup of all bodily fluids, shall be distributed by the administration and shall be followed by all school system employees.
2. The Edenton-Chowan Public Schools shall include health, hygiene, and safety education in its curriculum. The curriculum shall include age-appropriate information concerning safe health practices that will inhibit and prevent the spread of communicable diseases and conditions.
3. In accordance with North Carolina General Statute section 130A-136, school principals shall report suspected cases of reportable communicable diseases or conditions to the Chowan County Health Director ~~for investigation~~. Such reports shall remain strictly confidential and may be shared only with other staff members as necessary to prepare and file such a report. All staff members who are made aware of any such reports shall keep the information strictly confidential. Without identifying the student who is suspected of having the disease or condition, principals shall report suspected cases of communicable diseases or conditions to the Superintendent.

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

4. If an employee is aware that a student suffers from a reportable communicable disease or condition, or reasonably believes that a student is suffering from a reportable communicable disease or condition and he or she also reasonably believes that the student is engaging in behavior that creates a risk of transmission of the

communicable disease or condition, the employee shall report this conduct to his or her principal or supervisor or the health director. Supervisory personnel shall report such unsafe conduct to the health director.

5. The health director is responsible for determining which school personnel shall be informed of the identity of a student who is suffering from a communicable disease or condition. 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 records.

Any documents relating 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 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.

6. The health director is further responsible for determining when the school community must be notified of the outbreak of a contagious disease. The school system shall cooperate with the health director in making such notification.

7. Parents should be encouraged to inform the school principal and their child's teacher when their child is suffering from a communicable disease. This will allow school personnel to better provide for the child's needs. All employees who are informed or become aware that a child has a communicable disease or condition shall respect and maintain that student's right of privacy and the confidentiality of his or her records.

8. Children with AIDS and HIV infection shall be permitted to attend school without special restrictions except in accordance with [10A NCAC 41A.0202](#) ~~15A NCAC 19A.0202(3)~~ and this policy.

It is the responsibility of the Chowan County Health Director to notify the Superintendent if a child infected with the HIV virus is enrolled or scheduled for admission into the school system and there may be a serious risk of transmission by that child.

Within three days of being notified by the health director that a child with AIDS or HIV infection may pose a serious risk for transmission, the Superintendent, in consultation with the health director, shall appoint an interdisciplinary committee.

The committee shall include appropriate school system personnel, appropriate medical personnel (including the child's personal physician when possible), the health director or designee, and the child's parent or guardian and may include legal counsel to the Board. The Superintendent shall inform the Board whenever a

committee has been formed and shall advise the Board of the professional composition of the committee, but shall not reveal any information that would identify the affected student.

The purpose of the interdisciplinary committee is to consult with the health director or designee regarding the investigation and determination of the risk of transmission and to advise the Superintendent regarding the placement of the student. If, after consultation with the committee, the health director concludes that there is a significant risk of transmission in the student's current placement, the committee shall determine if an appropriate adjustment can be made to the student's school program to eliminate this risk. If that is not possible, an alternative educational program which incorporates protective measures required by the health director shall be designed by appropriate school personnel.

The committee shall reevaluate the student's condition and placement at least quarterly. The student's placement shall continue until the health director determines that the child's status has changed, whereupon the committee shall determine the appropriate educational placement for the student.

If the committee determines that the student has limited strength, vitality, or alertness which may be adversely affecting the student's educational performance, it shall make a referral of the student for possible identification and placement as a student with special needs.

All deliberations of the interdisciplinary committee shall be kept strictly confidential.

9. A student may be removed from a school setting if he or she suffers from a communicable disease or condition and such placement jeopardizes his or her health or such placement creates a significant risk that he/she will transmit the disease and such risk cannot be controlled in the school setting. Students who are removed from the school setting as a result of such circumstances shall be provided an alternative instructional program.

10. Nothing in this policy is intended to grant students any school attendance or education rights beyond those existing by law.

LEGAL REF: G.S. ch. 130A, Article 6; G. S. 115C-81(e1), -323; ~~10A NCAC Chpt. 41; 45A NCAC 19A.0100 et seq.~~; Americans With Disabilities Act, 42 U.S.C. § 1681 et seq.

ADOPTED:

REVISED:

HEAD LICE

4320

Any student identified with live lice will be excluded from school to prevent the spread of lice to other students or staff. The student may be readmitted to school after proper treatment is effectively completed and upon re-screening by the nurse or designee and found to be free of all live lice. Through it not necessary for a child to be “nit free”, if nits are still found on hair and treatment has been validated, the student may return to school. The parent/guardian will be advised to continue to comb hair to try to remove remaining nits.

When greater than 20-30% of a classroom has been identified with head lice, the principal and school nurse will consult regarding any further actions such as parental communication for that particular classroom. Mass school mailings are not necessary in the management of head lice.

LEGAL REF: G.S. 115C-36

AMENDED: 6/7/2010

FIRST AID

4330

The principal shall determine, at the start of each school year, the persons to be designated, on a voluntary basis, to provide emergency first aid treatment to students and staff who receive an injury during the school day.

The designation by the principal, of persons who will provide emergency type services, shall take place only when the employee agrees to the assignment and successfully completes the appropriate training.

LEGAL REF: G.S. § 115C-307

ADOPTED:

AMENDED: 6/7/2010

PHYSICAL EXAMINATIONS/SCREENINGS

4340

A parent or guardian of a student or an eligible student (any student 18 years of age or older or an emancipated minor) shall be directly notified, by U.S. mail or email, at least annually, at the beginning of the school year, of the specific or approximate dates during the school year of the administration of any non-emergency invasive physical examination or screening that the school may administer to a student. Parents or guardians will have the opportunity to request that their child be excluded from the administration of any invasive physical examination or screening that is required as a condition of attendance, 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 other students.

The following physical examinations or screenings are not covered by this policy: (1) examinations or screenings permitted or required by State law, including screenings permitted without parental notification; (2) examinations or screenings administered to students in accordance with the Individuals with Disabilities Education Act; and (3) hearing, vision, or scoliosis screenings.

