

**CODE OF CONDUCT
(DISCIPLINE)****INTRODUCTION****A. STATEMENT OF PURPOSE**

The Craven County Board of Education recognizes its responsibility to provide each student an equal opportunity to receive an education and to provide an atmosphere in the schools which is conducive to learning and which protects student freedoms guaranteed by the United States Constitution. Students are also governed by the law in the same way and manner as they are protected by the law.

The most effective methods of student discipline are preventive. Preventive, in that students are studied to understand their individual needs and assigned to a program in the school using a curriculum to satisfy their needs. Students may be better understood when a triangle approach involving the student, the parent and the school is the guide to understanding. Preventive discipline by helping students overcome barriers they encounter through positive curriculum experiences will help to prevent reactive or punitive discipline. Every effort must be exhausted when planning the curriculum to provide for student needs.

The complex sociological nature of the communities and students that schools serve do, unfortunately, require policies with rules and regulations to govern conduct.

In order to meet these responsibilities, the Board of Education provides this policy. This policy applies to all school functions including school transportation.

School transportation refers to school buses, activity buses, chartered buses, and any other type of transportation provided by the authority of the Board of Education. Transportation is a privilege and can be taken away if rules are violated. Principals can suspend students from riding school buses based on inappropriate behavior on the bus or at the bus stop. The procedures that are included in this policy/regulation pertain to school and transportation functions. School transportation violations may result in suspension from riding the school bus as opposed to suspension from school. This decision will be at the discretion of the principal, superintendent, or Board of Education.

Any students who refuse to comply with the policies of the Board of Education or rules and regulations of the principals in their respective schools, assistant principal, teacher or other authorized school employee shall be held in violation of the Student Code of Conduct. Students in violation of the policies, herein are subject to one or more of the following disciplinary actions as prescribed:

1. Restitution
2. Probation
3. Detention
4. Work Detail/Services to the School
5. In-School Suspension
6. Short Term Suspension

7. Long Term Suspension
8. Schedule Revisions
9. Expulsion
10. Prosecution in the Courts

NOTE: Corporal punishment is not permitted in the Craven County Schools. The "Use of Reasonable Force Policy" does state that: Principals, Assistant Principals, Teachers, Substitute Teachers, Voluntary Teachers, Teacher Assistants, Student Teachers and other school personnel when given authority over some part of the school program may use reasonable force in the exercise of lawful authority to restrain pupils and otherwise maintain order.

It should be understood that this policy is not intended to restrict in any way the authority of principals to make such rules, not inconsistent with this policy, as they are authorized by law to make for the governance and operation of their respective schools and with the authority of teachers to make such rules, not inconsistent with this policy, as they are authorized by law to make for their respective classes.

This policy governing student discipline shall be available within each school.

B. DEFINITIONS

1. Student - any person attending any of the Craven County Schools.
2. Teacher - an individual designated as a teacher, substitute teacher, voluntary teacher, teacher's assistant, student teacher and given authority over some part of the school program by the principal.
3. Principal - the school principal or any other school professional to whom the principal may officially delegate authority.
4. Superintendent - the Superintendent of the Craven County School System.
5. Board - The Craven County Board of Education.
6. Parent - natural parent, legal parent, or person serving in the place of the parents.
7. Classroom - any instructional area over which the school has supervisory responsibility.
8. Ancillary Locations - other locations such as busses, grounds, cafeterias, etc. over which the school has supervisory responsibility.
9. Hearing - the provision for direct communication between the principal and the student to assure the opportunity for defensive response.
10. Appeal - request for review of a formal hearing or disciplinary action to be taken at the central office level by a panel or individual appointed by the superintendent within a specified period of time.
11. Short Term Suspension - removal from school for a period up to and including ten (10) school days. (G.S. 115C-391)
12. Long Term Suspension - removal from school for more than ten (10) school days. This can exceed the days remaining in the present school year. (G.S. 115C-391)
13. In-School Suspension - short or long term suspension from regular classroom into a classroom where the student works away from classmates.
14. Expulsion - (G.S. 115C-391) suspension for the remainder of a student's school life.
15. Restitution - the replacement or payment for property taken, damaged or destroyed.

16. Detention - for disciplinary offenses students may be assigned detention at the discretion of the teacher, the principal or designee. Students assigned detention after school hours must be given 24 hours notice to arrange for transportation.
17. Work Detail/Service to the School - the principal or designee may assign a student to the school work detail for minor offenses. Work details may be assigned as options to other punishments.
18. Prosecution - students who violate the criminal law and the civil law while at school are subject to prosecution by the courts.
19. Schedule revision - students instructional day may be altered by reducing class assignments.

Definitions of Offenses Required to be Reported

The principal is by law to report the following acts to law enforcement immediately after he/she becomes aware of them:

1. **Assault Resulting in Serious Injury.** An intentional physical attack causing the victim obvious severe or aggravated bodily injury involving (a) broken bones, loss of teeth, possible internal injuries; severe lacerations and bleeding; or loss of consciousness; and/or (b) requiring emergency medical services by trained school personnel or other health professionals (e.g. EMS) and/or hospitalization. If the offender used a weapon in an assault resulting in serious injury, report both Assault Resulting in Serious Injury and Assault Involving Use of a Weapon. Fights or affrays, where no weapon was used, resulting in no apparent or serious injuries are not required by state law to be reported, even if the incident resulted in suspensions or expulsion for the student. Local School Board policy may require reporting of fights or affrays to law enforcement. (State law G.S. 115C-391 requires that local boards of education remove to an alternative educational setting any student who is at least 13 and who physically assaults and seriously injures a teacher or other school personnel. If no appropriate alternative education setting is available, then the board shall suspend for no less than 300 days but no more than 365 days any student who is at least 13 and who physically assaults and seriously injures a teacher or other school personnel.)
2. **Assault Involving Use of a Weapon.** An assault by one person against another where the attacker either uses a weapon or displays a weapon in a threatening manner. Weapon is defined as: Any firearm or explosive device; force-impacting device; knife or sharp-edged or sharp-pointed utensil, device or tool; or any article, instrument or substance which can or is likely to produce death or great bodily harm. If a firearm or other weapon is used in the commission of any offense, the type of weapon must be identified in the WEAPON USED/POSSESSED column of the Data Collection Form.
3. **Assault on School Personnel.** An assault is an intentional physical attack by one person on another. An assault is either the actual intentional striking of another person, or an attempt to physically strike another by an intentional show of force or menace of violence sufficient to put a reasonable person in fear of immediate physical injury. This offense includes assaults on school personnel that do not involve use of a weapon and do not result in apparent serious injury. If apparent serious injury to school personnel results from the assault, report as Assault

Resulting in Serious Injury. If the assault involves use of a weapon report as Assault Involving Use of a Weapon. Victims included in this category are school administrators, education professionals (e.g. teachers), classified staff members (e.g. custodial, clerical), and adult volunteers. Acts which would not be reported are things such as unintentional pushing and jostling, as in a crowd; a school staff member who is accidentally struck while attempting to break up a fight or affray; or a volunteer who is knocked down by a student carelessly rushing through a door. Verbal threats to physically attack are not included unless they are accompanied by an act that is an intentional show of force or menace of violence sufficient to put a reasonable person in fear of immediate physical injury.

