

# **STUDENT POLICIES**

## **SERIES 300**

## **300 STUDENTS – POLICIES AND PROCEDURES**

### **301 INTRODUCTION**

#### **301.1 To Students and Parents**

*These policies provide direction and information for members of Bear Grass Charter School. A healthy and effective School depends on established policies and procedures. More importantly, it requires members of the community to understand and implement the policies and procedures for the success and well being of everyone. All such policies are designed to support the mission of the School.*

*The mission of the Bear Grass Charter School, in partnership with family and community, is to enhance the quality of life of all students by ensuring they possess the competencies to achieve academic and vocational success in a technological world. Our collaboration with East Carolina University will strengthen the focus on mathematics and science throughout the curriculum.*

*With everyone's cooperation, the School can be a thriving community where students succeed in a safe, supportive, and stimulating educational community.*

#### **301.2 Parent-Student Commitment and Expectations**

*The School cannot succeed in its mission without commitment and effort from the parents who enroll their children. A strong partnership is essential.*

*Parents and families support the School's mission and fulfill their primary role as teachers of their children when they respect and support the efforts and staff of the School, promote the desire for and pursuit of learning, and model ethical and relational integrity.*

*Respect for, and support of the School's mission includes the following commitments on the part of every parent. The parent's role includes the following:*

- a. Monitor and support School policies and procedures;*
- b. Insure prompt arrival to School and promote their student's full attendance to the maximum extent feasible;*
- c. Nourish children's physical and emotional health to promote learning;*
- d. Provide a home life and daily schedule that provides balancing and support;*
- e. Help children to complete assignments and other academic demands and to communicate with staff as necessary to address particular needs;*
- f. Be willing to volunteer and financially support the School's work as feasible;*
- g. Cooperate with School staff in providing needed information or other support when reasonably requested; and*
- h. Participate responsibly in classroom and School meetings and functions.*

#### **301.3 School Calendar**

*Every year the School will publish its calendar. The School calendar shall include the beginning and ending dates of the School year, dates for staff workdays, holidays, and annual leave days. The calendar shall include at least the minimum number of make-up days*

required by law.

### **301.4 Legal Compliance, School Charter and Changes in Policy**

*The School, by law, is a North Carolina public school, operated by a private, tax-exempt non-profit corporation. As a charter school it is exempt from most state education laws that apply to traditional public schools. The School shall comply with all remaining and applicable federal laws and regulations, including, but not limited to, such laws and regulations governing employment, the environment, disabilities, civil rights, children with special needs, transportation, and student records. The School shall also comply with all applicable health and safety laws and regulations, whether federal, state, or local which apply to local traditional public school system. The school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations and shall not charge tuition or fees, except that it may charge fees that are charged by the local school district.*

*The School's state-approved charter is like a contract. Therefore, the School shall also operate consistent with all provisions in its charter.*

## **302 ADMISSION, ENROLLMENT, AND PLACEMENT**

### **302.1 Admission**

*As required by state law (G.S. 115C-238.29F(g)), any child who is qualified for admission to a North Carolina public school is qualified for admission to the School. Admission shall not be determined according to the school attendance area in which a student resides.*

*The School shall not discriminate against any student on the basis of ethnicity, national origin, gender, or disability. Except as otherwise provided by law or the mission of the School as set out in the charter, the School shall not limit admission to students on the basis of intellectual ability, measures of achievement or aptitude, athletic ability, disability, race, creed, gender, national origin, religion, or ancestry.*

### **302.2 Admission Priority**

*By law, the School may give enrollment priority to siblings of currently enrolled students who were admitted to the School in a previous year and to children of the school's principal, teachers, and teacher assistants.*

*If multiple birth siblings apply for admission to a charter school and a lottery is needed the charter school shall enter one surname into the lottery to represent all of the multiple birth siblings. If that surname of the multiple birth siblings is selected, then all of the multiple birth siblings shall be admitted.*

### **302.3 Open Enrollment**

*The School will hold an annual open enrollment period.*

*At the conclusion of the enrollment period, if the number of applicants for a particular grade does not exceed the number of available spaces for that grade level, all eligible students who have properly applied by the deadline will be accepted. At the close of the enrollment period, if the number of applicants for a particular grade level exceeds available spaces for that grade level, a lottery system will determine admission eligibility.*

*Students who are not offered enrollment will be placed on a wait list. After all spaces for a grade level are filled, the lottery will continue until all applying students have been assigned a priority number on the wait list. The wait list will not carry into the next School year, but will remain and be used for admission for the first twenty days of school. This process will continue until the space is filled or the wait list is exhausted during the twenty day period.*

*After admission and during the School year, serious and/or repeated deviations from the policies and procedures defined by the School will result in an evaluation of the student's placement in the School, as allowed by law.*

### **302.4 Placement**

*The School reserves the right to place students in grade levels determined by competency tests, regardless of the grade level a student was in at a previous School. For example, if a student applying to enter the fourth grade tests more than one year below the fourth grade competency level, the School may offer admission to the lower and more appropriate grade.*

### **302.5 Withdrawal**

*Parents choosing to withdraw a student from the School should contact the Guidance Counselor and follow the procedures established by the School.*

## **303 TRANSPORTATION AND ATTENDANCE**

### **303.1 Transportation and Arrival**

*By state law, the School may, if it chooses, provide transportation for its students. Regardless, the School shall develop and maintain a transportation plan so that transportation is not a barrier to any student who resides in the local school administrative unit in which the School is located.*

*Students are required to arrive at the School on time unless they have a legitimate excuse for being tardy or absent. Students and parents should allow adequate time for travel to the School, possible traffic problems or weather conditions, other transition time, and other factors that may affect promptness.*

### **303.2 Tardiness**

*Students who are not in their classrooms at the time the School bell rings are considered tardy. Students who arrive late due to an excused reason must obtain an approval slip from the office. For an excused tardy, students are required to produce a note from their parent indicating the reason for late arrival, or their parent must accompany*

*the student to the School office. The reason for the late arrival must be listed on the notice. Once receiving their approval slip, students shall proceed immediately to class, delivering the slip to the homeroom or other appropriate classroom teacher.*

### **303.3 Attendance**

*Failure to attend school undermines a student's education and the School's academic success. As such, absence may subject a student to disciplinary action up to and including expulsion, as well as investigation of parents by social services or juvenile justice officials, based on mandatory attendance and child neglect statutes.*

*Excused reasons for tardiness or absences may include the following:*

- a. Illness or injury;*
- b. Medical, dental or other appointment with a health care provider;*
- c. Necessary religious observances;*
- d. Involvement in a traffic or other accident;*
- e. Participation in a valid and important educational opportunity, such as travel, with prior approval of the Principal;*
- f. Other unavoidable and excusable reasons as determined by the Principal or his or her designee.*

**Compulsory Attendance.** *The Principal shall oversee adherence to attendance rules and regulations and notify parents of their responsibility when repeated violations occur. Teachers will monitor and report student absences daily and follow all rules and regulations concerning attendance. To be counted present, a student must be in attendance at least one-half of the School day. This includes required attendance at School activities at any place other than the School.*

**Absences.** *To be excused for an absence a student shall submit, within 3 School days of the absence, when reasonably feasible, a note signed by the parent explaining the reason(s) for the absence. The note must be turned in at the School office and directed to the Principal or his or her designee. Failure to comply with these procedures may result in the absence being unexcused.*

*The following procedures shall apply in notifying parents after the respective number of unexcused absences:*

*3 Days: notify parents of concerns;*

*6 Days: notify parents by certified mail of a potential violation of compulsory attendance requirements and of the duty to report them to government officials if the absences cannot be reasonably explained or if they continue;*

*10 Days: notify the parents by certified mail pursuant to #2 above, **plus** require a conference with the parents to discuss the reasons for the absences, what corrective efforts they are making, and possible disciplinary action, including expulsion, and reporting to legal authorities.*

### **304 ACADEMICS AND INSTRUCTION**

*The School's academic program is designed to foster an excellent learning environment that meets and exceeds student performance standards adopted by the State Board of Education and the student performance standards contained in its charter. By*

law, the School shall conduct, at a minimum, student assessments required by the State Board of Education

### **304.1 Academic Expression**

*Controversial issues arising from classroom situations and subject matter may be discussed and explored in classrooms if handled with appropriate discretion and respect and without discriminating based on viewpoints. The age, intelligence, and experience of students are important considerations regarding the appropriateness of materials, ideas, and information presented. Teachers will take into account the relative maturity of their students and the need for guidance in studying and discussing such issues.*