“Invasive physical examination” means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

Notification of the rights of parents and guardians under this policy shall be placed in the student/parent handbook and distributed at the beginning of each school year. Notice will be provided to parents and guardians, within a reasonable period of time, regarding any revision made to this policy during the school year.

The rights provided to parents and guardians under this policy transfer to the student when the student turns 18 years old or is an emancipated minor at any age.

The Superintendent may develop administrative regulations to implement this policy.

LEGAL REF: 20 U.S.C. § 1232h

ADOPTED:

STUDENT ACCIDENT INSURANCE

4350

A student accident insurance program shall be made available annually to all students on a volunteer basis. The premium will be assumed by the respective parent/guardian.

Every student participant in a student activity which requires accident insurance shall be required to:

- A. Furnish proof of membership in the student accident insurance program; or
- B. Furnish proof that comparable coverage is carried in another insurance policy.

Student activities requiring student accident insurance coverage or comparable coverage are:

- A. Activities groups making overnight trips or excursions.
- B. Shooting teams and other teams not recognized by the North Carolina High School Athletic Association.

The Board of Education pays the premium for a basic accident insurance policy for students participating in the following activities:

- A. Interscholastic athletic teams including cheerleaders (middle school and high school)
- B. High School Band
- C. Students involved in non-paid internships

The principal has the authority to require student accident insurance coverage or comparable coverage for any activity that constitutes an accident risk similar to those activities listed in this policy.

LEGAL REF: G.S. 115C-36, -40, -47

ADOPTED:

REPORTING CHILD ABUSE

4360

Any school employee who has reasonable cause to suspect that a student under 18 years of age is being abused or neglected by his or her parents or other persons responsible for his or her care shall report the case to the Director of Social Services for Chowan County and to the school principal.

All employees of Edenton-Chowan Schools will extend their full and complete cooperation to personnel from the Chowan County Department of Social Services and to any state and local law enforcement officers who may be called upon by the Director of Social Services to assist in the investigation and evaluation of any report of abuse or neglect.

LEGAL REF: G.S. 7B-301, 115C-400

ADOPTED:

CHILD ABUSE AND NEGLECT REGULATIONS

4360-R

The Edenton-Chowan Board of Education directs all employees who have reasonable cause to suspect the abuse or neglect of any child under eighteen years of age, to report the information to the ~~Director-Department~~ of Social Services in compliance with provisions of the Child Abuse Reporting Law.

I. Orientation

Principals and/or designee will provide an orientation session at the beginning of each school year for their staff and faculty members regarding the provisions of the Child Abuse Reporting Law including:

- A. Definitions of abuse and neglect
- B. Responsibilities for reporting abuse and neglect
- C. Reporting procedures
- D. Provisions for confidentiality and immunity

II. Reporting

The law permits reports of abuse and/or neglect to be made orally, by telephone, or in writing by all school employees directly to the Department of Social Services ~~and/or to the school contact person.~~

- A. School personnel shall be apprised of the capability of local Departments of Social Services to receive reports of suspected child abuse or neglect on a 24-hour-a-day, 7-day-a-week basis, and of where and to whom a report should be made during regular office hours, or during nights, holidays or weekends.
- B. The principal is the designated contact person to receive reports of suspected child abuse or neglect from its staff members and to act as liaison with the local Department of Social Services. The principal shall also designate a staff person at the building level in the event of the principal's absence when a report is made. If an employee has cause to suspect abuse or neglect and the principal or contact person is not available or declines to make the report, the employee should contact DSS directly.
- C. Any report of suspected child abuse or neglect received by the principal or his designee shall be transmitted immediately to the local Department of Social Services. The obligation of the contact person to transmit the report is mandatory. Also, local school personnel are not authorized to conduct an investigation of the situation.
- D. If a school staff member believes that a delay resulting from these procedures would be detrimental to the child, the report of suspected child abuse or neglect shall be made directly to the Department of Social Services. The staff member should inform the contact person as soon as possible.

- E. Any report of suspected child abuse or neglect made to the local Department of Social Services should contain information as is known including the name and address of the child; the name and address of the child's parents, guardian, or caretaker; the age of the child; the present whereabouts of the child if not at the home address; the nature and extent of any injury or condition resulting from abuse or neglect; and any other information which might be helpful in establishing the need for protective services, investigation or court intervention.
- F. If for any reason the local Department of Social Services receiving the report determines that the reported circumstances do not fall within their statutory authority to investigate, the person making the initial report should be notified of the reason and of suggestions for further contact to register any concerns by the contact person.

III. Investigation

- ~~A.~~ ~~When a report of suspected child abuse or neglect is received by the Department of Social Services, it must initiate an investigation within 24 hours for abuse or 72 hours for neglect, unless the situation dictates more immediate action.~~
- ~~B.~~ ~~Upon initiating the investigation, the child protective services worker assigned to the case should assess the situation to determine the necessity of involving, or further involving, school personnel.~~
- ~~C.~~ ~~Interviewing the child at his school is necessary at times; however, it is not standard procedure in every investigation.~~
- ~~D.~~ ~~If the protective services worker determines that a situation merits a visit to school, the worker should notify the school's principal to arrange a mutually convenient time that is least disruptive to classes.~~
- EA. School personnel shall fully cooperate with the local child protective services worker in the investigation of any report of suspected child abuse or neglect. Such cooperation should include, but not be limited to, the following:
 1. furnishing the worker with all information which could establish child abuse or neglect;
 2. permitting the worker to interview school staff members familiar with the child or the report;
 3. allowing the Child Protective Services worker to interview the child without the prior consent of the child's parent(s) or guardian. The interview with the child should be private, without the presence of school personnel, unless otherwise determined by the child protective services worker;
 4. allowing the worker to photograph any evidence of abuse or neglect of the child such as marks, bruises, etc.;
 5. allowing the worker to remove the child from the school for protective custody, if the worker determines that the child is at immediate or imminent risk. A removal of the child should usually be accomplished pursuant to a court order, unless the urgency of the situation

Comment [A13]: I don't recommend listing the responsibilities of DSS, as we don't have any control over how they conduct their investigation.

necessitates removal of the child under the provision of emergency custody.