4. **Bomb Threat³** (See G.S. 14-69.1 and 14-69.2). Making or communicating a false bomb threat in any form, including a computer message; or perpetrating a bomb threat hoax by bringing a fake explosive device, whether openly or concealed, onto school property or to school-sponsored events (both are considered Class H felonies by G.S. 14-69.1 and G.S. 14-69.2).
5. **Burning of a School Building (See G.S. 14-60)**. Any person who maliciously and willfully sets fire to, burns or causes to be burned (i.e. aids, directs or procures the burning of) any school building owned, leased or used by the public schools (considered a Class F felony by G.S. 14-60).
6. **Death By Other Than Natural Causes**. The killing of a living person, done either by another or by suicide. Acts to be reported under this category include murder, manslaughter, death by vehicle, killing in self-defense, killing done by an insane person, accidental killing and suicide. Killing is to be reported if either the death or the act causing it occurred on school property, and regardless of whether the victim is associated with the school. Examples of incidents to be reported are the accidental death of a child in a school bus accident, or a victim on school property shot by someone located on or off school property.
7. **Kidnapping**. Confining, restraining or removing from one place to another a person, without his/her or the victim's or a minor victim's parents' consent, for the purpose of committing a felony; or holding a victim as hostage or for ransom, or for use as a shield. A parent taking a child in violation of a court order, although it may be a crime, is not kidnapping for this purpose.
8. **Possession of Alcoholic Beverage⁴** (See G.S. 18B-300 to 302). Any underage person who purchases, provides or sells to another, possesses or has in his/her immediate custody or control, or consumes malt beverages, fortified or unfortified wine, or spirituous liquor, in any amount or form, on school property owned or leased by the local board of education, or at school-sponsored events (comparable to a misdemeanor violation by G.S. 18B-102 and G.S. 18B-300, 301 and 302).
9. **Possession of Controlled Substance in Violation of Law**. Possession of narcotic drugs on or in the immediate control of the person. Narcotic drugs include any form of cocaine, marijuana, heroin, LSD, methamphetamine, and all drugs listed in the North Carolina Controlled Substances Act. Possession of any amount in any form must be reported. Unauthorized possession of a prescription drug (e.g., Ritalin) is included in this category. The principal should confer with law enforcement personnel when in doubt as to whether a drug is a controlled substance.

Alcohol possession should be reported as Possession of Alcoholic Beverage.

10. **Possession of a Firearm or Powerful Explosive.**⁵ Any unauthorized person possessing on their person or within their custody or control, or storing, or carrying, whether openly or concealed, locked or unlocked, any firearm or powerful explosive, whether operable or inoperable, on school property; or bringing such a device onto school property. Persons authorized to carry weapons on school property are law enforcement officers, firefighters, and emergency service personnel when discharging their official duties (State law G.S. 115C-391 requires that local boards of education suspend for 365 days any student who brings a “weapon” onto school property. Weapons are defined as any gun, rifle, pistol, or other firearm of any kind, or any dynamite cartridge, bomb, grenade, mine or other powerful explosive, as defined in G.S. 14-284.1; and this does not apply to fireworks. Superintendents may modify the suspension on a case-by-case basis, but a written explanation for the decision must be included with the school’s Annual Report on School Crime and Violence). The type of any firearm(s) that is/are involved must be identified in the WEAPON USED/POSSESSED column of the Data Collection Form.
11. **Possession of a Weapon.** Possessing on their person or within their custody or control, storing, or carrying, by any unauthorized person, whether openly or concealed, a weapon, excluding firearms and powerful explosives, defined as follows: Any BB gun, stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slungshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades, any sharp pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction and maintenance. This category covers possession of all weapons, other than firearms and powerful explosives, which the law prohibits on educational property (N.C.G.S. § 14-269.2). Persons authorized to possess such weapons are law enforcement officers, firefighters and emergency service personnel when discharging their official duties. Report type of weapon unlawfully possessed in the WEAPON USED/POSSESSED column of the Form.
12. **Rape.** Rape may be statutory or forcible. Forcible Rape is vaginal intercourse committed by force and without the consent of the victim, regardless of age. Statutory Rape is vaginal intercourse committed on a child under the age of 16 by a person who is at least 12 years old and at least 4 years older than the victim, regardless of whether the victim consented. Consensual vaginal intercourse between a 13, 14 or 15 year old girl or boy and a 16 year old girl or boy is not a crime; statutory rape requires at least four years between birthdays of the victim and perpetrator. Some examples of incidents which must be reported under this category are consensual intercourse between a 19-year old and a 15-year old; consensual intercourse with a person who is mentally handicapped or incapacitated, or physically helpless, regardless of whether the victim consented; or intercourse with an intoxicated or drugged victim who is too incapacitated to give consent.
13. **Robbery With a Dangerous Weapon (Armed Robbery).** Theft or attempted theft of anything of value from the person of another, or from the area under the immediate bodily control of the other, by using a dangerous weapon or by an act threatening use of a dangerous weapon. A dangerous weapon is any article, instrument or substance that is likely to produce death or great bodily harm. Forcible theft or attempted theft

from a person without the use of a dangerous weapon should be reported under Robbery Without a Dangerous Weapon. Report type of weapon used in the WEAPON USED/POSSESSED column of the Data Collection Form.

14. **Robbery Without a Dangerous Weapon.** The taking or attempting to take anything of value from another's person, by force, or by an act threatening force or violence, which puts a victim in fear, without the use of a weapon. The stealing of someone's property without the use of force or from a source other than the victim's person is not included in this offense. If the taking from the person involves use of a dangerous weapon the incident is reported under Robbery With a Dangerous Weapon.
15. **Sexual Assault (Not Involving Rape or Sexual Offense).** An assault of a sexual nature. An unauthorized and unwanted, intentional, or forcible touching of a sex organ of a person of the opposite sex. Sex organs are the breasts of females and genital areas of males and females. This category includes forcibly and intentionally grabbing the clothed or unclothed breast or genitals of a person of the opposite sex, without the consent of the victim. Report attempted rape and attempted sexual offense under this category. The difference between Sexual Assault and Sexual Offense is that Sexual Assault involves forcible and intentional touching without penetration of a sex organ, and Sexual Offense involves penetration of a sex organ or anus by any object, or touching another's mouth or anus by the male sex organ.
16. **Sexual Offense.** Sexual Offense may be forcible or statutory. Forcible Sexual Offense is actual oral-genital contact, or penile-anal penetration, or insertion of any object, including a finger, into the genital or anal opening of another person's body, committed by force and without the consent of the victim. Statutory Sexual Offense is any of the above acts committed on a child under the age of 16 by a person who is at least 12 years old and at least 4 years older than the victim, regardless of whether the victim consented. Statutory Sexual Offense is also any of the above acts committed on a person who is mentally handicapped or incapacitated or physically helpless, regardless of whether the victim consented. The difference between Rape and Sexual Offense is that Rape involves vaginal intercourse only, and Sexual Offense involves oral-genital contact, penile-anal penetration, or genital or anal penetration by any object.
17. **Taking Indecent Liberties With A Minor.** Committing a sexual act with or in the presence of a child under the age of 16 years, by a person at least age 16 and at least five years older than the child, for sexual gratification, regardless of whether force was used, or whether the victim consented. Examples of acts to be reported under this category are intentional exposure of genitals in front of a child; showing a child pornography, secretly or in the child's presence; or photographing girls changing clothes or using toilets, if these acts are done for sexual gratification.

