

*Gates County
Schools*

**Student Policy
and Information
Manual**

2016-2017

“Reaching New Heights Together”

*Note: Parents, Return Confirmation Page
at Back to Your Child’s School*

STUDENT POLICY AND INFORMATION MANUAL FOR GATES COUNTY SCHOOLS

The Gates County Board of Education has adopted written policies for the operation of the school system. It is the Board members' belief that the educational process should be conducted in an atmosphere conducive to learning, free of disruption and threat to person or property, and supportive of individual rights. To share existing policies and to clarify various matters of concern to all students, parents, teachers, and administrators, the Board of Education establishes a Student Policy & Information Manual for Gates County Schools.

This document shall set forth basic guidelines prohibiting certain types of student behavior while a student is on school property, going to and from school, and during the time he/she is under the supervision of board employees, or attending school-sponsored activities. Additional regulations, not in conflict with those adopted by the board, may be established by school-based personnel to implement the intent of the manual and to determine disciplinary action for infractions of such regulations. Additional policies are available online at <http://coserver.gates.k12.nc.us/>

Inquiries regarding this manual and its application should first be made to the teacher and principal of the school in which a student is enrolled. Further inquiries should be directed to the Director of Student Services.

In this document the term parent(s) also means guardian(s) or custodian(s) of a student. The function of the principal may be undertaken by an assistant principal or another employee designated by the principal. The function of the superintendent may be undertaken by another employee designated by the superintendent.

July 1, 2016
Adrienne Bradley
Director of Student Services

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I. ADMINISTERING MEDICINE TO STUDENTS

The board recognizes that students may need to take medication during school hours and seeks to ensure that such medication is administered safely and accurately. To minimize disruptions to the school day, medicines should be taken at home before and/or after school rather than at school whenever feasible. School personnel should not agree to administer any medication that could be taken at home. The administration of medication to students by school employees will be permitted only according to this policy, any corresponding administrative procedures and upon the proper authorization by a physician/licensed provider and the student's parent or guardian.

For the purposes of this policy, "medications" refers to both prescription and non-prescription drugs.

A. STANDARDS FOR ADMINISTERING MEDICINES

1. School employees are authorized to administer drugs or medication when all of the following conditions have been met.
 - a. The student's parent or legal custodian has made a written request that school personnel administer the drug or medication to the student and has given explicit written instructions describing the manner in which the drug or medication is to be administered, consistent with a physician's instructions.
 - b. A physician has prescribed the drug or medication for use by the student (for over-the-counter medications as well as medications available only by a physician's prescription).
 - c. A physician has certified that administration of the drug or medication to the student during the school day is necessary (for over-the-counter medications as well as medications available only by a physician's prescription).
 - d. The employee administers the drug or medication pursuant to the written instructions provided by the student's parent or legal custodian.
2. The superintendent shall develop procedures for the implementation of this policy. These rules and a copy of this policy must be made available to all students and parents each school year. The superintendent's procedures should be developed according to the guidelines listed below.
 - a. The health and welfare of the student must be of paramount concern in all decisions regarding the administration of medicine.
 - b. Students with special needs are to be afforded all rights provided by federal and state law as enumerated in the Policies Governing Services for Children with Disabilities. Students with disabilities also are to be afforded all rights provided by anti-discrimination laws, including Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.
 - c. No student may possess, use or transmit any drug or counterfeit drug prohibited by policy 4325, Drugs and Alcohol.
 - d. The board generally encourages school personnel to administer medicine from a centralized location. However, in all instances, whether from a centralized location or multiple locations, any medicines kept at school for a student must be kept in a locked and secure place.
 - e. All school personnel who will be administering medicines must receive appropriate training.
 - f. Only drugs clearly prescribed or intended for the student may be administered by school personnel. At the time a parent brings a drug to school for administration, if school personnel have concerns regarding the appropriateness of a drug or dosage for a student, a confirmation should be obtained from the student's doctor or another doctor prior to administering the medicine or allowing a student to self-administer a medicine.
 - g. Although efforts should be made not to disrupt instructional time, a parent has the right to administer medicines to his or her child at any time while the child is on school property.
 - h. Written information maintained by school personnel regarding a student's medicinal and health needs is confidential. Parents and students must be accorded all rights provided by the Family Educational Rights and Privacy Act and state confidentiality laws. Any employee who violates the confidentiality of the records may be subject to disciplinary action.

B. OVER-THE-COUNTER MEDICATION

Consistent with the above requirements, over-the-counter medications will only be given during school hours by school personnel if they are complete with instructions (like a prescription drug) and are in the original unopened package. Parents who want school personnel to administer over-the counter medication must provide the medication to school personnel pursuant to the requirements of this policy.

C. EMERGENCY MEDICATION

Students who are at risk for medical emergencies, such as those with asthma or severe allergies, must have an emergency health care plan developed for them to address emergency administration of medicine.

D. STUDENT SELF-ADMINISTERING ASTHMA MEDICATIONS

The board recognizes that students with asthma and/or subject to anaphylactic reactions may need to possess and self-administer asthma medication on school property. As used in this policy, "asthma medication" means a medicine prescribed for the treatment of asthma or anaphylactic reactions and includes a prescribed asthma inhaler or epinephrine auto-injector. The superintendent shall develop procedures for the possession and self-administration of asthma medication by students on school property, during the school day, at school-sponsored activities, and/or while in transit to or from school or school-sponsored events.

1. Before a student will be allowed to self-administer medicine pursuant to this section, the student's parent or guardian must provide to the principal or designee all of the documents listed below.
 - a. written authorization from the student's parent or guardian for the student to possess and self-administer asthma medication;
 - b. a written statement from the student's health care practitioner verifying:
 - 1) that the student has asthma and/or an allergy that could result in anaphylactic reaction;
 - 2) that he or she prescribed medication for use on school property during the school day, at school-sponsored activities, or while in transit to or from school or school-sponsored events; and
 - 3) that the student understands, has been instructed in self-administration of the asthma medication, and has demonstrated the skill level necessary to use the medication and any accompanying device;
 - c. a written treatment plan and written emergency protocol formulated by the prescribing health care practitioner for managing the student's asthma or anaphylaxis episodes and for medication use by the student;
 - d. a statement provided by the school system and signed by the student's parent or guardian acknowledging that the board of education and its agents are not liable for injury arising from the student's possession and self-administration of asthma medication; and
 - e. any other documents or items necessary to comply with state and federal laws.
2. Prior to being permitted to self-administer medicine at school, the student also must demonstrate to the school nurse, or the nurse's designee, the skill level necessary to use the asthma medication and any accompanying device.
3. Finally, the student's parent or guardian must provide to the school backup asthma medication that school personnel are to keep in a location to which the student has immediate access in the event of an emergency.

All information provided to the school by the student's parent or guardian must be kept on file at the school in an easily accessible location. Any permission granted by the principal for a student to possess and self-administer asthma medication will be effective only for the same school for 365 calendar days. Such permission must be reviewed annually.

A student who uses his or her prescribed asthma medication in a manner other than as prescribed may be subject to disciplinary action pursuant to the school disciplinary policy. No one may impose disciplinary action on the student that limits or restricts the student's immediate access to the asthma medication.

The board does not assume any responsibility for the administration of drugs or medication to a student by the student, the student's parent or legal custodian or any other person who is not authorized by this policy to administer medications to students.

II. ASBESTOS HAZARD EMERGENCY RESPONSE ACT (AHERA)

Asbestos Program: Annual Notification

To: All parents and staff of the Gates County Public Schools

From: Joe D. Harrell, Maintenance Supervisor,
Gates County Schools, Local Education Agency designee,
Assistant LEA designee, Randy Lowe

Regarding: Annual notification of asbestos-containing materials in our schools

Date: June 28, 2016

This notification complies with the US Environmental Agency (EPA) Asbestos Hazard Emergency Response Act (AHERA), 40 CFR 763.93(G).

The EPA requires us to notify, on an annual basis, all parents and staff of Gates County Schools of the presence of asbestos containing materials in our school buildings. A management plan, containing the original inspection conducted in 1988 and all-subsequent 6-month periodic and 3 year re-inspections located in Central Office, Maintenance Department, and each school's administrative office.

It is the intention of Gates County Public Schools to comply with all state and federal regulations monitoring and controlling asbestos, and to take whatever steps are necessary to ensure students and employees a healthy and safe environment in which to learn and work.

Everyone is welcome to view the AHERA Management Plan during normal school hours. The LEA designee, Joe Harrell, is available to answer any question you may have about asbestos in our buildings at (252) 357-1440.

Note:
A public notification is published in the school student policy information manual.

Gates County Public Schools
Environmental Health and Safety
Asbestos Program: AHERA Program
June 2015

Congress passed the Asbestos Hazard Emergency Response Act (AHERA), a provision of the Toxic Substances Control Act, in 1986. AHERA requires local educational agencies to inspect their schools for asbestos-containing building material and prepare management plans that make recommendations for the reduction of asbestos hazards.

Public school districts and non-profits private schools (collectively called local educational agencies – LEA) are subject to AHERA's requirements. This includes charter schools and schools affiliated with religious institutions.

EPA provides local education agencies and parents and teachers with information about the AHERA asbestos-in-schools requirements.

How do schools comply with AHERA?

The rules implementing AHERA are published in the Code of Federal Regulations, Chapter 40, Part 763, Subpart E. The AHERA rules require local education agencies to take actions, including the following:

Perform an original inspection and re-inspection every three years of asbestos-containing material (last completed in 2013);

Develop, maintain, and update an asbestos management plan and keep a copy at the school;

Provide yearly notification to parent, teacher, and employee organizations regarding the availability of the school's asbestos management plan and any asbestos abatement actions taken or planned in the school;

Designate a contact person to ensure the responsibilities of the local education agency are properly implemented;

Perform periodic surveillance of known or suspected asbestos-containing building material;

Ensure that properly-accredited professionals perform inspections and response actions and prepare management plans; and

Provide custodial and maintenance staff with asbestos-awareness training.

Any questions or concerns about the Gates County Schools AHERA program should be directed to the Gates County School Maintenance Department, 252-357-1440.

III. ATTENDANCE

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

A. ATTENDANCE RECORDS

School officials shall keep accurate records of attendance, including accurate attendance records in each class. Attendance records will be used to enforce the Compulsory Attendance Law of North Carolina.

B. EXCUSED ABSENCES

When a student must miss school, a written excuse signed by a parent or guardian must be presented to the student's teacher on the day the student returns after an absence. Absences due to extended illnesses may also require a statement from a physician. An absence may be excused for any of the following reasons.

1. personal illness or injury that makes the student physically unable to attend school;
2. isolation ordered by the State Board of Health;
3. death in the immediate family;
4. medical or dental appointment;
5. participation under subpoena as a witness in a court proceeding;
6. a minimum of two days each academic year for observance of an event required or suggested by the religion of the student or the student's parent(s);
7. participation in a valid educational opportunity, such as travel or service as a legislative or Governor's page, with prior approval from the principal;
8. pregnancy and related conditions or parenting, when medically necessary; Or
9. visitation with the student's parent or legal guardian, at the discretion of the superintendent or designee, if the parent or legal guardian (a) is an active duty member of the uniformed services as defined by policy 4050, Children of Military Families, and (b) has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support post-ing.

In the case of excused absences, short-term out-of-school suspensions and absences under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school), the student will be permitted to make up his or her work (see

also policies 4110, Immunization and Health Requirements for School Admission, and 4351, Short-Term Suspension). The teacher will determine when work is to be made up. The student is responsible for finding out what assignments are due and completing them within the specified time period.

The principal shall determine whether an absence will be excused based on this policy.

C. SCHOOL-RELATED ACTIVITIES

All classroom activities are important and difficult, if not impossible, to replace if missed. Principals shall ensure that classes missed by students due to school-related activities are kept to an absolute minimum. The following school-related activities will not be counted as absences from either class or school:

1. field trips sponsored by the school;
2. job-shadowing and other work-based learning opportunities, as described in G.S. 115C-47(34a);
3. school-initiated and -scheduled activities;
4. athletic events that require early dismissal from school;
5. Career and Technical Education student organization activities approved in advance by the principal; and
6. in-school suspensions.

Assignments missed for these reasons are eligible for makeup by the student. The teacher will determine when work is to be made up. The student is responsible for finding out what assignments are due and completing them within the specified time period.

D. EXCESSIVE ABSENCES

Class attendance and participation are critical elements of the educational process and may be taken into account in assessing academic achievement. Students are expected to be at school on time and to be present at the scheduled starting time for each class. Students who are excessively tardy to school or class may be suspended for up to two days for such offenses.

The principal shall notify parents and take all other steps required by G.S. 115C-378 for excessive absences. Students may be suspended for up to two days for truancy.

Each school shall establish a school-based attendance waiver committee (hereafter "committee") to consider whether a student's grades should be reduced due to excessive absences, tardies and early dismissals; to grant or deny waivers; and to contact the parent or guardian of a student with poor attendance. The committee shall set aside a day after each nine weeks grading period to meet with students and the parents or guardians of students with excessive absences.

A student will have to appear before the committee if, during the course of a nine weeks grading period, the student accumulates: (1) more than five unexcused absences; (2) more than five tardies; or (3) more than five early dismissals. Furthermore, after the final grading period, students who have accumulated more than 20 unexcused absences for the school year may also be subject to review by the committee.

The committee shall invite parents or guardians of students with excessive absences to attend such meetings. The committee will notify parent or guardians of a meeting by sending a letter and following up with a phone call if necessary. If there is no response, the matter will be turned over to the superintendent's office.

The committee shall review other measures of academic achievement, the circumstances of the absences, the number of absences, and the extent to which the student completed missed work. The committee may recommend to the principal and the principal may make any of the following determinations:

1. the student will not receive a passing grade for the semester;
2. the student's grade will be reduced;
3. the student will receive the grade otherwise earned; or

4. the student will be given additional time to complete the missed work before a determination of the appropriate grade is made.

Students with excused absences due to documented chronic health problems are exempt from this policy.

Excessive absences may impact eligibility for participation in interscholastic athletics. See policy 3620, Extracurricular Activities and Student Organizations.

IV. AUTHORITY OF SCHOOL PERSONNEL

The principal has the authority and responsibility to investigate and take appropriate action regarding any prohibited or criminal student behavior and any other behavior appropriately referred to him or her. The principal is responsible for informing students and parents of any standards or rules that, if violated, could result in short-term or long-term suspension or expulsion.

The teacher has the authority and responsibility to manage student behavior in the classroom and when students are under his or her supervision. The teacher is expected to implement the student behavior management plan and any other school standards or rules. The teacher may develop other standards or rules consistent with the direction provided by the board, superintendent and school principal. Every teacher, student teacher, substitute teacher, voluntary teacher, teacher assistant or other school employee is required to report to the principal all acts of violence occurring in school, on school grounds or at any school-sponsored activity.

Teachers and other school personnel have the authority to manage or remove disruptive or dangerous students from the classroom and other locations within the school building. School personnel may use reasonable force to control behavior or to remove a person from the scene in those situations when necessary:

1. to correct students;
2. to quell a disturbance threatening injury to others;
3. to obtain possession of a weapon or another dangerous object on the person, or within the control, of a student;
4. for self-defense;
5. for the protection of persons or property; or
6. to maintain order on school property, in the classroom, or at a school-related activity whether on or off school property.

Except as restricted by G.S. 115C-391.1, school personnel may use appropriate seclusion and restraint techniques reasonably needed in the circumstances described above as long as such use is consistent with state law and applicable board policies and procedures. (See policy 4302, School Plan for Management of Student Behavior.)

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

V. COMMUNICABLE DISEASE POLICY

The board strives to provide a safe and healthy environment for all students and employees. The board also strives to maintain a balance among the needs to educate all eligible students, to protect students' and employees' rights, and to control communicable diseases.

Under certain circumstances, students with communicable diseases may pose a threat to the health and safety of other students and employees. Decisions regarding the educational status of students with communicable diseases will be made on a case-by-case basis in accordance with this policy. Nothing in this policy is intended to grant or confer any school attendance or education rights beyond

those existing by law. This policy will be shared with school employees annually and with new employees as part of any initial orientation.

A. DEFINITION OF COMMUNICABLE DISEASE

A communicable disease is defined as an illness due to an infectious agent or its toxic products that is transmitted directly or indirectly to a person from an infected person or animal.

B. PRECAUTIONS

In order to prevent the spread of communicable diseases, school system officials shall distribute guidelines for necessary health and safety precautions that all school system employees must follow. (See policy 7260, Occupational Exposure to Bloodborne Pathogens, and policy 7262, Communicable Diseases – Employees). Employees are also required to follow the school system’s bloodborne pathogens exposure control plan that contains universal precautions and specific work practice controls relating to the handling, disposal, and cleanup of blood and other potentially infectious materials.