IV. Follow-Up

Unless a juvenile petition is filed within five working days after the receipt of the report of suspected child abuse or neglect from school personnel, the Director of Social Services shall give written notice to the person who made the report that there is no finding of abuse or neglect, or of the action taken or to be taken by the Department of Social Services to protect the child's welfare. Such notice shall include notification that, if the person who made the report is not satisfied with the decision of the Director of Social Services, he may request a review of the decision by the District Attorney within five working days of its receipt. When such notice is provided to a school's principal, he/she, in turn, should assure notice to the appropriate school staff member.

Comment [A14]: Same issue – if you want to keep these sections, I recommend running them by your local DSS contact to make sure they accurately reflect their process.

V. Confidentiality

- A. A child's protective services record maintained by the Department of Social Services, including the identity of the person who made the report of suspected child abuse or neglect, is confidential and may only be examined by court order except that the child or his attorney may have the right to examine it. This however, does not preclude the necessary sharing of information among authorized law enforcement, mental health, or other agencies.
- B. Both the local Department of Social Services and the local school should take precautions in accordance with applicable law and their own regulations to insure the confidentiality of all information disclosed, discovered, or maintained as a result of the investigation.

ADOPTED:
REVISED:

PREGNANT STUDENTS

4370

The Board assumes responsibility for providing continuing educational opportunities for the pregnant or parenting student. The following reasonable safeguards shall be exercised.

Upon notification that a student is pregnant, the school shall assess the need for changes in the student's program on an individual basis. The identification of any special educational needs of a pregnant student shall be made in accordance with the North Carolina Department of Public Instruction's *Procedures Governing Programs and Services for Children With Disabilities*.

Any decision to modify the student's program shall be made only after consultation with the student, parent or guardian, and medical consultant, as appropriate.

A pregnant or parenting student cannot be denied access to any educational program or extra curricular activity ~~where reasonable modifications can be made to accommodate her pregnancy~~ because they are pregnant or parenting. Schools should take reasonably available steps to encourage pregnant and parenting students to remain enrolled and graduate, including:

- 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.
- 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.

The school ~~shall~~ may make referrals for services to community agencies in situations judged to be beneficial to the students.

Any service available to a student who is temporarily disabled for any medical and/or physical reason shall not be denied to a pregnant student.

LEGAL REF: Title IX of the Education Amendments of 1972; G.S. 115C-109, -375.5; 16 N.C.A.C. 6H. 0107

ADOPTED:

REVISED:

AUTOMATED EXTERNAL DEFIBRILLATORS

4380

Edenton Chowan Schools is committed to the health and safety of its students, faculty, staff, and visitors. For this reason, automated External Defibrillators (AED's) have been installed in a central safe location in each school. During normal school hours, the AED can be accessed and used by trained school personnel on a victim that exhibits symptoms of sudden cardiac arrest.

The AED procedure will describe detailed specific instructions as to the required AED training, medical oversight, event response, post event process, maintenance, and quality assurance. The AED procedure will be reviewed annually and updated as necessary to reflect scientific evidenced based best practices in emergency cardiac care.

ADOPTED: 6/7/2010

USE OF SERVICE ANIMALS

The Board of Education adheres to the Americans with Disabilities Act and state laws permitting the use of service animals by individuals with disabilities. The use of service animals by students, employees, volunteers, and visitors on all school property will be governed by this policy.

DEFINITION OF SERVICE ANIMAL

A service animal is any dog animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by the service animal must be directly related to the handler's disability, including, but not limited to, guiding an individual who is blind or has impaired vision, alerting an individual who is deaf or has impaired hearing of the presence of people or sounds, providing physical support and assistance with balance and mobility, alerting and protecting an individual with a seizure disorder, alerting individuals to the presence of allergens, helping an individual with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors, pulling a wheelchair, retrieving objects, or performing other special tasks.

An animal whose sole function is to provide emotional support, comfort, therapy, companionship, therapeutic benefits, or to promote general emotional well-being is not a service animal. To be considered a service animal, the animal must be trained to perform tasks directly related to the individual's disability. Unless the animal is specially trained to perform an activity that qualifies as work or a task in response to the needs of a disabled student, employee, volunteer, or visitor, the animal is a pet or support animal and does not qualify as a service animal.

Unless readily apparent, school personnel are authorized to ask a disabled individual accompanied by a service animal (1) whether the animal is required because of a disability and (2) what work or task the animal has been trained to perform. School personnel will use the responses to these questions to determine if an animal is in fact a service animal that should be properly permitted access to school property.

Service animals are limited to dogs. Other species of animals, whether wild or domestic, will not be considered service animals.¹

REQUIREMENTS FOR USE OF SERVICE ANIMALS BY INDIVIDUALS WITH DISABILITIES

Service animals will be permitted on school property or at school-sponsored events to the extent consistent with federal and state law.

¹ In very limited circumstances, accommodations may be made for miniature horses that otherwise meet the requirements of this policy.

A service animal must wear a harness, leash, or tether at all times when used on school property, unless either the handler is unable because of a disability to use a harness, leash, or tether, or the use of a harness, leash, or tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means). The animal's handler must be capable of providing proper handling and maintaining control of the service animal at all times.

The regular use of a service animal by students or employees may be subject to a plan which introduces the service animal to the school environment, includes any appropriate training for staff and students regarding interaction with the service animal, and provides for other conditions deemed necessary by school personnel.

School personnel will deny a service animal access to school property, or immediately remove a service animal from school property, if:

- (1) the animal is not housebroken;
- (2) the animal is out of control;
- (3) the animal poses a direct threat to the health or safety of others; or
- (4) the animal becomes aggressive, behaves in a dangerous manner, causes injury or property damage, or substantially disrupts the educational process or school activity.

If the service animal is removed from school property, the disabled individual will be given the opportunity to participate in the school event or educational activity without the service animal's assistance.

