



**Granville County**  
PUBLIC SCHOOLS

*Committed to Excellence and Achievement for All*

## **Student Code of Conduct 2022-2023**

# Table of Contents

<b>GCPS Policy 4300 Student Behavior Policies</b>	<b>3</b>
<b>Due Process</b>	<b>5</b>
Due Process at a Glance	5
The principal or designee should maintain documentation of the investigation and all evidence related to the misconduct, including copies of any surveillance videos, in case of appeal.	5
GCPS Policy 4351 Short-Term Suspension	5
GCPS Policy 4353 Long-Term Suspension, 365 Days Suspension, Expulsion	8
<b>General Provisions</b>	<b>12</b>
Complaint Procedures	12
Reports to Law Enforcement Agencies	12
Referrals to Support Services and Community Partners	12
Rights of Students with Disabilities	12
Searches and Seizures	12
Student-Athletes	13
<b>Rules of Conduct</b>	<b>14</b>
Aggressive Behavior	14
Attendance	14
Arson	14
Assault	14
Bullying or Harassment - GCPS Policy 4329/7311	15
Bus Misconduct - GCPS Policy 4317	15
Bomb Threats - GCPS Policy 4333	15
Buying, Selling, or Trading Items	16
Cheating or Falsification	16
Communicating Threats	16
Disrespectful Behavior	16
Disruptive Behavior	16
Dress Code Violation GCPS Policy 4316	16
Drugs and Alcohol - GCPS Policy 4325	17
Alcohol	17
Paraphernalia	17
Use, Influence, or Possession of Drugs	18
Sale or Distribution (Attempt or Actual)	18
Excessive Displays of Affection	18
Extortion	18
False Alarm	18
Fighting	18
Firearms or Destructive Devices - GCPS Policy 4333	19



Gambling	19
Gang Related Activity GCPS Policy 4328	19
Minor Infractions of Classroom and School Rules	19
Noncompliance	20
Possession of Contraband	20
Pornographic, Profane and/or Violent Material	20
Sexual Activity	20
Mutual Sexual Activity	20
Sexual Harassment - GCPS Board Policies: 1736/4026/7236, 1725/4035/7236	20
Indecent Exposure	21
Sexual Assault (not involving rape or sexual offense)	21
Sexual Battery	21
Technology Responsible Use - GCPS Policy 3225/4312/7320	21
Theft - GCPS Policy 4330	22
Tobacco and Vaping Products - GCPS Policy 4320	22
Trespassing - GCPS Policy 4330	22
Unsafe Action	22
Use of Wireless Communication Devices - GCPS Policy 4318	22
Vandalism	23
Violations of NC Criminal Statutes	23
Vulgar or Profane Language	23
Weapons or Dangerous Instruments (Not Including Firearms) - GCPS Policy 4333	23
<b>Offenses by Level</b>	<b>25</b>
<b>Consequences by Level</b>	<b>27</b>
Description of Levels	27
Level I Responses	27
Level II Responses	28
Elementary	28
Middle and High School	28
Level III Responses	28
Elementary	28
Middle and High	28
Level IV Response	29
Level V Responses	29
<b>Glossary</b>	<b>30</b>
<b>Granville County Public Schools Code of Conduct Agreement</b>	<b>31</b>



# GCPS Policy 4300 Student Behavior Policies

All decisions related to student behavior are guided by the board's educational objective to teach responsibility and respect for cultural and ideological differences and by the board's commitment to creating safe, orderly, and inviting schools. Student behavior policies are provided in order to establish (1) expected standards of student behavior; (2) principles to be followed in managing student behavior; (3) consequences for prohibited behavior; and (4) required procedures for addressing misbehavior.

## A. Principles

The reasons for managing student behavior are to (1) create an orderly environment in which students can learn; (2) teach expected standards of behavior; (3) help students learn to accept the consequences of their behavior; and (4) provide students with the opportunity to develop self-control. The following principles apply in managing student behavior.

1. Student behavior management strategies will complement other efforts to create a safe, orderly, and inviting environment.
2. Positive behavioral interventions will be employed as appropriate to improve student behavior.
3. Responsibility, integrity, civility, and other standards of behavior will be integrated into the curriculum.
4. Disruptive behavior in the classroom will not be tolerated.
5. Consequences for unacceptable behavior will be designed to help a student learn to comply with rules, to be respectful, to accept responsibility for his or her behavior, and to develop self-control.
6. Strategies and consequences will be age and developmentally appropriate.

## B. Communication of Policies

Board policies related to student behavior are codified mainly in the 4300 series. The superintendent shall incorporate information from such policies into 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. At the discretion of the superintendent, the Code of Student Conduct may include additional rules needed to implement the board's student behavior policies. To elaborate further on processes for addressing student misbehavior and the use of intervention strategies and consequences, each school will create a student behavior management plan that is consistent with the law, board policies, and the Code of Student Conduct (see policy 4302, School Plan for Management of Student Behavior). The Code of Student Conduct must incorporate by reference any additional student behavior standards, prohibited conduct, or disciplinary measures identified in student behavior management plans developed by individual schools. The Code of Student Conduct must not impose mandatory long-term suspension or expulsion for specific violations unless otherwise provided in state or federal law.

At the beginning of each school year, principals shall make available to each student and parent all of the following: (1) the Code of Student Conduct; (2) any board policies related to behavior that are not part of the Code of Conduct; (3) any related administrative procedures; (4) any additional discipline-related information from the school's student behavior management plan, including behavior standards, prohibited conduct, or disciplinary measures; and (5) any other school rules. This information must be available at other times upon request and must be made available to students enrolling during the school year and their parents.

For the purpose of board policies related to student behavior, all references to "parent" include a parent, a legal guardian, a legal custodian, or another caregiver adult authorized to enroll a student under policy 4120, Domicile or Residence Requirements.

## C. Applicability

Students must comply with the Code of Student Conduct in the following circumstances:

1. while in any school building or on any school premises before, during, or after school hours;
2. while on any bus or other vehicle as part of any school activity;
3. while waiting at any school bus stop;
4. during any school-sponsored activity or extracurricular activity;
5. when subject to the authority of school employees; and



6. at any other place or time when the student's behavior has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment.

Notwithstanding the foregoing, students will not be disciplined for constitutionally protected behavior. School officials are encouraged to consult with senior administrators before regulating student expression that may be protected by the [First Amendment to the U.S. Constitution](#).

#### **D. Consequences for Violations**

Violations of the Code of Student Conduct must be dealt with in accordance with the guidelines established in the school's behavior management plan (see policy 4302, School Plan for Management of Student Behavior).

##### **1. Minor Violations**

Minor violations of the Code of Student Conduct are those less severe infractions involving a lower degree of dangerousness and harm. Examples of minor violations include the use of inappropriate or disrespectful language, noncompliance with a staff directive, dress code violations, and minor physical altercations that do not involve a weapon or an injury. Aggravating circumstances, however, may justify treating an otherwise minor violation as a serious violation.