IN SUCH CASES, SCHOOL OFFICIALS SHALL COOPERATE FULLY WITH THE LAW ENFORCEMENT AGENCY; HOWEVER, INTERNAL DISCIPLINARY PROCEEDINGS SHALL PROCEED INDEPENDENTLY FROM THE CRIMINAL INVESTIGATION AND PROSECUTION.

³ Because this definition is a summary of lengthy and detailed legislation, users of the definition should consult their school board attorney or the <http://www.ncga.state.nc.us/statutes/toc-1.html> website for further details or clarifications regarding its use.

⁵ Because “Bomb Possession” involves the G.S. 14-269.2 definition of a bomb or “powerful explosive” as a felony-level weapon (G.S. 14-269.2 (b1)), as differentiated from a felony “firearm” weapon (G.S. 14-269.2 (b)), former definitions of “possession of a firearm” and “possession of a (misdemeanor) weapon” have been revised.

C. **APPLICATION**

The principal or designee shall deal with instances of alleged misconduct whenever:

1. A teacher refers a problem of discipline in instructional or ancillary areas to the principal.
2. A misconduct violates the rules and regulations adopted by the school or the Board of Education.
3. The Cumulative acts of misconduct of an individual student warrants such.
4. The alleged misconduct violates the public school laws and/or General Statutes of North Carolina.
5. The principal deems it advisable to deal with misconduct.

D. **INVESTIGATION & DUE PROCESS PROCEDURES**

The principal or designee shall investigate alleged misconduct offenses. The student has a right to be accorded specific minimal due process procedures before being disciplined for acts of misconduct.

Simply stated, due process procedures include:

1. the right to be told of the rules
2. the right to be told which rules have been violated (informed of the charges)
3. the right to be given the opportunity to present his/her version of the facts

SPECIAL NOTE: Written documentation should be on file verifying that students were provided correct due process procedures for every discipline case.

Legal Reference: N. C. Gen Stat. 115C-288(e); 115C-390; 115C-391; 115C-112; 115C-116.

Adopted by CC August 4, 1991; Revised October 15, 1992; March 29, 1993; July 22, 1993; July 21, 1994; June 22, 1995; June 20, 1996; June 16, 1997; June 17, 1998, June 17, 1999, June 20, 2002, June 19, 2003, June 13, 2005.

**CODE OF CONDUCT
(DISCIPLINE)****I. CODE OF CONDUCT****A. SPEECH**

Schools have the right to set limitations on the time, place, and manner of public speech. Students have the responsibility to understand that any speech, be it verbal, written or symbolic, which materially or substantially disrupts classroom work, school activities or school functions, or infringes upon the rights of others is not protected by the Constitution and is prohibited at schools and at school-related activities. The following types of speech are prohibited:

1. Profanity - words which are clearly considered profane by contemporary community standards of behavior.
2. Obscenity - words which describe sexual conduct and which, read as a whole, appeal to a prurient interest in sex, portray sex in a manner offensive to contemporary community standards and do not have serious literary, artistic, political, or scientific value.
3. Fighting or abusive words - words which are spoken solely to harass or injure other people, such as threats of violence, defamation of character or defamation of a person's race, family, religion or ethnic origin.
4. Disruption - speech, be it verbal, written, or symbolic which materially and substantially disrupts classroom work, school activities or school functions, such as demonstrations, "sit-ins," "boycotts," or simply talking in class when told not to do so by the teacher.

B. PRESS

Censorship by school officials is limited to the production of concrete evidence that a given article is likely to materially and substantially disrupt the school. A policy is available to handle possible censorship.

C. ASSEMBLY

Schools will set limitations on the time, place and manner of assembly. All meetings are to be scheduled with the knowledge and approval of the principal. Meetings shall not interfere with the health and/or safety of other persons or their property.

D. DRESS AND APPEARANCE

Students are responsible for using sound judgment in dress, grooming and personal hygiene so that health and safety problems are not created and the educational process is not materially or substantially disrupted. The principal has the authority to regulate student dress especially if the dress is disruptive, obscene, offensive, unsafe, or otherwise inappropriate. Example: Appropriate footwear is required at all times for safety reasons.

All school staff shall abide by and **strictly** enforce all student dress code requirements. Faculty and staff are not required to wear school uniforms.

Therefore, the following is included:

- The shoulder width of shirts or blouses must completely cover undergarments. No spaghetti strap tops or dresses, tube tops, exposed sports bras, inappropriate athletic clothing, or tank tops allowed.
- Net shirts, bare midribs, see-through or sheer blouses, spandex or tight fitting clothes, revealing dresses, or other revealing attire (i.e., exposing the cleavage) are not acceptable.
- Short dresses, mini skirts, or short shorts will not be allowed. A skirt cannot be shorter than the mid thigh.
- Pants and shorts must be worn at the waist line. No underwear shall be revealed.
- Headgear, hats, do-rags, or sunglasses are not to be worn in the building except for medical and/or safety reasons.
- Clothing, jewelry or buttons with letters, initials, symbols or wording that is obscene, alcohol or drug related, offensive, inflammatory, or detrimental to the instructional process or otherwise inappropriate are not allowed.
- No clothing that displays or promotes drug, alcohol, sex, or violent behavior is permitted.
- No gang related clothing, including long shirts/jerseys, baggy pants, trench coats, accessories, or symbols as identified by local law enforcement agencies will be allowed.
- When provided, all students in grades 9-12 shall wear their picture identification badges at all times while on school grounds.
- There shall be no jewelry affixed to a student's nose, mouth, tongue, lip, chin, cheek, or eyebrow.
- No bedroom slippers or sleepwear are to be worn unless permitted by the school principal.
- Flip flops are not allowed in grades K-8.
- Footwear deemed as inappropriate by the principal shall not be worn.

Improperly dressed students will not be allowed to attend class until they have changed into appropriate dress. If students cannot obtain proper clothing, they will go to chill out or an alternative learning classroom. Any classes missed will count as unexcused absences. The third offense of improper clothing will be considered insubordination and an additional consequence will be imposed including, but not limited to, detention or out-of-school suspension.

E. **INTEGRITY**

1. Cheating - Cheating includes the actual giving or receiving of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work.

2. Plagiarism - Plagiarism includes the copying of the language structure, idea and/or thought of another and representing it as one's own original work.
3. Falsification - Falsification includes the verbal or written statement of any untruth.
4. Violation of Copyright Laws - Violation of Copyright Laws includes the unauthorized duplication of printed material and computer software.
5. Violation of Computer Access - Violation of Computer Access includes willfully, directly, or indirectly, accessing or causing to be accessed any computer, computer system, computer network, or any component thereof without proper authorization.