If a student or school employee has an allergic reaction or other severe health concern because of the presence of a service animal, the animal must be immediately removed from the classroom/workspace of the affected individual and, if necessary, removed from school premises until the situation is resolved. Legitimate health concerns of other students or school employees will be addressed through reasonable modifications of school system policies, practices, and procedures to accommodate both the legitimate health concern and the use of the service animal. If the school system knows in advance that an individual is likely to have an allergic or other adverse reaction or health concern in the presence of a service animal, school personnel will take appropriate and reasonable measures to address the situation to accommodate both the legitimate health concern and use of a service animal. This may include reassignment of the student or employee with the service animal to another classroom or other appropriate measures.

The school system is not responsible for the care or supervision of a service animal. All costs related to the handling and care of the service animal are the responsibility of the individual or parent/guardian of the student who uses the service animal.

REQUESTS FOR USE OF SERVICE ANIMALS BY INDIVIDUALS WITH DISABILITIES

The Board appreciates and strongly encourages individuals who intend to use a service animal on school property to meet the school system's requested guidelines on providing advanced notice

and taking other steps to assure the effective introduction of the service animal into the school environment. While school personnel cannot deny access of a service animal due to an individual's failure to provide advanced notice or to meet the other guidelines set forth in this section, a disabled student, a disabled student's parent or guardian, or a disabled employee, volunteer, or visitor should notify school personnel of the intended use of a service animal on school property at least three (3) weeks prior to the use of the service animal whenever possible. Such prior notification should identify and describe the need for the service animal in the school setting, the manner in which the service animal will meet the individual's particular need(s), documentation that the service animal is properly trained and licensed, certification by a veterinarian that the service animal has received all required vaccinations and has been treated for fleas and ticks, documentation that the handler for the service animal is properly trained, and proof of adequate liability insurance.

LIABILITY

The individual using the service animal is wholly liable for any damage to school property or personal property and for any injuries caused by the service animal. The individual using the service animal will hold the Board harmless and indemnify the school system from any such damages.

ADOPTED:

LEGAL REF: Americans with Disabilities Act, 42 U.S.C. 12131; 28 C.F.R. Part 35; N.C. Gen. Stat. 168-4.2.

PROHIBITION AGAINST DISCRIMINATION, HARASSMENT AND BULLYING

The board acknowledges the dignity and worth of all students and employees and strives to create a safe, orderly, caring and inviting school environment to facilitate student learning and achievement. The board will not tolerate any form of unlawful discrimination, harassment or bullying in any of its educational or employment activities.

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 student code of 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 system's Code of Student Conduct (Policy 4210). 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 2100, 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

This policy prohibits unlawful discrimination, harassment and bullying by students, employees, volunteers, and visitors. "Visitors" includes persons, agencies, vendors, contractors and organizations doing business with or performing services for the school system.

This policy applies to behavior that takes place:

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

C. DEFINITIONS

For purposes of this policy, the following definitions 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.

"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.

It is possible for harassment, including sexual or gender-based harassment, to occur in various situations. For example, harassment 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, 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. REPORTING AND INVESTIGATING COMPLAINTS OF DISCRIMINATION, HARASSMENT OR BULLYING

Employees are required to report any actual or suspected violations of this policy. Students, parents, volunteers, visitors or others are also strongly encouraged to report any actual or suspected incidents of discrimination, harassment or bullying. All reports should be made in accordance with policy 4410/5130, Discrimination, Harassment and Bullying Complaint Procedure, and reported to one of the school officials identified in that policy. Reports may be made anonymously, and all reports shall be investigated in accordance with that policy.

E. TRAINING AND PROGRAMS

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

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

F. NOTICE

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

G. COORDINATORS

The superintendent or designee shall publish the names, office addresses and phone numbers of the "Title IX coordinator" (for sex discrimination) and the "Section 504" and "ADA coordinator(s)" (for discrimination on the basis of disability) in a manner intended to ensure that students, employees, applicants, parents and other individuals who participate in the school system's programs are aware of the coordinators. The coordinators shall coordinate the school system's efforts to comply with and carry out its Title IX, Section 504 and ADA responsibilities, which include investigating any complaints communicated to school officials alleging noncompliance with Title IX, Section 504 or the ADA or alleging actions which would be prohibited by those laws.

H. RECORDS AND REPORTING

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

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

I. EVALUATION

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

Legal References: Age Discrimination in Employment Act of 1967, 29 U.S.C. 621 *et seq.*; Americans With Disabilities Act, 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 35; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d *et seq.*, 34 C.F.R. pt. 100; Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e *et seq.*, 29 C.F.R. pt. 1604; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 *et seq.*, 34 C.F.R. pt. 106; *Racial Incidents and Harassment Against Students at Educational Institutions; Investigative Guidance*, U.S. Department of Education, Office for Civil Rights (1994); *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties*, U.S. Department of Education, Office for Civil Rights (2001); *Oncale v. Sundowner Offshore Services*, 523 U.S. 75 (1998); G.S. 115C-335.5, -407.9 through -407.12; 126-16; State Board of Education Policy HRS-A-007

Adopted:

AMENDED: January 11, 2010

DISCRIMINATION, HARASSMENT AND BULLYING COMPLAINT PROCEDURE

4410/5130

The board takes seriously all complaints of unlawful discrimination, harassment and bullying. The process provided in this policy is designed for those individuals who believe that they may have been discriminated against, bullied or harassed in violation of policy 4400/5125, Prohibition Against Discrimination, Harassment and Bullying. Individuals who have witnessed or have reliable information that another person has been subject to unlawful discrimination, harassment or bullying also should report such violations to one of the school system officials listed in subsection C.1. of this policy. Reports may be made anonymously.

A. DEFINITIONS

1. Alleged Perpetrator

The alleged perpetrator is the individual alleged to have discriminated against, harassed or bullied the complainant.

2. Complaint

A complaint is an oral or written notification made by a person who believes he or she is the victim of unlawful discrimination, harassment or bullying.

3. Complainant

The complainant is the individual complaining of being discriminated against, harassed or bullied.

4. Days

Days are the working days, exclusive of Saturdays, Sundays, vacation days or holidays, as set forth in the school calendar. In counting days, the first day will be the first full working day following receipt of the complaint. When a complaint is submitted on or after May 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.