Minor violations of the Code of Student Conduct may result in disciplinary measures or responses up to and including short-term suspension. Further information regarding the procedures for short-term suspensions is provided in policy 4351, Short-Term Suspension. Other disciplinary measures or responses may include, but are not limited to, the following:

- a. parental involvement, such as conferences;
- b. isolation or time-out for short periods of time;
- c. behavior improvement agreements;
- d. instruction in conflict resolution and anger management;
- e. peer mediation;
- f. individual or small group sessions with the school counselor;
- g. academic intervention;
- h. in-school suspension;
- i. detention before and/or after school or on Saturday;
- j. community service;
- k. exclusion from graduation ceremonies;
- l. exclusion from extracurricular activities;
- m. suspension from bus privileges; and
- n. placement in an alternative school.

The student's parent is responsible for transportation that may be required to carry out a consequence. With the exception of suspension from bus privileges, if a parent is unable to provide transportation, another consequence will be substituted.

##### **2. Serious Violations**

Serious violations of the Code of Student Conduct may result in any of the consequences that may be imposed for minor violations. In addition, serious violations that threaten to substantially disrupt the educational environment may result in long-term suspension, and serious violations that threaten the safety of students, school employees, or school visitors may result in long-term suspension or expulsion. Certain violations involving firearms or explosive devices may result in a 365-day suspension. Further information regarding the standards and procedures for long-term suspensions, 365-day suspensions, and expulsions is provided in policies 4351, Short-Term Suspension, and 4353, Long-Term Suspension, 365-Day Suspension, Expulsion. (See also policy 4333, Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety, for information regarding 365-day suspensions for certain violations involving firearms or explosive devices.)

#### **E. Enforcement**

The superintendent is responsible for supervising the enforcement of the Code of Student Conduct to ensure that school disciplinary policies are uniformly and fairly applied throughout the school system and consistent with students' constitutional rights.

Legal References: [U.S. Const. amend. I](#); [Mahanoy Area School Dist. v. B.L.](#), 594 U.S. \_\_\_, 141 S. Ct. 2038 (2021); [G.S. 115C-47, -276\(r\), -288, -307, -390.1, -390.2](#)



Cross References: Goals and Objectives of the Educational Program (policy 3000), Counseling Program (policy 3610), Domicile or Residence Requirements (policy 4120), Student Behavior policies (4300 series) Adopted: February 7, 2022



# Due Process

## Due Process at a Glance

The school principal has the authority to suspend a student for a period not to exceed ten (10) school days. The superintendent of schools must approve long-term suspensions or expulsions from school. The Principal has the authority to suspend a student, for a period not to exceed ten school days. The Superintendent must approve a longer suspension or an expulsion from school.

Due process procedures for short-term suspension: the principal or designee shall:

1. Inform the student of the charge(s)
2. Provide the student with the opportunity to tell their story prior to and decisions being made
3. Inform the student of the decision and the exact action to be taken

Due process procedures for long-term suspension or expulsion: Students, prior to action by the principal or designee, have:

1. The right to be informed of the charge(s) against them
2. The opportunity to offer their side of the story, which could include calling witnesses
3. The opportunity to hear accusing third party individuals (including teachers) and be permitted to rebut the statements made against them.

After providing the student with due process as outlined above, if the principal or designee determines that a SHORT-TERM SUSPENSION is appropriate, they must:

1. Fill out the Notice of Short-Term Suspension form.
2. Inform the parent or guardian by telephone (if possible) of the charge(s) made against the student, as well as the school's decision.
3. Provide the written suspension notice to the parent/guardian by the end of the workday if possible, and no later than 2 days after the suspension is imposed.
4. The Notice of Suspension may be sent via hand delivery, email, fax, mail, or any other method designed to achieve actual delivery of the notice to the parent/guardian.

If a LONG-TERM SUSPENSION is imposed, the principal or designee must:

1. Fill out a Notice of Long-Term Suspension form.
2. Inform the parent/guardian via telephone (if possible) of the charges and the disciplinary action.
3. Provide the written suspension notice to the parent/guardian by the end of the workday if possible, or as soon thereafter as is practicable. The suspension notice may be sent via email, hand delivery or mail in order to ensure timely delivery, but a copy should also be sent via US mail.
4. Provide a copy of the written suspension notice to the Director of Student Services via email or interoffice mail.

The principal or designee should maintain documentation of the investigation and all evidence related to the misconduct, including copies of any surveillance videos, in case of appeal.



## **GCPS Policy 4351 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 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.

Legal References: Americans with Disabilities Act, [42 U.S.C. 12131](#) et seq., [28 C.F.R. pt. 35](#); Individuals with Disabilities Education Act, [20 U.S.C. 1400](#) et seq., [34 C.F.R. pt. 300](#); Rehabilitation Act of 1973, [29 U.S.C. 705](#)(20), [794](#), [34 C.F.R. pt. 104](#); [G.S. 115C art. 9](#); [115C-45\(c\)](#), [-47](#), [-276\(r\)](#), [-288](#), [-307](#), [-390.1](#), [-390.2](#), [-390.5](#), [-390.6](#); [130A-440](#); *Policies Governing Services for Children with Disabilities*, State Board of Education Policy [EXCP-000](#)

Cross References: School Safety (policy 1510/4200/7270), School Plan for Management of Student Behavior (policy 4302), School-Level Investigations (policy 4340), Parental Involvement in Student Behavior Issues (policy 4341), Removal of Student During the Day (policy 4352)

Adopted: November 5, 2018



# GCPS Policy 4353 Long-Term Suspension, 365 Days Suspension, Expulsion

## **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.

### 6. Disciplinary Reassignment

As an alternative to long-term suspension, the principal may recommend and the Superintendent or designee may impose a disciplinary reassignment 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 students with the opportunity to make timely progress toward graduation and grade promotion. A disciplinary reassignment to an alternative learning program or alternative school that meets these criteria will not be reflected as a long-term suspension in the student's official records.

## **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 Board Policy 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.

The principal shall make a written recommendation to the superintendent, stating the nature of the offense, the substance of the evidence involved, and the length of suspension recommended. 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's designated hearing panel 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 or designee 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, including reassignment; 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 parent may also be notified of the hearing outcome via phone. The written 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 or reassignment 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 by submitting a written request for appeal to the superintendent. 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, which will deliberate and make a final decision in closed session. 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. 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. Disciplinary Reassignment

A student or his or her parent may appeal a disciplinary reassignment to the alternative learning program. 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 student will be assigned to the alternative learning program pending resolution of the appeal. The hearing will be conducted pursuant to Board Policy 2500, Hearings Before the Board. The board will endeavor to 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.