*Teachers are not permitted to advocate their or any other particular viewpoint. Teachers will be careful to not inhibit or undermine the dignity, personality, or intellectual expression of students. Statements made or materials used in the classroom must serve a valid educational purpose, and be consistent with the School's curriculum and curricular goals.*

### **304.2 Curriculum**

**Instructional Material Selection.** *School personnel will ensure, to the extent feasible, that approved materials involving controversial issues adequately represent different opinions related to the issues and are taught in a religiously and politically neutral manner consistent with effective pedagogy and the School's curriculum and mission.*

**Request for Review of Curriculum Selection.** *If a parent objects to the use of specific instructional materials, the parent may file a written request with the Principal briefly stating the nature of the objection(s) and/or requesting that the material not be made available to the parent's child. The School may establish a Review Committee to address all such requests. The following steps apply to a parent request for review:*

- 1. The parent must file all objections in writing. The Review Committee will review the challenged material. This review will involve the following:*
  - a. examining the request and pertinent material;*
  - b. checking the general acceptance of the material by reading reviews and consulting recommended lists;*
  - c. considering any explanation contained in the request form;*
  - d. determining the extent to which the material supports the curriculum; and*
  - e. considering all other relevant information and attributes of the material including its overall quality, uniqueness, creativity, authorship, publisher, publication date, and its appropriateness for the age group concerned.*
- 3. The Review Committee will make a decision regarding the material and prepare a written recommendation to the Principal.*
- 4. The Principal may approve, modify, or overrule the recommendation of the Review Committee.*
- 5. The Review Committee or the parent may request a full Board review of the Principal's decision.*

6. *Pending the outcome of the review process, a parent may request of the Principal that the material not be used by the parent's child pending a final determination. Such a request may be granted in the Principal's discretion.*

### **304.3 Children with Special Needs**

*The School admits and serves special needs children under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1400 et seq.), state legislation (G.S. 115C-106 et seq.), and pursuant to the State Board of Education's rules and policies.*

*Students with special needs shall receive a free appropriate public education (FAPE) in the least restrictive and appropriate environment. The School will provide every student suspected of having special needs with a multidisciplinary diagnosis and evaluation.*

*For each student entitled to special education services, the School will:*

- a. *provide testing and evaluation in a nondiscriminatory manner, administered in the child's native language as necessary;*
- b. *provide to the parent, in writing, the results, findings, and proposals based upon an evaluation;*
- c. *develop an Individualized Education Plan (IEP) for qualified students;*
- d. *provide special education and related services in the least restrictive appropriate environment to each qualified student based upon the IEP; and*
- e. *provide written notice to the parent reasonably in advance of when the School proposes to initiate or change the identification, evaluation, or educational placement of a student with special needs. The written notice will give a full explanation of all of the procedural safeguards available to parents.*

*A confidential folder shall be maintained for each child evaluated for and/or receiving exceptional student services. Access to such files shall be limited to appropriate personnel and parents in compliance with state and federal law. A handbook on special needs procedures and rights is available to parents of children with special needs.*

### **304.4 Extra-Curricular Activities and Athletics**

*The School offers and encourages participation in extra-curricular activities as part of a complete education. Such participation, however, is a privilege, not a right. A student's behavior, attendance, and academic standing may determine eligibility to participate in extra-curricular activities. The advisor of any activity may set conduct or other academic or performance standards as a condition of initial or continued participation, provided such standards are clearly established and consistent with the School's mission.*

*If a student is disciplined for a violation of the student conduct code, his or her participation in an extra-curricular activity may be affected, subject to the discretion of the Principal. The staff activity director or head coach, in consultation with the Principal as necessary, is normally responsible for decisions relating to disciplinary action associated with the activity.*

### **304.5 Evaluation**

*All parents will be informed at regular intervals of their children's academic progress, based on procedures approved by the Principal. The Board also encourages the administration and staff to work together to improve methods for evaluating students' progress and to develop meaningful ways to report their achievement to parents.*

### **304.6 Field Trips**

*Field trips are part of the educational program to support and enhance the educational and community experience.*

*School-sponsored field trips will be well planned and evaluated in terms of their educational and social appropriateness. Field trips will be reasonable in length, activity, and difficulty, considering the age and maturity of students and available resources. Overnight trips require special precautions to assure student well-being and to avoid or minimize, to the extent possible, interference with other class studies and attendance.*

*At the beginning of each academic year, parents must sign a waiver of liability and permission for their children to attend all field trips sponsored by the School.*

**Chaperones and Drivers.** *Chaperones and drivers who volunteer to transport students for field trips must sign and submit to the School any information required by the Principal in advance of a field trip. They must also submit a copy of a valid driver's license and proof of current insurance on their automobile. Each teacher must gather this information from drivers before leaving on the field trip. Those who cannot provide the information required may not transport students.*

*Every child being transported must have and use an appropriate seat belt. Students may not ride in the front seat of a vehicle equipped with air bags unless such students are of proper size, weight, and age. Drivers should arrive early, with their vehicles adequately fueled and with the vehicle in good and proper condition. Teachers will provide to each driver any necessary maps, directions and instructions, a roster of students being transported by the driver, and those students' emergency contact information.*

**Guidelines.** *Appropriate instructional activities will precede and follow each field trip. Before each field trip, the teacher will submit to the Principal a written outline of the instructional objectives of the trip. Procedures for requesting approval for field trips and other related activities may also be established by the Principal and shall be followed.*

*The teacher will send permission requests to parents before the date of the trip, indicating the date, time, and purpose of the trip.*

*Parents may be required to provide special additional written permission for their children to participate in a particular field trip. Parental approval forms must be filed with the Principal before the field trip. Copies of these forms are to be retained for at least the remainder of the School year and longer as circumstances require.*

*All field trips will normally begin and end at the School. When a field trip is made to a place of business or industry, the teacher must be assured prior to beginning such a tour that an employee of the host company will serve as the guide. A reasonable number of adult personnel and volunteers shall accompany and supervise students on all field trips. The School, if feasible, will provide an appropriate educational experience and proper*

*supervision for any students whose parents do not wish their children to participate in a field trip.*

### **304.7 Moment of Silence and Pledge of Allegiance**

*As required by state law, the School shall (i) display the United States and North Carolina flags in each classroom when available, (ii) call for the recitation of the Pledge of Allegiance on a daily basis, and (iii) provide age-appropriate instruction on the meaning and historical origins of the flag and the Pledge of Allegiance. The School shall not compel any individual student to stand, salute the flag, or recite the Pledge of Allegiance. If flags are donated or are otherwise available, flags shall be displayed in each classroom.*

### **304.8 Promotion, Retention, and Graduation**

**Promotion and Retention Standards.** *The Board recognizes that some students may benefit by remaining in the same grade for an additional year. The Board supports students being placed at the grade level to which they are best suited and providing additional years of education at the same level as necessary.*

*The Principal shall be responsible for the final decision regarding the promotion or retention of any student. The Principal's decision will be based on the best interest of the student.*

*Factors to be considered in promotion and retention decisions include, but are not limited to, achievement based on test results and informal assessments; physical, social, and emotional maturity, effort, ability, and parental attitude and responsibility.*

*If a student appears to be a candidate for retention, the student's teacher or team should, if feasible, notify the Principal and the student's parents by the end of the first semester of the academic year at the latest. Teachers are to provide additional attention to and remediation for the student to offer reasonable opportunities for the student to achieve promotion.*

**Graduation Requirements.** *Minimum graduation requirements are established by the North Carolina Board of Education. The School will provide students and parents with specific information regarding the standards and credits applicable to graduation eligibility.*

### **304.9 Religion and Free Speech**

*As a public School, the School will remain neutral on matters of religion, politics, and other personal values and beliefs protected by the United States constitution, while also protecting the rights of individual students and staff members to exercise their religious and free speech rights. Consistent with the School's academic mission, the School shall promote respect for and civility regarding individuals' personal beliefs, and will also strive to neutrally instruct students about the important role of religion and free expression as part of our heritage.*

### **304.10 Testing**

*The School will conduct standardized testing as required by state and federal law and provide remediation and intervention for students not scoring at required levels. A testing coordinator will monitor compliance with this policy. All licensed*

testing personnel, teachers, and School administrators are subject to the state Testing Code of Ethics regarding the statewide testing program.