5. Investigative Report

The investigative report is a written account of the findings of the investigation conducted in response to a complaint.

6. Investigator

The investigator is the school official responsible for investigating and responding to the complaint.

7. Report

A report is an oral or written notification that an individual, other than the reporter, is a suspected perpetrator or victim of unlawful discrimination, harassment or bullying.

B. REPORTING BY EMPLOYEES OR OTHER THIRD PARTIES

1. Mandatory Reporting by School Employees

Any employee who witnessed or who has reliable information or reason to believe that an individual may have been discriminated against, harassed or bullied in violation of policy 4400/5125 must report the offense immediately to an appropriate individual designated in subsection C.1., below. An employee who does not promptly report possible discrimination, harassment or bullying shall be subject to disciplinary action.

2. Reporting by Other Third Parties

All members of the school community including students, parents, volunteers and visitors are also strongly encouraged to report any act that may constitute an incident of discrimination, harassment or bullying.

3. Anonymous Reporting

Reports of discrimination, harassment or bullying may be made anonymously but formal disciplinary action may not be taken solely on the basis of an anonymous report.

4. Investigation of Reports

Reports of discrimination, harassment or bullying shall be investigated sufficiently to determine whether further action under this policy or otherwise is necessary, and school officials shall take such action as appropriate under the circumstances. At the option of the alleged victim, the report may be treated as a complaint by the alleged victim under this policy.

C. COMPLAINTS BROUGHT BY ALLEGED VICTIMS OF DISCRIMINATION, HARASSMENT OR BULLYING

1. Filing a Complaint

Any individual, who believes that he or she has been discriminated against, harassed or bullied is strongly encouraged to file a complaint orally or in writing to any of the following individuals:

- a. the principal or assistant principal of the school at which either the alleged perpetrator or alleged victim attends or is employed;
- b. an immediate supervisor if the individual making the complaint is an employee;
- c. the director of human resources if the alleged perpetrator or alleged victim is an employee of the school system (or the superintendent if the director of human resources is the alleged perpetrator);
- d. the Title IX coordinator for claims of sex discrimination or sexual harassment; or
- e. the Section 504 coordinator or the ADA coordinator for claims of discrimination on the basis of a disability.

2. Time Period for Filing a Complaint

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

3. Informal Resolution

The board acknowledges that many complaints may be addressed informally through such methods as conferences or mediation, and the board encourages the use of such procedures to the extent possible. If an informal process is used, the principal or other designated personnel must (1) notify the complainant that he or she has the option to request formal procedures at any time and (2) make a copy of this policy and other relevant policies available to the complainant. In those circumstances in which informal procedures fail or are inappropriate or in which the complainant requests formal procedures, the complaints will be investigated promptly, impartially and thoroughly according to the procedures outlined in the remainder of this policy.

D. PROCESS FOR ADDRESSING COMPLAINTS OF ALLEGED INCIDENTS OF DISCRIMINATION, HARASSMENT OR BULLYING

1. Initiating the Investigation

- a. Whoever receives a complaint of discrimination, harassment or bullying pursuant to subsection C.1. shall immediately notify the appropriate investigator who shall respond to the complaint and investigate. The investigator of a complaint is determined as follows:
 - i. If the alleged incident occurred under the jurisdiction of the principal, the investigator is the principal or designee, unless the alleged perpetrator is the principal, the director of human resources, the superintendent or a member of the board. If the alleged perpetrator is any other employee, the principal or designee shall conduct the investigation in consultation with the director of human resources or designee.
 - ii. If the alleged perpetrator is the principal, the director of human resources or designee is the investigator.
 - iii. If the alleged incident occurred outside of the jurisdiction of a principal (for example, at the central office), the director of human resources or designee is the investigator unless the alleged perpetrator is the director of human resources, the superintendent or a member of the board.
 - iv. If the alleged perpetrator is the director for human resources, the superintendent or designee is the investigator.
 - v. If the alleged perpetrator is the superintendent, the board attorney is the investigator. (In such cases, whoever receives a complaint of discrimination, harassment or bullying shall immediately notify the director of human resources who shall immediately notify the board chair. The board chair shall direct the board attorney to respond to the complaint and investigate.)
 - vi. If the alleged perpetrator is a member of the board, the board attorney is the investigator. (In such cases, whoever receives a complaint of discrimination, harassment or bullying shall immediately notify the superintendent who shall direct the board attorney to respond to the complaint and investigate. Unless the board chair is the alleged perpetrator, the superintendent shall also notify the board chair of the complaint.)
- b. As applicable, the investigator shall immediately notify the Title IX, Section 504 or ADA coordinator of the complaint, and, as appropriate, may designate the coordinator to conduct the investigation.
- c. The investigator shall explain the process of the investigation to the complainant and inquire as to whether the complainant would like to

suggest a course of corrective action.

- d. Written documentation of all reports and complaints, as well as the school system's response, must be maintained in accordance with policy 4400/5125.
- e. Failure to investigate and/or address claims of discrimination, harassment or bullying shall result in disciplinary action.

2. Conducting the Investigation

- a. The investigator is responsible for determining whether the alleged act(s) constitutes a violation of policy 4400/5125. In so doing, the investigator shall impartially, promptly and thoroughly investigate the complaint. The investigator shall interview (1) the complainant; (2) the alleged perpetrator(s); and (3) any other individuals, including other possible victims, who may have relevant information.
- b. Information may be shared only with individuals who need the information in order to investigate and address the complaint appropriately. Any requests by the complainant for confidentiality shall be evaluated within the context of the legal responsibilities of the school system. Any complaints withdrawn to protect confidentiality must be recorded in accordance with policy 4400/5125.
- c. The investigator shall review the factual information gathered through the investigation to determine whether the alleged conduct constitutes discrimination, harassment or bullying, giving consideration to all factual information, the context in which the alleged incidents occurred, the age and maturity of the complainant and alleged perpetrator(s), and any other relevant circumstances.