### 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.

Legal References: [U.S. Const. amend. XIV](#), § 1; Individuals with Disabilities Education Act, [20 U.S.C. 1400](#) et seq., [34 C.F.R. pt. 300](#); [N.C. Const. art. I](#), § 19; [G.S. 14-208.18](#); [115C art. 9](#); [115C-45\(c\)\(2\)](#), [-47\(55\)](#), [-276\(r\)](#), [-288](#), [-390.1](#), [-390.2](#), [-390.7](#), [-390.8](#), [-390.9](#), [-390.10](#), [-390.11](#), [-390.12](#), [-402](#); [130A-440](#); Policies Governing Services for Children with Disabilities, State Board of Education Policy [EXCP-000](#)

Cross References: Hearings Before the Board (policy 2500), Alternative Learning Programs/Schools (policy 3470/4305), Student Sex Offenders (policy 4260), School Plan for Management of Student Behavior (policy 4302), Drugs and Alcohol (policy 4325), Theft, Trespass, and Damage to Property (policy 4330), Assaults, Threats, and Harassment (policy 4331), Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety (policy 4333), Criminal Behavior (policy 4335), School-Level Investigations (policy 4340), Student Discipline Records (policy 4345), Short-Term Suspension (policy 4351), Student Discipline Hearing Procedures (policy 4370)

Adopted: November 5, 2018

Revised: May 6, 2019; December 6, 2021



# General Provisions

## Complaint Procedures

The board is committed to providing an effective means for parents and the community to voice concerns and complaints. The complaint should be received, and addressed at the level closest to which the complaint originated. For example, a complaint regarding a classroom should be heard first by the teacher. A complaint regarding the school should be addressed first by the principal ([GCPS Policy 1742/5060](#)). If a concern cannot be resolved at the school level, the parent may choose to contact Central Services at (919) 693-4613. If a student or parent wishes to file a formal grievance, they should follow the procedure outlined in [GCPS Policy 1740/5060](#).

## Reports to Law Enforcement Agencies

As required by North Carolina law, principals are required to report the following acts to law enforcement when they have personal or actual notice of the incident and the acts occurred on the school property: “assault resulting in serious injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault, involving the use of a weapon, possession of a firearm in violation of the law, possession of a weapon in violation of the law, or possession of a controlled substance in violation of the law.” (N.C.G.S. § 115C-288 (g)).

Law enforcement will be called in other instances if the principal has reason to believe a crime may have been committed and may be called if the involvement of law enforcement would advance the principal's efforts to determine whether a crime has been committed, to quell a disturbance or to maintain order. School officials shall cooperate at all times with the efforts of law enforcement; however, school disciplinary measures will proceed independently of any criminal or juvenile investigation or prosecution.

## Referrals to Support Services and Community Partners

GCPS is dedicated to providing support services to students and families to support students with challenging behaviors and school staff may offer referrals to parents/guardians in addition to or in place of another intervention. School services and local partners include, but are not limited to:

- Juvenile Crime Prevention Council Programs
- School-Based or Community Mental Health Services
- Substance Abuse Family Education (SAFE) - Students may only participate in SAFE one time in middle school and one time in high school and only for the first offense
- Tobacco Cessation Program - first offense only

## Rights of Students with Disabilities

Students with disabilities have legal rights under the Individuals with Disabilities Act (IDEA) and/or Section 504. The Handbook of Parent Rights & Responsibilities for students eligible for special education can be found here: : <https://www.dpi.nc.gov/media/11182/download> .

Services for students with disabilities are coordinated by the Exceptional Children's Department, (919) 693-1103. Questions about Section 504 services should be directed to the school's Section 504 Coordinator or the District's 504 Coordinator at (919) 693-4613.

## Searches and Seizures

School administrators have the authority to conduct reasonable searches and seize materials in accordance with Board Policy 4342 for the purpose of maintaining a safe, orderly environment and for upholding standards of conduct established by the board or school. This policy does not apply to investigations conducted by law enforcement officials or to investigations conducted exclusively for the purpose of criminal prosecution. 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.



Reasonable suspicion that a student has unauthorized or illegal materials is generally required before an individual may be singled out for a search. Reasonable suspicion is not required if a student freely, voluntarily and knowingly consents and agrees to the search of his or her person or personal effects.

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

A student's failure to permit reasonable searches and seizures as provided in this policy shall be considered a violation of the expected standard of behavior and appropriate consequences may be imposed ([GCPS Policy 4342](#)).

## Student-Athletes

Participating in extracurricular/co-curricular activities is a privilege and not a right. Student-athletes are expected to maintain high standards of behavior as representatives of the school. Student-athletes that violate the Student Code of Conduct are subject to additional disciplinary action as outlined in the [GCPS Athletics Handbook](#).



# Rules of Conduct

NCDPI/PowerSchool codes are listed in italics. These are state approved codes that are utilized in reporting discipline data to the state. Administrators or other authorized school personnel should select one or more when inputting incidents into PowerSchool. Offenses marked as UB are unacceptable behavior, RO are Reportable Offenses, and PD are police department.

## Aggressive Behavior

**Level I or Level II** (*UB: Aggressive Behavior, UB: Bullying, UB: Harassment-Verbal*)

A student shall not approach another person in a confrontational, provocative or bullying manner or exhibit any form of aggressive physical or verbal action against another student, staff member or any other adult at school. This can include but is not limited to minor incidents of hitting, biting, spitting, shoving, kicking or throwing objects at a student or adult.

## Attendance

**Level I Offense** (*UB: Excessive Tardiness, UB: Leaving School without permission, UB: Leaving Class without permission, UB: Truancy, UB: Skipping School, UB: Cutting Class, UB: Late to Class*)

A student must attend every class every day unless there is an excused reason for the absence. Students who are tardy, cut school or class, or have excessive unexcused absences (more than 10) are in violation of this rule and are subjected to adjudication as an undisciplined youth in Juvenile Court. In addition to any administrative response, students with excessive absences may be required to comply with the district's credit recovery procedures.

## Arson

**Level III Offense** (*RO: Burning of a School Building, UB: Unlawfully setting a fire; UB: Inappropriate Item on School property, UB: Property damage*)

A student will neither set fire nor attempt to set fire to anything on school property or participate with others to damage or destroy school property through the use of fire. This includes striking matches, flicking cigarette lighters or using any instrument capable of producing fire on school property or at a school-sponsored or school-related activity that is on or off school property.

## Assault

**Level III Offense**

Students are prohibited from assaulting, physically injuring, attempting to injure, or intentionally behaving in such a way as could reasonably cause injury to any other person. An assault should be reported when an unprovoked physical attack occurs or when a physical response to an altercation is disproportionate. When an altercation involves somewhat similar levels of violence by both (or multiple) parties it is appropriate to cite both with the incident type of Fighting.