## **305 CONDUCT, DISCIPLINE, AND PROCEDURES**

### **305.1 Code of Student Conduct**

*The Student Conduct Code governs student behavior occurring on School property, at School-sponsored activities, plus all off-campus activity that threatens School safety or property, or that substantially disrupts or is likely to disrupt School operations.*

### **305.2 Generally Prohibited Behavior**

**Disrespect/Noncompliance.** *Students shall comply with all School- and safety-related directions of School administrators, teachers, substitute teachers, student teachers, teacher aides, bus drivers, and all other School personnel who are authorized to give such directions. Inappropriate conduct includes but is not limited to verbal, non-verbal, or physical conduct showing disrespect; repetitive tardiness, skipping class/School, leaving campus without permission, or being in an unauthorized area. Failure to comply may result in short-term suspension.*

**Class/Activity Disturbance.** *Any physical or verbal disturbance which occurs within the School environment and which interrupts or interferes with teaching or orderly conduct of class/School activities/School transportation is prohibited.*

**Inappropriate Language.** *Cursing or use of vulgar, profane, or obscene language is prohibited.*

**Improper Dress.** *Students shall dress in a way that is compatible with the School's mission and an effective learning environment. Students shall not wear clothing or other attire which is disruptive, provocative, inappropriately revealing of the body, profane, vulgar, offensive or obscene, or which endangers the health or safety of the student or others. Prohibited attire includes, but is not limited to, that which involves:*

*Appropriate dress is important. These guidelines will be followed.*

- *Clothing must be appropriately sized. No baggy or sagging pants or shorts are allowed.*
- *No holes or writing on pants or jeans.*
- *No sweat pants or pajama type pants.*
- *Shorts and skirts must be no higher than 3 inches above the top of the knees.*
- *No "low rider" clothing is allowed.*
- *Shirts must be appropriately sized*
- *Students may wear T-shirts and/or collared shirts.*
- *Shirts must not have inappropriate logos and/or writing.*
- *No tank tops or low cut shirts.*
- *Proper footwear is required when participating in physical education & art*
- *No high heels are allowed.*
- *No hats, sweatbands, bandanas, or sunglasses will be worn inside the school buildings.*
- *There shall be no jewelry affixed to a student's nose, tongue, lips, cheek or eyebrow.*  
*(No facial piercings)*

*Student violations of this policy shall be handled by the principal or designee. Violations*

*of this policy may result in a short-term suspension. Repeated violations of this policy during the school year may result in long-term suspension.*

*The School will strive to reasonably accommodate dress that is necessary to satisfy a student's fundamental religious beliefs or a medical or physical need.*

**Inappropriate Literature and Illustrations.** *The creation, possession or distribution of literature or illustrations which significantly disrupt the educational process is prohibited.*

**Tobacco.** *No student shall possess, display, or use any tobacco product. This restriction applies even when the student is on School system property or at any School-sponsored activity as a visitor or spectator. For the purpose of this policy, the following definitions shall apply.*

**a. Tobacco Product:** *cigarettes, cigars, pipes, chewing tobacco, snuff, and any other items containing or reasonably resembling tobacco or tobacco products.*

**b. Tobacco Use:** *smoking, chewing, dipping, or any other use of tobacco products.*

**c. Display:** *having any tobacco product in a location or position that is visible to students or School personnel.*

*The display of tobacco products does not extend to display that has a legitimate instructional or pedagogical purpose and is approved by a teacher or the Principal. The Principal may permit tobacco products to be included in instructional or research activities in the School building if the activity is conducted or supervised by the faculty member overseeing the instruction or research and the activity does not involve smoking, chewing, or otherwise ingesting the tobacco product.*

**Controlled Substances and Alcohol.** *The School is committed to being a community free of unhealthy substances including illegal controlled substances, tobacco, and alcohol. The use of illegal controlled substances and use of alcohol while on School property, at any School-related activity, or in any other venue where the conduct in question is likely to substantially impact or undermine the operation or well-being of the School or its members, is prohibited.*

**Indecent Exposure/Sexual Behavior.** *No student shall engage in behavior which is indecent, involves excessive or inappropriate touching, or is otherwise of a sexual or sexually-suggestive nature.*

**Theft.** *No student shall steal, attempt to steal, aid in or conceal stealing, or knowingly possess stolen property if not attempting to return or turn in such property.*

**Unacceptable Use of Electronic Technology.** *Student shall comply with the Student Acceptable Use Policy.*

### **305.3 Weapons**

*The School strives to maintain an environment free of all weapons not legally possessed by law enforcement officials or otherwise authorized by the Principal or the Board. No student, employee or other agent of the School shall carry or encourage another person to carry, whether openly or concealed, a weapon as defined below, onto School property at any time.*

*A “Weapon” includes a gun, rifle, pistol, or other firearm of any kind, or any dynamite cartridge, bomb, grenade, mine, powerful explosive, knife, BB gun, air rifle, air pistol, sling shot, blackjack, metal knuckles, bludgeon, bowie knife, switchblade, dirk, dagger, leaded cane, stun gun or other electronic shock weapon, any sharp-pointed or edged instrument except for the following: instructional supplies, unaltered nail files and clips and tools used solely for preparing food, instruction, and maintenance of School property or otherwise authorized or necessary to support the operations of the School.*

*Any person who is aware that an unauthorized Weapon has been carried onto School property or possessed at a School function shall immediately notify a teacher or the Principal.*

### **305.4 Harassment and Bullying**

*The School is committed to providing an environment that is conducive to learning, free from harassment and bullying based on race, religion, gender, ethnicity, national origin, disability, or any other illegal conduct. Other forms of harassment and bullying are also prohibited, including those based on other distinguishing characteristics such as, but not limited to, physical, social, academic or emotional and socio-economic status, or simply based on personal differences or conflicts. All conduct prohibited by this policy includes behavior that occurs directly or indirectly, by personal or electronic communication or action.*

*Harassment is an unwelcomed offensive verbal, nonverbal or physical conduct that is sufficiently severe, persistent or pervasive as to significantly affect the conditions of one’s employment or a student’s learning. Harassment includes, but is not limited to, abusive jokes, insults, slurs, name-calling, threats, bullying or intimidation, unwelcome sexual advances, or the exchange of benefits for performance of sexual or other favors.*

*Harassment is prohibited at all levels: between students, between employees and students, between coworkers, between supervisors and subordinates, between nonemployees and employees and/or students, and between any other School representatives or members of the School community while at the School or involved in School activities.*

*In addition, no student or staff member shall retaliate against anyone who reports or seeks remedies against harassment or bullying or otherwise aids or supports someone who aids in the enforcement of this policy.*

*All staff members are required to report instances or reasonable suspicions of harassment and bullying to a supervisor and to aid in investigations under, and the enforcement of, this policy. Any report of alleged harassment or bullying shall be taken seriously and responded to fully and promptly by appropriate School staff. Students are urged to also report and assist in carrying out this policy.*

### **305.5 Sexual Harassment**

*Of the various types of harassment, sexual harassment is worthy of special considerations in addition to those applicable under the School’s General Harassment Policy. No employee shall engage in sexual harassment against any student, other employee, or another person in the School community.*

*Sexual harassment includes any unwelcome sexual advance, request for sexual favors, or*

*sexually suggestive comments when:*

- a. *Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment or education.*
- b. *Submission to or rejection of such conduct by an individual is used as a basis for student or employment decisions affecting such individual.*
- c. *Such conduct has the purpose or effect of interfering with an individual's academic or work performance or creates an intimidating, hostile, or offensive working or educational environment.*

*Examples of sexual harassment include, but are not limited to, deliberate, unwelcome touching; suggestions or demands for sexual involvement accompanied by implied or overt promises 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, or in the presence of, an individual or to describe an individual; or the display of sexually suggestive objects, signals, or pictures.*

*A hostile environment exists if the conduct of a sexual nature is sufficiently severe, persistent, or pervasive to limit a person's ability to participate in or benefit from the educational program or creates a hostile or abusive educational or work environment.*

*Romantic or sexual advances toward students by employees or romantic or sexual relationships between School system employees and students are always prohibited in all circumstances. School employees are prohibited from engaging in inappropriate relationships with students and are required to report such relationships or reasonable suspicions thereof to the Principal or other appropriate supervisory official. Procedures for reporting suspected harassment or sexual harassment are outlined in the School's personnel policies.*

### **305.6 State Disciplinary Policies and Procedures for Serious Offenses**

*North Carolina state law requires the School to follow specific rules relating to the use of reasonable force, suspension and expulsions, under Article 27 of Chapter 115C of the General Statutes (as amended in 2011) as provided below.*

**Purpose and Definitions.** *The following provisions are governed by G.S. 115C-390.1*

- (a) *In order to create and maintain a safe and orderly School environment conducive to learning, School officials and teachers need adequate tools to maintain good discipline in Schools. The state and School recognize that removal of students from School, while sometimes necessary, can exacerbate behavioral problems, diminish academic achievement, and hasten School dropout. School discipline must balance these interests to provide a safe and productive learning environment, to continually teach students to respect themselves, others, and property, and to conduct themselves in a manner that fosters their own learning and the learning of those around them.*
- (b) *The following definitions apply to this policy:*
  - (1) *Alternative education services. – Part or full-time programs, wherever situated, providing direct or computer-based instruction that allow a student to progress in one or more core academic courses. Alternative education services include programs established by the local board of*

- education in conformity with G.S. 115C-105.47A and local board of education policies.*
- (2) Corporal punishment. – N/A*
  - (3) School property. – Any School building or bus, School campus, grounds, recreational area, athletic field, or other property under the control of any local board of education or charter School.*
  - (4) Expulsion. – The indefinite exclusion of a student from School enrollment for disciplinary purposes.*
  - (5) Firearm. – Any of the following:
    - a. A weapon, including a starter gun, which will or is designed to or may readily, be converted to expel a projectile by the action of an explosive.*
    - b. The frame or receiver of any such weapon.*
    - c. Any firearm muffler or firearm silencer.*

*The term shall not include an inoperable antique firearm, a BB gun, stun gun, air rifle, or air pistol.**
  - (6) Long-term suspension (“LTS”). – The exclusion for more than 10 School days of a student from School attendance for disciplinary purposes from the School to which the student was assigned at the time of the disciplinary action. If the offense leading to the long-term suspension occurs before the final quarter of the School year, the exclusion shall be no longer than the remainder of the School year in which the offense was committed. If the offense leading to the LTS occurs during the final quarter of the School year, the exclusion may include a period up to the remainder of the School year in which the offense was committed and the first semester of the following School year.*
  - (7) Parent. – Includes a parent, legal guardian, legal custodian, or other caregiver adult who is acting in the place of a parent and is entitled to enroll the student in School.*
  - (8) Destructive device. – An explosive, incendiary, or poison gas:
    - a. Bomb.*
    - b. Grenade.*
    - c. Rocket having a propellant charge of more than four ounces.*
    - d. Missile having an explosive or incendiary charge of more than one-quarter ounce.*
    - e. Mine.*
    - f. Device similar to any of the devices listed in this subdivision.**
  - (9) Principal. – Includes the School principal, director, headmaster or similar person in charge of the School and that person’s designee.*
  - (10) School official. – An administrator to whom the board or principal has delegated duties under this policy.*
  - (11) School personnel. – Any of the following:
    - a. An employee of the School.*
    - b. Any person working on School grounds or at a School function under a contract or written agreement with the public School system to provide educational or related services to students.*
    - c. Any person working on School grounds or at a School function for another agency providing educational or related services to students.**
  - (12) Short-term suspension (STS). – The exclusion of a student from School attendance for disciplinary purposes for up to 10 School days from the School*

to which the student was assigned at the time of the disciplinary action.  
(13) *Substantial evidence.* – Such relevant evidence as a reasonable person might accept as adequate to support a conclusion; it is more than a scintilla or permissible inference.

(c) *Notwithstanding the provisions of this policy, the policies and procedures for the discipline of students shall be consistent with the requirements of the Gun Free Schools Act, 20 U.S.C. § 7151, the Individuals with Disabilities Education Act (IDEA), 29 U.S.C. § 1400, et seq., section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 701, et seq., and with other federal laws and regulations.*

**General Provisions.** *The following provisions are governed by G.S. 115C-390.2*

- (a) **Guidance for School Officials.** *The state statutes shall be followed by school officials in disciplining students.*
- (b) **The Code.** *These statutory requirements are considered a part of the School's Code of Student Conduct (the "Code"), giving notice to students and parents of expected behaviors and potential discipline for violations of the Code.*
- (c) **Off-campus Behavior.** *A student may also be disciplined for any personal conduct occurring outside of School property or after School hours, when the student's conduct otherwise violates the Code of Student Conduct **and** the student's conduct has or is reasonably likely to have a direct and immediate impact on the orderly and efficient operation of the School or the safety of individuals in the School environment.*
- (d) **Truancy.** *Students may be disciplined for but shall not be long-term suspended or expelled from School solely for truancy or tardiness offenses and shall not be short-term suspended for more than two days for such offenses.*
- (e) **Limited Mandatory Long-term Suspensions and Expulsion.** *The School shall not impose mandatory long-term suspensions (LTS) or expulsions for specific violations unless otherwise provided in state or federal law.*
- (f) **Selected Use of LTS and Expulsion.** *The School shall minimize the use of LTS and expulsion by restricting the availability of LTS or expulsion to those violations deemed to be serious violations of the Code, that either threaten the safety of students, staff, or School visitors or threaten to substantially disrupt the educational environment. Examples of conduct that would not be deemed to be a serious violation include the use of inappropriate or disrespectful language, noncompliance with a staff directive, dress code violations, and minor physical altercations that do not involve weapons or injury. The principal may, however, in his or her discretion, determine that aggravating circumstances justify treating a minor violation as a serious violation.*
- (g) **Disciplinary Considerations.** *The School shall not prohibit the School director and Principal from considering the student's intent, disciplinary and academic history, the potential benefits to the student of alternatives to suspension, and other mitigating or aggravating factors when deciding whether to recommend or impose LTS.*
- (h) **Procedure.** *The statutes establish the procedures for suspending or expelling, any student.*
- (i) **Publication and Notice of the Code.** *The School shall publish the Student Code and make it available to each student and his or her parent at the beginning of each School year and upon request.*
- (j) **Positive Behavior Planning.** *The School will seek to adopt*

*research-based behavior management programs that take positive approaches to improving student behaviors.*

- (k) **Breadth of Disciplinary Options.** *The School will seek to use a full range of responses to violations of disciplinary rules, such as conferences, counseling, peer mediation, behavior contracts, instruction in conflict resolution and anger management, detention, academic interventions, community service, and other similar tools that do not remove a student from the classroom or School building.*

### **305.7 Reasonable Force**

*The following provisions are governed by G.S. 115C-390.3 (as adopted in 2011).*

- (a) *School officials may physically restrain a student in accordance with G.S. 115C-391.1.*
- (b) *School personnel may use reasonable force to control behavior or to remove a person from the scene in those situations when necessary for any of the following reasons:*
- (1) To correct students.*
  - (2) To quell a disturbance threatening injury to others.*
  - (3) To obtain possession of weapons or other dangerous objects on the person, or within the control, of a student.*
  - (4) For self-defense.*
  - (5) For the protection of persons or property.*
  - (6) To maintain order on educational property, in the classroom, or at a School-related activity on or off educational property.*
- (c) *Notwithstanding any other law, School employees shall not be civilly liable for using reasonable force in conformity with the law.*

### **305.8 Short-term Suspension**

*The following provisions are governed by G.S. 115C-390.5 (as adopted in 2011).*

- (a) *The principal shall have authority to impose a short-term suspension (“STS”) on a student who willfully engages in conduct that violates a provision of the Code that authorizes short-term suspension.*
- (b) *If a student's STS accumulates to more than 10 days in a semester, to the extent the principal has not already done so, he or she shall apply any relevant considerations from the School's safe School planning.*
- (c) *A student subject to short-term suspension shall be provided the following:*
- (1) The opportunity to take textbooks home for the duration of the suspension.*
  - (2) Upon request, the right to receive all missed assignments and, to the extent practicable, the materials distributed to students in connection with the assignment.*
  - (3) The opportunity to take any quarterly, semester, or grading period examinations missed during the suspension period.*

### **305.9 Short-term Suspension Procedures**

*The following provisions are governed by G.S. 115C-390.6 (as adopted in 2011).*

- (a) **Informal Hearing.** *Except as authorized in this section, no STS shall be imposed upon a student without first providing the student an opportunity for an*

*informal hearing with the principal. The notice to the student of the charges may be oral or written, and the hearing may be held immediately after the notice is given. The student has the right to be present, to be informed of the charges and the basis for the accusations, and to make statements in defense or mitigation of the charges.*

- (b) Emergency STS with Prior Hearing.** *The principal may impose a STS without providing the student an opportunity for a hearing if the presence of the student creates a direct and immediate threat to the safety of other students or staff, or substantially disrupts or interferes with the education of other students or the maintenance of discipline at the School. In such cases, the notice of the charges and informal hearing described in subsection (a) of this section shall occur as soon as practicable.*
- (c) Notice to Parent.** *The principal shall provide notice to the student's parent of any STS, including the reason for the suspension and a description of the alleged student conduct upon which the suspension is based. The notice shall be given by the end of the workday during which the suspension is imposed when reasonably possible, but in no event more than two days after the suspension is imposed. The notice shall be given by certified mail, telephone, facsimile, e-mail, or any other method reasonably designed to achieve actual notice.*
- (d) Notice in Primary Language.** *If English is the second language of the parent, the notice shall be provided in the parent's primary language, when the appropriate foreign language resources are readily available, and in English, and both versions shall be in plain language and shall be easily understandable.*
- (e) No Right of Appeal.** *A student is not entitled to appeal the principal's decision to impose a short-term suspension to the School director or School board. Further, such a decision is not subject to judicial review. Notwithstanding this subsection, the School board, in its discretion, may provide students an opportunity for a review or appeal of a STS to the School director or School board.*

### **305.10 Long-term Suspension**

*The following provisions are governed by G.S. 115C-390.7 (as adopted in 2011).*

- (a) Principal's Authority.** *The principal may issue a long-term suspension ("LTS") of any student who willfully engages in conduct that violates a provision of the Code that authorizes LTS.*
- (b) Right to Hearing.** *Before the principal imposes a LTS, the student must be provided an opportunity for a hearing consistent with the procedures required by this policy and G.S. 115C-390.8.*
- (c) Principal's Review.** *If the student recommended declines the opportunity for a hearing, the principal shall review the circumstances of the recommended LTS. Following such review, the principal (i) may impose the suspension if it is consistent with board policies and appropriate under the circumstances, (ii) may impose another appropriate penalty authorized by board policy, or (iii) may decline to impose any penalty.*
- (d) Return to Alternative Classroom in Cases of Assault.** *If a teacher is assaulted or injured by a student and as a result the student is long-term*

*suspended or reassigned to alternative education services, the student shall not be returned to that teacher's classroom unless the teacher consents.*

- (e) **Alternative Education Program.** *Disciplinary reassignment of a student to a full-time educational program that meets state academic requirements and provides the student with the opportunity to make timely progress towards graduation and grade promotion, is not considered a LTS requiring due process.*

### **305.11 Long-term Suspension Procedures**

*The following provisions are governed by G.S. 115C-390.8 (as adopted in 2011).*

- (a) *When a student is recommended by the principal for LTS, the principal shall give written notice to the student's parent. The notice shall be provided to the student's parent by the end of the workday during which the suspension was recommended when reasonably possible or as soon thereafter as practicable. The written notice shall provide at least the following information:*

- (1) A description of the incident and the student's conduct that led to the LTS recommendation.*
- (2) A reference to the provisions of the Code that the student is alleged to have violated.*
- (3) The specific process by which the parent may request a hearing to contest the decision, including the number of days within which the hearing must be requested.*
- (4) The process by which a hearing will be held, including, at a minimum, the procedures described in subsection (e) of this section.*
- (5) Notice that the parent is permitted to retain an attorney to represent the student in the hearing process.*
- (6) The extent to which the local board policy permits the parent to have an advocate, instead of an attorney, accompany the student to assist in the presentation of his or her appeal.*
- (7) Notice that the parent has the right to review and obtain copies of the student's educational records before the hearing.*
- (8) A reference to the board policy on the expungement of discipline records.*

- (b) **Written Notice.** *Written notice may be provided by certified mail, fax, e-mail, or any other written method reasonably designed to achieve actual notice of the recommendation for long-term suspension. When School personnel are aware that English is not the primary language of the parent or guardian, the notice shall be written in both English and in the primary language of the parent or guardian when the appropriate foreign language resources are readily available. All notices described in this section shall be written in plain English, and shall include the following information translated into the dominant non-English language used by residents within the local School administrative unit:*

- (1) The nature of the document, i.e., that it is a LTS notice.*
- (2) The process by which the parent may request a hearing to contest the LTS.*
- (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.*

- (c) **Formal Hearing.** *No LTS shall be imposed on a student until an opportunity for a formal hearing is provided to the student. If a hearing is timely requested, it shall be held and a decision issued before a LTS is imposed, except as otherwise provided in this subsection. The student and parent shall be given reasonable notice of the time and place of the hearing.*
- (1) *If no hearing is timely requested, the principal shall follow the procedures described above as required by G.S. 115C-390.7(c).*
  - (2) *If the student or parent requests a postponement of the hearing, or if the hearing is requested beyond the time set for such request, the hearing shall be scheduled, but the student shall not have the right to return to School pending the hearing.*
- (d) **Oversight of Hearing.** *The formal hearing may be conducted by the full School board, by the principal, or by a person or group of persons appointed by the School board or principal to serve as a hearing officer or hearing panel. Neither the board nor the principal shall appoint any individual to serve as a hearing officer or on a hearing panel who is under the direct supervision of the principal. If the hearing is conducted by an appointed hearing officer or hearing panel, such officer or panel shall determine the relevant facts and credibility of witnesses based on the evidence presented at the hearing. Following the hearing, the principal or board shall make a final decision regarding the suspension. The principal or board shall adopt the hearing officer's or panel's factual determinations unless they are not supported by substantial evidence in the record.*
- (e) **Due Process.** *LTS hearings shall be conducted in accordance with the policies. The student shall be accorded procedural due process including, at a minimum, the following:*
- (1) *The right to be represented at the hearing by counsel or, in the discretion of the board, a non-attorney advocate.*
  - (2) *The right to be present at the hearing, accompanied by his or her parents.*
  - (3) *The right of the student, parent, and the student's representative to review before the hearing any audio or video recordings of the incident and, consistent with federal and state student records laws and regulations, the information supporting the suspension that may be presented as evidence at the hearing, including statements made by witnesses related to the charges consistent with subsection (h) of this section.*
  - (4) *The right of the student, parent, or the student's representative to question witnesses appearing at the hearing.*
  - (5) *The right to present evidence on his or her own behalf, which may include written statements or oral testimony, relating to the incident leading to the suspension, as well as any of the factors listed above as required by G.S. 115C-390.2(g).*
  - (6) *The right to have a record made of the hearing.*
  - (7) *The right to make his or her own audio recording of the hearing.*
  - (8) *The right to a written decision, based on substantial evidence presented at the hearing, either upholding, modifying, or rejecting the principal's recommendation of suspension and containing at least the following information:*
    - a. *The basis for the decision, including a reference to any policy or rule that the student is determined to have violated.*

- b. *Notice of what information will be included in the student's official record pursuant to G.S. 115C-402.*
- c. *The student's right to appeal the decision and notice of the procedures for such appeal.*
- (f) **Decision Implementation.** *Following the issuance of the decision, the principal shall implement the decision by authorizing the student's return to School or by imposing the suspension reflected in the decision.*
- (g) **Appeal to Board.** *Unless the decision was made by the board, the student may appeal the decision to the local board in accordance with limited hearing procedures allowed by G.S. 115C-45(c) and any subsequent policies adopted by the board. A student's appeal to the board of a decision upholding a long-term suspension shall be heard and a final written decision issued in not more than 10 calendar days following the request for such appeal.*
- (h) **Identity Disclosure.** *Nothing in this section shall compel School officials to release names or other information that could allow the student or his or her representative to identify witnesses when such identification could create a safety risk for the witness.*
- (i) **Judicial Review.** *A decision of the board to uphold the LTS is subject to judicial review in accordance with Article 4 of Chapter 150B of the General Statutes. The action must be brought within 10 days of the local board's decision. A person seeking judicial review shall file a petition in the superior court of the county where the board made its decision.*

### 305.12 Alternative Education Services

*The following provisions are governed by G.S. 115C-390.9 (as adopted in 2011).*

- (a) **Alternative Educational Services.** *Students who are long-term suspended shall be offered alternative education services unless the principal provides a significant or important reason for declining to offer such services. The following may be significant or important reasons, depending on the circumstances and the nature and setting of the alternative education services:*
  - (1) *The student exhibits violent behavior.*
  - (2) *The student poses a threat to staff or other students.*
  - (3) *The student substantially disrupts the learning process.*
  - (4) *The student otherwise engaged in serious misconduct that makes the provision of alternative educational services not feasible.*
  - (5) *Educationally appropriate alternative education services are not available in the local School administrative unit due to limited resources.*
  - (6) *The student failed to comply with reasonable conditions for admittance into an alternative education program.*
- (b) **Appeal to Board.** *If the principal declines to provide alternative education services to the suspended student, the student may seek review of such decision by the board pursuant to a hearing permitted by G.S. 115C-45(c)(2). If the student seeks such review, the principal shall provide to the student and the board, in advance of the board's review, a written explanation for the denial of services together with any documents or other information supporting the decision.*

### 305.13 Mandatory 365-day Suspension for Gun Possession

*The following provisions are governed by G.S. 115C-390.10 (as adopted in 2011).*

- (a) Grounds and Procedures.** *The board shall suspend for 365 days any student who has brought or has been in possession of a firearm or destructive device on School property, or to a School-sponsored event off of School property. The principal shall recommend to the board the 365-day suspension of any student believed to have violated these policies regarding weapons. The board has the authority to suspend for 365 days a student who has been recommended for such suspension by the principal when such recommendation is consistent with board policies. Notwithstanding the foregoing, the principal may modify, in writing, the required 365-day suspension for an individual student on a case-by-case basis. The principal shall not impose a 365-day suspension if the principal determines that the student took or received the firearm or destructive device from another person at School or found the firearm or destructive device at School, provided that the student delivered or reported the firearm or destructive device as soon as practicable to a law enforcement officer or a School employee and had no intent to use such firearm or destructive device in a harmful or threatening way.*
- (b) Legal Reporting.** *The principal will report all incidents of firearms or destructive devices on School property or at a School-sponsored event as required by law.*
- (c) Exception.** *Nothing in this provision shall apply to a firearm that was brought onto educational property for activities approved and authorized by the board, provided that the board has adopted appropriate safeguards to protect student safety.*
- (d) Request for Readmission.** *At the time the student and parent receive notice that the student is suspended for 365 days under this section, the principal shall provide notice to the student and the student's parent of the right to petition the board for readmission pursuant to readmission procedures state below, pursuant to G.S. 115C-390.12.*
- (e) Procedures.** *The procedures applicable to a LTS (as required by G.S. 115C-390.8) shall apply to students facing a 365-day suspension pursuant to this section.*
- (f) Alternative Educational Services.** *Students who are suspended for 365 days pursuant to this section shall be considered for alternative educational services consistent with the provisions above regarding of Alternative Educational Services (as required by G.S. 115C-390.9).*

### 305.14 Expulsion

*The following provisions are governed by G.S. 115C-390.11 (as adopted in 2011).*

- (a) Grounds and Procedures.** *Upon recommendation of the principal, the board may expel any student 14 years of age or older whose continued presence in School constitutes a clear threat to the safety of other students or School staff. Prior to the expulsion of any student, the board shall conduct a hearing to determine whether the student's continued presence in School constitutes a clear threat to the safety of other students or School staff. The student shall be given reasonable notice of the recommendation in accordance with comparable procedures applicable to LTS as well as reasonable notice of the time and place of the scheduled hearing.*

- (1) *The procedures described above regarding LTS procedures (as required by G.S. 115C-390.8(e)(1)-(8)) apply to students facing expulsion pursuant to this section, except that the decision to expel a student by the board shall be based on “clear and convincing” evidence (rather than the lower standard of “substantial evidence”) that the student's continued presence in School constitutes a clear threat to the safety of other students and School staff.*
  - (2) *The board may expel any student subject to G.S. 14-208.18 [regarding sexual offenses] in accordance with the procedures of this section. Prior to ordering the expulsion of a student, the board shall consider, at its discretion, whether there are alternative education services that may be offered to the student. As provided by G.S. 14-208.18(f), if the board determines that the student shall be provided educational services on School property, the student shall be under the supervision of School personnel at all times.*
  - (3) *At the time a student is expelled under this section, the student shall be provided notice of the right to petition for readmission pursuant to expulsion reinstatement provisions stated above (as required by G.S. 115C-390.12).*
- (b) Exclusion from School Property/Alternative Educational Services.** *During the expulsion, the student is not entitled to be present on any School property and is not considered a student of the School. Nothing in this section shall prevent the board from offering access to some type of alternative educational services that can be provided to the student in a manner that does not create safety risks to other students and School staff.*

### **305.15 Request for Readmission**

*The following provisions are governed by G.S. 115C-390.12 (as adopted in 2011).*

- (a) Request.** *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. The procedures shall be as follows.*
- (1) *The process for 365-day suspended students.*
    - a. *At the board's discretion, either the principal or the board itself shall consider and decide on petitions for readmission. If the decision maker is the principal, the principal shall offer the student an opportunity for an in-person meeting. If the decision maker is the board, the board may offer the student an in-person meeting or may make a determination based on the records submitted by the student and the principal.*
    - b. *The student shall be readmitted if the student demonstrates to the satisfaction of the board or principal that the student's presence in School no longer constitutes a threat to the safety of other students or staff.*
    - c. *The principal's decision not to readmit the student may be appealed to the board pursuant to the reduced hearing requirements of G.S. 115C-45(c). The principal shall notify the parents of the right to appeal.*
    - d. *There is no right to judicial review of the board's decision not to readmit a 365-day suspended student.*
    - e. *A decision on readmission under this subsection shall be issued within 10 days of the petition.*
  - (2) *The process for expelled students.*

- a. *The board shall consider all petitions for readmission of expelled students, together with the recommendation of the principal 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 in the same manner as provided by G.S. 115C-45(c).*
  - b. *The student shall be readmitted if the student demonstrates to the satisfaction of the board or principal that his or her presence in a School no longer constitutes a clear threat to the safety of other students or staff.*
  - c. *A decision by a board of education to deny readmission of an expelled student is not subject to judicial review.*
  - d. *An expelled student may subsequently request readmission not more often than every six months. The board is not required to consider subsequent readmission petitions filed sooner than six months after the previous petition was filed.*
  - e. *A decision on readmission under this section shall be issued within 30 days of the petition.*
- (b) **Assignment.** *If a student is readmitted under this section, the board and the principal have the right to assign the student to any program within the School and to place reasonable conditions on the readmission.*
- (c) **Return to Alternative Classroom.** *If a teacher was assaulted or injured by a student, and as a result the student was expelled, the student shall not be returned to that teacher's classroom following readmission unless the teacher consents.*

## **306 EMERGENCY AND SAFETY PROCEDURES**

### **306.1 Building and Grounds**

*Maintaining safe and attractive School grounds and facilities requires everyone's support. All students, staff and parents should make every reasonable effort to preserve and protect School property.*

### **306.2 Delayed Openings**

*The Principal may delay the opening of or close of the School when there is a threat or potential safety threat due to inclement weather, mechanical failure, or other circumstance. In such instances, the School will notify members of the School community as promptly as possible via local news media, electronic mail, School voice message system, the School website, or other reasonable means.*

### **306.3 Fire Drills**

*The Principal will conduct a fire drill during the first week after the opening of School and at least one fire drill each month thereafter. The route of egress and alternate routes will be posted in each classroom in each building. Evacuation, tornado, and lock-down drills will also be conducted routinely. Students and staff will be instructed on the procedures to follow.*

## **307 HEALTH AND WELLNESS**

### 307.1 Communicable Diseases

*The School aims to provide a safe and secure environment free of infection from communicable disease for all students and employees. To balance the need to protect the privacy rights of students and employees and to control the spread of communicable diseases and conditions, decisions concerning necessary action shall be made on a case-by-case basis in accordance with this policy, sound judgment, and applicable legal requirements.*

*A communicable disease or condition 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.*

*This policy applies to all legally reportable communicable diseases, including HIV and AIDS, as set forth in state regulations.*

- a. In order to prevent the spread of communicable diseases, universal health and safety precautions, which include regulations regarding the cleanup of all bodily fluids (including blood), shall be distributed by the Principal or his or her designee and shall be followed by all School employees.*
- b. In accordance with state law, the Principal or his or her designee shall report suspected cases of reportable communicable diseases or conditions to the county health director for investigation and shall provide available factual information to substantiate the report. Such reports shall remain strictly confidential and may be shared only with other staff members as necessary to prepare and file a report. All staff members who are made aware of any such report shall keep such information confidential. Without releasing any information that would identify the affected student when not required, the Principal or supervisor shall report suspected cases of reportable communicable diseases or conditions to the Board Chairperson.*
- c. Any student suffering from a communicable disease or condition shall follow all control measures issued by the county health director and shall take all necessary precautions to prevent the transmission of the disease or condition. Any School employee who has reason to believe that a student is suffering from a reportable communicable disease and failing to follow safe practices shall report this to the Principal, supervisor, or health director. Failure to follow control measures may result in disciplinary action. The parent(s) of a student suffering from a communicable disease should inform the Principal so that appropriate accommodations and precautions may be put in place.*
- d. If the county health director notifies the Principal that a student with a communicable disease or condition may pose a threat to public health, the student and his or her parents shall cooperate with the health director to eliminate the threat. It is the responsibility of the health director to determine when the School community must be notified of the outbreak of a contagious disease. School officials shall cooperate with the health director in issuing such notification.*
- e. It is the responsibility of the county health director to notify the School if a student infected with the HIV virus is enrolled or scheduled for admission to the*

*School, and if there is a serious risk of transmission of the virus by the student.*

*f.*

### **307.2 Head Lice Policy**

*The School will take prompt action to eliminate the threat of head lice. Head lice do not represent a disease or infection, and can therefore be readily treated. Since lice are transmittable, any student School officials suspect of having head lice will be sent home promptly for treatment.*

*The student may not return to the School until treatment has been received and the School nurse or other designated School official has determined that no head lice or live nits are present. The School provides assistive information to parents about head lice. Any member of the School community who knows of a manifestation of head lice should report this to a responsible staff member.*

### **307.3 Illness and Injury**

*Sick children should not attend School to protect their own health and the health of other members of the School community. A student with the following symptoms should remain home and not return to School until he or she is symptom-free for 24 hours; symptoms include vomiting, diarrhea, or a temperature of 100 degrees Fahrenheit or above.*

*Any student with any contagious symptoms – such as frequent coughing or sneezing, eye discharge, or cloudy nasal discharge, all of which may involve the spread of illness – should not attend School. If a student with a contagious illness has attended classes, parents should notify the teacher immediately.*

*When a student is injured or becomes ill at School, the student will normally be sent to the main office to be assessed by the proper School employee. The student will be treated in the office and sent back to class if appropriate and if the student does not pose a threat to others or to classroom order. Any student seen by a School nurse or other caregiver may be given documentation explaining the nature of the problem and measures taken. The School office will notify the parent(s) if the child needs further assistance or must leave the School.*

*No underage student may leave the School unsupervised. Any significant injury or accident occurring during the School day or during a School activity will be reported to a parent. The School will treat minor injuries or contact a parent to take the student for medical attention.*

### **307.4 Immunizations**

*No child may attend School unless a certificate of immunization is provided to the School indicating that the child has received the immunizations required by state law. If on the first day of attendance the child does not present such a certificate, the child's parent shall be notified. The parent shall normally have thirty calendar days from the date of first attendance to obtain the required immunizations for the child. If a vaccine reasonably requires more than thirty calendar days to complete, and a suitable physician reliably verifies this fact, a reasonable extension of time may be granted. At the end of*

*the thirty calendar days or extended period, if the student has not received the required immunizations, the School shall release the student from the School.*

*The School shall maintain, in a separate medical file for each student, the student's immunization records. These records may be inspected by officials of the county or state health departments upon request and without notification to parents. When a child transfers from or to another School, arrangements will be made to transfer the immunization records. The School will file an immunization report with the Department of Environment, Health and Natural Resources within sixty calendar days after the commencement of a new School year.*

### **307.5 Medications**

*If a child must be medicated (including over-the-counter and prescribed medication) during School hours and the parent cannot be at School to administer the medication, only the Principal's designee may administer the medication in compliance with the parent's written, signed, and dated instructions. The Principal or his or her designee reserves the right to require medical certification by a suitable doctor or to seek advice from a doctor retained by the School to determine the appropriateness of administering any medicine. No teacher may be required to administer medication against his or her wishes.*

*Minimally, the parent's medication instructions must include the following:*

- a. Child's name*
- b. Name of medication*
- c. Purpose of medication*
- d. Time and dosage to be administered*
- e. Possible side effects and related treatment*
- f. Termination date for administering the medication*
- h. Special information about the medication (i.e., storage requirements).*

*Authorization forms to give medication on campus and medication records must be retained in the student's confidential medical file.*

**Exceptions to Medication Administration.** *Middle and High School students may, upon proper written authorization and approval by the Principal or his or her designee, self-medicate with medications that are labeled and packaged in the original container and are required for a medical condition. Any student with diabetes or asthma, or a student subject to anaphylactic (life threatening) reactions will be allowed to carry and self-administer their medication if the parent, physician, and student sign a completed medication request form and the student demonstrates appropriate proficiency in delivering the medication. Self-administering privileges will be withdrawn if the student exhibits a lack of responsibility towards self or others in regards to his or her medication. Any student who abuses the privileges described in this section may be subject to discipline.*

### **307.6 Diabetes Plans and Compliance Reports**

*The School shall implement rules and procedures for students with diabetes in accordance with State Board of Education requirements and G.S. 115C-375.3. This includes making available necessary information and staff development to teachers and school personnel in order to appropriately support and assist students with diabetes in accordance with their individual diabetes care plans. The Board shall report to the State Board of Education annually, on or before August 15, on the number of students at the School on such plans and the board's compliance with state law.*

### **307.7 Annual Information for Students and Parents**

*The School shall provide health information at the beginning of each school year regarding the following:*

- **To parents regarding meningococcal meningitis and influenza (and their vaccines) – To Parents.** *Such information shall include the causes, symptoms, and how meningococcal meningitis and influenza are spread and the places where parents may obtain additional information and vaccinations for their children.*
- **To parents regarding cervical cancer, cervical dysplasia, human papillomavirus (and the vaccines available to prevent these diseases).** *This information shall be provided to parents of children entering grades five through twelve. It shall include the causes and symptoms of these diseases, how they are transmitted, how they may be prevented by vaccination, including the benefits and possible side effects of vaccination, and the places where parents may obtain additional information and vaccinations for their children.*
- **To students (in grades five through 12) regarding lawful abandonment of a child.** *This information shall include manner in which a parent may lawfully abandon a newborn baby with a responsible person, in accordance with G.S. 7B-500.*

### **307.8 Compliance With Other Health Requirements**

*The School shall regularly determine and comply with any federal, state and local requirements pertaining to other safety threats such as dangerous chemicals and blood borne pathogens. It shall also comply with all requirements as to food inspections and safety*

## **308 PARENTS AND THE COMMUNITY**

### **308.1 Open Communications**

*The School recognizes the need for clear and open communication between the Board, staff, and parents concerning issues of mutual interest. Parental suggestions, concerns, questions, etc., regarding School policy and practice are encouraged and are most effectively and efficiently channeled directly through a teacher, the Principal or his or her designee, or any other person or group assigned to receive such information. Parents are urged not to communicate directly with Board members on such matters to preserve the integrity of their policy-making role, the proper channels of administrative response, and Board neutrality.*

### **308.2 Parent Teacher Student Association**

*The Parent-Teacher-Student Association, booster clubs, and other parent organizations perform a valuable service to the School. The Board supports these organizations and*

*expects and encourages cooperation from the whole School community, including students and employees.*

*The Board shall approve all organizations affiliated with the School. The Board, or by delegation, the Principal, may establish additional rules governing such organizations. The Principal or his or her designee shall be an ex officio member of any such organization.*

*Each parent organization affiliated with the School must establish bylaws setting forth the purpose of the organization and the rules and procedures by which it shall operate. A copy of the bylaws, and any subsequent revisions, shall be given to the Principal and a copy shall be kept on file in the School office.*

*Parent organizations shall secure the advice and approval of the Principal prior to planning any function or activity in which students are to participate while under supervision of the School.*

*Unless otherwise determined by the Board, any item purchased by a parent organization for the School or a School activity becomes the property of the School*

### **308.3 Visitors**

*The Principal or his or her designee will post instructions to parents and visitors, directing them to the School office to sign-in upon their arrival on campus.*

*All parents and visitors shall report to the School office upon arrival and are required to sign a visitation form. Visitors, including parents, are required to wear a visitor tag. At their departure, visitors and parents are required to return their visitor tag to the office and sign out on the visitation form.*

*The Principal or his or her designee is authorized to:*

- a. Limit campus access to persons, including students and parents, who threaten the safety or well-being of the School community, or whose presence disrupts or is likely to disrupt the School environment;*
- b. Determine if sales personnel may make sales visits to School administrators; and*
- c. Call law enforcement personnel to protect against any threat posed by any person or to remove from the School property any person who refuses to leave after being directed to do so by authorized personnel.*

### **308.4 Volunteers**

*The School's viability depends, in large part, on an effective volunteer program. Parents of students attending the School are encouraged to commit time to such volunteer work for the School. Parent volunteer help is especially needed to support field trips, special classroom events, and special School activities. The Principal or his or her designee is responsible for volunteer oversight, including selection, recruitment, screening, and assignment. Volunteer services may be controlled or terminated at the Principal's discretion. Volunteers are subject to applicable Visitor Policies and must report to the School office upon their arrival on campus. Volunteers are bound by the standards of conduct set forth by the School for School employees.*

## **309 STUDENT RECORDS**

### **309.1 Regulations**

*The federal Family Education Rights and Privacy Act (FERPA) affords parents of students, legal guardians, and emancipated students the right to inspect their own or their child's records. Furthermore FERPA prohibits, with limited exception, other persons from accessing such records without the prior consent by a parent or emancipated student.*

*A parent or eligible student must normally submit a written notification at least five days in advance to the School records office to inspect the student's file.*

*The School may disclose appropriately designated "directory information" without written consent, unless the parent or emancipated student has directed the School not to disclose such information. Such information allows the School to publish certain useful information such as an athletic roster or a program bulletin, a yearbook, honor rolls or other recognition lists or graduation programs. The School considers the following information as directory information: a student's name, address, phone number, activity or athletic photograph, dates of attendance, grade level, participation in activities and sports, weight and height of sports team members. Each year the School will notify parents of the School's "directory information" and parents' right to opt out of such disclosures.*

*In addition, the School is required to provide military recruiters, upon request, with three directory information categories: names, addresses, and telephone listings of students, unless parents request that the School not provide any such information without their prior written consent. The School will also make parents aware of their rights to withhold this information from military recruiters upon written request.*

*The Principal or his or her designee shall compile and maintain an official record for each student that contains information including a birth certificate, dates of admission and departure, attendance data, standardized test results, and grading and promotion data. Each student's official record shall also include notice of any suspensions for a period of more than 10 days or of any expulsion. The notice of suspension or expulsion shall be expunged from the record if the student graduates from high school or is not expelled or suspended again during the two-year period commencing on the date of the student's return to School after the expulsion or suspension.*

*Official student records shall be permanently maintained. The Principal is authorized to order the storage of official student records at a central location.*

*Student records do not include individual notes and records made by teachers and administrators that are in the sole possession of their maker and that are not accessible or revealed to any other person except a substitute teacher or supervisor.*

### **309.2 Student Record Confidentiality**

*Student educational records are confidential. Access to the official student record and any other student record shall be strictly limited in conformance with state and federal law and Board policy.*

*A confidential folder shall be maintained for each child evaluated for or receiving exceptional children's services.*

*Apart from directory information, personally identifiable information about a student shall not be released from a student's record without the prior written consent of the parent, legal guardian, or emancipated student, except to the following persons:*

- 1. School employees when a legitimate educational purpose exists for accessing the information, including professionals contracted to provide services for a student;*
- 2. Authorized government or educational officials, or others with legitimate reasons for reviewing a student's records;*
- 3. 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;*
- 4. Authorized state and local officials with authority to review student information if the disclosure relates to the juvenile justice system's ability to serve, before adjudication, the student whose records are released. The official must certify in writing that the information will not be disclosed to any other party, except as provided by state law or with prior written consent of the student's parent or an emancipated student;*
- 5. Officials of other Schools where the student has enrolled or plans to enroll, unless the parent or an emancipated student has specifically requested in writing that the information not be released to the requesting institution;*
- 6. Persons acting under court order or subpoena, as long as the parent or an emancipated student shall be notified of the request prior to its execution;*
- 7. Accrediting organizations, to the extent necessary to enable them to carry out their functions; and*
- 8. Financial aid organizations if related to a student's application for receipt of financial aid.*

*Prior written consent for any other release of personally identifiable information must be signed and dated by the parent, legal guardian, or an emancipated student and must specify the records that may be disclosed, the purpose of the disclosure, and the party or class of parties to whom the disclosure may be made.*

### **309.3 Transcripts**

*Parents, a student who is eighteen years of age or older, and other K-12 Schools where a former student has enrolled may request the student's record. The School may charge for copies of records, including certified copies of transcripts. No fees will be charged for copies of records to be mailed directly to a K-12 School that a student is subsequently applying to or attending.*

## **310 GRIEVANCE RIGHTS AND PROCEDURES**

*Students and parents are entitled to pursue their grievances according to the Grievance Process and Appeals of Administrative Decisions Policy, attached as **Addendum I**.*

## **Grievance Process and Appeals of Administrative Decisions.**

**A. Introduction and Objectives.** *The School seeks to provide a process by which students, parents, and staff can resolve concerns in a timely and effective manner while balancing this with the need for efficient and effective School operations. Toward this end, this policy establishes mechanisms by which grievances should be addressed through informal and, if appropriate, formal means. All references herein to the Principal include any person assigned as the Principal's designee.*

**B. Informal Grievance Procedure.** *All concerns should first be addressed directly and informally with the persons involved. This includes reasonably notifying those causing and involved in the grievance, allowing them to reasonably respond, and an opportunity to make good faith efforts toward resolution. If necessary, individuals involved are encouraged to seek the assistance of an objective party to assist with informal resolution.*

**C. Formal Grievance Procedure.** *Persons must seek informal, timely resolution before filing a formal grievance, unless doing so is not reasonably feasible, would be futile, or if formal grievance procedures are legally required. The grievant may then file a formal grievance with the Principal within 10 school days after the last informal attempt at resolution; if informal resolution is not required, the employee shall file the grievance within 10 school days of the last instance causing the grievance.*

*The formal procedure shall be initiated by submitting to the Principal a written request for redress that succinctly states the specific grievance(s), the supporting facts, the basis in Board policy or law (citing specific policies or laws), the requested relief, and the efforts made to resolve the matter informally. The Principal may require submission of an approved form for such grievance filing.*

*The Principal shall determine whether informal resolution requirements have been satisfied or are not required. If the Principal determines that the grievant is entitled to a formal grievance process, he shall provide a copy of the formal grievance to all other persons implicated by the grievance. The Principal shall reasonably investigate and consider the matter (which may include meeting with the parties involved and holding an informal hearing) and issue a decision within 10 school days from the date of the grievance is filed; additional time for the Principal's decision shall be allowed when reasonably required by circumstances. All deliberations shall be held in confidence where feasible and involve only persons in a need-to-know position. A decision by the Principal under these grievance procedures shall be considered a "final administrative decision."*

**D. Appeals of Right to the School Board.** *A person has the right to appeal any final administrative decision affecting a constitutional or other legal interest, and/or an interest of the type listed below:*

- (1) *Suspension or expulsion of a student for more than 10 days (per School suspension and expulsion procedures required by Chapter 115C, Article 27 of the North Carolina General Statutes);*
- (2) *An alleged violation of a specified federal or state law, State Board of Education rule, or local board policy;*
- (3) *The loss or reduction of salary of a school employee under a specific-term contract who is not employed at will; or*
- (4) *Any other decision that, by law, provides for a right of appeal to the school board and for which there is no other statutory appeal procedure.*

*Any person seeking a hearing under this section, within 10 school days after the final administrative decision by the Principal, may request a Board hearing, by submitting to the Board Chairperson a request in writing by certified mail or personal delivery. The person making such request shall also promptly deliver a copy of the hearing request to the Principal.*

**E. Discretionary Appeals to the Board.** *Any person aggrieved by a decision not involving a matter addressed in Section D above may, within 10 school days after the final administrative decision by the Principal, request a Board hearing, by submitting to the Board Chairperson(s) a request in writing by certified mail or personal delivery. The person making such request shall also promptly deliver a copy of the hearing request to the Principal. In such cases, the Board has the discretion to deny or grant a hearing. The Board shall notify the person making the request and the Principal of its decision, and if a hearing is granted, the time, place, and manner of such hearing.*

**E. Board Hearing Procedures.** *In all appeals to the Board, the Board shall provide adequate notice of hearing rights and procedures to all parties concerned and keep a record of any hearing conducted. In the case of hearings required by right under Section D, all parties have the right to appear before the entire Board, to be represented by counsel or other representative, to submit documentation, and to reasonably examine and cross-examine witnesses. In the case of an employee grievance concerning a loss or reduction of salary, the employee may request and shall be entitled to receive written notice as to the reasons for the final administrative decision; the notice shall be provided to the employee at a time reasonably in advance of any Board hearing.*

*For all discretionary hearings allowed under Section E above, the hearing may be based on the written record or, instead, by personal appearance of the parties. The Board may designate a hearing officer or panel comprised of one or more Board members to act upon such hearing requests on behalf of the Board. The Board reserves the discretion to determine the manner by which it shall conduct such hearing.*

*Board hearings (by right and by discretion under sections D and E, respectively) shall be conducted within 10 school days from the date the hearing is requested, unless circumstances reasonably require additional time. A final Board decision shall be rendered and delivered in writing to the respective parties within 5 school days of concluding the hearing. The decision of the Board shall be final.*