Students should not be involved in the handling, disposal and cleanup of potentially infectious materials. Employees shall take reasonable precautions to avoid allowing students to come in contact with these substances.

C. CURRICULUM

The curriculum will include health, hygiene and safety education, including age-appropriate information concerning safe health practices that inhibit and prevent the spread of diseases. (See policy 3540, Comprehensive Health Education Program.)

D. REPORTING AND NOTICE REQUIREMENTS

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

If the local health director determines that there is significant risk of HIV transmission, the local health director is responsible for deciding which school personnel will be informed of the identity of a student with AIDS or HIV infection. The health director is also responsible for determining which school personnel will be informed of the identity of students with other communicable diseases required to be reported.

Any employee who is informed of or becomes aware of the student’s condition shall respect and maintain that student’s right of privacy and the confidentiality of his or her records and may not share that information unless specifically permitted to do so by the health director, the student’s parent or guardian or by other applicable state or federal laws or regulations. Permission from a parent or guardian to share a student’s HIV status with other school personnel must be in writing. Any documents relating to a student’s HIV or AIDS infection will be retained in a locked cabinet separate from the student’s other school records and medical records and will be released or shared only as necessary to comply with this policy. Employees who are informed of the student’s condition will also be provided with appropriate information concerning necessary precautions and will be made aware of the strict confidentiality requirements. If an employee releases this type of confidential information or record, except as permitted by law, the employee will have committed a misdemeanor and may be subject to further discipline.

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

Students who are immunodeficient, whether due to AIDS or other causes, face an increased risk of severe complications from exposure to communicable diseases that appear in the school setting. Although students with an HIV infection are not required to notify school staff of their HIV status, students and their parents or guardians are encouraged to inform the principal if a student suffers from this immunodeficiency. Students who are immunodeficient because of other communicable diseases, and their parents, are also encouraged to inform the principal.

If notified that a student suffers from an immunodeficiency, the principal should request that the notifying party provide information about what types of exposures might put the student at risk and what reasonable practices can be taken in the school setting to minimize risk to the student. Whenever possible, the principal of a school should notify the parents or guardians of an infected or immunodeficient student (or the student himself or herself, where appropriate) about the presence of chicken pox, influenza, meningococcus, measles, tuberculosis or other contagious diseases occurring in the school that may present a serious threat to the student's health. Students who are removed from school as a result of such conditions will be provided instruction in an appropriate alternative educational setting.

E. EDUCATION/SCHOOL ATTENDANCE FOR STUDENTS WITH AIDS/HIV INFECTION

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

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

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

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

All deliberations of the interdisciplinary committee will be kept strictly confidential and shared only as allowed by law. Any student records related to the deliberations of the committee will be retained in a locked cabinet separate from the student's other school records and medical records.

VI. CRIMINAL BEHAVIOR

Criminal or other illegal behavior is prohibited. Any student who the principal reasonably believes has engaged in criminal behavior on school premises or at school activities will be subject to appropriate disciplinary action, as stated in applicable board policies, and also may be criminally prosecuted.

School officials shall cooperate fully with any criminal investigation and prosecution. School officials shall independently investigate any criminal behavior that also violates school rules or board policy.

A. STUDENTS CHARGED WITH OR CONVICTED OF CRIMINAL BEHAVIOR

The superintendent and principal may take reasonable or legally required measures to preserve a safe, orderly environment when a student has been charged with or convicted of a serious crime, regardless of whether the alleged offense was committed on school grounds or related to school activities. Depending upon the circumstances, including the nature of the crime or alleged crime, the child's age, and the publicity within the school community, reasonable or legally required efforts may include changing a student's classroom assignment or transferring the student to another school. Transfer to an alternative school may be made in accordance with the criteria established in policy 3470/4305, Alternative Learning Programs/Schools. The student will continue to be provided with educational opportunities unless and until the student is found to have violated board policy or school rules and is suspended or expelled in accordance with procedures established in board policy.

B. REPORTING CRIMINAL BEHAVIOR

A school employee is permitted to report to law enforcement an assault by a student on a school employee. Principals or other supervisors shall not, by threats or in any other manner, intimidate or attempt to intimidate the employee from doing so.

Principals must immediately report to law enforcement the following acts when they have personal knowledge or actual notice from school personnel that such acts have occurred on school property, regardless of the age or grade of the perpetrator or victim: (1) assault resulting in serious personal injury; (2) sexual assault; (3) sexual offense; (4) rape; (5) kidnapping; (6) indecent liberties with a minor; (7) assault involving the use of a weapon; (8) possession of a firearm in violation of the law; (9) possession of a weapon in violation of the law; and (10) possession of a controlled substance in violation of the law. A principal who willfully fails to make a required report to law enforcement will be subject to disciplinary action, up to and including dismissal.

The principal or designee shall notify the superintendent or designee in writing or by e-mail of any report made by the principal to law enforcement. Such notice must occur by the end of the workday in which the incident occurred, when reasonably possible, but not later than the end of the following workday. The superintendent must inform the board of any such reports. In addition, the principal or designee must notify the parents of students who are alleged to be victims of any reported offenses.

Certain crimes must be reported to the State Board of Education in accordance with State Board of Education Policy HRS-A-000.

VII. DESTRUCTION OF EXCEPTIONAL CHILDREN'S RECORDS

The inactive Exceptional Children's records for students transferring out of the Gates County School System, or those students who are declassified, are housed at the Board of Education, filed alphabetically in the locked storeroom. In order to guard against improper and unauthorized disclosure of this information, the Gates County School System will:

1. Run annual notices in the local newspaper for three weeks announcing what exit years will be affected, when destruction will occur, how and where eligible persons can receive copies and why they may want such copies.
2. Publish the destruction procedure in the student handbook, distributed to all students every year.
3. Retain information on each record, including student's name, date of birth, exceptional children's classification, and reason for exit; i.e., graduation, declassification, transfer, etc.
4. Parents of students who are actively enrolled in the Exceptional Children's program will be reminded of the destruction of record policy during the annual review of the IEP.

VIII. DIABETES CARE

North Carolina Senate Bill 911 requires guidelines for the development and implementation of individual care plans for students with diabetes in North Carolina schools.

IX. DISCIPLINARY ACTION FOR EXCEPTIONAL CHILDREN/STUDENTS WITH DISABILITIES

Disciplinary actions for students identified as exceptional children according to North Carolina guidelines will conform to Policies Governing Services for Children with Disabilities as adopted by the State Board of Education. If the Policies Governing Services for Children with Disabilities manual does not fully address a particular issue, the director of exceptional children will develop any necessary protocols consistent with state and federal law.

All students with disabilities will be accorded all rights as provided by state and federal law. See also policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities.

X. DISCRIMINATION, HARASSMENT AND BULLYING COMPLAINT PROCEDURE

The board takes seriously all complaints of unlawful discrimination, harassment and bullying. The process provided in this policy is designed for those individuals who believe that they may have been discriminated against, bullied or harassed in violation of policy 1710/4021/7230, Prohibition Against Discrimination, Harassment and Bullying or policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities. Individuals who have witnessed or have reliable information that another person has been subject to unlawful

discrimination, harassment or bullying also should report such violations to one of the school system officials listed in subsection C.1. of this policy. Reports may be made anonymously.

A. DEFINITIONS

1. Alleged Perpetrator

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

2. Complaint

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

3. Complainant

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

4. Days

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

5. Investigative Report

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

6. Investigator

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

7. Report

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

B. REPORTING BY EMPLOYEES OR OTHER THIRD PARTIES

1. Mandatory Reporting by School Employees

Any employee who witnessed or who has reliable information or reason to believe that an individual may have been discriminated against, harassed or bullied in violation of policy 1710/4021/7230 or policy 1730/4022/7231 must report the offense immediately to an appropriate individual designated in subsection C.1., below. An employee who does not promptly report possible discrimination, harassment or bullying shall be subject to disciplinary action.

2. Reporting by Other Third Parties

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

3. Anonymous Reporting

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

4. Investigation of Reports

Reports of discrimination, harassment or bullying will be investigated sufficiently to determine whether further action under

this policy or otherwise is necessary, and school officials shall take such action as appropriate under the circumstances, regardless of the alleged victim's willingness to cooperate. At the option of the alleged victim, the report may be treated as a complaint by the alleged victim under this policy.

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

1. Filing a Complaint

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

- a. the principal or assistant principal of the school at which either the alleged perpetrator or alleged victim attends or is employed;
- b. an immediate supervisor if the individual making the complaint is an employee;
- c. the director of human resources if the alleged perpetrator or alleged victim is an employee of the school system (or the superintendent if the director of human resources is the alleged perpetrator);
- d. the Title IX coordinator for claims of sex discrimination or sexual harassment (see policy 1710/4021/7230 for contact information);
- e. the Section 504 coordinator or the ADA coordinator for claims of discrimination on the basis of a disability (see policy 1710/4021/7230 for contact information); or
- f. for claims of other forms of prohibited discrimination, the applicable civil rights coordinator as established in policy 1710/4021/7230.

g. In addition, complaints may be filed with:

Office for Civil Rights

U.S. Department of Education

4000 Maryland Ave SW

Washington, D.C. 20202-1475

Telephone: 202-453-6020 TDD: 800-877-8339

FAX: 202-453-6021 Email: OCR.DC@ed.gov

2. Time Period for Filing a Complaint

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

3. Informal Resolution

The board acknowledges that many complaints may be addressed informally through such methods as conferences or mediation. The board encourages the use of informal procedures such as mediation to the extent possible; however, mediation or other informal procedures will not be used to resolve complaints alleging sexual assault or sexual violence, complaints by a student of sexual harassment perpetrated by an employee or when otherwise inappropriate. Informal procedures may be used only if the parties involved voluntarily agree.

If an informal process is used, the principal or other designated personnel must (1) notify the complainant that he or she has the option to end the informal process and begin formal procedures at any time and (2) make a copy of this policy and other relevant policies available to the complainant. Any informal process should be completed within a reasonable period of time, not to exceed 30 days unless special circumstances necessitate more time. If informal procedures fail to resolve the matter in a reasonable period of time or are inappropriate, or if the complainant requests formal procedures, the complaints will be investigated promptly, impartially

and thoroughly according to the procedures outlined in the remainder of this policy.

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

1. Initiating the Investigation

a. Whoever receives a complaint of discrimination, harassment or bullying pursuant to subsection C.1. shall immediately notify the appropriate investigator who shall respond to the complaint and investigate. The investigator of a complaint is determined as follows:

1) If the alleged incident occurred under the jurisdiction of the principal, the investigator is the principal or designee, unless the alleged perpetrator is the principal, the director of human resources, the superintendent or a member of the board. If the alleged perpetrator is any other employee, the principal or designee shall conduct the investigation in consultation with the director of human resources or designee.

2) If the alleged perpetrator is the principal, the director of human resources or designee is the investigator.

3) If the alleged incident occurred outside of the jurisdiction of a principal (for example, at the central office), the director of human resources or designee is the investigator unless the alleged perpetrator is the director of human resources, the superintendent or a member of the board.

4) If the alleged perpetrator is the director of human resources, the superintendent or designee is the investigator.

5) If the alleged perpetrator is the superintendent, the board attorney is the investigator. (In such cases, whoever receives a complaint of discrimination, harassment or bullying shall immediately notify the director of human resources who shall immediately notify the board chair. The board chair shall direct the board attorney to respond to the complaint and investigate.)

6) If the alleged perpetrator is a member of the board, the board attorney is the investigator. (In such cases, whoever receives a complaint of discrimination, harassment or bullying shall immediately notify the superintendent who shall direct the board attorney to respond to the complaint and investigate. Unless the board chair is the alleged perpetrator, the superintendent shall also notify the board chair of the complaint.)

b. As applicable, the investigator shall immediately notify the Title IX, Section 504, ADA or other relevant coordinator of the complaint, and, as appropriate, may designate the coordinator to conduct the investigation.

c. The investigator shall explain the process of the investigation to the complainant and inquire as to whether the complainant would like to suggest a course of corrective action.

d. Written documentation of all reports and complaints, as well as the school system's response, must be maintained in accordance with policy 1710/4021/7230.

e. Failure to investigate and/or address claims of discrimination, harassment or bullying shall result in disciplinary action.

2. Conducting the Investigation

a. The investigator is responsible for determining whether the alleged act(s) constitutes a violation of policy 1710/4021/7230 or policy 1730/4022/7231. In so doing, the investigator shall impartially, promptly and thoroughly investigate the complaint. The investigator shall interview (1) the complainant; (2) the alleged perpetrator(s); (3) individuals identified as witnesses by the complainant or alleged perpetrator(s); and (4) any other individuals, including other possible victims, who may have relevant information. The investigation will include a review of all evidence presented by the complainant or alleged perpetrator.

b. The complaint and investigation will be kept confidential to the extent possible. Information may be shared only with individuals who need the information in order to investigate and address the complaint appropriately. Any requests by the complainant for further confidentiality will be evaluated within the context of the legal responsibilities of the school system. Any complaints withdrawn to protect confidentiality must be recorded in accordance with policy 1710/4021/7230.

c. The investigator shall review the factual information gathered through the investigation to determine whether, based on a preponderance of the evidence, the alleged conduct constitutes discrimination, harassment or bullying, giving consideration to all factual information, the context in which the alleged incidents occurred, the age and maturity of the complainant and alleged

perpetrator(s), and any other relevant circumstances.

3. Investigative Report

a. The investigator shall submit a written investigative report to the superintendent and, as applicable, to the Title IX, Section 504, ADA or other coordinator.

b. The investigator shall provide written notification to the complainant of the results of the investigation within 15 days of receiving the complaint, unless additional time is necessary to conduct an impartial, thorough investigation. The investigator shall specify whether the complaint was substantiated and, if so, shall also specify:

1) reasonable, timely, age-appropriate, corrective action intended to end the discrimination, harassment or bullying and prevent it from recurring;

2) as needed, reasonable steps to address the effects of the discrimination, harassment or bullying on the complainant; and

3) as needed, reasonable steps to protect the complainant from retaliation as a result of communicating the complaint.

c. If required by federal law, information regarding specific disciplinary action imposed on the alleged perpetrator(s) will be given to the complainant, such as when the information relates directly to the complainant (e.g., an order requiring the perpetrator not to have contact with the complainant). School officials are encouraged to consult with the superintendent and board attorney before releasing such information, however.

d. If the investigator determines that the complaint was substantiated, the perpetrator(s) shall be subject to discipline or other corrective steps, as described in policy 1710/4021/7230. If the corrective steps involve actions outside the scope of the investigator's authority, the superintendent will be notified so that responsibility for taking the corrective steps may be delegated to the appropriate individual.

e. Each alleged perpetrator will be provided with a written summary of the results of the investigation in regard to whether the complaint was substantiated, whether the alleged perpetrator violated relevant law or board policies by his or her actions, and what, if any, disciplinary actions or consequences will be imposed upon the perpetrator in accordance with board policy. The perpetrator may appeal any disciplinary action or consequence in accordance with board policy and law. However, an appeal by the perpetrator of disciplinary action does not preclude school officials from taking appropriate action to address the discrimination, harassment or bullying.

4. Appeal of Investigative Report

a. If the complainant is dissatisfied with the investigative report, he or she may appeal the decision to the superintendent (unless the alleged perpetrator is the director of human resources or the superintendent, in which cases the complainant may appeal directly to the board in accordance with the procedure described in subsection D.4.b below). The appeal must be submitted in writing within five days of receiving the investigative report. The superintendent may review the documents, conduct any further investigation necessary or take any other steps the superintendent determines to be appropriate in order to respond to the complaint. The superintendent shall provide a written response within 10 days after receiving the appeal, unless further investigation is needed.

b. If the complainant is dissatisfied with the superintendent's response, he or she may appeal the decision to the board within five days of receiving the superintendent's response. The board will review the documents, direct that further investigation be conducted if necessary and take any other steps that the board determines to be appropriate in order to respond to the complaint. Upon request of the complainant, the board will hold a hearing pursuant to policy 2500, Hearings Before the Board. The board will provide a written response within 30 days after receiving the appeal, unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

E. TIMELINESS OF PROCESS

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

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

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

F. GENERAL REQUIREMENTS

1. No reprisals or retaliation of any kind will be taken by the board or by an employee of the school system against the complainant or other individual on account of his or her filing a complaint or report or participating in an investigation of a complaint or report filed and decided pursuant to this policy, unless the person knew or had reason to believe that the complaint or report was false or knowingly provided false information.

2. All meetings and hearings conducted pursuant to this policy will be private.

3. The board and school system officials will consider requests to hear complaints from a group, but the board and officials have the discretion to hear and respond to complainants individually.