- **Assault on a Student** (*UB: Assault on Student, PD: Physical attack with a firearm, PD: Assault Resulting in Serious Injury, UB: Violent Assault Not Resulting in Serious Injury, PD: Assault involving the use of a weapon, UB: Assault on student without the use of a weapon and not resulting in serious injury, UB: Assault - Other, UB: [Affray \(G.S. 14-33\)](#) )*
- **Assault on a Staff Member** (*RO: Assault on School Personnel not resulting in serious injury, PD: Assault Resulting in Serious Injury, PD: Assault involving the use of a weapon, UB: Assault - Other, UB: [Affray \(G.S. 14-33\)](#), UB: Assault on a non-student without a weapon and not resulting in serious injury*)





## Bullying or Harassment - [GCPS Policy 4329/7311](#)

**Level I, Level II, or Level III Offense** (UB: Bullying, UB: Harassment-Racial, UB: Harassment-Disability, UB: Inappropriate Language/Disrespect, UB: Cyber-bullying, UB: Harassment- Sexual Orientation, UB: Harassment- Religious Affiliation, UB: Discrimination, UB: Hazing)

Harassment, bullying and cyberbullying are prohibited. Harassment or bullying includes any pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication, that:

- 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
- Creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities, or benefits. For purposes of this section, "hostile environment" means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior.

Cyberbullying is bullying via the internet or other electronic means. This policy prohibits cyberbullying that has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment, regardless of whether the bullying communications are written or accessed on school property.

## Bus Misconduct - [GCPS Policy 4317](#)

**Level I or Level II Offense** (UB: Bus Misbehavior, UB: Being in an unauthorized area)

School transportation service is a privilege, not a right. Students at all times while riding a school bus or other school vehicle shall observe the directives of the bus or vehicle driver. The following conduct is specifically prohibited

- stopping, impeding, delaying or detaining a bus or school vehicle;
- disturbing the peace, order or discipline on a bus or school vehicle;
- refusing to obey the driver's instructions;
- tampering with or willfully damaging the bus or school vehicle;
- getting off a bus at an unauthorized stop;
- distracting the driver's attention by participating in disruptive behavior while the vehicle is in operation;
- failing to observe established safety rules and regulations;
- willfully trespassing upon a school bus or school vehicle; and
- fighting, smoking, using profanity, possession or using drugs or intoxicating beverages, or otherwise violating any other board policy or school rule while on a school bus or other school vehicle.

Consequences for engaging in prohibited behavior may result in temporary or permanent suspension from school transportation services and/or school, in addition to other consequences for violating other student behavior policies. bus or other school vehicle.

## Bomb Threats - [GCPS Policy 4333](#)

**Level III Offense; Contact Threat Assessment Team** (RO: Bomb Threat)

Students are prohibited from:

1. making a bomb threat, regardless of whether the student intends to or has the means to carry out the threat;
2. perpetrating a bomb hoax against school system property by making a report, knowing or having reason to know the report is false, that a bomb or other device designed to cause damage or destruction by explosion, blasting, or burning is located on school system property or at a school system event;
3. perpetrating a bomb hoax by concealing, placing, or displaying any device on school system property or at a school system event, so as to cause any person reasonably to believe the same to be a bomb or similar device intended to cause injury to persons or property; and
4. knowingly or willfully causing, encouraging, or aiding another student to make a bomb threat or perpetrate a bomb hoax.



Any student who becomes aware that another student or other person intends to use a bomb, make a bomb threat, or perpetrate a bomb hoax must notify a teacher or the principal immediately.

## Buying, Selling, or Trading Items

**Level I Offense** (*UB: Inappropriate Behavior*)

Students shall not buy, sell, or trade merchandise at any time on school property or at any school-sponsored or school-related event on-campus or off-campus, or at any other time when students are subject to the authority of school personnel.

## Cheating or Falsification

**Level I or Level II Offense** (*UB: Honor Code Violation, UB: Falsification of Information*)

Students shall not cheat, lie, plagiarize, falsify notes, projects and papers or other documents, or provide false information to school officials with regard to any report card, attendance matter, grades or progress reports, discipline matters, or any other school business.

- Cheating is producing academic work by means of dishonesty or deceit.
- Plagiarism is copying the language, structure, or idea of another and representing it as one's own work.
- Falsification is the verbal or written statement of any untruth, including forged signatures or other forgeries.

## Communicating Threats

**Level I, Level II, or Level III Offense; Contact Threat Assessment Team** (*UB: Communicating Threats, UB: Threat of a physical attack with a weapon, UB: Threat of physical attack without a weapon, PD: Threat of physical attack with a firearm*)

No student shall make any threat through written or verbal language or act which conveys a serious expression of intent to cause harm or violence. Furthermore, no student shall make a false threat of harm or violence, even in jest, which causes or is reasonably likely to cause fear or a disruption to school activities. The Level will be determined by the level of risk presented by the threat, whether the threat could have reasonably been carried out and whether the threatened person was made fearful.

## Disrespectful Behavior

**Level I or Level II Offense** (*UB: Disrespect of faculty/staff*)

Students shall exhibit appropriate respect towards school personnel, volunteers, and other students.

## Disruptive Behavior

**Level I or Level II Offense** (*UB: Disruptive Behavior, UB: Repeat Offender, UB: Disorderly Conduct ([G.S.14-288.4\(a\)\(6\)\)](#)*)

Students shall not initiate or join in any physical or verbal conduct which disrupts the school environment and/or interferes with teaching or orderly conduct of class or school activities.

## Dress Code Violation [GCPS Policy 4316](#)

**Level I or Level II Offense** (*UB: Dress Code Violation*)

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 is conducive to learning. Generally, dress and grooming standards as determined by the student and his or her parents will be deemed acceptable. Parents and students should consult their school's handbook for specific standards of dress. However, the board prohibits any appearance or clothing that does the following:

- violates a reasonable, nondiscriminatory dress code adopted and publicized by the school;



- is substantially disruptive (for information on gang-related attire, see [GCPS Policy 4328 Gang-Related Activity](#));
- is provocative or obscene; or
- endangers the health or safety of the student or others.

Before receiving disciplinary consequences, 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.

## Drugs and Alcohol - [GCPS Policy 4325](#)

No student shall possess, use, distribute, sell, possess with intent to distribute or sell, or conspire or attempt to distribute or sell, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic, steroid, other controlled substance, any alcoholic beverage, malt beverage, fortified wine, other intoxicating liquor, drug paraphernalia, counterfeit controlled substance, any unauthorized prescription drug, or any other chemicals or products with the intention of bringing about a state of exhilaration, euphoria, or otherwise altering the student's or other persons' mood or behavior. No student shall distribute, sell, possess with intent to distribute or sell, or conspire or attempt to distribute or sell any prescription drug whether or not the student possesses a valid prescription for the drug.

For the purpose of the Code of Conduct the following definitions apply:

- Possess: Having the power or intent to control a prohibited substance and shall include, but is not necessarily limited to the possession of a prohibited substance in a student's automobile, locker, book-bag, desk, or on a student's person.
- Use: The consumption, injection, inhalation or absorption of a prohibited substance into a student's body by any means.
- Under the influence: The use of any prohibited substance at any time or place when the prohibited substance would influence a student's mood, behavior, or learning to any degree.
- Sell: exchange of a prohibited substance for money, property, or any other benefit or item of value.
- Distribute: To give, share, or pass a prohibited substance.
- Possess with intent to distribute/sell: Intent to distribute or sell may be determined from the amount of the prohibited substance found, the manner in which it was packaged, the presence of packaging materials such as scales, baggies or other containers, or from statement or actions of the student that demonstrate an intent to distribute or sell.
- Counterfeit Controlled Substance: Any substance that is described or presented with the intention of deceiving another into believing that it is a substance prohibited under this policy.
- Unauthorized Prescription Drug: drug or medication that has not been prescribed for the student, or use of a drug prescribed to the student in a manner not consistent with the prescription.
- Prohibited substances: include any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, synthetic cannabinoids/THC compounds, anabolic, steroid, other controlled substance, counterfeit controlled substance, any unauthorized prescription drug, or any other chemicals or products with the intention of bringing about a state of exhilaration, euphoria, or otherwise altering the student's or other persons' mood or behavior.

### **Alcohol**

**Level III, Referral to Substance Abuse Family Education (SAFE) Program** (*RO: Alcohol Possession, RO: Use of Alcoholic Beverages*)

A student shall not possess, use or be under the influence of alcohol on school property or at a school function. For distribution of alcohol see Sale or Distribution (below).

### **Paraphernalia**

**Level II, Referral to Substance Abuse Family Education (SAFE) Program** (*UB: Possession of chemical or drug paraphernalia, UB: Possession of Vaping (Non-tobacco) Device*)

Students are prohibited from possessing, using, selling, delivering, or manufacturing drug paraphernalia, including but not limited to rolling papers, roach clips, lighters, matches, vaping devices, vape liquid containers, pipes, syringes, and other delivery devices for prohibited substances.



## **Use, Influence, or Possession of Drugs**

**Level III, Referral to Substance Abuse Family Education (SAFE) Program** (RO: Use of Controlled Substances, RO: Use of Narcotics, UB: Use of Counterfeit items, UB: Possession of Counterfeit Items, RO: Possession of Controlled Substance-Other, RO: Possession of Controlled Substance-Ritalin, RO: Possession of Controlled Substance-Cocaine, RO: Possession of Controlled Substance-opioid, RO: Possession of Another Person's Prescription Drug, UB: Possession of student's own prescription drug, UB: Under the influence of alcohol, UB: Under the influence of controlled substances, UB: Use of Vaping (Non-Tobacco) Device)

A student shall not use or be under the influence of narcotic drugs, illegal drugs, controlled substances, or prohibited substances or possess such substances (including prescription or non-prescription medications without meeting conditions prescribed by the Board of Education) on school property or at a school function.

## **Sale or Distribution (Attempt or Actual)**

**Level III, Referral to Substance Abuse Family Education (SAFE) Program** (RO: Distribution of a Prescription Drug, RO: Sale of Controlled Substance in violation of law-Other, RO: Sale of controlled substance in violation of law-marijuana, RO: Sale of controlled substance in violation of law-Ritalin, RO: Sale of controlled substance in violation of law-opioid, RO: Sale of Controlled substance in violation of the law-Cocaine)

A student shall not distribute, sell, attempt to sell, or possess with intent to sell any prohibited drug or controlled substance as defined above. Possession of a large amount of or more than one individually wrapped package of a controlled or illegal substance will be considered evidence that the student intended to sell or distribute the product.

## **Excessive Displays of Affection**

**Level I Offense** (UB: Excessive Display of Affection)

No student shall engage in behavior which is indecent, overly affectionate, or of a sexual nature, including displays of affection which are disruptive to the learning environment.

## **Extortion**

**Level III** (UB: Extortion)

Students shall not extort through verbal, written or physical threats, coercion, or intimidation anything of value from any other student or school employee.

## **False Alarm**

**Level I or Level II** (UB: False Fire Alarm, UB: Disruptive Behavior)

In the absence of an emergency, a student shall not call 911, signal, or set off an automatic signal indicating the presence of an emergency.

## **Fighting**

**Level III** (UB: Fighting, UB: [Affray \(G.S. 14-33\)](#))

Students shall not fight or attempt to cause bodily harm to another student. If a student is attempting to involve another student in a fight, the other student should walk away and report it to a teacher, assistant principal, or principal. Students who instigate fights will be subject to the same consequences as those who are actually involved in fighting.



## Firearms or Destructive Devices - [GCPS Policy 4333](#)

**Level V; Contact Threat Assessment Team** (RO: Possession of a Firearm or powerful explosive; PD: Robbery with a firearm or powerful explosive, UB: Threat of physical attack with a firearm, PD: Physical attack with a firearm or explosive device)

Students shall not bring onto school property or possess a firearm or destructive device [NC GS 115C-390.1](#).

- A firearm is any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, or any firearm muffler or firearm silencer. The definition of firearm under this rule does not include an inoperable antique firearm, BB gun, stun gun, air rifle, or air pistol.
- A destructive device is an explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge or more than one-quarter ounce, mine, or similar device.

## Gambling

**Level I or II Offense** (UB: Gambling)

Students shall not engage in any form of games of chance or gambling for money and/or objects of value.

## Gang Related Activity [GCPS Policy 4328](#)

**Level I, Level II, or Level III Offense** (UB: Gang Activity)

Gang-related activity is strictly prohibited within the schools. For the purposes of this policy, “gang-related activity” means:

1. any conduct that is prohibited by another board policy and is engaged in by a student on behalf of an identified gang or as a result of the student’s gang membership; or
2. any conduct engaged in by a student to perpetuate, proliferate, or display the existence of any identified gang.

Conduct prohibited by this policy includes:

1. wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs, or other items with the intent to convey membership or affiliation in a gang;
2. communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.) with the intent to convey membership or affiliation in a gang;
3. tagging, or otherwise defacing school or personal property with symbols or slogans intended to convey membership or affiliation in a gang (see policy 4330, Theft, Trespass, and Damage to Property);
4. requiring payment of protection or insurance or otherwise intimidating or threatening any person related to gang activity (see policy 4331, Assaults, Threats, and Harassment);
5. inciting others to intimidate or to act with physical violence upon any other person related to gang activity (see policy 4331);
6. soliciting others for gang membership; and
7. committing any other illegal act or other violation of school system policies in connection with gang-related activity.

Each school will maintain a list of current examples of gang-related activities, symbols, clothing, etc., developed by the Superintendent’s office in consultation with law enforcement. Parents, students, and staff may view the list in the school’s main office upon request.

Before receiving disciplinary consequences for a violation #1 or #2 above, a student shall receive an individualized warning as to what item or conduct is in violation of this policy and shall be permitted to immediately change or remove any prohibited items. A student may only be disciplined if he or she previously received notice that the specific item or conduct is prohibited.

## Minor Infractions of Classroom and School Rules

**Level I Offense** (UB: Inappropriate Behavior)



Students may be disciplined for violations of classroom or school rules. Teachers will follow a classroom discipline procedure, appropriate to the infraction.

## Noncompliance

### **Level I or Level II Offense** (*UB: Insubordination*)

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

## Possession of Contraband

### **Level I or Level II Offense** (*UB: Inappropriate Item on School property*)

Students may not bring to school or possess at school objects which disrupt or distract from the learning process or pose safety hazards, including but not limited to lighters, matches, toys, and games. Possession of a toy gun that could be mistaken for an actual weapon should be treated as Possession of a Weapon or Dangerous Instrument.

## Pornographic, Profane and/or Violent Material

### **Level I, Level II, or Level III Offense** (*UB: Inappropriate Item on School property, UB: Harassment-Sexual*)

A student shall refrain from having any pornographic or profane material in his/her possession, on school property or at school sponsored event, including but not limited to pictures, magazines, CDs, DVDs, electronic text or images and sexually explicit or graphically violent materials (including but not limited to documents or instructions concerning the creation of and/or the use of weapons). Violations of this rule that are coded as *UB: Harassment-Sexual*, must also be reported to the district's Title IX Coordinator.

## Sexual Activity

A student shall not engage in any sexual behavior on school property or at a school-sponsored activity. All reports of sexual misconduct must be reported to the district's Title IX Coordinator.

### **Mutual Sexual Activity**

#### **Level II or Level III Offense** (*UB: Mutual Sexual Contact between two students*)

A student shall not engage in sexual activity on school campus or at school activities.

### **Sexual Harassment - GCPS Board Policies:** [1736/4026/7236](#), [1725/4035/7236](#)

#### **Level II or Level III Offense** (*UB: Harassment-Sexual*)

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

Examples of sexually harassing conduct include, but are not limited to, deliberate, unwelcome touching of a sexual nature or that takes on sexual connotations; 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; and the display of sexually suggestive objects or pictures.

Sexual harassment does not include personal compliments welcomed by the recipient or social interactions or relations freely entered into by employees or prospective employees, or appropriate interactions between students. In the case of consensual relations between students, there may be reason to question the consensual nature of the conduct if one or both of the students are very young or if there is a large age disparity between the students.

## **Indecent Exposure**

**Level II Offense** (*UB: Indecent Exposure, UB: Harassment-Sexual*)

A student shall not intentionally expose private body parts, including but not limited to the intentional display of the buttocks (mooning).

## **Sexual Assault (not involving rape or sexual offense)**

**Level III Offense** (*PD: Sexual Assault not involving rape or sexual offense*)

A person is guilty of sexual battery if he/she, for the purpose of sexual arousal, sexual gratification, or sexual abuse, engages in sexual contact with another person by force and against the will of the other person, or if the person being assaulted is mentally disabled, mentally incapacitated, or physically helpless and the person performing the act knows or should reasonably know that the other person is mentally disabled, mentally incapacitated, or physically helpless.

## **Sexual Battery**

**Level III Offense** (*PD: Rape, PD: Sexual Offense*)

A student shall not attempt or engage in non-consensual sexual penetration with another person.

## **Technology Responsible Use - [GCPS Policy 3225/4312/7320](#)**

**Level I or Level II Offense** (*UB: Misuse of school technology, UB: Honor Code Violation, UB: Communicating Threats, UB: Cyber-bullying, UB: Property damage*)

All students are expected to follow the guidelines outlined in the Technology Responsible Use Agreement and GCPS Board Policy Code: 3225/4312/7320. Students, employees, visitors, and other users have no expectation of privacy in anything they create, store, send, delete, receive, or display when using the school system's network, devices, Internet access, email system, or other technological resources owned or issued by the school system, whether the resources are used at school or elsewhere, and even if the use is for personal purposes.

Students shall not use school system technology to:

- Log on to a computer or website using another person's credentials.
- Use programs designed to circumvent network controls and monitoring.
- Use the network for commercial or for-profit purposes.
- Use the network for product advertisement or political lobbying, other than student offices.
- Intentionally seek access to protected data.
- Disrupt the use of the network for others.
- Destroy, modify or abuse hardware and/or software and/or network configurations.
- Maliciously use the network to develop programs that harass other users or infiltrate a computer or computing system and/or damage the software components of a computer or computing system.





- Use the GCPS network to create, access, process or distribute images or text files that are obscene, pornographic, threatening, or otherwise threaten to disrupt the educational environment, or files dangerous to the integrity of the local area network.
- Install programs in such a way as to violate copyright and/or licensing agreements.
- Download, copying, otherwise duplicating and/or distributing copyrighted materials without the specific written permission of the copyright, except that duplication and/or distribution of materials for educational purposes is permitted when such duplication and/or distribution would fall within the Fair Use Doctrine of the United States Copyright Law.
- Use profanity, obscenity, racist terms, or language that is reasonably likely to cause a substantial disruption in the school environment is prohibited.

## **Theft - [GCPS Policy 4330](#)**

**Level II or Level III Offense** (*UB: Theft, UB: Inappropriate Item on School property, UB: Robbery without a weapon*)

Students shall not steal or attempt to steal or knowingly be in possession of stolen property.

## **Tobacco and Vaping Products - [GCPS Policy 4320](#)**

**Level II Offense; Referral to Tobacco Cessation Program** (*UB: Possession of Tobacco, UB: Use of Tobacco*)

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.

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.

## **Trespassing - [GCPS Policy 4330](#)**

**Level II Offense** (*UB: Being in an unauthorized area*)

Students are prohibited from trespassing on school property. A student will be considered a trespasser and may be criminally prosecuted in any of the following circumstances

- A student who is on the campus of a school to which he or she is not assigned during the school day without the prior knowledge and consent of the officials of the school the student is visiting;
- Any student who loiters at any school after the close of the school day without specific need or supervision (after parent notification); or
- Any student who has been suspended from school who appears on the property of any school during the suspension period without the express permission of the principal.

## **Unsafe Action**

**Level I, Level II, or Level III Offense** (*UB: Being in an Unauthorized Area, UB: Disruptive Behavior, UB: Insubordination*)

This rule will apply only when the unsafe behavior does not meet the standards of any other violation. A student shall not commit any action that has the potential to cause danger or physical harm to himself or to others, to include but not limited to: exiting a moving school bus, exiting a school bus by way of the emergency exit absent an emergency, attempting to elude school officials by running through an active vehicle traffic area, climbing on the roof of buildings, being in construction areas, boiler rooms, attics, or elevators.

## **Use of Wireless Communication Devices - [GCPS Policy 4318](#)**

**Level I Offense** (*UB: Cell Phone Use, UB: Inappropriate Item on School property*)





Wireless communication devices include, but are not limited to, cellular phones, electronic devices with internet capability, paging devices, two-way radios and similar devices. Except as permitted by this policy, no student shall use, display, transmit or have in the "on" position on school property any wireless communication device or personal entertainment device, including but not necessarily limited to cell phones, pagers, two-way radios, CD/ MP3 players, and electronic games or similar devices until after the conclusion of the instructional day.

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. Electronic devices may be used by students for instructional purposes with the permission and under the personal supervision of the teacher within the classroom.

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.

**High Schools:** Students may not use cell phones during the instructional day, except during their assigned lunch period, and between classes. The instructional day is defined as the time from the first bell to begin school and the last bell to dismiss school.

**Middle Schools:** Students may not use cell phones during the instructional day, except during their assigned lunch period. The instructional day is defined as the time from the first bell to begin school and the last bell to dismiss school.

**Elementary Schools:** Students may not use cell phones during the instructional day. The instructional day is defined as the time from the first bell to begin school and the last bell to dismiss school.

## Vandalism

### **Level I, Level II, or Level III Offense** (*UB: Property Damage*)

Students shall not vandalize or damage or attempt to damage school property or property belonging to others. A student or parent/guardian will be held financially responsible, as allowed by law, for willful or malicious destruction of property.

## Violations of NC Criminal Statutes

### **Level III Offense** (*UB: Other*)

Students shall not violate any criminal statute or local ordinance or commit any act which could result in criminal prosecution or juvenile proceedings not previously covered elsewhere in these rules at any time while a student is at school in any school building and on any school premises, attending school-sponsored activities, on or about any school-owned or operated vehicle, off school property at any school sponsored or school-approved activity or function or during any period of time when students are subject to the authority of school personnel, and at any time when the student's behavior has a direct and immediate effect on maintaining order and discipline and protecting safety and welfare of students and staff.

## Vulgar or Profane Language

**Level I, Level II, or Level III Offense** (*UB: Bullying, UB: Harassment-Racial, UB: Harassment-Disability, UB: Inappropriate Language/Disrespect, UB: Inappropriate Language-Racial, UB: Cyber-bullying, UB: Harassment- Sexual Orientation, UB: Harassment-Religious Affiliation*)

Students shall respect other students, visitors, school employees and other persons by utilizing appropriate language and behaviors at all times. The use of any language, whether written, oral or electronic, which is insulting, abusive, harassing, profane, obscene, or seriously disrespectful and which disrupts the learning process for any student or which demeans or degrades another person is specifically prohibited.

## Weapons or Dangerous Instruments (Not Including Firearms) - [GCPS Policy 4333](#)

**Level III Offense, Contact Threat Assessment Team** (*RO: Possession of Weapon (excluding firearms and powerful explosives)*)



No student may knowingly or willfully cause, encourage, or aid another student to possess, handle, or use any of the weapons or weapon-like items listed above. A student who finds a weapon or weapon-like item, who witnesses another student or other person with such an item, or who becomes aware that another student or other person intends to possess, handle, or use such an item must notify a teacher or the principal immediately. Middle and high school students may also utilize the anonymous safety tip line for reporting risks to the school population.

Students are prohibited from possessing, handling, using, or transmitting, whether concealed or open, any weapon or any instrument that reasonably looks like a weapon or could be used as a weapon. Weapons or dangerous instruments include, but are not limited to the following:

- knives, including pocket knives, bowie knives, switchblades, dirks, and daggers;
- slingshots and slungshots;
- leaded canes;
- blackjacks;
- metal knuckles;
- BB guns;
- air rifles and air pistols;
- stun guns and other electric shock weapons, such as tasers;
- icepicks;
- razors and razor blades (except those designed and used solely for personal shaving);
- fireworks;
- gun powder, ammunition, or bullets;
- any sharp pointed or edged instruments except unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance; and
- mace, pepper spray, and other personal defense sprays.
- Examples of other objects that may be considered weapons are box cutters and other types of utility blades and blowguns.



# Offenses by Level

Offense	Level I	Level II	Level III	Level IV	Level V
Aggressive Behavior	x	x			
Attendance	x	x			
Arson			x		
Assault			x		
Bullying or Harassment	x	x	x		
Bus Misconduct	x	x			
Bomb Threats			x		
Buying, Selling, or Trading Items	x	x			
Cheating or Falsification	x	x			
Communicating Threats	x	x	x		
Disrespectful Behavior	x	x			
Disruptive Behavior	x	x			
Dress Code Violation	x	x			
Drugs and Alcohol: Alcohol			x		
Drugs and Alcohol: Paraphernalia			x		
Drugs and Alcohol: Use, Influence, or Possession of Drugs			x		
Drugs and Alcohol: Sale or Distribution (Attempt or Actual)					
Excessive Display of Affection	x	x			
Extortion			x		
False Alarm	x	x			
Fighting			x		
Firearms or Destructive Devices				x	x
Gambling	x	x			
Gang Related Activity	x	x	x		
Minor Infractions of Classroom and School Rules	x	x			
Noncompliance	x	x			
Possession of Contraband	x	x			



Pornographic, Profane, and/or Violent Material	x	x	x	
Sexual Activity: Mutual Sexual Activity		x	x	
Sexual Activity: Sexual Harassment		x	x	
Sexual Activity: Indecent Exposure		x		
Sexual Activity: Sexual Assault (not involving rape or sexual offense)			x	
Sexual Activity: Sexual Battery			x	
Technology Responsible Use	x	x		
Theft		x	x	
Tobacco and Vaping Products		x		
Trespassing		x		
Unsafe Action	x	x	x	
Use of Wireless Communication Devices	x			
Vandalism	x	x	x	
Violations of NC Criminal Statutes			x	
Vulgar or Profane Language	x	x	x	
Weapons or Dangerous Instruments (Not Including Firearms)			x	



# Consequences by Level

Offenses are given a Level rating based on seriousness; a range of consequences for each level is set forth in this Handbook. If a particular offense may be classified in more than one Level, the administrator should select the appropriate level consequence based on the seriousness of the offense. This is also known as considering aggravating and mitigating factors. Aggravating and mitigating factors are relevant when, in the judgment of responsible school officials, they have a bearing on the student's level of responsibility for the behavior. When both aggravating and mitigating factors are present, principals should exercise their discretion in weighing and balancing them. Administrators should note any relevant aggravating or mitigating factors that led them to choose a particular consequence in the disciplinary write-up.

Examples of aggravating factors, or factors that make an offense more serious:

- Repeated instances of the same misconduct after prior warnings or discipline;
- Not telling the truth when questioned by staff about the incident, or falsely blaming another;
- Causing injury to another or destroying property of others;
- Inducing others to take part in the prohibited behavior;
- Repeated and blatant disrespect for school officials;
- Causing a significant disruption of the educational environment.

Examples of mitigating factors, or factors that may merit a lower level consequence:

- Age, maturity level, developmental level of the student;
- Lack of intent;
- Playing a passive or minor role in the offense;
- Truthfulness and taking responsibility;
- Repairing damage one has caused or making appropriate restitution;
- Respectful cooperation during the investigation and discipline process;
- Lack of recent prior offenses.

## Description of Levels

### Level I:

- Classroom interventions - These interventions aim to teach and correct behaviors so students can learn and demonstrate safe and respectful behavior. Teachers are encouraged to try a variety of instructional and classroom management strategies.
- MTSS Team interventions - These interventions often involve support staff, both school-based and from the community, and aim to engage the student's support system to ensure successful learning and consistency of interventions, and change the conditions that contribute to the student's inappropriate behavior or disruptive behavior.

**Level II:** These interventions can involve the school administration and aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school.

**Level III:** These interventions may involve the short-term removal of a student from the school environment because of the severity of the behavior. The duration of the short-term suspension, if issued, is to be limited as much as practicable while adequately addressing the behavior.

**Level IV and V:** These interventions involve the removal of the student from the school environment because of the severity of the behavior. They may involve the placement of the student in an alternative learning program that provides structure to address behavior. These interventions focus on maintaining the safety of the school environment while supporting the student with ending dangerous behavior.

## Level I Responses

This list contains some of the interventions that may be used by the classroom teacher or school administrator in addressing student conduct. This is not intended to be an exhaustive list. Classroom teachers or administrators may choose to use a combination of interventions.

- Administrative Conference with Parent
- Administrative Conference with Student
- Before or After School Detention
- Behavior Contract



- Bus Suspension
- Teacher Conference with Student and/or Parent
- Confiscation of Unauthorized Items
- Lunch Detention
- Parent Contact
- Referral to MTSS Team
- Referral to School-Based Mental Health Services
- Referral to Student Services Team
- Refocus
- Restriction of School Privileges
- Restorative Justice
- Reteach Expectation
- Saturday Academy
- Student Written Warning
- Student Pays Restitution
- Teach Replacement Behavior
- Verbal Warning
- Work Detail with Parent Permission

## Level II Responses

This list contains some of the interventions that may be used by the school administrator in addressing student conduct. This is not intended to be an exhaustive list. Administrators may choose to use a combination of interventions.

### Elementary

- Choice of Response from Level I
- ISS (In School Suspension) for Up to 3 Days
- ISS - Partial Day
- Sent Home Early

### Middle and High School

- Choice of Response from Level I
- ISS (In School Suspension) for Up to 5 Days
- ISS - Partial Day
- Revoke Driving Privileges
- Sent Home Early
- Tobacco Cessation Class (First Offense)

## Level III Responses

This list contains some of the interventions that may be used by the school administrator in addressing student conduct. This is not intended to be an exhaustive list. Administrators may choose to use a combination of interventions.

### Elementary

- Out of School Suspension (OSS) for Up to 5 Days
- Referral to Substance Abuse Family Education (SAFE) Program (First Offense)
- Report to Law Enforcement for Offenses Labeled as PD and RO
- Short Term Placement (Up to 10 Days) at Second Chance Academy for Students in Grades 3-5

### Middle and High

- Out of School Suspension (OSS) for Up to 10 Days
- Recommendation for Long-Term Suspension Based on Aggravating Factors
- Referral to Substance Abuse Family Education (SAFE) Program (First Offense)
- Report to Law Enforcement for Offenses Labeled as PD and RO
- Revoke Driving Privileges



## Level IV Response

- OSS with possible recommendation for Long-Term Suspension or long-term alternative placement
- Recommendation for OSS 365 days Only for Specific firearm Offenses Under State Law)

## Level V Responses

- Expulsion: The indefinite removal of a student from school and all school properties for a student (age 14 or older) whose continued presence constitutes a clear threat to other persons or who is a registered sex offender. Expulsion requires a hearing before the Board of Education.



# Glossary

**365-day suspension:** A disciplinary exclusion from school for 365 calendar days.

**Alternative School:** full-time educational program that meets the academic requirements of the NC Standard Course of Study and provides the student with the opportunity to make timely progress towards graduation and grade promotion.

**In School Suspension (ISS):** In-school suspension is an intervention for minor violations of the Code of Student Conduct in which students are removed from the regular classroom setting but allowed to remain at the school. ISS provides the opportunity to redirect student behavior and to restore an orderly environment that is conducive to effective teaching and learning.

**Long-term suspension:** The disciplinary exclusion from school of a student for more than 10 school days. For offenses occurring during the first, second and third quarters, the term may not exceed the end of the school year; for offenses occurring during the fourth quarter, the term may be through the end of the first semester of the following school year. May be imposed by the superintendent or designee.

**MTSS:** Multi-Tiered Systems of Support (MTSS) is a three-tiered instructional framework for both academics and behavior. Disruptions in instruction are prevented by teaching students the expected behaviors for the campus and classroom. If students demonstrate a pattern of problem behavior, they are considered for a range of behavioral support interventions in addition to other discipline responses.

**Principal:** The school principal or any school professional to whom the principal may officially delegate authority.

**Refocus:** The student is provided time to reflect on their behavior and discuss with an adult before returning to class.

**Restorative Justice:** Restorative Justice is reactive in nature. It consists of formal and informal responses to wrongdoing. These responses are introduced in an effort to avoid the recurrence of the wrongdoing and to begin to rebuild relationships where there has been harm.

**Restorative Practice:** Restorative Practices are proactive in nature. They consist of formal and informal processes put in place to create a positive school climate. These processes precede any wrongdoing, provide expectation clarity for all involved and have a strong focus on building relationships and a sense of community.

**Short-term suspension:** A disciplinary exclusion of a student from school for 10 or fewer school days may be imposed by a principal or assistant principal.

**Threat Assessment:** Threat assessment is intended to prevent violence and involves both assessment and intervention. Threat assessment involves determining whether a student poses a threat of violence (they have intent and means to carry out the threat).

**Work Detail:** With parent permission, a student may be assigned a work detail related to the offense.







# Granville County Public Schools Code of Conduct Agreement

The Code of Student Conduct has been developed to help your child receive quality instruction in an orderly educational environment. The school needs your cooperation in this effort. Therefore, please do the following:

1. review and discuss the Code of Student Conduct with your child and
2. sign and return this sheet to your child's school

Should you have any questions when reviewing the Code of Student Conduct, please contact your child's school principal. You may access an electronic copy of the handbook on the GCPS website: [www.gcs.k12.nc.us](http://www.gcs.k12.nc.us). Paper copies are also available at your child's school.

**NOTE: FAILURE TO RETURN THIS ACKNOWLEDGEMENT AND PLEDGE WILL NOT RELIEVE A STUDENT OR THE PARENT/GUARDIAN FROM BEING RESPONSIBLE FOR KNOWING OR COMPLYING WITH THE RULES CONTAINED WITHIN THE CODE OF STUDENT CONDUCT.**

## Parent/Guardian Agreement

I have read, understand, and reviewed with my child the Granville County Public Schools Student Code of Conduct, and agree to comply with the terms and conditions as outlined in the Granville County Public Schools Student Code of Conduct.

Parent/Guardian Name	
Parent Signature	
Date	

## Student Agreement

I have read and understand the Granville County Public Schools Student Code of Conduct, and agree to comply with the terms and conditions as outlined in the Granville County Public Schools Student Code of Conduct.

Student Name	
Student Signature	
Date	