3. Investigative Report

- a. The investigator shall submit a written investigative report to the superintendent and, as applicable, to the Title IX, Section 504 or ADA coordinator.
- b. The investigator shall notify the complainant of the results of the investigation within 15 days of receiving the complaint, unless additional time is necessary to conduct an impartial, thorough investigation. The investigator shall specify whether the complaint was substantiated and, if so, shall also specify:
 - i. reasonable, timely, age-appropriate, corrective action intended to end the discrimination, harassment or bullying and prevent it from

recurring;

- ii. as needed, reasonable steps to address the effects of the discrimination, harassment or bullying on the complainant; and
 - iii. as needed, reasonable steps to protect the complainant from retaliation as a result of communicating the complaint.
- c. Information regarding specific disciplinary action imposed on the alleged perpetrator(s) will not be given to the complainant unless the information relates directly to the complainant (e.g., an order requiring the perpetrator not to have contact with the complainant).
 - d. If the investigator determines that the complaint was substantiated, the perpetrator(s) shall be subject to discipline or other corrective steps, as described in policy 4400/5125. If the corrective steps involve actions outside the scope of the investigator's authority, the superintendent will be notified so that responsibility for taking the corrective steps may be delegated to the appropriate individual.
 - e. Each alleged perpetrator will be provided with a written summary of the results of the investigation in regard to whether the complaint was substantiated, whether the alleged perpetrator violated relevant law or board policies by his or her actions, and what, if any, disciplinary actions or consequences will be imposed upon the perpetrator in accordance with board policy. The perpetrator may appeal any disciplinary action or consequence in accordance with board policy and law. However, an appeal by the perpetrator of disciplinary action does not preclude school officials from taking appropriate action to address the discrimination, harassment or bullying.

4. Appeal of Investigative Report

- a. If the complainant is dissatisfied with the investigative report, he or she may appeal the decision to the superintendent (unless the alleged perpetrator is the director for human resources or the superintendent, in which cases the complainant may appeal directly to the board in accordance with the procedure described in subsection E.4.b below). The appeal must be submitted in writing within five days of receiving the investigative report. 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 shall provide a written response within 10 days after receiving the appeal, unless further investigation is needed.
- b. If the complainant is dissatisfied with the superintendent's response, he or

she may appeal the decision to the board within five days of receiving the superintendent's response. The board will review the documents, direct that further investigation be conducted if necessary and take any other steps that the board determines to be appropriate in order to respond to the complaint. Upon request of the complainant, the board will hold a hearing and will provide a written response within 30 days after receiving the appeal, unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

E. TIMELINESS OF PROCESS

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

If any school official charged with investigating the complaint or reviewing the investigation fails at any step in the process to communicate a decision within the specified time limit, the complainant will be entitled to appeal the complaint to the next step unless the official has notified the complainant of the delay and the reason for the delay, such as the complexity of the investigation, review or report. The school official shall make reasonable efforts to keep the complainant apprised of progress being made during any period of delay. Delays that interfere with the exercise of any legal rights are not permitted.

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

F. GENERAL REQUIREMENTS

1. No reprisals or retaliation of any kind will be taken by the board or by an employee of the school system against the complainant or other individual on account of his or her filing a complaint or report or participating in an investigation of a complaint or report filed and decided pursuant to this policy, unless the person knew or had reason to believe that the complaint or report was false or knowingly provided false information.
2. All meetings and hearings conducted pursuant to this policy will be private.
3. The board and school system officials will consider requests to hear complaints from a group, but the board and officials have the discretion to hear and respond to complainants individually.
4. The complainant may be represented by an advocate, such as an attorney, at any meeting with school system officials.

5. Should, in the judgment of the superintendent or designee, the investigation or processing of a complaint require that an employee be absent from regular work assignments, such absences shall be excused without loss of pay or benefits. This shall not prevent the superintendent or designee from suspending the alleged perpetrator without pay during the course of the investigation.

G. RECORDS

Records will be maintained as required by policy 4400/5125.

Legal References: Age Discrimination in Employment Act of 1967, 29 U.S.C. 621 *et seq.*; Americans With Disabilities Act, 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 35; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d *et seq.*, 34 C.F.R. pt. 100; Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e *et seq.*, 29 C.F.R. pt. 1604; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 *et seq.*, 34 C.F.R. pt. 106; *Racial Incidents and Harassment Against Students at Educational Institutions: Investigative Guidance*, U.S. Department of Education, Office for Civil Rights (1994); *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties*, U.S. Department of Education, Office for Civil Rights (2001); *Gebser v. Lago Vista Independent School District*, 524 U.S. 274, (1998); *Davis v. Monroe County Board of Education*, 526 U.S. 629 (1999); G.S. 115C-407.10; State Board of Education Policy HRS-A-007

Cross References: Prohibition Against Discrimination, Harassment and Bullying (policy 4400/5125), Student and Parent Grievance Procedure (policy 1740/4010), Hearings Before the Board (policy 2500), Assaults, Threats and Harassment (policy 4331)

Adopted:

Amended: January 11, 2010

STUDENT DRESS AND APPEARANCE

4420

Students are expected to adhere to standards of dress and appearance that are compatible with an effective learning environment. Presenting a bodily appearance or wearing clothing which is disruptive, provocative, revealing, profane, vulgar, offensive or obscene, or which endangers the health or safety of the student or others is prohibited. Examples of prohibited dress or appearance include, but are not limited to exposed undergarments; sagging pants; excessively short or tight garments; bare midriff shirts; strapless shirts; attire with messages or illustrations that are lewd, indecent or vulgar or that advertise any product or service not permitted by law to minors; head covering of any kind; see-through clothing; attire that exposes cleavage; any adornment such as chains or spikes that reasonably could be perceived as or used as a weapon; and any symbols, styles or attire frequently associated with intimidation, violence or violent groups.

Principals shall exercise appropriate discretion in implementing this policy, including making reasonable accommodations on the basis of students' religious beliefs or medical conditions. Individual schools are free to specify additional examples of dress or appearance that are prohibited at that school under the terms of this policy.