F. **FREEDOM FROM FEAR, HARM AND VIOLENCE**

In order to preserve this right, every student is responsible for observing the following rules at school and at school-related activities:

1. Students shall comply with all lawful directions of school personnel who are authorized to give such directions during any period of time when they are subject to the authority of school personnel.
2. No students shall, by use of passive resistance, noise, fear, intimidation, coercion, force, violence, or any other kind of conduct intentionally cause the disruption of any lawful function, mission or process of any school, nor shall any students urge any other student to engage in such conduct.
3. No student shall, on or off school premises, engage in any protest, march, picket, sit-in, boycott, walk-out or similar activity which has as its purpose the disruption of any lawful function, mission or process of the school to which the student is assigned or to any other school in the system.
4. Students attending school, shall not be in possession of any tobacco product in any school building, on any school day.
5. Students shall not wrongfully break and/or enter into school buildings, classrooms, storerooms, lockers, or buses.
6. No student shall engage in any game of chance involving money or shall otherwise gamble in any school building, or on any school premises, or on any school bus, or off the school grounds at any school activity, function, or event before, during, or after school hours, or during any period of time when he/she is subject to the authority of school personnel.
7. Specific Offenses and Uniform Discipline - Uniform disciplinary actions are listed for students who, through investigation and the application of due process procedures, are in the judgment of the principal or designee guilty of a specific offense. In addition to school discipline, the principal or designee is required to notify law enforcement officers of violations of criminal laws. Skipping class or school truancy and tardiness are defined in the attendance policy and regulations.

- a. Trespassing: Trespassing is defined as unauthorized presence on school property or ancillary areas which includes being on a school campus other than the school assigned without permission from authorized school personnel or being on school property or at sanctioned school activities during a term of suspension or in-school suspension.

Students in elementary grades who violate this section may be suspended up to 10 days at the discretion of the principal.

Students in middle/high school:

1st offense: Suspension - up to 5 days

2nd offense: Suspension - up to 10 days

3rd offense: Long-term suspension. Criminal prosecution.

- b. Insubordination/Disrespect: - Refers to willful disobedience and disrespect of school or classroom rules or school personnel and/or willfully ignoring or disobeying the lawful directives of school personnel in authority.

1st offense: Detention or Suspension - up to 3 days

2nd offense: Suspension - up to 5 days

3 or more offenses: Suspension - 10 days

- c. Giving False Information/Identification to School Personnel: - Refers to giving false information/identification such as name, address, phone number and vital parental information such as name, address, phone number and place of employment. This also applies to any other information pertinent to the function of the school.

1st offense: Detention/Suspension up to 3 days

2nd offense: Suspension - up to 5 days

3 or more offenses: Suspension - up to 10 days

- d. Abusive Language (Profanity, Obscenity, Fighting Words, Disruption) - Refers to any language considered to be profane, obscene, racially insulting or referring to one's character in an insulting or abusive way. Abusive language also includes any obscene gestures or symbols which convey insulting messages. Since abusive language directed at or to a school employee can have the effect of disrupting the orderly operation of the school, these will be dealt with more severely than those not so directed.

1. Abusive Language Directed at School Employees

1st offense: Warning/Detention/Suspension & up to 10 days/long term suspension

2nd offense: Suspension up to 10 days/long term suspension

2. Other Abusive Language

1st offense: Warning/Detention/Suspension up to 3 days

2nd offense: Suspension - up to 5 days
3 or more offenses: Suspension - up to 10
days/long term suspension

e. Threatening School Personnel - A threat is a promise to harm someone bodily or harm property.

- (1) Warning/Detention/Suspension up to 10 days/long-term suspension/Expulsion
- (2) Referral to a school psychologist and/or designated outside agency for an Assessment.
- (3) Parent conference at the time of suspension and upon return to school with documentation of assessment
- (4) Parent involvement in the student's assessment
- (5) If indicated by the assessment, participation in individual and/or group counseling

f. Threatening Other Students - A threat is a promise to harm someone bodily or harm property.

- (1) Warning/Detention/Suspension up to 10 days/long term suspension/Expulsion
- (2) Referral to a school psychologist and/or designated outside agency for an Assessment.
- (3) Parent conference at the time of suspension and upon return to school with documentation of Assessment
- (4) Parent involvement in the student's assessment
- (5) If indicated by the assessment, participation in individual and/or group counseling

Law enforcement may be notified of any incident involving communicating threats.

It is the priority of the Craven County Board of Education to provide each and every student with a safe and orderly learning environment that is free from harassment, bullying or discrimination. This includes, but is not limited to, harassment, bullying and discrimination based on an individual's race, sex, sexual orientation, religion, creed, political belief, age, physical characteristics, national origin, socioeconomic status or disability. It shall be a violation of this policy for any student, teacher, administrator, or other school personnel to harass, bully, or discriminate against any person based upon any of the differences listed above.

- (1) Warning/Detention/Suspension up to 10 days/long term suspension/Expulsion
- (2) Referral to a school psychologist and/or designated outside agency for an Assessment.

- (3) Parent conference at the time of suspension and upon return to school with documentation of Assessment
- (4) Parent involvement in the student's assessment
- (5) If indicated by the assessment, participation in individual and/or group counseling

g. False Threats – Refers to any student, who by any means of communication to any person or group of persons, makes a report, knowing or having reason to know the report is false, that there is located on educational property or at a school-sponsored activity off educational property any device designed to destroy or damage property by explosion, blasting, or burning, or who, with intent to perpetrate a hoax, conceals, places, or displays any device, machine, instrument, or artifact on educational property or at a school-related activity on or off educational property, so as to cause any person reasonably to believe the same to be a bomb or other device capable of causing injury to persons or property.

- (1) Law enforcement may be notified of any incident involving communicating threats. Parents may be civilly liable for up to \$25,000 for the costs associated with bomb threats or up to \$50,000 for damages stemming from destruction caused by bombs. Reference HB517.
- (2) Students in violation of this paragraph g shall be suspended for 365 days.

h. Willful Destruction or Defacement of School Property - Refers to rendering school property unusable or in need of refinishing repair or replacement.

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| 1st offense: | Detention/Suspension up to 3 days and Restitution |
| 2nd offense: | Suspension up to 5 days and Restitution |
| 3rd offense: | Suspension up to 10 days and Restitution |

i. Assault and Battery - Shall be defined as striking another person with body or with objects with intent to inflict punishment or bodily harm. No student shall intentionally hit, shove, scratch, bite, block the passage of, or throw objects at a student or other person. A student or employee who is attacked may use reasonable force in self-defense but only to the extent to free himself from the attack and notify proper school authorities. A student may be disciplined even though he/she may not have provoked the incident.