4. The complainant may be represented by an advocate, such as an attorney, at any meeting with school system officials.

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

G. RECORDS

Records will be maintained as required by policy 1710/4021/7230.

XI. DRUGS AND ALCOHOL

Unauthorized or illegal drugs and alcohol are a threat to safe and orderly schools and will not be tolerated. The superintendent is responsible for ensuring that this policy is consistently applied throughout the school system.

A. PROHIBITED BEHAVIOR

Students are prohibited from possessing, using, transmitting, selling or being under the influence of any of the following substances:

1. narcotic drugs;
2. hallucinogenic drugs;
3. amphetamines;
4. barbiturates;
5. marijuana or any other controlled substance;
6. synthetic stimulants, such as MDPV and mephedrone (e.g., “bath salts”), and synthetic cannabinoids (e.g., “Spice,” “K2”);
7. any alcoholic beverage, malt beverage, fortified or unfortified wine or other intoxicating liquor; or
8. any chemicals, substances or products procured or used with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student’s mood or behavior.

Students also are prohibited from possessing, using, transmitting or selling drug paraphernalia or counterfeit (fake) drugs. Students may not participate in any way in the selling or transmitting of prohibited substances, regardless of whether the sale or transmission ultimately occurs on school property.

Possession or use of prescription and over-the-counter drugs is not in violation of this policy if such drugs are possessed and used in accordance with policy 6125, Administering Medicines to Students. The principal may authorize other lawful uses of substances that are otherwise prohibited by this policy, such as for approved school projects.

B. CONSEQUENCES

As required by policy 4335, Criminal Behavior, the principal must report to the appropriate law enforcement agency any student who has used or possessed prohibited substances in violation of this policy.

The disciplinary consequences for violations of this policy shall be consistent with Section F of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy.

XII. EDUCATION FOR PREGNANT AND PARENTING STUDENTS

The board of education will provide all pregnant and parenting students with the same educational instruction as other students or its equivalent. Pregnant and parenting students will not be discriminated against or excluded from school or from any program, class or extracurricular activity because they are pregnant or parenting students. School administrators shall provide assistance and support to encourage pregnant and parenting students to remain enrolled in school and graduate.

In accordance with state law, school system officials shall use, as needed, supplemental funds from the At-Risk Student Services allotment to support programs for pregnant and parenting students. Students who are pregnant or parenting will be given excused absences from school for pregnancy and related conditions for the length of time the students' physicians find medically necessary. These absences include those due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent. Homework and make-up work will be made available to pregnant and parenting students to ensure that they have the opportunity to keep current with assignments and avoid losing course credit because of their absence from school, and, to the extent necessary, a homebound teacher will be assigned.

XIII. EMERGENCY CLOSINGS

The superintendent shall develop procedures for the temporary closing of a school or all schools in the school system because of inclement weather or any other unforeseen occurrence that presents a threat to the safety of students and employees or causes major damage to school property. The superintendent shall notify parents, the news media and other interested parties of a decision to close a school or schools as soon as it is feasible to do so under the circumstances.

XIV. EMERGENCY RESPONSE TO BEE STING REACTION/ANAPHYLAXIS

Gates County Schools will train staff to respond to any student identified as having an allergic reaction which compromises his/her breathing or causes other significant reactions beyond local swelling or redness.

XV. FIRST AID PROCEDURES

Schools are responsible for giving first aid or emergency treatment in case of sudden illness or injury to a student or a member of the staff. Further medical attention to students is the responsibility of the parents or guardian, or of someone the parents or guardian designate in case of emergency.

Each principal is charged with providing for the immediate care of ill or injured persons within his area of control. A qualified staff member will administer emergency aid.

In each school, procedures for the handling of such emergencies will be established and made known to the staff. Each school and school vehicle will be equipped with appropriate first aid equipment.

XVI. HOME/HOSPITAL SERVICES

The Home/Hospital Program is for students who are expected to be confined for four weeks or longer to a hospital or home for treatment or for a period of convalescence. Any student who is disabled to the degree that it is impossible or medically inadvisable for him/her to attend school is eligible for home/hospital services. The students needing home/hospital services should be expected, by competent medical authority, to be away from the classroom for a minimum of four weeks, and the medical statement should set forth the nature and extent of the handicap, the physical or psychological limitations under which the child can operate successfully, and the anticipated length of time he/she is expected to be incapacitated.

SERVICES PROVIDED

Students eligible for home/hospital services are to be given instruction based upon their individual needs for up to three hours per week unless prohibited for medical reasons. Students who have been placed in the Exceptional Children's Program should have their special needs designated in an IEP. Pregnant students are not required to have a written individual education program and services are available two weeks prior to delivery and four weeks after delivery (six weeks for Caesarean).

Students who are disabled to the extent that they are unable to attend school may receive the home/hospital services at local hospitals, in the home, or at a designated area.

Most of the students in the home/hospital program are only temporarily disabled and are expected to return to school within the year. In these cases, the objective of the home/hospital program is to provide ongoing instructional services so that the student can return to school without suffering an academic setback. Those students who will not be in actual physical attendance at school are nevertheless enrolled at that school and receive appropriate assignments, textbooks and materials from that school.

The procedures described below are to be followed when referring a student for home/hospital services.

1. The school counselor completes the appropriate information on referral form.
2. The referral form is sent to the student's physician.
3. The physician returns the completed form to the school counselor.
4. If the conditions are met, the school counselor forwards the form to the Director of Exceptional Children's Program.
5. The Director of Exceptional Children's Program assigns a teacher, taking into consideration the age of the student, course requirements, type of exceptionality, and/or behavior restrictions. A copy of the referral form with the name of the home/hospital teacher and the starting and ending dates will be sent to the student's school.

XVII. INTEGRATED PEST MANAGEMENT

Pests are significant problems for people and property. The pesticides that are commonly used in pest control may pose a potential risk to human health and the environment. The board is committed to maintaining a safe educational environment while also protecting the physical conditions of school facilities. To this end, the board will utilize Integrated Pest Management (IPM) programs or incorporate IPM procedures into the maintenance program conducted by the school system. The superintendent will appoint an IPM contact person to facilitate the use of IPM techniques. As necessary, the superintendent will develop administrative procedures for the IPM program.

A. OVERVIEW OF INTEGRATED PEST MANAGEMENT

IPM is a comprehensive approach that combines effective, economic, environmentally sound and socially acceptable methods to prevent and solve pest problems. IPM emphasizes pest prevention and provides a decision-making process for determining if, when and where pest suppression is needed and what control tactics are appropriate.

Through its IPM program, the school system will strive to do the following:

1. minimize any potential health, environmental and economic risks from pests or from the use of pest control methods;
2. minimize loss or damage to school structures or property from pests or from the use of pest control methods;
3. minimize the risk of pests spreading into the community; and
4. enhance the quality of facility use for the school and community.

Pesticide use will not be based solely on a schedule. School personnel in charge of pest management will consider how and when pesticides need to be used to achieve the pest management goals.

B. USE OF IPM IN FACILITY AND MAINTENANCE OPERATIONS

The school system shall include pest management considerations in facilities planning and maintenance. The IPM contact person, in conjunction with the school system's contracted pest management professional, will recommend to the superintendent any landscaping changes, structural modifications and sanitation changes needed to reduce or prevent pest problems. The superintendent will review such recommendations and may authorize action to address necessary minor changes in a timely manner, as the budget permits. For significant changes or changes that require a significant expenditure of funds, the superintendent will recommend changes to the board for approval.

C. PROVIDING INFORMATION ON IPM TO THE SCHOOL COMMUNITY

Staff, students, pest managers, parents and the public will be informed about potential school pest problems, school IPM policies and procedures, and their respective roles in achieving the desired pest management objectives. Each year, the principal or designee will ensure that the student handbook includes the schedule of anticipated pesticide use on school property and a notice to parents, guardians and custodians of their right to request notification of nonscheduled pesticide use. Additionally, the principal or designee shall annually notify school staff of scheduled pesticide use on school property and of their right to request notice of nonscheduled pesticide use. Notice of nonscheduled pesticide use should be made at least 72 hours in advance of such use, to the extent possible.

D. RECORDKEEPING

Records of all pest management activities must be maintained, including inspection records, monitoring records, pest surveillance data sheets or other indicators of pest populations, and records of structural repairs and modifications. If pesticides are used, records must be maintained on site to meet the requirements of the state regulatory agency and school board.

XVIII. INTEGRITY AND CIVILITY

All students are expected to demonstrate integrity, civility, responsibility and self-control. This expectation is directly related to the board's educational objectives for students to learn to be responsible for and accept the consequences of their behavior and for students to respect cultural diversity and ideological differences. Integrity, civility, responsibility and self-control also are critical for establishing and maintaining a safe, orderly and inviting environment.

A. PROHIBITED BEHAVIOR

In addition to any standards or rules established by the schools, the following behaviors are in violation of the standards of integrity and civility and are specifically prohibited:

1. cheating, including the actual giving or receiving of any unauthorized assistance or the actual giving or receiving of an unfair advantage on any form of academic work;
2. plagiarizing, including copying the language, structure, idea and/or thought of another and representing it as one's own original work;
3. violating copyright laws, including the unauthorized reproduction, duplication and/or use of printed or electronic work, computer software, or other copyrighted material;
4. cursing or using vulgar, abusive or demeaning language toward another person; and
5. playing abusive or dangerous tricks or otherwise subjecting a student or an employee to personal indignity.

B. CONSEQUENCES

The disciplinary consequences for violations of this policy shall be consistent with Section F of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy.

XIX. LONG-TERM SUSPENSION, 365-DAY, EXPULSION

Suspension or expulsion from the public schools is an extreme action involving a student's right to a free public education. The procedures set forth in this policy assure that each student will be afforded due process prior to any deprivation of this right.

Suspension or expulsion from one school automatically applies to all six schools and the community center.

A. DEFINITIONS

1. Superintendent

For purposes of this policy, superintendent includes the superintendent and the superintendent's designee.

2. Principal

For purposes of this policy, principal includes the principal and the principal's designee.

3. Long-Term Suspension

A long-term suspension is the disciplinary exclusion of a student from attending his or her assigned school for more than 10 school days. Disciplinary reassignment of a student to a full-time educational program that meets the academic requirements of the standard course of study established by the State Board of Education and that provides the student with the opportunity to make timely progress toward graduation and grade promotion is not a long-term suspension requiring the due process procedures set out in this policy, nor is an absence under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school).

Upon the recommendation of the principal, the superintendent may impose a long-term suspension on a student who willfully engages in a serious violation of the Code of Student Conduct and the violation either (1) threatens the safety of students, staff or school visitors, or (2) threatens to substantially disrupt the educational environment. The principal may recommend long-term suspension for a minor violation if aggravating circumstances justify treating the student's behavior as a serious violation.

If the offense leading to the long-term suspension occurred before the final quarter of the school year, the exclusion must be no longer than the remainder of the school year in which the offense was committed. If the offense leading to the long-term suspension occurred 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.

4. 365-Day Suspension

A 365-day suspension is the disciplinary exclusion of a student from attending his or her assigned school for 365 calendar days. The superintendent may impose a 365-day suspension only for certain firearm and destructive device violations, as identified in policy 4333, Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety.

5. Expulsion

An expulsion is the indefinite exclusion of a student from school enrollment for disciplinary purposes. Upon the recommendation of the superintendent, the board may expel a student who is 14 years of age or older for certain types of misbehavior as provided in policy 4325, Drugs and Alcohol, policy 4330, Theft, Trespass and Damage to Property, policy 4331, Assaults, Threats and Harassment, and policy 4333, Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety, if the student's continued presence in school constitutes a clear threat to the safety of other students or employees. Additionally, a student who is subject to policy 4260, Student Sex Offenders, may be expelled if the student's continued presence in school constitutes a clear threat to the safety of other students or employees. During the expulsion, the student is not entitled to be present on educational property and is not considered a student of the school system.

B. DETERMINATION OF APPROPRIATE CONSEQUENCE

1. Principal's Recommendation

The principal may impose a short-term suspension or any other consequence that is consistent with policy 4351, Short-Term Suspension, policy 4302, School Plan for Management of Student Behavior, and the Code of Student Conduct. If the principal determines that a suspension of more than 10 days (either long-term or 365-day) or an expulsion is an appropriate consequence, the principal shall propose the disciplinary penalty based upon a review of the student's culpability and dangerousness and the harm caused by the student, plus any other mitigating or aggravating factors the principal finds relevant.

a. Culpability of Student – In assessing the culpability of the student for his or her behavior, the principal may consider criteria such as:

- 1) the student's age;
- 2) the student's ability to form the intent to cause the harm that occurred or could have occurred; and
- 3) evidence of the student's intent when engaging in the conduct.

b. Dangerousness of the Student – In assessing the dangerousness of the student, the principal may consider criteria such as:

- 1) the student's disciplinary or criminal record related to anti-social behavior or drugs and alcohol;

2) whether a weapon was involved in the incident and if a weapon was involved, whether the student had the ability to inflict serious injury or death with the weapon;

3) evidence of the student's ability to cause the harm that was intended or that occurred; and

4) whether the student is subject to policy 4260, Student Sex Offenders.

c. Harm Caused by the Student – In assessing the severity of the harm caused by the student, the principal may consider criteria such as whether any of the following occurred:

1) someone was physically injured or killed;

2) someone was directly threatened or property was extorted through the use of a weapon;

3) someone was directly harmed, either emotionally or psychologically;

4) educational property or others' personal property was damaged; or

5) students, school employees or parents were aware of the presence of a weapon or of dangerous behavior on the part of the perpetrator.

After considering the above factors, the principal shall make a recommendation to the superintendent, stating the nature of the offense, the substance of the evidence involved and the length of suspension recommended. The principal also must consider and make a recommendation as to whether any alternative education services, counseling or other programs should be part of the consequence for violating board policy, the Code of Student Conduct, school standards or school rules.

If the principal recommends a 365-day suspension, he or she must identify the type of firearm or destructive device involved and the evidence substantiating that the student brought it to school grounds or to a school activity or possessed it on school grounds or at a school activity.

If the principal recommends an expulsion, he or she shall identify the basis for determining that there is clear and convincing evidence that the student's continued presence in school constitutes a clear threat to the safety of other students or employees.

2. Notice to the Student's Parent

The principal must provide to the student's parent written notice of the recommendation for long-term suspension, 365-day suspension or expulsion by the end of the workday during which the long-term suspension or expulsion is recommended when reasonably possible or as soon thereafter as practicable. The notice must be written in plain English and, when appropriate language resources are readily available, also in the parent's native language. The notice must contain the following 10 elements:

a. the notice type, i.e., notice of long-term suspension, 365-day suspension or expulsion;*

b. a description of the incident and the student's conduct that led to the recommendation;

c. the specific provision(s) of the Code of Student Conduct that the student allegedly violated;

d. the specific process by which the parent may request a hearing to contest the decision and the deadline for making the request;*

e. the process by which the hearing will be held, including all due process rights to be accorded the student during the hearing;

f. notice of the right to retain an attorney to represent the student in the hearing process;

g. notice that an advocate, instead of an attorney, may accompany the student to assist in the presentation of the appeal;

h. notice of the right to review and obtain copies of the student's educational records prior to the hearing;

i. a reference to policy 4345, Student Discipline Records, regarding the expungement of disciplinary records; and

j. the identity and phone number of a school employee whom the parent may call to obtain assistance in receiving a Spanish translation of the English language information included in the document.*

*This information must be provided on the notice in both English and Spanish.

3. Superintendent's Decision

The student or student's parent may request a hearing before the superintendent within three days of receiving notice from the principal of the recommendation for long-term suspension, 365-day suspension or expulsion. Any hearing held will follow the hearing procedures outlined in Section A of policy 4370, Student Discipline Hearing Procedures. A decision will be rendered before the long-term suspension is imposed.

If the student or parent makes a timely request for a hearing, the superintendent shall confirm that the charges against the student, if substantiated, could warrant the recommended disciplinary action and shall give the student and parent reasonable notice of the time and place of the hearing.

If neither the student nor the parent appears for a scheduled hearing after being given reasonable notice of the time and place of the hearing, the student and parent are deemed to have waived the right to a hearing.

If the student and parent fail to make a timely request for a hearing or if they waive the right to a hearing by failing to appear for a duly scheduled hearing, the superintendent shall review the circumstances of the recommended long-term suspension. Following this review, the superintendent (1) may impose the long-term or 365-day suspension if it is consistent with board policies and appropriate under the circumstances, (2) may impose another appropriate penalty authorized by board policy or (3) may decline to impose any penalty.

If the student or parent requests a postponement of the hearing, or if the request for the hearing is untimely, the hearing will be scheduled, but the student does not have the right to return to school pending the hearing.