If a student's dress or appearance is such that it constitutes a threat to the health or safety of others, distracts the attention of other students or staff from their work, or otherwise violates this dress code, the principal or principal's designee may require the student to change his or her dress or appearance. A second or repeated violation of this policy may result in disciplinary action.

LEGAL REF:

ADOPTED:

STUDENT ACTIVITIES AND ATHLETICS

4440

Student activities shall be considered an integral part of the school instructional program and shall be conducted in accordance with policies of the Board of Education and the regulations of the Superintendent.

Each student organization must be authorized by the school principal.

Each student organization must have a faculty sponsor who is approved by the principal.

Organized student groups may include a student council, or may be subject area-oriented, athletic, service, honor, or an extension of a school-sponsored program.

Secret organizations shall not be permitted.

Clubs or organizations established and sponsored by outside agencies or groups shall not be considered school clubs and shall not function on school grounds or during the school day unless authorized by the principal.

LEGAL REF: G.S. 115C-47

STUDENT-INITIATED, NONCURRICULUM-RELATED STUDENT GROUPS 4450

Student-initiated, noncurriculum-related student groups shall be permitted to conduct volunteer meetings on school grounds during noninstructional time when other noncurriculum groups are permitted to meet, regardless of the size of the group or the religious, political, philosophical, or other content of the speech at the meetings, provided that the meetings do not materially and substantially interfere with the orderly conduct of the educational activities of the school. Such meetings shall be open to all students without regard to race, color, religion, sex, gender, or national origin.

School employees shall not promote, lead or participate in the meetings of these noncurricular student groups; however, a school employee may be present at the meetings to maintain order and protect the general welfare of the students involved. School employees may not influence the form or content of any prayer or other religious activity nor require any person to participate in prayer or any other religious activity. In addition, nonschool persons may not direct, conduct, control, or regularly attend the activities of noncurricular student group meetings.

No public funds may be expended on behalf of the student groups covered by this policy except for the incidental cost of providing space for the group meetings.

Students seeking to establish a voluntary noncurricular group shall seek approval from the principal.

The Superintendent shall develop regulations and procedures consistent with this policy and state and federal law.

LEGAL REF: Equal Access Act, 20 U.S.C. §§ 4071-4074

ADOPTED:

STUDENT-INITIATED, NONCURRICULUM-RELATED STUDENT GROUPS - REGULATIONS

4450-R

The principal shall grant approval to student-initiated groups for meetings during noninstructional time when other noncurriculum groups are permitted to meet in accordance with the following guidelines:

- A. Student participation is voluntary.
- B. Participants are enrolled in the school.
- C. Student-initiated groups may not be directed, conducted, or regularly attended by nonschool persons.
- D. Should a nonschool person wish to attend a meeting of a student-initiated group, permission may be granted by the principal.

A school employee may be assigned to be present at the meeting(s); however,

- A. The purpose of the employee's attendance shall be to maintain order, assure student safety, and protect school property.
- B. School personnel shall not, in any manner, seek to control, direct, or influence the conduct of voluntary, student-initiated meetings except if necessary to assure the health and safety of the participants or protect school property.

A request from a student group or a representative of the group must be submitted to the principal in writing at least one week prior to the proposed meeting(s). It should state the general purpose of the meeting, the date, and time requested; the expected size of the group; and that participants are enrolled in the school. The principal may require use of a form he/she provides. The principal shall assign a location for the meeting(s), provided that such space is not already assigned for other school use.

LEGAL REF: G.S. 115C-47
ISSUED:

STUDENT PUBLICATIONS AND PRODUCTIONS

4460

School-sponsored publications such as newspapers, yearbooks, and literary magazines and school productions are an important part of the school curriculum. School publications and productions also provide an appropriate forum for students to learn and practice reasonable self-expression.

Publications in General - Students may distribute free publications and literature at reasonable times and places as designated by the principal. The principal shall prohibit the distribution of any written matter which:

- A. Is vulgar, indecent, or obscene.
- B. Contains libelous statements or abusive language such as language defaming a person's character, sex, race, gender, religion, ethnic origin, or disability.
- C. Causes or clearly threatens to cause a material and substantial disruption of normal classroom activity, any normal school function, or other school activity.
- D. Encourages the commission of unlawful acts or the violation of lawful school regulations.
- E. Advertises any product or service not permitted to minors by law.

School-Sponsored Publications - Student newspapers and other school-sponsored publications shall have faculty supervision. Responsible journalism should be free from libel, obscenities, or personal attacks. Student reporters and editors are responsible for the content of student publications. The faculty sponsor of such publications or school principal may prohibit the distribution of any materials that fail to meet journalistic standards or are inappropriate for the school audience as outlined above. The principal may also prohibit distribution of any school-sponsored student publication which:

- A. Exposes its particular audience to material that may be inappropriate for their level of maturity.
- B. Associates the school with any position other than neutrality on matters of political controversy.

Appeals - Students may appeal a principal's decision to restrict distribution. The appeal must be written and presented to the principal. The principal shall render a written decision within five (5) school days after receiving the appeal.

If a student is dissatisfied with the decision of the principal, the student may appeal the decision in writing in accordance with the Grievance Policy.

If the Board does not issue a decision within ten (10) school days after receipt of the appeal, the publication may be distributed.

If the Board later decides that the publication is inappropriate, the distribution may be halted.

At every level of the appeal process, the student or representative shall have the right to appeal and present the student's case, supported by relevant witnesses and materials, as to why distribution of the publication is appropriate.

Definitions - The following terms used in this statement of policy shall be defined as follows:

- A. "Obscene" - Any speech or work which the average person, applying contemporary community standards (as opposed to "national" standards) would find, taken as a whole, appeals to prurient interest, or which depicts or describes, in a patently offensive way, sexual conduct specifically defined by applicable law, and which, taken as a whole, lacks serious literary, artistic, political, or scientific value.
- B. "Libelous statement" - False and unprivileged statements about a specific individual which injure that person's reputation in the community.
- C. "Substantial disruption" - Any conduct by a student, in class or out, which for any reason including inappropriateness of time, place, or type of behavior, significantly interferes with school functions, classroom instruction, or with the rights of other students. Examples of substantially disruptive conduct include, but are not limited to significant distractions from instruction, demonstrations, destruction of property, injury to persons, shouting or boisterous conduct, and related activities.