1. Assault and battery on School Personnel
Consequence: Up to 10 days suspension/long-term suspension up to 365 days/Expulsion
2. Assault and battery of a student by another student
Consequence: Up to 10 days suspension/long-term suspension up to 365 days/Expulsion
3. Assault and battery of a student by two or more students
Consequence: Up to 10 days suspension/long-term suspension up to 365 days/Expulsion
4. Assault with a Weapon
Consequence: Minimal 10 days suspension/long-term suspension up to 365 days/Expulsion
5. Sexual Assault/Sexual Offense/Rape/Taking Indecent Liberties with a minor: assault of a sexual nature
Consequence: Minimal 10 days suspension/long term suspension up to 365 days/Expulsion
6. Homicide: Causing the loss of life of a human being
Consequence: Minimal 10 days suspension/long term suspension up to 365 days/Expulsion
7. Stalking: Stalking is the offense of a person on one or more occasions of following or being in the presence of another person with the intent to cause emotional distress by placing that individual in reasonable fear of death or bodily injury.
Consequence: Minimal 10 days suspension/ long term suspension up to 365 days/Expulsion

Parent conference following suspension upon return to school. Law enforcement may be notified and students may be subject to arrest.

- j. Affray - An affray (fight) occurs when two (2) or more persons willingly engage in fighting upon any school grounds, premises, school bus or other school property or at any school related activity, function or event, before, after or during school hours.

Up to 10 days suspension/long term suspension

Law enforcement may be notified and students may be subject to arrest.

- k. Possession and/or Use of Weapon or Object of Like Kind (Misdemeanor) - No student shall possess, use, handle or transmit whether openly or concealed, any BB gun, stun gun, air rifle, air pistol, or facsimile or toy gun, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades, lasers, any sharp pointed or edged instrument and ammunition cartridges, which can reasonably be mistaken for a weapon or any device or object which could be used to threaten or injure another person in any school building, on any school premises, on any school bus or off the school grounds at any school activity, event or function before, during or after school hours.

Up to 10 days suspension/long term suspension/expulsion

Law enforcement shall be notified of any incident involving possession of a weapon in violation of the law.

Pepper gas, mace or other chemical of like kind may be in possession of the student but cannot be used on school premises or any school bus. If used these chemicals will be treated as weapons unless used in self-defense.

- l. Possession and/or Use of Firearm, Weapon or Object of Like Kind (Class I Felony)

(1) Firearm

No unauthorized person shall possess on their person or within their custody or control, or store, or carry, whether openly or concealed, locked or unlocked, any firearm, whether operable or inoperable, on school property. Persons authorized to carry weapons on school property are law enforcement officers, firefighters, and emergency service personnel when discharging their official duties. A firearm is defined as any instrument used in the propulsion of a shot, shell or bullet by the action of gunpowder or any other explosive substance within it.

(2) Weapon

No unauthorized person shall possess on their person or within their custody or control, store, or carry whether openly or concealed, a weapon, excluding firearms. Weapons are defined as any dynamite cartridge, bomb, grenade, mine or powerful explosive.

Parents may be civilly liable for up to \$25,000 for the costs associated with bomb threats or up to \$50,000 for damages stemming from destruction caused by bombs. Reference HB517.

Students in violation of this paragraph I shall be suspended for 365 days/Expulsion

Law enforcement shall be notified of any incident involving possession of a weapon in violation of the law.

- m. Extortion/Attempted Extortion - Extortion is the taking of money or property by coercion, intimidation or threat.

1st offense: Suspension - up to 10 days and Restitution

2nd offense: Suspension - Long-term suspension and Restitution

- n. Theft - Theft is the taking of another's property by stealth and without permission.

Students in elementary grades who violate this section may be suspended for up to ten (10) days at the discretion of the principal.

Middle/High Schools

1st offense: Suspension - up to 5 days and Restitution

2nd offense: Suspension - up to 10 days and Restitution

3rd offense: Suspension - Long-term suspension and Restitution

- o. Robbery - Robbery is the taking of money or property from another by using or threatening to use force.

1st offense: Suspension - up to 10 days and Restitution

2nd offense: Suspension - Long-term suspension

Law enforcement shall be notified of any incident involving robbery.

- p. Possession or Being Under the Influence of Drugs or Alcohol

- No student shall possess, sell, use, transmit, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or possess drug paraphernalia or possess counterfeit substances or other drug defined as a controlled substance in Chapter 90 of the N.C. General Statutes, while in any school building, on any school premises, on any school bus, or off the school premises at any school activity, function or event.

No student shall possess, use, transmit, or be under the influence of any other pill, medicine or substance not listed in Chapter 90 while in any school building, on any school premises, on any school bus, or off the school premises at any school activity, function or event. A student in the middle or high school may have "over-the-counter" analgesics obtainable without a prescription that are contained in its original packaging and thereby easily identifiable as a permissible substance.

Use of a drug authorized by a valid prescription from a registered physician shall not be considered a violation of this rule when possessed or used by the person for whom it was prescribed, used in the manner indicated by the prescription, and carried in its original packaging so that it is easily identifiable as a permissible substance.

No student shall possess, use, transmit, or be under the influence of any alcoholic beverage, or other intoxicating liquor as defined by Chapter 18A of the N.C. General Statutes while in any school building, on any school premises, on any school bus, or off the school premises at any school activity, function or event.

- (1) Suspension up to 10 days/long-term suspension/ expulsion
Immediate notification of law enforcement agency
- (2) Referral to the Neuse Center for Mental Health or other professional for a Substance Abuse Assessment
- (3) Parent conference at the time of suspension and upon return to school with documentation of Substance Abuse Assessment
- (4) Parent involvement in the student's assessment
- (5) If indicated by the assessment, participation in individual and/or group counseling

Law enforcement shall be notified of any incident involving possession of a controlled substance or alcohol in violation of the law.

- q. Wireless Communication Devices, Personal Entertainment Devices, Cell Phones, Pagers, Two-Way Radios, CD/MP3 Players, Electronic Game Players or Games, Media Players, Laser Pointers and Similar Devices:

Grades 9-12

No student in grades 9-12 shall use, display, transmit or have in the "on" position on school property (excluding buses) any wireless communication device or personal entertainment device, including but not limited to, cell phones, pagers, two-way radios, cd/mp3 players, and electronic game players or games, media players or any laser pointers or similar devices during the instructional day as stated in the school handbook. During the instructional day students shall turn off all wireless communication devices or personal entertainment devices and shall store them either in their locker, automobile or book bag.

All wireless communication devices or personal entertainment devices used and/or displayed at inappropriate times will be confiscated.

Grades K-8

No student in grades K-8 shall use, display, transmit or have in the "on" position on school property (including buses) any wireless communication device or personal entertainment device, including but not limited to, cell phones, pagers, two-way radios, cd/mp3 players, and electronic game players or games, media players or any laser pointers or similar devices as stated in the school handbook. All wireless communication devices or personal entertainment devices shall be stored in the student's book bag or locker.

Any wireless communication device or personal entertainment device used, displayed, or possessed in the "on" position will be confiscated.

All confiscated devices will be labeled by student name and the date confiscated.

Principals may authorize individual students to possess and/or use for personal purposes wireless communication devices if, in the opinion of the principal, there is a reasonable need for such communication.

If a student uses a laser pointer, or similar devices, in a way that reasonably could or does cause physical harm, the laser pointer may be considered a dangerous instrument and the student may be charged with violation of the Assault and Battery policy and disciplined accordingly.

1st offense: Confiscation of wireless communication device for one calendar month and if the student has used the picture cell phone or PDA on school property, (including buses) the incident may be forwarded to law enforcement to determine if a crime has been committed

Subsequent offenses: Confiscation of wireless communication device for three calendar months and involvement of law enforcement as deemed necessary.

- r. Arson - Students shall not start fires, possess and or ignite explosives or pyrotechnics (fireworks) or threaten to do so in any school building, on any school premises, on any school bus, or off the school grounds at any school activity, function or event unless expressly authorized to do so by proper school authorities.

Suspension up to 10 days/long-term
Suspension/Expulsion/notification of law enforcement
agency

- s. Possession of Any Tobacco Products - Students shall not be in possession of any tobacco product, in any school building, on any school premises, on any school bus or off the school grounds at any school activity, event or function before, during or after school hours.

1st Offense: All tobacco and tobacco products will be confiscated from any students having these in his/her possession; students will be assigned to a tobacco awareness class and shall receive a fine of 50 dollars.

Subsequent Offense: Confiscation/Student may be suspended up to 5 days and shall receive a 100 dollar fine.

- t. Sexual Harassment - The Craven County Board of Education believes that all employees and students are entitled to work and study in school-related environments that are free of sexual harassment. To this end, the Board prohibits employees and students from engaging in sexual harassment. The Board advises employees and students that when evidence of sexual harassment is established severe disciplinary action will be taken.

Warning/Detention/Suspension up to 10 days/long-term
suspension/Expulsion

G. SEARCH AND SEIZURE

School officials investigating acts of misconduct may search a student and possessions if they have a reasonable suspicion that the person is concealing evidence of misconduct on or about his/her person. School officials may also search student lockers, automobiles, and desks.

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

Student lockers are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers. Periodic general inspections of lockers may be conducted by school authorities for any reason at any time without notice and without student consent. A student shall not use a personal lock to secure a locker. Personal locks may be cut from lockers without notice.

Students are permitted to park on school premises as a matter of privilege. The school retains authority to conduct routine patrols of student parking lots and inspections of student automobiles on school property and

proscribed items in plain view. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant. Whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside, the school authority should consult the local law enforcement authorities. If a properly conducted search yields illegal or contraband materials, such findings shall be turned over to the proper legal authorities.

H. **UNAUTHORIZED SOLICITATION**

Students have the right to be protected from interference by sales persons and solicitors on school property. All items sold at school must be approved by the principal. Students have the responsibility to ascertain from school authorities that sales persons have prior official approval for their activities.

I. **OTHER**

Students shall not engage in any other behavior which is clearly inappropriate conduct at school or school-related activities such as cheating, gambling, petting, or taking or attempting to take immoral or indecent liberties with another student.

J. **STUDENT RECORDS**

A student's official record shall include long-term suspensions or expulsions (and the reason for such); this record shall be expunged (removed) if the student graduates or is not so disciplined again during the next 2 years.

II. **DISCIPLINARY SUSPENSIONS**

A. A local education agency is not required to provide educational services to a student with a disability during periods of suspension when the student has been removed from his/her current placement for 10 school days or less in that school year.

B. When a student with a disability has been removed from his/her current placement for more than 10 school days in that school year, but the removal does not constitute a change in placement, the local education agency, for the remainder of the removals must:

- (1) provide services to the extent necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals in the student's IEP; and
- (2) School personnel, in consultation with the student's special education teacher, shall determine the necessary services that the student needs to appropriately progress in the general curriculum and accomplish IEP goals.

C. For purposes of disciplinary removal, a change of placement occurs if:

- (1) the removal is for more than 10 consecutive school days; or
- (2) the student is subjected to a series of removals that constitute a pattern because they cumulate to more than 10 school days in a

school year, and because of factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

- D. If the manifestation review determines that the behavior was not a manifestation of the disability, the local education agency may proceed with the same disciplinary procedures that are used with non-disabled students except the student with a disability must continue to receive a free appropriate public education, including special education and related services and access to the general curriculum as determined by the IEP Team and other qualified persons. If the local education agency initiates disciplinary procedures applicable to all children, the agency shall ensure that the special education and disciplinary records of the student with a disability shall be given to the person making the final decision regarding the disciplinary action for consideration.
- E. Nothing in this rule shall prohibit a local education agency from seeking a court order or expedited hearing from a due process hearing officer (administrative law judge) under IDEA to remove a student with a disability from school if maintaining the student in his current placement is substantially likely to result in injury to himself or to others.

III. **SUMMARY SUSPENSIONS**

If the principal witnesses or is made aware of any serious student misconduct and believes that IMMEDIATE removal of the student is necessary to restore order or to protect school property or persons on the school grounds, he/she may suspend the student immediately. The parent should also be made aware of the situation as soon as possible.

In such cases, the principal is not required to conduct the investigation before she/she suspends, but he/she thereafter shall carry out such an investigation and decide on further disciplinary action, if needed.

Once a principal has decided to suspend a student summarily, he/she shall follow appropriate due process procedures including those described in the Section for sending a student home during the school day.

Should the results of the principal's investigation convince the principal that the recipient of a summary suspension is not guilty of the misconduct in question, the student shall have the right to make up work he/she missed and to receive credit for such work.

IV. **SENDING HOME DURING DAY**

When a student is suspended during the school day, the principal shall attempt to reach the student's parents to inform them of the school's action and request that they come to the school or make arrangements for the student to leave the school. If the parents are available to receive the student but cannot make arrangements, the school shall provide transportation for the student.

Notwithstanding the above requirements that a suspended student be released only to a parent, the principal may order students to leave the school premises immediately when he/she is faced with mass violations of school rules and it is not

possible to keep the students on school grounds and restore or maintain order to protect school property or people on the school grounds.

V. **PROCEDURE FOR SHORT-TERM SUSPENSIONS AND IN-SCHOOL SUSPENSIONS**

1. The principal has the authority (under G.S. 115C-391) to suspend for a period of ten (10) school days or less any student who violates the rules of conduct established by or in accordance with this policy. A student who is suspended shall be given an opportunity to make up any quarterly, semester or grading period examinations missed during a short-term suspension.
2. Generally, the student shall have been informed previously, either verbally or in writing, that the act of misconduct could result in a suspension.
3. The student shall be told of the alleged misconduct and the evidence against him/her.
4. The student shall be given the opportunity to present informally his/her knowledge of the facts and defense, if any, to the accusations.
5. The principal or designee shall conduct such investigations as are necessary to determine the truth of the accusations against the student.
6. When the principal or designee has reached a decision, the student shall be informed of the decision.
7. If the principal or designee finds that the accusation(s) is true and that a suspension is warranted under the facts and circumstances, the student, parents and/or guardians shall be notified, in writing, of the reason for the suspension, the type of suspension (in-school or out-of-school) and the length of the suspension.
8. The parents and/or guardians shall also be notified that they may request a conference with the principal to discuss the suspension.
9. In-school suspensions follow the same procedures except that the student is placed in a special classroom away from the other students and must complete the classroom work under the direction of a qualified teacher during the days of suspension from the regular classroom.

In addition to the provisions and procedures for short term (up to 10 days) suspension, a long term suspension may be imposed by following the provisions and procedures set out in section VI.

VI. **LONG-TERM SUSPENSIONS**

1. The principal may suspend with the prior approval of the superintendent for a period in excess of ten (10) school days of any student who violates the Rules of Conduct established by or in accordance with this policy.
2. Before submitting a recommendation to the superintendent, the principal shall complete the following steps:
 - a. The student shall be told of the alleged misconduct and the evidence against him/her.
 - b. The student shall be given the opportunity to present informally his/her knowledge of the facts and defense, if any, to the accusations.
 - c. The principal or designee shall conduct such investigations as are necessary to determine the truth of the accusations against the student.

- d. When the principal or designee has reached a decision, the student shall be informed of the decision.
3. The notices to the student and his/her parent(s) or guardian(s) shall clearly state:
 - a. That the principal is imposing a long-term suspension:
 - b. That the student and his/her parent(s) or guardian(s) may request a hearing within ten (10) calendar days of notice of the principal's action before a hearing panel appointed by the superintendent or designee; and
 - c. The procedures for requesting a hearing.
4. Prior to the hearing, the student and his/her parent(s) or guardian(s) shall have the right to examine any exhibits or other evidence against the student by giving reasonable notice to the superintendent.
5. The hearing shall be conducted in the following manner:
 - a. It shall be private and informal.
 - b. The "Rules of Evidence" of the North Carolina Rules of Civil Procedures shall not apply.
 - c. The student may be represented by an attorney or the parent or guardian.
 - d. The hearing shall begin with the presentation of the school's evidence of a violation of a rule or rules of conduct established by or in accordance with this policy.
 - e. The school officials and the student shall have the right to present evidence and cross-examine any witnesses presented.
6. Within forty-eight (48) hours of the hearing, the panel shall make a recommendation to the superintendent based solely on the evidence presented at the hearing.
7. The superintendent shall render a decision on the recommendation of the panel and notify the student and his/her parent(s) or guardian(s) concerning the student's future education.
8. The student or parent(s) or guardian may appeal the recommendation of the Superintendent to a panel of the Board of Education by requesting a hearing in writing within ten (10) calendar days of notice of the Superintendent's recommendation. The panel shall not be bound by the recommendation of the Principal or the recommendation of the Superintendent or by any recommendations of the said Principal or Superintendent.
9. The Associate Superintendent or designee shall appoint a hearing panel composed of not less than three (3) members of the Board to hear and make a recommendation to the full Board at its next regular meeting. All board members will be notified of the hearing date and time. Within forty-eight (48) hours of the hearing, the Associate Superintendent or designee shall inform the student and his/her parent(s) or guardian of the hearing panel's recommendation.

VII. **EXPULSION**

1. The superintendent with the recommendation of the principal may recommend to the Board of Education the expulsion of any student FOURTEEN (14) YEARS OF AGE OR OLDER WHOSE BEHAVIOR INDICATES THAT THE STUDENT'S CONTINUED PRESENCE IN SCHOOL CONSTITUTES A CLEAR THREAT TO THE SAFETY OF OTHER STUDENTS OR EMPLOYEES.
2. Before submitting the recommendation to the Board of Education for expulsion, the student shall be accorded the due process procedures provided for a long-term suspension.
3. The student and his/her parent(s) or guardian(s) shall be notified that they may request a hearing before a panel of the Board of Education.
4. The Associate Superintendent or designee shall appoint a hearing panel composed of not less than three (3) members of the Board to hear and make a recommendation to the full Board at its next regular meeting. All members will be notified of the hearing date and time. Within forty-eight (48) hours of the hearing, the Associate Superintendent or designee shall inform the student and his/her parent(s) or guardian of the hearing panel's recommendation.
5. At any time after the first July 1 that is at least six months after the Board's decision to expel a student, a student may request the Board to reconsider that decision. If the student demonstrates to the satisfaction of the Board that the student's presence in school is no longer a threat to the safety of other students or employees, the Board shall readmit the student to a school in the school system on a date the Board considers appropriate.

VIII. **EXPUNCTION OF STUDENT RECORDS**

- A. The official record of each student enrolled in the school system shall be permanently maintained in the files of the central office of the Craven County Board of Education.
- B. The records shall contain, as a minimum, adequate identification data, including but not limited to, date of birth, attendance data, grading and promotion data and such other factual information as may be deemed appropriate by the Craven County Board of Education. Each student's official record shall also include notice of any suspension for a period of more than ten (10) days or of any expulsion, pursuant to G. S. 115C-391 and the conduct for which the student was suspended or expelled.
- C. The Superintendent or his designee shall expunge from the record the notice of suspension or expulsion, provided the following criteria are met:
 - i. A request for expungement is made by
 - a. The student's parent, legal guardian or custodian, if the student is a minor

- b. The student, himself, if he is at least sixteen (16) years of age or is emancipated;
 - ii. The student has graduated from high school or has not been expelled or suspended again during the 2-year period beginning on the date of the student's return to school after the expulsion or suspension;
 - iii. The superintendent, or his designee, determines that the maintenance of the record is no longer needed to maintain safe and orderly schools; and
 - iv. The superintendent, or his designee, determines that maintenance of the record is no longer needed to adequately serve the child.
- D. The superintendent, or his designee (not withstanding subdivision C (1) of this section) may expunge from a student's official record, any notice of suspension or expulsion, provided all other criteria above-stated are met.
- E. Whenever notice is given to students, parents or guardians or custodians of a suspension of more than ten (10) days or an expulsion, the notice shall state the information which will be included in the student's official record and the procedure for expungement of his information pursuant to G. S. 115C-402.

Legal reference: N.C. Gen. Stat. 115C-228(e); 115C-390; 115C-391; 115C-112; 115C-116

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STUDENT CODE OF CONDUCT ADDENDUM COMPUTER OFFENSES
Offenses-Type I Consequence Integrity and Protocol Offenses
Accesses, produces, stores, posts/sends, displays or views inappropriate web sites or material that is pornographic, obscene, discriminatory, profane, lewd, vulgar, rude, blocked, defamatory, or sexually suggestive with language or images.
Responds inappropriately to directions by a staff member or district technology employee regarding computer activity.
Plagiarizes information or violates copyright laws from the internet or other electronic media.
Uses another user's password or trespasses in another user's folder, work, or files....Participates in illegal file sharing.
Accesses restricted social networking sites during the school day on a school computer.
Communicates with a student or other students on a social networking site during non-school hours resulting in actions that disrupt the school day.
Plays games, listens to music, or uses any other type of media during the instructional time that is not directly related to the lesson or to a project as assigned by an instructor.
Uses inappropriate language, graphics, or references in a school assignment or discussion board.
Type I Consequence Options
<p><u>1st Offense:</u> Shall conference with student and parents/guardians. Shall complete a signed warning statement/contract/referral of the offenses and the consequences that could result from subsequent violations. Plagiarizing from the internet and other media sources may warrant a zero on the work in question in addition to other consequences as determined by school administration. May result in discussion with Magistrate/Juvenile Services to determine criminal potential. May result in out-of-school suspension.</p> <p><u>2nd Offense:</u> Shall conference with student and parents/guardians. Shall complete a signed statement of the offenses and the consequences that could result from subsequent violations. Plagiarizing from the internet or other media sources shall result in a zero on work in question and may jeopardize status in certain school activities and privileges. Counseling may be considered. May result in loss of laptop. Shall result in loss of school computer access as designated by administrator or</p>

loss of student's password/log in privileges on school computers.
 May result in removal of internet capabilities from laptop, restriction to use of flash drive only, or access to restricted user on specific web sites.
 May result in request to Magistrate/Juvenile Services to consider criminal charges.
 May result in suspension up to 3 days contingent upon severity of offense.

3rd Offense:

Shall conference with student and parents/guardians.
 Shall complete a **signed** statement of offenses and consequences that could result from subsequent violations.
 Plagiarism from the internet or other media source for the third time reveals a problem that **may** lead to complete loss of certain activities or privileges and **shall** lead to a recommendation for counseling. Student **shall** receive a zero on the work in question.
 Shall result in loss of computer privileges or laptop for extended period of time...up to the entire school year. The loss of computer for a one to one student may allow for instructional access only. A laptop student may check out a computer from the instructor or administrator for class activities in classroom. The student shall return laptop at the end of each class period. Student shall lose all at-home laptop privileges.
 May result in filing a complaint with the Magistrate/Juvenile Services for consideration of criminal charges.
 May result in suspension up to 5 days.

Offenses-Type II Consequences
Legal Implication or Warrants Monetary Restitution
Damages, disturbs, or vandalizes a computer or school software including any attempt to harm or destroy the operating system, hardware, application software, or data.
Uses computer to disrupt the activities of other users....for example the distribution of unsolicited advertising (spam), causes a DOS (Denial of Service), propagation of computer viruses, distribution of large quantities of information that may overwhelm the system (i.e., chain letters, network games, or broadcasting).
Accesses, produces, stores, posts/sends, displays or views inappropriate web sites or material that is pornographic, obscene, discriminatory, profane, lewd, vulgar, rude, blocked, defamatory, or sexually suggestive with language or images.
Responds inappropriately to directions by a staff member or district technology employee regarding computer activity.

Type II Consequence Options

1st Offense:

Shall conference with student and parents/guardians.

Shall complete a **signed** statement of offenses and consequences for subsequent violations.

Parents and students **shall** be responsible for restitution of damages of property and staff time to reinstall or change modified or deleted files.

May result in the loss of laptop or school computer access for time designated by administrator if incident involves school computers. Administrator will determine if loss of computer or computer access is logical consequence.

May result in request to Magistrate/Juvenile Services to consider criminal charges.

May result in possible suspension up to 3 days contingent upon nature of the offense.

2nd Offense:

Shall conference with student and parents/guardians.

Shall complete a **signed** statement of offenses and future consequences for subsequent violations.

Shall result in loss of laptop or school computer access for extended period of time if administrator concludes that offense involves school computer. The loss of computer for a one to one student may allow for instructional access only. A laptop student may check out a computer from the instructor or administrator for class activities in classroom. The student shall return laptop at the end of each class period.

Shall discuss filing a complaint with the Magistrate/Juvenile Services for criminal charges.

May result in a possible suspension up to 5 days contingent upon nature of prior offenses and severity of offense.

3rd Offense:

Shall conference with student and parents/guardians.

Shall complete a **signed** statement of offenses and future consequences for subsequent violations.

Shall result in loss of laptop or school computer access for rest of school year if administrator concludes that offense involves school computer. The loss of computer for a one to one student may allow for instructional access only. A laptop student may check out a computer from the instructor or administrator for class activities in classroom. The student shall return laptop at the end of each class period.

Shall file complaint with Magistrate to press criminal charges.

May result in a suspension up to 10 days.

Offenses-Type III Consequences Strong Legal Implications
Hacks into the school data management system or any other school data base.
Harasses another student through electronic media or other means such as texting.
Harasses a staff member through electronic media or other means including cyberstalking or cyberharassment.
Poses as another student or staff member by accessing a personal web site or social network page and proceeds to communicate as that person...
Uses another user's password or trespasses in another user's folder, work, or files....Participates in illegal file sharing.
Publishes information or student work on inappropriate or restricted sites. Publishes false or defamatory information.
Uses the school network for legal or illegal (selling drugs or alcohol) commercial gain.
Agrees to meet with someone through a school network site.
Posts information about or authored by a school employee without the permission of the employee...
Accesses, produces, stores, posts/sends, displays or views inappropriate web sites or material that is pornographic, obscene, discriminatory, profane, lewd, vulgar, rude, blocked, defamatory, or sexually suggestive with language or images.
<u>Type III Consequence Options</u>
<p><u>1st Offense:</u> Shall conference with student and parents/guardians of both parties and/or staff member. Shall complete a signed statement of offenses (with documented evidence of communication) and future consequences for subsequent violations. May result in the loss of laptop or school computer access for time designated by administrator if incident involves school computers. Administrator will determine if loss of computer or computer access is logical consequence. Shall discuss possibility of filing criminal charges with the Magistrate/Juvenile Services. Shall result in suspension up to 10 days or Long Term contingent upon severity of the offense.</p> <p><u>2nd Offense:</u> Shall conference with students and parents/guardians of both parties and/or staff member. Shall complete a signed statement of offenses (with documented evidence of communication) and future consequences for subsequent violations. May result in the loss of laptop or school computer access for time designated by administrator if incident involves school computers. Administrator will determine if loss of computer or computer access is logical consequence. Shall ask the Magistrate/Juvenile Services to recommend filing charges. May result in possible suspension up to 10 days or Long Term contingent upon severity of the offense.</p>

3rd Offense:

Shall conference with student and parents/guardians of both parties and/or staff member.

Shall produce **signed** statement of results and future consequences.

Shall request that charges be filed with Magistrate/Juvenile Services.

Shall result in long term loss of computer access or laptop if applicable.

Shall result in possible suspension up to 10 days or Long Term.

Definitions:

Illegal activities: Any violations of federal, state, or local laws that include, but are not limited to, copyright infringement and or illegal file sharing; posting or publishing false or defamatory information about a person or organization; committing fraud; cyberstalking; cyberharassment; threatening another person; or intentionally engaging in communication for the purpose of abusing, annoying, threatening, terrifying, harassing, misrepresentation or embarrassing another person.

Harassment includes but is not limited to slurs, comments, jokes, innuendoes, unwelcome compliments, conveying a threat, cartoons, visual depictions, pranks, text messages, phone messages, or verbal conduct relating to an individual that have the purpose or effect of creating an intimidating hostile or offensive environment and have the purpose or effect of unreasonably interfering with an individual's work or school performance or interfering with school operations.

Conference with student and parents/guardians means either a face to face meeting or personal conversation by phone. Messages are not acceptable as a conference.

Complete a signed warning statement means that there is documentation either through a contract, group memory, or discipline referral that both parties understand the infraction and the impending consequences. Having a signed document upon each occurrence increases the chances of the offense's not being repeated and serves as documentation to support decisions made in the event there are future infractions.