Based on substantial evidence presented at the hearing, the superintendent shall decide whether to uphold, modify or reject the principal's recommendation. The superintendent shall immediately inform the principal of the decision regarding the recommended disciplinary penalty of a long-term or 365-day suspension and, when applicable, of any modifications to the penalty recommended by the principal.

The superintendent shall send notice of the decision via certified mail to the student and parent. The notice must include:

- a. the basis of the decision, with reference to any policies or rules that the student violated;
- b. notice of what information will be included in the student's official record pursuant to G.S. 115C-402;
- c. notice of the student's right to appeal the decision and the procedures for such appeal;
- d. if the decision is to suspend the student for 365 days, notice of the student's right to petition the board for readmission under G.S. 115C-390.12;
- e. if applicable, notice that the superintendent or designee is recommending to the board that the student be expelled and any required notifications related to the expulsion if the student did not already receive such notice from the principal or designee; and
- f. if the student is to be suspended, notice of the superintendent's or designee's decision on whether to offer alternative education services to the student during the period of suspension, and, as applicable, a description of the services to be offered or the reason justifying the superintendent's or designee's decision to deny such services.

Following issuance of the decision, the superintendent shall implement the decision by authorizing the student's return to school upon the completion of any short-term suspension or by imposing the suspension reflected in the decision.

The superintendent shall offer alternative education services to any student who receives a long-term or 365-day suspension unless the superintendent provides a significant or important reason for declining to offer such services. Alternative education services are part-time or full-time programs that provide direct or computer-based instruction to allow the student to progress in one or more core academic courses. Such services may include programs described in policy 3470/4305, Alternative Learning Programs/Schools.

The student may appeal to the board the superintendent's decision not to provide alternative education services, as permitted by G.S. 115C-45(c)(2). Any appeal to the board must be made in writing within five days of receiving the superintendent's decision. The superintendent shall inform the board chairperson of the request for an appeal and arrange in a timely manner a hearing before the board. In advance of the hearing, the superintendent shall provide to the student and parent and to the board a written explanation for the denial of services along with any documents or other information supporting the decision. The hearing will be conducted pursuant to policy 2500, Hearings Before the Board. The board will provide to the student and parent and to the superintendent written notice of its decision within 30 days of receiving the appeal.

If the superintendent determines that expulsion is appropriate, the superintendent shall submit to the board a recommendation and the basis for the recommendation along with any proposal for alternative education services.

4. Hearings Before the Board

a. Long-Term or 365-Day Suspensions

A student or his or her parent may appeal an imposed long-term or 365-day suspension. The student or parent must appeal to the board in writing within three days of receiving the superintendent's decision. The superintendent shall inform the board chairperson of the request for an appeal and shall arrange in a timely manner a hearing before the board. The suspension need not be postponed pending the outcome of the appeal. The hearing will be conducted pursuant to Section B of policy 4370, Student Discipline Hearing Procedures. The board will provide to the student and parent and to the superintendent written notice of its decision not more than 30 calendar days after receiving the appeal.

b. Expulsions

The student or parent may request a hearing within five days of receiving notice of the superintendent's recommendation that the student be expelled. The hearing will be scheduled with the board within five days of the superintendent's receipt of the hearing request. The superintendent shall notify the student and parent of the date, time and place of the hearing. Any appeal of a long-term or 365-day suspension will be addressed in the same hearing. The hearing will be conducted pursuant to Section B of policy 4370.

If a hearing is not requested by the student or parent, the superintendent shall submit written evidence to support his or her recommendation to the board. The board may elect to request a hearing or to request additional records and documents.

When the board decides to expel a student, the board will document the basis for its determination that there is clear and convincing evidence that the student's behavior indicates that the student's continued presence in school constitutes a clear threat to the safety of other students or employees. The board also will consider and make a written determination of whether alternative education services are to be provided to the expelled student. Regardless of whether the school system provides alternative education services, the board expects school system administrators to work with other agencies to help the student and parent identify other types of services that may be of assistance to the student. The board will send via certified mail to the student's parent a copy of the decision, notification of what information will be included in the student's official record, the procedure for expungement of this information under G.S. 115C-402, and notice of the right to petition for readmission pursuant to G.S. 115C-390.12.

C. EDUCATIONAL SERVICES FOR STUDENTS WITH DISABILITIES DURING LONG-TERM SUSPENSION, 365-DAY SUSPENSION OR EXPULSION

Students with disabilities recognized by the Individuals with Disabilities Education Act will receive educational services during periods of suspension or expulsion to the extent required by Policies Governing Services for Children with Disabilities and state and federal law.

D. REDUCING SUSPENSION AND EXPULSION RATES

Though the board believes that suspension or expulsion may be an appropriate and necessary consequence in certain situations, the board also recognizes that excessive use of suspension and expulsion may have a negative impact on academic achievement and graduation rates. Thus, the board encourages school administrators to find ways to reduce suspension and expulsion rates in the schools.

XX. NON-DISCRIMINATION ON THE BASIS OF DISABILITIES

The board of education will not discriminate against qualified persons with disabilities on the basis of a disability. This non-discrimination policy includes, but is not limited to, benefits of and participation in system programs and activities. The system will provide aids, benefits and school services to a person with disabilities in the most integrated school setting appropriate to his or her

needs so that he or she may have an opportunity commensurate to that provided to persons without disabilities to obtain the same results, gain the same benefit or reach the same level of achievement.

The superintendent is directed to develop appropriate procedures to implement this nondiscrimination policy. The superintendent or designee shall:

1. submit an assurance of nondiscrimination with each application for federal financial assistance;
2. designate a person to coordinate the system's efforts to comply with Section 504 of the Rehabilitation Act of 1973 ("Section 504") and its regulations;
3. designate a person to coordinate the system's efforts to comply with the Americans with Disabilities Act and its regulations;
4. publish the name, office address and phone number of the Section 504 coordinator and the ADA coordinator in a manner intended to ensure that employees, applicants, students, parents, and other individuals who participate in the school system's programs are aware of the coordinators;
5. make complaint procedures available as provided in policy 1720/4015/7225, Discrimination, Harassment and Bullying Complaint Procedure, which provides opportunities for prompt and equitable resolutions to complaints alleging actions prohibited by Section 504 or ADA or regulations for these statutes;
6. provide notice that the school system does not discriminate on the basis of disability in violation of Section 504 or the ADA, or their implementing regulations, and make such notice accessible to employees, applicants, students, and parents;
7. make reasonable accommodations for qualifying applicants or employees with disabilities; however, a reasonable accommodation does not include an accommodation that demonstrably would impose an undue hardship on the program or would fundamentally alter the nature of the service, program or activity;
8. not inquire about any disabilities that may need accommodation until after an applicant has been made an offer and, additionally, avoid using employment tests or other selection criteria that tend to screen out persons with disabilities unless the criteria are demonstrably job-related and effective alternatives are not available; and
9. provide a free appropriate public education to each qualified student with disabilities in accordance with Section 504 and its regulations.
10. establish and implement a system of procedural safeguards with respect to the identification, evaluation or educational placement of a student with disabilities under Section 504 which includes an opportunity for the student's parent or guardian to examine relevant records, an impartial hearing with the opportunity for participation by the parent or guardian and representation by counsel, and a review procedure.

XXI. PARENT INFORMATION - FLU



The Flu: A Guide For Parents

FLU INFORMATION

What is the flu?

Influenza (the flu) is an infection of the nose, throat, and lungs caused by influenza viruses. There are many different influenza viruses that are constantly changing. Flu viruses cause illness, hospital stays and deaths in the United States each year.

The flu can be very dangerous for children. Each year about 20,000 children younger than 5 years old are hospitalized from flu complications, like pneumonia.

How serious is the flu?

Flu illness can vary from mild to severe. While the flu can be serious even in people who are otherwise healthy, it can be especially dangerous for young children and children of any age who have certain long-term health conditions, including asthma (even mild or controlled), neurological and neurodevelopmental conditions, chronic lung disease, heart disease, blood disorders, endocrine disorders (such as diabetes), kidney, liver, and metabolic disorders, and weakened immune systems due to disease or medication.

Children with these conditions and children who are receiving long-term aspirin therapy can have severe illness from the flu.

How does the flu spread?

Most experts believe that flu viruses spread mainly by droplets made when people with the flu cough, sneeze or talk. These droplets can land in the mouths or noses of people who are nearby. Less often, a person might get the flu by touching something that has flu virus on it and then touching their own mouth, eyes or nose.

What are the symptoms of the flu?

Symptoms of the flu can include fever, cough, sore throat, runny or stuffy nose, body aches, headache, chills, fatigue and sometimes vomiting and diarrhea (more common in children than adults). Some people with the flu will not have a fever.

How long can a sick person spread the flu to others?

People with the flu may be able to infect others by shedding virus from 1 day before getting sick to 5 to 7 days after. However, children and people with weakened immune systems can shed virus for longer, and may be still contagious past 5 to 7 days of flu illness, especially if they still have symptoms.

PROTECT YOUR CHILD

How can I protect my child against the flu?

To protect against the flu, the first and most important thing you can do is to get a flu vaccine for yourself and your child.

- ▶ Vaccination is recommended for everyone 6 months and older.
- ▶ It's especially important that young children and children with long term health conditions get vaccinated. (See list of conditions in "How serious is the flu?")
- ▶ Caregivers of children with health conditions or of children younger than 6 months old should get vaccinated. (Babies younger than 6 months are too young to be vaccinated themselves.)
- ▶ Another way to protect babies is to vaccinate pregnant women. Research shows that flu vaccination gives some protection to the baby both while the woman is pregnant and for up to 6 months after the baby is born.

Flu vaccine is updated annually to protect against the flu viruses that research indicates are most likely to cause illness during the upcoming flu season. Flu vaccines are made using strict safety and production measures. Over the years, millions of flu vaccines have been given in the United States with a very good safety record.



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Is there a medicine to treat the flu?

Antiviral drugs can treat flu illness. They can make people feel better and get better sooner and may prevent serious flu complications, like pneumonia, for example, that can lead to hospitalization and even death. These drugs are different from antibiotics, but they also need to be prescribed by a doctor. They work best when started during the first 2 days of illness. It's very important that antiviral drugs be used early to treat the flu in people who are very sick (for example people who are in the hospital) or people who are at greater risk of having serious flu complications. Other people with flu illness may also benefit from taking antiviral drugs. These drugs can be given to children and pregnant women.

What are some of the other ways I can protect my child against the flu?

In addition to getting vaccinated, take – and encourage your child to take – everyday steps that can help prevent the spread of germs.

This includes:

- ▶ Stay away from people who are sick.
- ▶ If your child is sick with flu-like illness, try to keep him or her in a separate room from others in the household, if possible.
- ▶ CDC recommends that your sick child stay home for at least 24 hours after his or her fever is gone except to get medical care or for other necessities. The fever should be gone without the use of a fever-reducing medicine.
- ▶ Cover coughs and sneezes with a tissue. Throw the tissue in the trash after it has been used.
- ▶ Wash hands often with soap and water. If soap and water are not available, use an alcohol-based hand rub.
- ▶ Avoid touching your eyes, nose and mouth. Germs spread this way.
- ▶ Keep surfaces like bedside tables, surfaces in the bathroom, kitchen counters and toys for children clean by wiping them down with a household disinfectant according to directions on the product label.



These everyday steps are a good way to reduce your chances of getting all sorts of illnesses, but a yearly flu vaccine is always the best way to specifically prevent the flu.

IF YOUR CHILD IS SICK

What can I do if my child gets sick?

Talk to your doctor early if you are worried about your child's illness.

If your child is 5 years and older and does not have other health problems and gets flu-like symptoms, including a fever and/or cough, consult your doctor as needed and make sure your child gets plenty of rest and drinks enough fluids.

If your child is younger than 5 years (and especially younger than 2 years) or of any age with a long term health condition (like asthma, a neurological condition, or diabetes, for example) and develops flu-like symptoms, they are at risk for serious complications from the flu. Ask a doctor if your child should be examined.

What if my child seems very sick?

Even children who have always been healthy before or had the flu before can get very sick from the flu.

Call for emergency care or take your child to a doctor right away if your child of any age has any of the warning or emergency signs below:

- ▶ Fast breathing or trouble breathing
- ▶ Bluish or gray skin color
- ▶ Not drinking enough fluids (not going to the bathroom or not making as much urine as they normally do)
- ▶ Severe or persistent vomiting
- ▶ Not waking up or not interacting
- ▶ Being so irritable that the child does not want to be held
- ▶ Flu-like symptoms improve but then return with fever and worse cough
- ▶ Has other conditions (like heart or lung disease, diabetes, or asthma) and develops flu symptoms, including a fever and/or cough.

Can my child go to school, day care or camp if he or she is sick?

No. Your child should stay home to rest and to avoid giving the flu to other children or caregivers.

When can my child go back to school after having the flu?

Keep your child home from school, day care or camp for at least 24 hours after their fever is gone. (Fever should be gone without the use of a fever-reducing medicine.) A fever is defined as 100°F (37.8°C) or higher.

For more information, visit www.cdc.gov/flu or www.flu.gov or call 800-CDC-INFO

XXII. PARENT INFORMATION - HUMAN PAPILLOMAVIRUS

HPV Vaccine for Preteens and Teens

Last updated March 2012

Why does my child need HPV vaccine?

This vaccine is for protection from most of the cancers caused by human papillomavirus (HPV) infection. HPV is a very common virus that spreads between people when they have sexual contact with another person. About 14 million people, including teens, become infected with HPV each year. HPV infection can cause cervical cancer in women and penile cancer in men. HPV can also cause anal cancer, throat cancer and genital warts in both men and women.

When should my child be vaccinated?

The HPV vaccine is recommended for preteen boys and girls at age 11 or 12 so they are protected before ever being exposed to the virus. If your teen hasn't gotten the vaccine yet, talk to their doctor about getting it for them as soon as possible.

The HPV vaccine is given in 3 shots. The second shot is given 1 or 2 months after the first shot. Then a third shot is given 6 months after the first shot. Be sure that your child gets all 3 shots for full protection.

What else should I know about HPV vaccine?

There are two HPV vaccines. Girls and young women should get either HPV vaccine to prevent cervical cancer.

One of the HPV vaccines also protects against genital warts and anal cancer in both females and males. Boys should get this HPV vaccine to prevent anal cancer and genital warts. Girls can get this vaccine to prevent cervical cancer, anal cancer and genital warts.

Both HPV vaccines have been studied very carefully. These studies showed no serious safety concerns. Common, mild

adverse events reported during these studies include pain in the arm where the shot was given, fever, dizziness and nausea.

Some preteens and teens might faint after getting the HPV vaccine or any shot. Preteens and teens should sit or lie down when they get a shot and stay like that for about 15 minutes after the shot. This can help prevent fainting and any injury that could happen while fainting.

Serious side effects from the HPV vaccine are rare. It is important to tell the doctor or nurse if your child has any severe allergies, including an allergy to latex or yeast. HPV vaccine is not recommended for anyone who is pregnant.

HPV vaccination is recommended by the Centers for Disease Control and Prevention (CDC), the American Academy of Family Physicians, the American Academy of Pediatrics, and the Society for Adolescent Health and Medicine.

How can I get help paying for these vaccines?

The Vaccines for Children (VFC) program provides vaccines for children ages 18 years and younger, who are not insured or under-insured, Medicaid-eligible, American Indian or Alaska Native. You can find out more about the VFC program by going online to www.cdc.gov and typing VFC in the search box.

Where can I learn more?

For more information about HPV vaccines and the other vaccines for preteens and teens, talk to your child's doctor or nurse. More information is also available on CDC's Vaccines for Preteens and Teens website at www.cdc.gov/vaccines/teens.



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Meningococcal Vaccines for Preteens and Teens

Last updated NOVEMBER 2015

Why does my child need to be vaccinated?

Meningococcal vaccines help protect against the bacteria that cause meningococcal disease. These infections don't happen very often, but can be very dangerous when they do. Meningococcal disease refers to any illness that is caused by *Neisseria meningitidis* bacteria. The two most severe and common illnesses caused by these bacteria include infections of the fluid and lining around the brain and spinal cord (meningitis) and bloodstream infections (bacteremia or septicemia). Even if they get treatment, about 10 to 15 out of 100 people with meningococcal disease will die from it.

Meningococcal disease can spread from person to person. The bacteria that cause this infection can spread when people have close or lengthy contact with someone's saliva, like through kissing or coughing, especially if they are living in the same place. Teens and young adults are at increased risk for meningococcal disease.

Meningococcal disease can become very serious, very quickly. The meningococcal vaccine is the best way to protect teens from getting meningococcal disease.

When should my child be vaccinated?

All 11 to 12 year olds should be vaccinated with a single dose of a quadrivalent meningococcal conjugate vaccine. Older teens need a second shot when they are 16 years old so they stay protected when their risk is the highest.

Teens who got meningococcal vaccine for the first time when were 13, 14, or 15 years old should still get the booster shot when they are 16 years old. If your older teen didn't get the meningococcal shot at all, you should talk to their doctor about getting it as soon as possible.

Teens and young adults (16 through 23 year olds) may also be vaccinated with a serogroup B meningococcal vaccine (2 or 3 doses depending on brand), preferably at 16 through 18 years old. Talk with your teen's doctor or nurse about meningococcal vaccination to help protect your child's health.

What else should I know about the vaccination?

Like many vaccines, meningococcal shots may cause mild side effects, like redness and soreness where the shot was given (usually in the arm). Note that both meningococcal vaccines can be given during the same visit, but in different arms. Some preteens and teens might faint after getting a meningococcal vaccine or any shot. To help avoid fainting, preteens and teens should sit or lie down when they get a shot and then for about 15 minutes after getting the shot.

How can I get help paying for these vaccines?

The Vaccines for Children (VFC) program provides vaccines for children ages 18 years and younger, who are uninsured, Medicaid-eligible, American Indian or Alaska Native. You can find out more about the VFC program by going online to www.cdc.gov and typing VFC in the search box.

Where can I learn more?

Talk to your child's doctor or nurse to learn more about meningococcal vaccines and the other vaccines that your child may need. You can also find out more about these vaccines on CDC's Vaccines for Preteens and Teens website at www.cdc.gov/vaccines/teens.



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XXIV. PARENTAL INVOLVEMENT

The board of education believes that the education of children is an ongoing cooperative partnership between the home and the school. Parents are their children's first teachers; therefore, the continued involvement of parents in the educational process is most important in fostering and improving educational achievement. School system officials shall strive to support parents and provide parents with opportunities to become involved in the programs offered by the Title I schools. The board encourages parents to participate in the design and implementation of the programs and activities in order to increase the effectiveness of the school system's Title I program in helping students meet state and local achievement standards.

A. DEFINITION OF PARENTAL INVOLVEMENT

For the purposes of this policy and the Title I program, the term "parental involvement" means the participation of parents and guardians in regular, two-way and meaningful communication involving student academic learning and other school activities, including ensuring the following:

1. that parents play an integral role in assisting their child's learning;
2. that parents are encouraged to be actively involved in their child's education at school;
3. that parents are full partners in their child's education and are included, as appropriate, in decision making and on advisory committees to assist in the education of their child; and
4. that the school system engages in activities to support parental involvement in the Title I programs.

B. PURPOSE AND OPERATION OF TITLE I PROGRAM

The Title I program is a federally supported program that offers assistance to educationally and economically disadvantaged children to help ensure they meet the school system's challenging academic standards. The Title I program provides instructional activities and supportive services to eligible students over and above those provided by the regular school program. When applicable, students must be selected to receive Title I services based on objective criteria that are consistent with federal and state requirements, such as standardized test scores, teacher judgment, and results of pre-school screening and home-school surveys.

Qualified Title I schools will operate as school-wide programs or targeted assistance programs based upon federal eligibility criteria. School-wide programs will utilize a comprehensive school improvement process enabling schools to serve all students in the school. Targeted assistance programs will provide services to eligible students in the school having the greatest need for assistance.

Both school-wide and targeted assistance programs shall be based on effective means of improving student achievement and shall include strategies to support parental involvement.

C. ANNUAL MEETING

Each year, Title I parents must be invited to an annual meeting, at which time parental rights will be explained, programs and activities provided with Title I funds will be discussed, and input will be solicited. In addition, all parents will have an opportunity to evaluate the effectiveness of the Title I programs and the parental involvement policies and plans. Data collected from these findings will be used to revise Title I programs and parental involvement plans.

D. PARENTAL INVOLVEMENT EFFORTS

The board believes that the involvement of Title I parents in the design and implementation of the Title I program will increase the effectiveness of the program and contribute significantly to the success of the children. The Title I staff and all school system personnel shall strive to involve parents in activities throughout the school year.

The superintendent shall ensure that this system-level parental involvement policy is developed with, agreed upon with and annually distributed to parents of participating students. In addition to the system-level parental involvement policy, each school participating in the Title I program shall jointly develop and annually distribute to parents a school-level written parental involvement policy that describes the means for carrying out school-level policy, sharing responsibility for student academic achievement, building the capacity of school staff and parents for involvement, and increasing accessibility for participation of all Title I parents, including

parents with limited English proficiency, parents with disabilities, and parents of migratory children. School-level plans must involve parents in the planning and improvement of Title I activities and must provide for the distribution to parents of information on expected student proficiency levels and the school's academic performance.

School officials will invite appropriate school personnel from private schools to consult on the design and development of its programs in order to provide equitable services to students enrolled in private schools. The superintendent or designee will establish procedures to achieve timely and meaningful consultation with private school officials in accordance with federal law.

In addition, school system officials and Title I school personnel shall do the following:

1. involve parents in the joint development of the Title I Program and the process of school review and improvement by including parents on the school advisory committee and committees that review the Title I program;
2. provide coordination, technical assistance and other support from various central office departments necessary to assist participating schools in planning and implementing effective parental involvement activities that are designed to improve student academic achievement and school performance;
3. build the schools' and parents' capacity for strong parental involvement by collecting and disseminating information on effective parental involvement techniques;
4. coordinate and integrate parental involvement strategies with parental involvement activities in other programs, such as Head Start and similar programs;
5. with the involvement of parents, conduct an annual evaluation of the content and effectiveness of the school system parental involvement policies and program in improving the academic quality of the school;
6. strive to eliminate barriers to parental participation by assisting parents with disabilities and parents who are economically disadvantaged, have limited English proficiency, are migratory, or have other backgrounds or characteristics that may affect participation;
7. provide assistance to parents of participating Title I children in understanding the state's testing standards, the assessments used, Title I requirements and all national, state and local standards and expectations through such efforts as community-based meetings, sending information home, newsletters, workshops and newspaper articles;
8. design a parent–student–school staff compact that sets out respective responsibilities in striving to raise student achievement and explains how an effective home/school partnership will be developed and maintained;
9. with the assistance of parents, ensure that teachers, pupil services personnel, principals and other staff are educated in the value of parents as partners in the educational process and understand how to work with, communicate with and reach out to parents as equal partners in education;
10. distribute to parents information on expected student proficiency levels for their child and the school's academic performance, and provide materials and training to help parents monitor their child's progress and work with educators to improve achievement through such methods as technology or literacy training;
11. coordinate and integrate parental involvement programs with pre-school programs and conduct other activities in the community that encourage and support parents to more fully participate in the education of their child;
12. strengthen the partnership with agencies, businesses and programs that operate in the community;
13. ensure that parents are involved in the school's Title I activities; and
14. provide such other reasonable support for Title I parental involvement activities as requested by parents.

E. NOTICE REQUIREMENTS

School system officials and Title I school personnel shall provide effective notice of the following information as required by law. The notice must be in an understandable and uniform format and, to the extent practicable, in a language the parents can understand.

1. LEP Program

- a. Each year the principal or designee shall provide notice of the following to parents of limited English proficient (LEP) children identified for participation in a Title I, Part A-funded language-instruction educational:
 - i. the reasons for the child's identification;
 - ii. the child's level of English proficiency;
 - iii. methods of instruction;
 - iv. how the program will help the child;
 - v. the exit requirements for the program;
 - vi. if the child has a disability, how the language instruction educational program meets the objectives of the child's individualized educational program (IEP); and
 - vii. any other information necessary to effectively inform the parent of the program and the parental rights regarding enrollment, removal and selection of an LEP program.
- b. The principal or designee of a school with a Title I, Part A-funded language instruction program that has failed to make progress on the annual achievement objectives for LEP students, shall notify the parents of such failure no later than 30 days after the failure occurs.

2. System Report Card and School Progress Review

- a. Each year, school system officials shall disseminate to all parents, schools and the public a school system report card containing aggregate information, including, but not limited to, student achievement (disaggregated by category), graduation rates, performance of the school system and teacher qualifications.
- b. Each year, school system officials shall disseminate to all parents, schools and the community the results of the LEA's yearly progress review of each school.

3. Teacher Qualifications

- a. Each year, school system officials shall notify parents of Title I students of the right to request certain information on the professional qualifications of the student's classroom teachers and paraprofessionals providing services to the child (see policy 7820, Personnel Files).
- b. The principal or designee of a Title I school shall provide timely notice informing parents that their student has been assigned to or has been taught for at least four consecutive weeks by a teacher who is not "highly qualified" as defined in the No Child Left Behind Act.

4. Parental Rights and Opportunities for Involvement

Each year, the principal or designee of a Title I school shall provide notice to parents of the school's written parental policy, parents' right to be involved in their child's school and opportunities for parents to be involved in the school.

F. WEBSITE NOTIFICATION

When a Title I school is identified for improvement, corrective action or restructuring, the school system will display on its website the following information in a timely manner to ensure that parents have current information regarding supplemental services and public school choice, unless the requirements to provide such options have been waived by the U.S. Department of Education:

1. beginning with data from the 2007-2008 school year and for each subsequent school year, the number of students who were eligible for and the number of students who participated in public school choice;
2. for the current school year, a list of available schools to which students eligible to participate in public school choice may transfer;

3. beginning with data from the 2007-2008 school year and for each subsequent school year, the number of students who were eligible for and the number of students who participated in supplemental educational services; and

4. for the current school year, a list of supplemental educational services providers approved by the state to serve the school system and the locations where services are provided.

The superintendent shall develop administrative procedures to implement the requirements of this policy.

XXV. PROHIBITION AGAINST DISCRIMINATION, HARASSMENT AND BULLYING

The board acknowledges the dignity and worth of all students and employees and strives to create a safe, orderly, caring and inviting school environment to facilitate student learning and achievement. The board prohibits discrimination on the basis of race, color, national origin, sex, disability or age and will provide equal access to the Boy Scouts and other designated youth groups as required by law. The board will not tolerate any form of unlawful discrimination, harassment or bullying in any of its educational or employment activities or programs.

A. PROHIBITED BEHAVIORS AND CONSEQUENCES

1. Discrimination, Harassment and Bullying

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

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

Any violation of this policy is serious and school officials shall promptly take appropriate action. Students will be disciplined in accordance with the school's student behavior management plan (see policy 4302, School Plan for Management of Student Behavior). Based on the nature and severity of the offense and the circumstances surrounding the incident, the student will be subject to appropriate consequences and remedial actions ranging from positive behavioral interventions up to, and including, expulsion.

Employees who violate this policy will be subject to disciplinary action, up to, and including, dismissal. Volunteers and visitors who violate this policy will be directed to leave school property and/or reported to law enforcement, as appropriate, in accordance with policy 5020, Visitors to the Schools.

When considering if a response beyond the individual level is appropriate, school administrators should consider the nature and severity of the misconduct to determine whether a classroom, school-wide or school system-wide response is necessary. Such classroom, school-wide or school system-wide responses may include staff training, harassment and bullying prevention programs and other measures deemed appropriate by the superintendent to address the behavior.

2. Retaliation

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

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

B. APPLICATION OF POLICY

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

This policy applies to behavior that takes place:

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

C. DEFINITIONS

For purposes of this policy, the following definitions apply:

1. Discrimination

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

2. Harassment and Bullying

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

(1) places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property; or

(2) creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities or benefits or by adversely altering the conditions of an employee's employment.

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

Harassment and bullying include, but are not limited to, behavior described above that is reasonably perceived as being motivated by any actual or perceived differentiating characteristic or motivated by an individual's association with a person who has or is perceived to have a differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental or sensory disability. Examples of behavior that may constitute bullying or harassment include, but are not limited to, verbal taunts, name-calling and put-downs, epithets, derogatory comments or slurs, lewd propositions, exclusion from peer groups, extortion of money or possessions, implied or stated threats, assault, impeding or blocking movement, offensive touching or any physical interference with normal work or movement, and visual insults, such as derogatory posters or cartoons. Legitimate age-appropriate pedagogical techniques are not considered harassment or bullying.

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

b. Sexual harassment is one type of harassment. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

(1) submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, academic progress or completion of a school-related activity;

(2) submission to or rejection of such conduct is used as the basis for employment decisions affecting the individual, or in the case of a student, submission to or rejection of such conduct is used in evaluating the student's performance within a course of study or other school-related activity; or

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

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

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

D. REPORTING AND INVESTIGATING COMPLAINTS OF DISCRIMINATION, HARASSMENT OR BULLYING

Employees are required to report any actual or suspected violations of this policy. Students, parents, volunteers, visitors or others are also strongly encouraged to report any actual or suspected incidents of discrimination, harassment or bullying. All reports should be made in accordance with policy 1720/4015/7225, Discrimination, Harassment and Bullying Complaint Procedure, and reported to one of the school officials identified in that policy. Reports may be made anonymously, and all reports shall be investigated in accordance with that policy.

E. TRAINING AND PROGRAMS

The board directs the superintendent to establish training and other programs that are designed to help eliminate unlawful discrimination, harassment and bullying and to foster an environment of understanding and respect for all members of the school community. Information about this policy and the related complaint procedure must be included in the training plan. In addition, each employee will receive a copy of this policy and sign a statement verifying his or her receipt and understanding of this policy.

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

F. NOTICE

The superintendent is responsible for providing effective notice to students, parents and employees of this policy and of the procedures for reporting and investigating complaints of discrimination, harassment and bullying established in policy 1720/4015/7225, Discrimination, Harassment and Bullying Complaint Procedure. The superintendent must ensure that each school principal provides a copy of this policy and policy 1720/4015/7225 to students, employees and parents or other responsible caregivers at the beginning of each school year. In addition, both policies must be posted on the school system website, and copies of the policies must be readily available in the principal's office, the media center at each school and the superintendent's office. Notice of the policies must appear in all student and employee handbooks and in any school or school system publication that sets forth the comprehensive rules, procedures and standards of conduct for students and employees.

G. COORDINATORS

The superintendent or designee has appointed the following individuals to coordinate the school system's efforts to comply with and carry out its responsibilities under federal nondiscrimination laws. These responsibilities include investigating any complaints communicated to school officials alleging noncompliance with Title VI or Title IX of the Civil Rights Act, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA), the Age Discrimination Act and/or the Boy Scouts Act, or alleging

actions which would be prohibited by those laws.

1. Title IX Coordinator

Name: Adrienne Bradley

Office Address: 205 Main Street, Gatesville, NC 27938

Phone Number: 252-357-1113

2. Section 504 Coordinator

Name: Chanté Jordan

Office Address: 709 Main Street, Gatesville, NC 27938

Phone Number: 252-357-3315

3. ADA Coordinator

Name: Chanté Jordan

Office Address: 709 Main Street, Gatesville, NC 27938

Phone Number: 252-357-3315

4. Age Discrimination Coordinator

Name: Adrienne Bradley

Office Address: 205 Main Street, Gatesville, NC 27938

Phone Number: 252-357-1113

5. Coordinator for Other Non-discrimination Laws

Name: Adrienne Bradley

Office Address: 205 Main Street, Gatesville, NC 27938

Phone Number: 252-357-1113

H. RECORDS AND REPORTING

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

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

I. EVALUATION

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

XXVI. REMOVAL OF STUDENT DURING THE DAY

The principal is authorized to impose out-of-school short-term suspensions in accordance with board policy.

The principal may remove from school grounds a student who has been suspended during the school day, under any of the following circumstances:

1. the parent has been notified and is able to make arrangements for the student to leave the school or agrees to the student's using public transportation or driving himself or herself home;
2. the parent has been notified and is available to receive the student, and the principal is able to arrange for transportation from the school to the home; or
3. the principal involves law enforcement in the removal of the student from school grounds because such action is necessary to provide a safe, orderly school environment.

If none of these circumstances exists, the suspension will begin on the next school day.

XXVII. REQUESTS FOR READMISSION OF STUDENTS SUSPENDED FOR 365 DAYS OR EXPELLED

All requests for readmission of students who have been suspended for 365 days or expelled will be considered in accordance with the procedures set out below.

A. REQUESTS BY STUDENTS SUSPENDED FOR 365 DAYS

A student who is serving a 365 day suspension may submit a request to the superintendent for readmission any time after the 180th calendar day of his or her suspension. Upon receipt of the request, the superintendent or designee shall offer the student an opportunity for an in-person meeting to be held within five days. The student may provide documents in support of the request, such as signed statements from individuals knowledgeable about the student or documents verifying that the student is participating in or has completed counseling or rehabilitation programs. If the student demonstrates to the satisfaction of the superintendent or designee that the student's presence in school no longer constitutes a threat to the safety of other students or employees, the superintendent must readmit the student.

Within 30 days of the student's request, the superintendent or designee shall provide written notice of his or her decision to the student, the student's parents and the board. If the superintendent or designee decides to readmit the student, the notice will include the date of readmission, the school or program to which the student will be assigned and any reasonable restrictions placed on the readmission. If the superintendent or designee rejects the request for readmission, the notice will advise the parents of the right to appeal the decision to the board. Any appeal to the board must be made in writing within five days of receipt of the superintendent's or designee's decision. The superintendent or designee shall inform the board chairperson of the request for an appeal and arrange in a timely manner a hearing before the board. The hearing will be conducted in accordance with policy 2500, Hearings Before the Board. The board will provide to the student, the student's parent and the superintendent or designee written notice of its decision within 30 days of receiving the appeal of the superintendent's or designee's decision.

If the request for readmission is denied, no subsequent requests from that student will be considered during that 365 day suspension.

B. REQUESTS BY EXPELLED STUDENTS

A student who has been expelled may submit a request to the board for readmission any time after 180 calendar days from the start date of the student's expulsion. The board chairperson immediately will forward the request to the superintendent, who shall arrange in a timely manner a hearing before the board. The hearing will be conducted in accordance with policy 2500. After considering the student's request and the superintendent's or designee's recommendation regarding readmission, if the board determines that the student has satisfactorily demonstrated that his or her presence in school no longer constitutes a clear threat to the safety of other students or employees, the board will readmit the student. The board will notify the student, the student's parents and the superintendent in writing of its decision within 30 days of the submission of the request for readmission.

If the board decides to readmit the student, the notice will include the date of readmission, the school or program to which the student will be assigned and any reasonable restrictions placed on the readmission. If the student was expelled as a result of assaulting or injuring a teacher, the student will not be returned to that teacher's classroom following readmission without the teacher's consent.

If the expelled student's request for readmission is denied, the board will not consider a subsequent request for readmission of that student until six months after the submission of the previous request.

XXVIII. SCHOOL PLAN FOR MANAGEMENT OF STUDENT BEHAVIOR

See policy 4302, School Plan for Management of Student Behavior. Each school will develop a plan for managing student behavior that incorporates effective strategies consistent with the principles established in policy 4300, Student Behavior Policies.

XXIX. SHORT-TERM SUSPENSION

A short-term suspension is the disciplinary exclusion of a student from attending his or her assigned school for up to 10 school days. A short-term suspension does not include (1) the removal of a student from class by the classroom teacher, the principal or other authorized school personnel for the remainder of the subject period or for less than one-half of the school day, (2) the changing of a student's location to another room or place on the school premises, or (3) a student's absence under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school). A student who is placed on a short-term suspension will not be permitted to be on school property or to take part in any school function during the period of suspension without prior approval from the principal.

The principal or designee has the authority to determine when a short-term suspension is an appropriate consequence and to impose the suspension, so long as all relevant board policies are followed.

In accordance with G.S. 115C-390.6(e) and 115C-45(c)(1), a student is not entitled to appeal the principal's or designee's decision to impose a short-term suspension to either the superintendent or the board unless it is appealable on some other basis.

A. PRE-SUSPENSION RIGHTS OF THE STUDENT

Except in the circumstances described below, a student must be provided with an opportunity for an informal hearing with the principal or designee before a short-term suspension is imposed. The principal or designee may hold the hearing immediately after giving the student oral or written notice of the charges against him or her. At the informal hearing, the student has the right to be present, to be informed of the charges and the basis for the accusations against him or her, and to make statements in defense or mitigation of the charges.

The principal or designee may impose a short-term suspension without first providing the student with an opportunity for a hearing if the presence of the student (1) creates a direct and immediate threat to the safety of other students or staff or (2) substantially disrupts or interferes with the education of other students or the maintenance of discipline at the school. In such cases, the principal or designee shall give the student notice of the charges and an opportunity for an informal hearing as soon as practicable.

B. STUDENT RIGHTS DURING THE SUSPENSION

A student under a short-term suspension must be provided with 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 such assignments; and
3. the opportunity to take any quarterly, semester or grading period examinations missed during the suspension period.

C. NOTICE TO PARENT OR GUARDIAN

When imposing a short-term suspension, the principal or designee shall provide the student's parent or guardian with notice that includes the reason for the suspension and a description of the student conduct upon which the suspension is based. The principal or designee must give this notice 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. If English is the second language of the parent, the notice must be provided in English and in the parent's primary language, when the appropriate foreign language resources are readily available. Both versions must be in plain language and easily understandable.

The initial notice may be by telephone, but it must be followed by timely written notice. The written notice must include all of the information listed above and may be sent by fax, e-mail or any other method reasonably designed to give actual notice. School officials also shall maintain a copy of the written notice in the student's educational record.

Multiple short-term suspensions for a student with disabilities will be addressed in accordance with the Policies Governing Services for Children with Disabilities and other applicable state and federal law.

XXX. STUDENT AND PARENT GRIEVANCE PROCEDURE

It is the policy of the board that formal grievance procedures should not become nor be regarded as the primary method by which grievances are resolved. The board encourages informal discussion and intermediary intercessions to resolve grievances. Only when these methods fail should the formal grievance procedure be used.

A. OPTIONS FOR RESOLVING COMPLAINTS

The board strives to resolve concerns and complaints of students and parents whenever possible. To this end, the board has provided opportunities for students and parents to express their concerns through processes established in board policies. Policy 1742/5060, Responding to Complaints, identifies these different processes, including a mechanism for resolving complaints in an informal manner.

While the board encourages resolutions of complaints through informal means, it recognizes that, at times, a formal process may be necessary for certain types of complaints or if the informal process did not produce satisfactory results. This policy provides a complaint procedure that may be used as described below.

Any parent or student who has questions about the options for proceeding with a complaint or concern may contact the principal or superintendent for further information and copies of all applicable board policies.

B. DEFINITIONS

1. Days

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

2. Final Administrative Decision

A final administrative decision is a decision of a school employee from which no further appeal to a school administrator is available.

3. Grievance

A grievance is a formal complaint regarding specific decisions made by school personnel that alleges that such decisions have adversely affected the person making the complaint. A grievance includes, but is not limited to, circumstances such as when a student or parent believes that board policy or law has been misapplied, misinterpreted or violated. The term “grievance” does not include any matter for which the method of review is prescribed by law, for which there is a more specific board policy providing a process for addressing the concern, or upon which the board is without authority to act. Claims of discrimination, harassment or bullying must be processed under policy 1720/4015/7225, Discrimination, Harassment and Bullying Complaint Procedure.

4. Grievant

The grievant is the parent, student or group of parents or students submitting the grievance.

5. Official

The official is the school system employee hearing and responding to the grievant.

C. TIMELINESS OF PROCESS

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

Failure by the official at any step to communicate a decision within the specified time limit will permit the grievant to appeal the grievance to the next step unless the official has notified the grievant of the delay and the reason for the delay, such as the complexity of the investigation or report. The official shall make reasonable efforts to keep the grievant apprised of progress being made during any period of delay. Delays that interfere with the exercise of the grievant’s legal rights are not permitted.

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

D. GENERAL REQUIREMENTS

1. No reprisals of any kind will be taken by the board or by an employee of the school system against any grievant or other student or employee because of his or her participation in a grievance filed and decided pursuant to this policy.

2. All meetings and hearings conducted pursuant to this policy will be private.

3. The board and school system officials will consider requests to hear grievances from a group of grievants, but the board and officials have the discretion to hear and respond to grievants individually.

4. The grievant may have a representative, including an attorney, at any stage of the grievance. However, if the grievant intends to be represented by legal counsel, he or she must notify the appropriate school official in advance so that school personnel also will have the opportunity to be represented by legal counsel.

E. PROCESS FOR GRIEVANCE

1. Filing a Grievance

a. Whenever a student or parent or guardian believes that he or she has been adversely affected by a decision of a school employee, the student or parent or guardian may file a grievance as provided in this policy.

b. A grievance must be filed as soon as possible but no later than 30 days after disclosure or discovery of the facts giving rise to the grievance. For a grievance submitted after the 30 day period that claims a violation, misapplication or misinterpretation of state or

federal law, the superintendent or designee shall determine whether the grievance will be investigated after considering factors such as the reason for the delay; the extent of the delay; the effect of the delay on the ability of the school system to investigate and respond to the complaint; and whether the investigation of the complaint is necessary to meet any legal obligations. However, students, parents and guardians should recognize that delays in filing a grievance may significantly impair the ability of the school system to investigate and respond effectively to such complaints.

c. A student or parent or guardian who has a grievance must provide the following information in writing to the principal: (1) the name of the school system employee or other individual whose decision or action is at issue; (2) the specific decision(s) or action(s) at issue; (3) any board policy, state or federal law, state or federal regulation, or State Board of Education policy or procedure that the parent or guardian or student believes has been misapplied, misinterpreted or violated; and (4) the specific resolution desired. If there is not a specific decision or action at issue and no concern that state or federal law has been misapplied, misinterpreted or violated, then the procedure established in policy 1742/5060 is appropriate, and the principal shall address the concern following that policy.

d. Even if the principal is the employee whose decision or action is at issue, the student must submit the grievance first to the principal in order for the principal to address the issue within the formal process. If, however, the grievance claims that a state or federal law has been misapplied, misinterpreted or violated, the student may submit the grievance directly to the superintendent or designee.

e. If a student wants to initiate a formal grievance regarding a decision by the superintendent that directly and specifically affects the student, the general process described in this policy will be used, except that the grievance will be submitted to the director of human resources, who shall forward the grievance to the board chairperson.

2. Investigation

a. The principal shall schedule and hold a meeting with the student and/or parent or guardian within five school days after the grievance has been filed with the principal. The student may be accompanied by a parent, legal guardian or other person who is in a position of loco parentis to the student.

b. The principal shall conduct any investigation of the facts necessary before rendering a decision.

3. Response by Principal

a. The principal shall provide a written response to the written grievance within 10 days of the meeting. The response will include the principal's decision regarding resolution of the grievance and the basis for the decision. In responding, the principal may not disclose information about other students or employees that is considered confidential by law.

b. A copy of the grievance and the principal's response will be filed with the superintendent.

4. Response by Superintendent

a. If the grievant is dissatisfied with the principal's decision, the grievant may appeal the decision to the superintendent. The appeal must be made in writing within five days of receiving the principal's decision.

b. The superintendent may review the written documents and respond or the superintendent may schedule and hold a conference with the grievant, principal and any other individuals the superintendent determines to be appropriate within five school days after receiving the appeal. The student may be accompanied by a parent, legal guardian or other person who is in a position of loco parentis to the student.

c. The superintendent shall provide a written response within 10 days after receiving the appeal. In responding, the superintendent may not disclose information about other students or employees that is considered confidential by law.

5. Appeal to the Board

If the grievant has alleged a violation of a specified federal or state law, federal or state regulation, State Board of Education policy or procedure, or local board of education policy or procedure, the grievant will have the right to appeal a final administrative decision to the board of education (see subsection E.5.a, Mandatory Appeals, below). If a grievant has not alleged such specific violations, he or she may request a board hearing, which the board may grant at its discretion (see subsection E.5.b, Discretionary Appeals, below).

a. Mandatory Appeals

1) If the grievant is dissatisfied with the superintendent's response to his or her grievance and has alleged a violation of a specified federal or state law, federal or state regulation, State Board of Education policy or procedure, or local board of education policy or procedure, the grievant may appeal the decision to the board within five days of receiving the superintendent's response.

2) A hearing will be conducted pursuant to policy 2500, Hearings Before the Board.

3) The board will provide a final written decision within 30 days of receiving the appeal unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

b. Discretionary Appeals

1) If the grievant is dissatisfied with the superintendent's response to his or her grievance but has not alleged a violation of a specified federal or state law, federal or state regulation, State Board of Education policy or procedure, or local board of education policy or procedure, then within five days of receiving the superintendent's response, the grievant may submit to the superintendent a written request for a hearing before the board of education.

2) If the full board will be meeting within two weeks of the request for a hearing, the board will decide at that time whether to grant a hearing. Otherwise, the board chairperson will appoint a three-person panel to review the request and determine whether to (1) deny the appeal; (2) review the superintendent's decision on the written record only; or (3) grant a hearing. The panel will report the decision to the board. The board may modify the decision of the panel upon majority vote at a board meeting.

3) If the board denies the appeal, the decision of the superintendent will be final and the grievant will be notified within five days of the board's decision.

4) If the board decides to grant a hearing, the hearing will be conducted pursuant to policy 2500.

5) The board will provide a final written decision within 30 days of the decision to grant a hearing, unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

F. NOTICE

The superintendent or designee is responsible for providing effective notice to students, parents and school system employees of the procedures for reporting and investigating grievances.

G. RECORDS

Appropriate records shall be maintained in accordance with state and federal law.

XXXI. STUDENT BEHAVIOR POLICIES

See policy 4300, Student Behavior Policies. This policy covers the principles of student behavior and how each school will develop their behavior plan. The superintendent shall direct each principal to provide a Code of Student Conduct that notifies students of the behavior expected of them, conduct that may subject them to discipline, and the range of disciplinary measures that may be used by school officials. This information shall be distributed as part of the Student and Parent Handbook for each school.

XXXII. STUDENT DISCIPLINE HEARING PROCEDURES

A. ADMINISTRATIVE HEARINGS

The rules set out below will govern hearings held by the superintendent or designee in assessing misbehavior and appropriate consequences. For purposes of this section, “designee” means a hearing officer or hearing panel designated by the superintendent to conduct the hearing. No individual who is under the direct supervision of the principal recommending suspension may serve as a hearing officer or on a hearing panel. If the superintendent appoints a designee, the designee shall determine the relevant facts and credibility of witnesses based on the evidence presented at the hearing. Following the hearing, the superintendent shall make a final decision on the suspension. The superintendent must adopt the designee’s factual determinations unless they are not supported by substantial evidence in the record.

1. The hearing will be conducted in private.
2. Prior to the hearing, the student and his or her parents and representative will have an opportunity to review any audio or video recordings of the incident and, consistent with federal and state student records laws and regulations, the information that may be presented as evidence against the student, including statements made by witnesses whose names are withheld in accordance with number 5, below.
3. The hearing must be attended by the superintendent or designee, the principal and/or assistant administrators and any persons the superintendent deems necessary. The student has the right to be present at the hearing, to be accompanied by his or her parents and to be represented by an attorney or non-attorney advocate. Witnesses should be present only when providing information.
4. The school representatives have the burden of proving the misbehavior; the violation of board policy, the Code of Student Conduct, school standards or school rules; and the appropriateness of the recommended consequence for the violation.
5. The school representatives will present the witnesses and documentary evidence against the student first. School officials may withhold witness names or other identifying information if identification of a witness could threaten the witness’s safety.
6. After the school representatives have presented their evidence, the student or his or her representative may present evidence relating to the alleged disciplinary infraction, the student’s intent at the time of the incident, any mitigating or aggravating factors involved, the disciplinary and academic history of the student and the potential benefits to the student of alternatives to suspension. Such evidence may include oral testimony by the student or witnesses, written statements and other documents.
7. Both the school representatives and the student or his or her parent or representative may examine the witnesses presented by the other side. The superintendent or designee has the authority to limit questioning by any person if the questioning is unproductive, unnecessarily lengthy, repetitive or irrelevant.
8. In reaching a determination in the matter, the superintendent or designee shall consider the documents produced in the hearing, the testimony of the witnesses and other evidence presented at the hearing. If the superintendent or designee determines

that a violation occurred, the superintendent or designee also shall determine the appropriateness of the recommended consequences for the violation. Formal rules of evidence do not apply, and the superintendent or designee may rely on evidence that a reasonably prudent person would consider in the conduct of serious affairs.

9. Following the hearing, the superintendent shall render a written decision based on substantial evidence presented at the hearing. The superintendent shall notify the student and parent of that decision in accordance with the requirements of policy 4353, Long-Term Suspension, 365-Day Suspension, Expulsion.

10. The superintendent or designee shall provide for making a record of the hearing, including any findings or conclusions made by the superintendent. The student will have the right to make his or her own audio recording of the hearing.

B. BOARD HEARINGS

1. Appeal of a Long-Term or 365-Day Suspension

The board will provide the opportunity for a hearing that follows the procedures established for administrative hearings, except that (1) the superintendent or designee will represent the school system and the board or a panel of the board will be the decision maker, and (2) unless the board requests otherwise or doing so would create a substantial threat of unfairness, the board will limit presentations of testimony to the student, the student's parent and representative, and the school system's representative and will limit documentation to the records and evidence presented at the administrative hearing. The board, at its discretion, may request additional information or evidence.

The board will review any records created by the superintendent's decision and the record created from any administrative hearing held. The board will review the superintendent's decision to be sure that: (1) there was a reasonable basis for determining that the student engaged in the specified misbehavior; (2) a board policy, the Code of Student Conduct, a school standard or a school rule was violated; (3) the consequence for the violation was reasonable; and (4) procedures established by board policy were followed.

2. Board Decision on Expulsion

The board will provide an opportunity for a hearing to review the superintendent's recommendation for expulsion. The rules established for administrative hearings will be followed, except that the superintendent or designee will represent the school system and the board will be the decision maker. The board may request additional records or witnesses. A decision will be made on the superintendent's recommendation following the standards for expulsion established in policy 4353, Long-Term Suspension, 365-Day Suspension, Expulsion.

XXXIII. STUDENT DRESS CODE

The board believes that the dress and personal appearance of students greatly affect their academic performance and their interaction with other students. The board requests that parents outfit their children in clothing that will be conducive to learning.

A. GENERAL GUIDELINES

Generally, dress and grooming standards as determined by the student and his or her parents will be deemed acceptable. However, the board prohibits appearance or clothing that does the following:

1. violates a reasonable dress code adopted and publicized by the school;
2. is substantially disruptive;
3. is obscene; or
4. endangers the health or safety of the student or others.

Before being punished, a student who is not in compliance with this policy or a school dress code will be given a reasonable period of time to make adjustments so that he or she will be in compliance. A student's failure to comply after being offered this opportunity or a student's second or repeated violation of this policy will result in disciplinary action. Such disciplinary consequences shall be consistent with Section F of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violation of the dress code.

B. SPECIFIC GUIDELINES

Principals will maintain specific guidelines to assist students in determining appropriate dress and appearance for each particular school, copies of which will be made available to parents and students.

Reasonable accommodations shall be made by the school principal or designee for those students who, because of a sincerely held religious belief, cultural heritage or medical reason request a waiver of a particular guideline for dress or appearance.

Reasonable accommodations shall be made by the principal or designee to accommodate students involved in special duties, activities or projects approved by the school. This would include but not be limited to: athletics, career and technical classes and projects, special events or other activities that would allow for non-conforming dress on a school campus.

XXXIV. STUDENT INSURANCE PROGRAM

Membership in a group accident insurance program will be made available to students each year. In arranging for this insurance, the board will make every reasonable attempt to identify a company offering comprehensive insurance at economical rates. Information on the plan will be made available through school publications.

Purchase of this insurance constitutes an agreement between the student and/or parent and the insurance company. The school system is not a party to this agreement. The school system does not assume any contractual responsibility for expenses not covered by insurance. The insurance coverage policies offered by the school system (either school athletic insurance provided for athletes or the policies parents can purchase at the beginning of the year) are supplemental insurance and are not meant to provide full coverage in most situations. It is very important that every parent read the insurance brochure (sent home with each student) to understand what is and is not covered.

Students who choose to participate in programs that may have a higher risk of physical injury than most school activities, including off-site internship programs, football and other interscholastic sports, are required to have accident insurance through the group plan or comparable coverage. The superintendent may designate other activities, including certain school trips, as requiring accident insurance.

XXXV. STUDENT RECORDS

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

A. ANNUAL NOTIFICATION OF RIGHTS

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

1. the right to inspect and review the student's educational records and the procedure for exercising this right;
2. the right to request amendment of the student's educational records that the parent or eligible student believes to be inaccurate, misleading or in violation of the student's privacy rights; and the procedure for exercising this right;
3. the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent;
4. the type of information designated as directory information and the right to opt out of release of directory information;
5. that the school system releases records to other institutions that have requested the information and in which the student seeks or intends to enroll;
6. the right to opt out of releasing the student's name, address and phone number to military recruiters or institutions of higher

education that request such information;

7. a specification of the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest if a school official discloses or intends to disclose personally identifiable information to school officials without consent;

8. notification if the school system uses contractors, consultants, volunteers or similar persons as school officials to perform certain school system services and functions that it would otherwise perform itself; and

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

School officials are not required to individually notify parents or eligible students of their rights but must provide the notice in a manner reasonably likely to inform the parents and eligible students of their rights. Effective notice must be provided to parents or eligible students with disabilities or those whose primary or home language is not English.

B. DEFINITION OF PARENT AND ELIGIBLE STUDENT

1. Parent

For purposes of this policy, the term “parent” includes a natural parent, a guardian or an individual acting as a parent in the absence of a parent or guardian. If the parents of a student are separated or divorced, both parents have the right to access the student’s records as provided in this policy, unless the school system has been provided with evidence that there is a court order, state statute or other legally binding document that specifically revokes these rights.

2. Eligible Student

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

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

C. CLASSIFICATION AND MAINTENANCE OF RECORDS

Information about students that is collected and stored by school personnel may be separated into several categories, including, but not limited to, the following records.

1. Cumulative Records

The cumulative record is the official record for each student. The cumulative record includes student identification information, such as the student’s name, address, sex, race, birthplace and birth date; family data including the parents’ names, addresses, work and home telephone numbers and places of employment; academic work completed; grades; standardized test scores; health screenings and immunization documentation; attendance records; withdrawal and reentry records; discipline records; honors and activities; class rank; date of graduation; and follow-up records.

2. Discipline Records

Student discipline records are part of the student’s official record and must be maintained and reviewed pursuant to policy 4345, Student Discipline Records. Discipline records must be expunged and forwarded pursuant to the requirements of law and the procedures of policy 4345.

3. Records of Students with Disabilities

Students with recognized disabilities must be accorded all rights in regard to their records as provided by state and federal law, including the Individuals with Disabilities Education Act and policy 3520, Special Education Programs/Rights of Students with Disabilities. Records for a student identified as a student with a disability are considered part of the student’s official records and must be maintained in accordance with all appropriate federal and state regulations. Access to these records will be restricted to personnel

having specific responsibility in this area. A list of all approved personnel having access to these restricted files will be updated as needed, and a current, dated list will be posted in the student records location.

4. Records Received from the Department of Social Services

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

5. Juvenile Records

Juvenile records include documentation or information regarding students who are under the jurisdiction of the juvenile court. These records may be received from local law enforcement and/or other local agencies authorized to share information concerning juveniles in accordance with G.S. 7B-3100. These records also may include notice from the sheriff to the board that a student has been required to register with the sheriff because the student has been found to be a danger to the community under G.S. Chapter 14, Part 4. Such documents must not be a part of a student's official records but must be maintained by the principal in a safe, locked storage area that is separate from the student's other records. The principal shall not make a copy of such documents under any circumstances.

Juvenile records will be used only to protect the safety of or to improve the educational opportunities for the student or others. The principal may share juvenile records with individuals who have (a) direct guidance, teaching or supervisory responsibility for the student and (b) a specific need to know in order to protect the safety of the student and others. Persons provided access to juvenile records must indicate in writing that they have read the document(s) and agree to maintain confidentiality of the records.

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

6. Other Student Records

School system personnel may also keep other student records but must review such records annually and destroy them when their usefulness is no longer apparent or when the student leaves the school system.

7. Sole Possession, Employment and Law Enforcement Records

Student records do not include, and release of information under this policy does not apply to:

- a. records made by teachers, counselors and administrators that are in the sole possession of the maker thereof and that are not accessible or revealed to any other person except a substitute;
- b. employment records of student employees if those records relate exclusively to the student in his or her capacity as an employee and are not made available for any other use; and
- c. records created by a law enforcement unit of the school system if created for a law enforcement purpose and maintained solely by the law enforcement unit of the school system. This does not include information obtained from the student's confidential file or other educational records that is contained in a law enforcement record.

D. RECORDS OF STUDENTS PARTICIPATING IN THE NORTH CAROLINA ADDRESS CONFIDENTIALITY PROGRAM

Records of students participating in the North Carolina Address Confidentiality Program must show only the substitute address provided by the Address Confidentiality Program and must not be released to any third party other than a school to which the student is transferring, or as otherwise provided by law.

When transferring the record of a student participating in the North Carolina Address Confidentiality Program to a school outside of the system, the transferring school may send the files to the Address Confidentiality Program participant (parent or guardian) via the substitute address provided by the Address Confidentiality Program.

E. RECORDS OF MISSING CHILDREN

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

Any information received indicating that a student transferring into the system is a missing child must be reported promptly to the superintendent and the North Carolina Center for Missing Persons.

F. RECORDS OF MILITARY CHILDREN

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

In addition, children of military families, as defined by policy 4050, Children of Military Families, are entitled to the following.

1. For Students Leaving the School System

In the event that official education records cannot be released to the parents of military children who are transferring away from the school system, the custodian of records shall prepare and furnish to the parent a complete set of unofficial education records containing uniform information as determined by the Interstate Commission.

When a request for a student's official record is received from the student's new school, school officials shall process and furnish the official records to the student's new school within 10 days or within such time as is reasonably determined by the Interstate Commission.

2. For Students Enrolling in the School System

Upon receiving an unofficial education record from the student's previous school, school administrators shall enroll the student and place him or her in classes as quickly as possible based on the information in the unofficial records, pending validation by the official records.

Simultaneous with the enrollment and conditional placement of the student, school administrators shall request the student's official record from his or her previous school.

G. REVIEW, RELEASE OF RECORDS TO PARENT OR ELIGIBLE STUDENT

A parent or eligible student may access the student's records upon proper request. The written request should specify the record(s) to which the student or parent seeks access. The principal (or appropriate school official) of the student's school shall schedule an appointment as soon as possible but no later than 45 days after the request by the parent or eligible student. The parent or eligible student may formally review the student's complete records only in the presence of the principal or a designee competent to explain the records. School personnel shall not destroy any educational records if there is an outstanding request to inspect or review the records.

A parent or eligible student has the right to challenge an item in the student record believed to be inaccurate, misleading or otherwise in violation of the student's privacy rights. The student or parent should write the principal (or appropriate school official) and clearly identify the part of the record that requires amending and specify why it is inaccurate or misleading. The principal shall examine a request to amend a student record item and respond in writing to the person who challenges the item. Subsequent steps, if necessary, will follow the student grievance procedures as provided in policy 1740/4010, Student and Parent Grievance Procedure. If the final decision is that the information in the record is not inaccurate, misleading or otherwise in violation of the privacy rights of the student, the principal shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the school system.

H. RELEASE OR DISCLOSURE OF RECORDS TO OTHERS

Before releasing or disclosing records as permitted by law, school officials shall use reasonable methods to identify and authenticate the identity of the party to whom the records are disclosed.

1. Release/Disclosure With Parental Consent

School officials shall obtain written permission from a parent or eligible student before releasing or disclosing student records that contain personally identifiable information, except in circumstances where the school system is authorized by law to release the records without such permission. The written permission must specify the records to be released, the purpose of the release and the party(ies) to whom they are to be released.

2. Release/Disclosure Without Parental Consent

As permitted by law, records with personally identifiable information may be released to the following persons without parental permission:

- a. School officials with a legitimate educational interest in reviewing the student's records.

For purposes of this policy, a "school official" is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the school has contracted to perform a special task (e.g. an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee (e.g. a disciplinary or grievance committee) or assisting another school official in performing his or her tasks (e.g. a tutor). A school official has a "legitimate educational interest" if the official needs to review an education record in order to fulfill his or her professional responsibility;

- b. Officials of other schools to which a student is transferring;
- c. Authorized federal, state, and local government officials for the purposes of auditing, evaluating, enforcing, or complying with federal or state-supported educational programs.
- d. Appropriate parties in connection with a student's application for or receipt of financial aid.
- e. Organizations acting under a written agreement with the school system to conduct educational studies for or on behalf of the school system.
- f. Accrediting organizations, to the extent necessary to allow them to carry out their accrediting functions.
- g. Persons acting under a court order or a lawfully-issued subpoena.
- h. 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.
- i. State and local representatives of the juvenile justice system, pursuant to specific state law.

When personally identifiable information from a student's record is released or disclosed without prior written consent of the parent or eligible student, the party to whom the information is released must agree not to disclose the information to any other party without the prior consent of the parent or eligible student. This restriction does not apply to the release of directory information, release of information to parents of non-eligible students, release of information to parents of dependent students, or release of information in accordance with a court order or subpoena.

The superintendent shall employ reasonable methods to ensure that teachers and other school officials obtain access only to those educational records in which they have legitimate educational interests.

3. Release of Directory Information

Permission of the parent or eligible student is not required for the release of information that is designated as directory information by the board, provided that the parent or eligible student has been given proper notice and an opportunity to opt out (see policy 1310/4002, Parental Involvement). If a parent does not want directory information from his or her child's education records released, he or she must notify the student's school in writing within 15 days of receiving the annual notification of the opportunity to opt-out.

- a. Directory information is generally not considered harmful or an invasion of privacy if released. The board designates the following student record information as directory information:

- (1) name;

- (2) address;
- (3) telephone listing;
- (4) electronic mail address;
- (5) photograph;
- (6) date and place of birth;
- (7) participation in officially recognized activities and sports;
- (8) weight and height of members of athletic teams;
- (9) dates of attendance;
- (10) grade level;
- (11) diplomas, certifications, honors and awards received; and
- (12) most recent previous school or education institution attended by the student.

b. The telephone number and actual address of a student who is or whose parent is a participant in the North Carolina Address Confidentiality Program is not considered directory information and will not be released.

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

d. All requests for directory information must be submitted to the superintendent or designee for approval. The superintendent is directed to establish regulations regarding the release of directory information. At a minimum, the regulations must:

- (1) specify the types of organizations that are eligible to receive directory information, and for what purposes;
- (2) provide for equal disclosure to organizations that are similar in purpose; and
- (3) authorize access to directory information to recruiters of military forces of the state or United States for the purpose of informing students of educational and career opportunities available in the military to the same extent that such information is made available to persons or organizations that inform students of occupational or educational options.

4. Records of Students with Disabilities

Students with recognized disabilities must be accorded all rights in regard to their records as provided by state and federal law, including the Individuals with Disabilities Education Act.

5. Disclosure of De-Identified Information

Education records may be released without consent of the parent or eligible student if all personally identifiable information has been removed. Personally identifiable information includes both direct and indirect identifiers that, alone or in combination, would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

Unless specifically permitted by law, records that have been de-identified must not be released without the consent of the parent or eligible student if school officials reasonably believe that the person requesting the information knows the identity of the student to whom the education record relates.

I. WITHHOLDING RECORDS

School system administrators shall not withhold records upon a valid request by a parent, eligible student or school to which the student is transferring for any reason, including in order to collect fines assessed to the parent or student.

J. RECORD OF ACCESS AND DISCLOSURE

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

K. DESTRUCTION OF STUDENT RECORDS

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

L. LONGITUDINAL DATA SYSTEM

School system administrators will comply with the data requirements and implementation schedule for the North Carolina Longitudinal Data System (NCLDS) and will transfer designated student record data to the system in accordance with the NCLDS data security and safeguarding plan and all other requirements of state law, provided that doing so does not conflict with the requirements of FERPA.

XXXVI. STUDENT SEARCHES

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

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

Policy 3225/4312/7320, Technology Responsible Use, not this policy, applies to the search of school system-owned technological resources and the data located on school-system owned electronic equipment.

A. SEARCHES BASED ON INDIVIDUALIZED REASONABLE SUSPICION

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

Reasonable suspicion is not required if a student freely and voluntarily consents to the search of his or her person or possessions. In accordance with the standards described above, the board authorizes the following types of searches based on reasonable suspicion.

1. Searches of Personal Effects

School officials may search a student's desk, locker, and/or personal effects, including but not limited to purses, book bags, and outer clothing. Policy 4318, Use of Wireless Communication Devices, addresses the circumstances under which searches of student cell phones and other electronic devices may be conducted.

2. Searches of Motor Vehicles

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

3. "Pat-down" Searches

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

4. More Intrusive Personal Searches

More intrusive personal searches are discouraged and are to be used only in very limited circumstances. A personal search is more intrusive when it extends beyond a student's personal effects and outer clothing and potentially exposes intimate body parts and/or undergarments. Such intrusive personal searches will be permissible only if: (1) the school official has reasonable suspicion that a search of a particular student will yield dangerous contraband (e.g., drugs or weapons); and (2) the school official has reasonable suspicion that the student has hidden the contraband in his or her undergarments. This search must be conducted in private by a school official of the same gender, with an adult witness of the same gender present, and only with the prior approval of the superintendent or designee, unless the health or safety of students will be endangered by the delay that might be caused by following these procedures. Body cavity searches and searches that require a student to completely disrobe are strictly prohibited.

5. Metal Detector Searches

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

B. SUSPICIONLESS GENERAL SEARCHES

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

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

1. Searches of Desks and Lockers

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

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

2. Point-of-Entry Metal Detector Searches

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

3. Use of Trained Dogs

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

C. SEIZED ITEMS

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

D. FAILURE TO COOPERATE

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

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

E. NOTICE

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

XXXVII. STUDENT SEX OFFENDERS

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

A. STUDENT SEX OFFENDER ON SCHOOL PROPERTY

A student who is enrolled in the school system and is a registered sex offender subject to policy 5022, Registered Sex Offenders, is

expressly prohibited from (1) knowingly being present on any property owned or operated by the school system, including school buildings, athletic fields, playgrounds, parking lots, buses and other property, and (2) attending school-sponsored or school-related activities, except to the extent the student is permitted to be on school property to receive educational services.

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

B. EDUCATIONAL SERVICES FOR STUDENT SEX OFFENDERS

1. If permitted by the board, a student who is subject to Section A of this policy and is eligible to attend public school under G.S. 115C-378 may be present on school property subject to any conditions and restrictions imposed by the board.

2. The board will hold a hearing to determine whether to expel the student or provide the student with educational services in accordance with subsection B.4.b. of policy 4353, Long-Term Suspension, 365-Day Suspension, Expulsion.

3. Prior to expelling a student pursuant to G.S. 115C-390.11(a)(2), the board will consider whether there are alternative education services that may be offered to the student.

4. If the board determines that a student will be provided with educational services on school property, the student must be supervised by school personnel at all times.

5. If a student subject to this policy violates the conditions and restrictions placed on the student by the board, school officials will impose disciplinary consequences consistent with the terms of the conditions and restrictions placed on the student's admission or as otherwise provided in Section F of policy 4300, Student Behavior Policies, and any applicable provisions of the Code of Student Conduct.

6. If a student subject to this policy is a student with disabilities, he or she will be provided with educational services in compliance with federal and state law.

XXXVIII. SURVEYS OF STUDENTS

The superintendent shall ensure that all notification requirements of the Protection of Pupil Rights Amendment are met, along with any other legal requirements regarding the surveying of students.

A. PROTECTED TOPICS

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

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

Upon request, parents have the right to review any survey that concerns one of the protected topics or any instructional materials used in any such survey. The school system will take measures to protect the identification and privacy of students participating in

any survey concerning any of the protected topics. These measures may include limiting access to completed surveys and to survey results, as allowed by law.

The school system will notify parents at the beginning of each school year of the specific or approximate dates of administration of surveys concerning the protected topics that are not funded in whole or in part by the Department of Education. Parents have the right to review any survey that concerns one of the protected topics or any instructional materials used in any such survey. Parents also will have the opportunity to opt their children out of participating in the survey(s).

B. COLLECTION OF STUDENT DATA FOR MARKETING PURPOSES

The school system generally will not collect, disclose or use personal student information for the purpose of marketing or selling the information or otherwise providing the information to others for that purpose. However, the school system may collect such information from students if the information is used for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students or educational institutions, such as the following:

1. college or other postsecondary education recruitment or military recruitment;
2. book clubs, magazines and programs providing access to low-cost literary products;
3. curriculum and instructional material used by elementary schools and secondary schools;
4. tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
5. the sale by students of products or services to raise funds for school-related or education-related activities; and
6. student recognition programs.

If the school system collects such information from students for the purpose of marketing or selling the information to develop, evaluate, or provide educational products or services as described above, upon request, parents may inspect any instrument used to collect the information before it is administered or distributed to a student.

C. PARENT INVOLVEMENT

The board and superintendent will work with parents to create policies and guidelines concerning: (1) the administration of surveys by third parties; (2) arrangements to protect student privacy in the administration of surveys containing a protected topic; (3) parental rights to review and inspect instructional materials or survey instruments; and (4) the collection, disclosure or use of personal information for marketing or selling purposes.

XXXIX. TITLE I PARENT INVOLVEMENT

The board of education believes that the education of children is an ongoing cooperative partnership between the home and the school. Parents are their children's first teachers; therefore, the continued involvement of parents in the educational process is most important in fostering and improving educational achievement. School system officials shall strive to support parents and provide parents with opportunities to become involved in the programs offered by the Title I schools. The board encourages parents to participate in the design and implementation of the programs and activities in order to increase the effectiveness of the school system's Title I program in helping students meet state and local achievement standards.

A. DEFINITION OF PARENTAL INVOLVEMENT

For the purposes of this policy and the Title I program, the term "parental involvement" means the participation of parents and guardians in regular, two-way and meaningful communication involving student academic learning and other school activities, including ensuring the following:

1. that parents play an integral role in assisting their child's learning;

2. that parents are encouraged to be actively involved in their child's education at school;
3. that parents are full partners in their child's education and are included, as appropriate, in decision making and on advisory committees to assist in the education of their child; and
4. that the school system engages in activities to support parental involvement in the Title I programs.

B. PURPOSE AND OPERATION OF TITLE I PROGRAM

The Title I program is a federally supported program that offers assistance to educationally and economically disadvantaged children to help ensure they meet the school system's challenging academic standards. The Title I program provides instructional activities and supportive services to eligible students over and above those provided by the regular school program. When applicable, students must be selected to receive Title I services based on objective criteria that are consistent with federal and state requirements, such as standardized test scores, teacher judgment, and results of pre-school screening and home-school surveys.

Qualified Title I schools will operate as school-wide programs or targeted assistance programs based upon federal eligibility criteria. School-wide programs will utilize a comprehensive school improvement process enabling schools to serve all students in the school. Targeted assistance programs will provide services to eligible students in the school having the greatest need for assistance.

Both school-wide and targeted assistance programs shall be based on effective means of improving student achievement and shall include strategies to support parental involvement.

C. ANNUAL MEETING

Each year, Title I parents must be invited to an annual meeting, at which time parental rights will be explained, programs and activities provided with Title I funds will be discussed, and input will be solicited. In addition, all parents will have an opportunity to evaluate the effectiveness of the Title I programs and the parental involvement policies and plans. Data collected from these findings will be used to revise Title I programs and parental involvement plans.

D. PARENTAL INVOLVEMENT EFFORTS

The board believes that the involvement of Title I parents in the design and implementation of the Title I program will increase the effectiveness of the program and contribute significantly to the success of the children. The Title I staff and all school system personnel shall strive to involve parents in activities throughout the school year.

The superintendent shall ensure that this system-level parental involvement policy is developed with, agreed upon with and annually distributed to parents of participating students. In addition to the system-level parental involvement policy, each school participating in the Title I program shall jointly develop and annually distribute to parents a school-level written parental involvement policy that describes the means for carrying out school-level policy, sharing responsibility for student academic achievement, building the capacity of school staff and parents for involvement, and increasing accessibility for participation of all Title I parents, including parents with limited English proficiency, parents with disabilities, and parents of migratory children. School-level plans must involve parents in the planning and improvement of Title I activities and must provide for the distribution to parents of information on expected student proficiency levels and the school's academic performance.

School officials will invite appropriate school personnel from private schools to consult on the design and development of its programs in order to provide equitable services to students enrolled in private schools. The superintendent or designee will establish procedures to achieve timely and meaningful consultation with private school officials in accordance with federal law.

In addition, school system officials and Title I school personnel shall do the following:

1. involve parents in the joint development of the Title I Program and the process of school review and improvement by including parents on the school advisory committee and committees that review the Title I program;
2. provide coordination, technical assistance and other support from various central office departments necessary to assist participating schools in planning and implementing effective parental involvement activities that are designed to improve student academic achievement and school performance;
3. build the schools' and parents' capacity for strong parental involvement by collecting and disseminating information on effective parental involvement techniques;

4. coordinate and integrate parental involvement strategies with parental involvement activities in other programs, such as Head Start and similar programs;

5. with the involvement of parents, conduct an annual evaluation of the content and effectiveness of the school system parental involvement policies and program in improving the academic quality of the school;

6. strive to eliminate barriers to parental participation by assisting parents with disabilities and parents who are economically disadvantaged, have limited English proficiency, are migratory, or have other backgrounds or characteristics that may affect participation;

7. provide assistance to parents of participating Title I children in understanding the state's testing standards, the assessments used, Title I requirements and all national, state and local standards and expectations through such efforts as community-based meetings, sending information home, newsletters, workshops and newspaper articles;

8. design a parent–student–school staff compact that sets out respective responsibilities in striving to raise student achievement and explains how an effective home/school partnership will be developed and maintained;

9. with the assistance of parents, ensure that teachers, pupil services personnel, principals and other staff are educated in the value of parents as partners in the educational process and understand how to work with, communicate with and reach out to parents as equal partners in education;

10. distribute to parents information on expected student proficiency levels for their child and the school's academic performance, and provide materials and training to help parents monitor their child's progress and work with educators to improve achievement through such methods as technology or literacy training;

11. coordinate and integrate parental involvement programs with pre-school programs and conduct other activities in the community that encourage and support parents to more fully participate in the education of their child;

12. strengthen the partnership with agencies, businesses and programs that operate in the community;

13. ensure that parents are involved in the school's Title I activities; and

14. provide such other reasonable support for Title I parental involvement activities as requested by parents.

E. NOTICE REQUIREMENTS

School system officials and Title I school personnel shall provide effective notice of the following information as required by law. The notice must be in an understandable and uniform format and, to the extent practicable, in a language the parents can understand.

1. LEP Program

a. Each year the principal or designee shall provide notice of the following to parents of limited English proficient (LEP) children identified for participation in a Title I, Part A-funded language-instruction educational:

i. the reasons for the child's identification;

ii. the child's level of English proficiency;

iii. methods of instruction;

iv. how the program will help the child;

v. the exit requirements for the program;

vi. if the child has a disability, how the language instruction educational program meets the objectives of the child's individualized educational program (IEP); and

vii. any other information necessary to effectively inform the parent of the program and the parental rights regarding enrollment, removal and selection of an LEP program.

b. The principal or designee of a school with a Title I, Part A-funded language instruction program that has failed to make progress on the annual achievement objectives for LEP students, shall notify the parents of such failure no later than 30 days after the failure occurs.

2. System Report Card and School Progress Review

a. Each year, school system officials shall disseminate to all parents, schools and the public a school system report card containing aggregate information, including, but not limited to, student achievement (disaggregated by category), graduation rates, performance of the school system and teacher qualifications.

b. Each year, school system officials shall disseminate to all parents, schools and the community the results of the LEA's yearly progress review of each school.

3. Teacher Qualifications

a. Each year, school system officials shall notify parents of Title I students of the right to request certain information on the professional qualifications of the student's classroom teachers and paraprofessionals providing services to the child (see policy 7820, Personnel Files).

b. The principal or designee of a Title I school shall provide timely notice informing parents that their student has been assigned to or has been taught for at least four consecutive weeks by a teacher who is not "highly qualified" as defined in the No Child Left Behind Act.

4. Parental Rights and Opportunities for Involvement

Each year, the principal or designee of a Title I school shall provide notice to parents of the school's written parental policy, parents' right to be involved in their child's school and opportunities for parents to be involved in the school.

F. WEBSITE NOTIFICATION

When a Title I school is identified for improvement, corrective action or restructuring, the school system will display on its website the following information in a timely manner to ensure that parents have current information regarding supplemental services and public school choice, unless the requirements to provide such options have been waived by the U.S. Department of Education:

1. beginning with data from the 2007-2008 school year and for each subsequent school year, the number of students who were eligible for and the number of students who participated in public school choice;

2. for the current school year, a list of available schools to which students eligible to participate in public school choice may transfer;

3. beginning with data from the 2007-2008 school year and for each subsequent school year, the number of students who were eligible for and the number of students who participated in supplemental educational services; and

4. for the current school year, a list of supplemental educational services providers approved by the state to serve the school system and the locations where services are provided.

The superintendent shall develop administrative procedures to implement the requirements of this policy.

XL. TOBACCO PRODUCTS – STUDENTS

The board is committed to creating safe, orderly, clean and inviting schools for all students and staff. To this end, the board supports state laws that prohibit the sale or distribution of tobacco products to minors and that prohibit the use of tobacco products by minors. The board also supports state and federal laws that prohibit the use of tobacco products in school buildings, on school campuses, and in or on any other school property owned or operated by the school board. For the purposes of this policy, the term "tobacco product" means any product that contains or that is made or derived from tobacco and is intended for human consumption, including all lighted and smokeless tobacco products, as well as electronic cigarettes, vaporizers and other electronic smoking devices even if they do not contain tobacco or nicotine.

A. PROHIBITED BEHAVIOR

In support of the board's commitments and state and federal law, students are prohibited from using or possessing any tobacco product (1) in any school building, on any school campus, and in or on any other school property owned or operated by the school board, including school vehicles; (2) at any school-related activity, including athletic events; or (3) at any time when the student is subject to the supervision of school personnel, including during school trips.

Nothing in this policy prohibits the use or possession of tobacco products for an instructional or research activity conducted in a school building, provided that the activity is conducted or supervised by a faculty member and that the activity does not include smoking, chewing or otherwise ingesting tobacco.

B. CONSEQUENCES

The disciplinary consequences for violations of this policy shall be consistent with Section F of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy.

In determining appropriate consequences for violations of this policy, school officials are encouraged to identify programs or opportunities that will provide students with a greater understanding of the health hazards of tobacco use, the hazards of secondhand smoke, and the impact of tobacco use on efforts to provide a safe, orderly, clean and inviting school environment.

C. SERVICES FOR STUDENTS

The administration shall consult with the county health department and other appropriate organizations to provide students with information and access to support systems and programs to encourage students to abstain from the use of tobacco products. The school system may, from time to time, provide free non-smoking programs and services to its students.

D. NOTICE

Students will be provided with notice of the information in this policy through the Code of Student Conduct, student handbooks or other means identified by the principal. In addition, the principal shall post signs in a manner and at locations that adequately notify students, school personnel, and visitors about prohibitions against the use of tobacco products in all school facilities, on all school grounds, and at all school-sponsored events.

XLI. USE OF WIRELESS COMMUNICATION DEVICES

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

A. AUTHORIZED USE

Administrators may authorize individual students to use wireless communication devices for personal purposes when there is a reasonable need for such communication. Teachers and administrators may authorize individual students to use the devices for instructional purposes, provided that they supervise the students during such use.

Although use generally is permitted before and after school, use of cellular phones and other wireless communication devices may be prohibited on school buses when noise from such devices interferes with the safe operation of the buses. In addition, elementary and middle school students who participate in after-school programs are prohibited from using wireless communication devices during such programs.

B. CONSEQUENCES FOR UNAUTHORIZED USE

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

The disciplinary consequences for violations of this policy shall be consistent with Section F of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy.

The following factors should be considered when determining appropriate consequences: whether the wireless communication device was used (1) to reproduce images of tests, obtain unauthorized access to school information or assist students in any aspect of their instructional program in a manner that violates any school board policy, administrative regulation or school rule; (2) to bully or harass other students; (3) to send illicit text messages; (4) to take and/or send illicit photographs; or (5) in any other manner that would make more severe disciplinary consequences appropriate.

The taking, disseminating, transferring, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (e.g. texting, emailing, "sexting," etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring, or sharing obscene, pornographic, lewd, or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies, which may result in arrest, criminal prosecution, and/or lifetime inclusion on sex offender registries.

C. SEARCH OF WIRELESS COMMUNICATION DEVICES

In accordance with policy 4342, Student Searches, a student's wireless communication device and its contents, including, but not limited to, text messages and digital photos, may be searched whenever a school official has reason to believe the search will provide evidence that the student has violated or is violating a law, board policy, the Code of Student Conduct or a school rule. The scope of such searches must be reasonably related to the objectives of the search and not excessively intrusive in light of the nature of the suspected infraction.

D. LIABILITY

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

XLII. WAIVER FOR MEDIA ACCESS

Occasionally, students may be videotaped, audiotaped, photographed, etc. for educational purposes and/or for release to public information media. If you do not wish for your child to be interviewed or identified in photographs or other types of media, please contact the principal in writing to express this restriction. NOTE: This waiver does not apply for Exceptional Children.

XLIII. CONFIRMATION OF RECEIPT OF STUDENT POLICY AND INFORMATION MANUAL FOR GATES COUNTY SCHOOLS

PLEASE COMPLETE AND RETURN THIS PAGE TO THE SCHOOL WITHIN THREE DAYS OF RECEIPT OF THIS DOCUMENT.

Student Signature (Grades 6-12)

The signature below indicates that I, as a student of Gates County Schools, have received a copy of the Student Policy & Information Manual for Gates County Schools to be shared with my parent(s).

Signature of Student

Date of Student Signature

Parent Signature (Grades K-12)

The signature below indicates that I, as a parent/guardian of a student in Gates County Schools, have received a copy of the Student Policy & Information Manual for Gates County Schools and will communicate with my child to help him/her understand his/her responsibilities as a student in this school system.

Signature of Parent/Guardian

Date of Signature

PRINTED Name of Student

School

Failure to sign or return this statement does not relieve the student or parent of their responsibility to abide by the regulations printed herein.

PLEASE SIGN AND RETURN THIS PAGE TO YOUR CHILD'S SCHOOL