Student Productions - School-sponsored student productions shall have faculty supervision. The faculty sponsor of such productions or the school principal may restrict the presentation of any production, in whole or in part, that is inappropriate for its audience or that falls into any one (1) of the seven (7) categories of prohibited speech listed in sections "Publications in General" and "School-Sponsored Publications." A student may appeal any restriction of a production following the procedures outlined in the Appeals section.

LEGAL REF: *Hazelwood School District v. Kuhlmeier*, 484 US 260 (1988)
ADOPTED:

FUNDRAISING AND SALE OF COMMERCIAL PRODUCTS

4470
5110

There shall be no soliciting from or selling to students or staff within the school without approval of the Superintendent or designee. Students, teachers, or other school personnel acting on behalf of the school may not engage in the sale of commercial products during the school day, even when the proceeds would be used to support certain school activities. The following exemptions may be taken to this policy: sales of individual pictures, sale of magazines, class rings, ticket sales for school activities, concession stand sales, sales of ads for school publications, insurance sales to students for school insurance, instructional supplies and personal hygiene items.

1. Soliciting outside the school premises for funds for school activities, or sales of products outside the school premises for funds for school activities by the students or staff of any school, in the name of any school, or on behalf of any school, shall have the prior written approval of the Superintendent and the principal. All money collected and expended as the result of such activities shall be recorded in the accounts of the school treasurer and shall be subject to the annual school audit. Solicitation or borrowing of products for school activities shall have the principal's approval.
2. Schools or organizations within schools may sell commercial products for related club or organization activities after school hours. Any and all sales and solicitations must be approved in advance by the principal.
3. No employee shall set as a precondition of membership or participation in any course or school-related activity, endeavor, or function any requirement calling for an expenditure of money by a parent, guardian, or students, except with the knowledge and consent of the Superintendent or designee.

LEGAL REF: G.S. 14-238, G.S. 115C-36 and G.S. 115C-47
ADOPTED:

STUDENT AND PARENT GRIEVANCES

4500

A student, parent, or guardian may initiate the grievance procedure to appeal any final decision of school personnel within the school system, except as provided in section 1 below. Grievances that involve an alleged violation of Board policy or state or federal law or regulation by a final administrative decision may be appealed to the Board of Education. All other grievances may be appealed to the Superintendent/Designee but are only appealable to the Board in its discretion as outlined below.

1. This policy does not apply in the case of long-term suspension or expulsion, which is covered by policy 4220, or in the case of alleged sexual harassment which is covered by policy 4400.
2. Step I – Principal Conference – A student, parent, or guardian wishing to invoke the grievance procedure shall make a written request for a conference with the principal to discuss the grievance and seek resolution. The request shall detail the basis for the grievance, name the specific policy, rule or law believed to have been violated, and specify the relief being sought. The following additional guidelines shall be observed in Step I.
 - A. No grievance shall be heard unless it has been filed in writing within thirty (30) calendar days after the act or condition giving rise to the grievance and states with particularity the basis for the grievance, the policy, regulation and procedure, rule or law believed to have been violated, and the remedy being sought.
 - B. The principal shall grant the conference within five(5)school days following receipt of the request. The principal will state in writing his/her position on the question to the student or parent within five (5) school days following the conference.
 - C. Only the parent, guardian, or someone acting in *loco parentis* shall be permitted to join or represent the student in the conference with the principal.
3. Step II – Appeal to the Superintendent – If the grievance is not resolved at Step I the student, parent, or guardian may appeal the principal’s decision in writing to the Superintendent. The appeal must be made within five (5) school days following receipt of the principal’s written response in “B” of Step I. The Superintendent or his/her designee shall review the grievance within five (5) school days following receipt of the appeal. If the Superintendent or his/her designee determines that additional time is needed to develop the factual record, the grievance may be put on hold for fifteen (15) additional school days (or longer if by mutual agreement) to allow time for investigation.

A written response shall be made to the student, parent, guardian, and principal from the Superintendent or his/her designee within ten (10) school days following the review.

4. Step III – Appeal to Board of Education – If the grievance is not resolved at Step II, and it involves an alleged violation of state or local Board policy or state or federal law or state rule by a final administrative decision, it may be appealed in writing to the Board of Education. This written appeal must be made within ten (10) school days following the written response from the Superintendent at Step II. The Board’s consideration of these appeals will take place in closed session and will be limited to the written record unless the Board determines that additional information is necessary. The Board may affirm, reverse, or modify the decision of the Superintendent. The Level Two decision will be reversed if the Board determines that there has been a material violation of Board policy or state or federal law or regulation, or that the decision is unsupported by substantial evidence in view of the entire record as submitted. The Board shall endeavor to offer a final written decision within thirty (30) calendar days.

5. A grievant who is not entitled to appeal to the Board may seek discretionary review by submitting a written appeal to the Superintendent’s office within ten (10) school days following the written response from the Superintendent at Step II. The Chair and Vice-Chair of the Board shall review the request and notify the grievant within ten (10) school days from receipt of the request whether the Board will grant a hearing. If the Chair and Vice-chair do not agree on whether to grant the request, a Board hearing will be allowed. The procedures outlined in section 4500.4 will be followed in any hearing granted under this section.

6. The Superintendent shall disseminate policy 4500 to students at the beginning of each school year.

7. If the school system fails to comply with the time periods or other procedures outlined in this policy, the grievant may advance the grievance to the next level. If the grievant fails to comply with the time periods or other procedures outlined in this policy, the grievant waives any further rights of appeal and the grievance will be considered resolved.

8. The grievance may be voluntarily withdrawn at any level. Once a grievance is withdrawn it cannot be re-opened. If at any time during the grievance process the school system grants the grievant the relief requested, the grievance shall be terminated at that time.

LEGAL REF: Title IX of the Education Amendments of 1972, G.S. 115C-45(c)
ADOPTED: