

ORANGE COUNTY  
BOARD OF EDUCATION

AGENDA ITEM ABSTRACT

Meeting Date: June 11, 2012

AGENDA ITEM No: 12-06-08

ACTION ITEM: (Y/N) Y

**SUBJECT:** Student Discipline and Code of Conduct Policy #4300-Revised – 2<sup>nd</sup> Reading Approval and Policy Deletions

**INFO CONTACT:** Dr. Denise Morton and Steven Weber **PHONE:** 919-732-8126

**ATTACHMENTS:**

1. Revised Student Discipline and Code of Conduct Policy #4300
2. Board Policy #4331 Assaults, Threats and Harassment
3. Board Policy #4333 Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety

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**PURPOSE:** To provide the Board of Education, for approval on second reading, the proposed revisions to the 2012-2013 Student Code of Conduct Handbook (Policy #4300).

**BACKGROUND:** All Orange County Schools (OCS) students will receive this handbook at the beginning of the 2012-2013 school year, or whenever they enroll in the district. All students and their parents/guardians must sign that they have received, reviewed, and understand the standards of behavior for students attending OCS. A thorough review of the code of conduct was conducted by legal counsel, and a committee of principals, assistant principals, and Central Office staff. All required annual notifications to parents are included in the Code of Conduct. The Student Discipline and Code of Conduct Policy #4300 was approved for first reading approval by the board on May 28, 2012 and is being brought back for second reading approval.

Several existing policies are related to the Code of Conduct Policy and district legal counsel has recommended the deletion of Board policy #4331 (Assaults, Threats and Harassment) and Board Policy #4333 (Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety). The rationale for deleting these two policies is that they are outdated, are already covered in the document and are not aligned with the code of conduct.

**FINANCIAL IMPACT:** The approximate printing costs are \$3,500 to print 8,000 copies.

**RECOMMENDATION:** The Superintendent recommends the Orange County Board of Education approve for second reading the proposed revisions to the 2012-2013 Student Code of Conduct Handbook and approve the deletion of Board Policy #4331 Assaults, Threats and Harassment and Board Policy #4333 Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety.

<b>STUDENT DISCIPLINE AND CODE OF CONDUCT</b>	<i>Date Reviewed/Approved:</i> 07/07/2011	<i>Policy Number:</i> 4300
<i>Rescinds Policy Number:</i>	<i>Issued: 06/20/2005, 05/21/2007, 05/19/2008</i>	

**I. Introduction and Statement of Purpose**

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

The purpose of this policy is to provide students, parents, guardians, school personnel, and the public with a concise, comprehensive description of the expectations for the behavior of all students enrolled in the Orange County Schools. This Code contains definitions of inappropriate student conduct and possible courses of action, which may be utilized by school officials to discipline students who behave improperly. The Board places emphasis upon the right of all students to learn in an atmosphere free from disruption by others.

All students shall comply with the Code of Student Conduct, state and federal laws, School Board policies and local school rules governing student behavior and conduct. This policy applies to any student who is on school property, including school bus stops, who is in attendance at any school or any school-sponsored activity, or whose conduct at any time or place, on or off campus, has a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment. This policy also applies to regular school buses, school activity buses, other school vehicles or any private vehicle located on property owned by the Orange County Board of Education. This policy also applies to students on any school sponsored field trip, including student conduct during travel times, in places of accommodation, and at all other times.

Lockers, desks, and other school property remain at all times the property of the Board and shall be subject to search at the discretion of the Superintendent or his/her designee. Lockers, desks, parking lots, and any other property of the Orange County Schools may not be used for any unlawful purpose, and any material found in or on school premises that is unlawful, disruptive, dangerous, or contraband under Board policy or school rules may be confiscated.

In order to ensure that all students attending the Orange County Schools receive the full benefits of their education, cooperation between the home and school is essential.

School-based administrators are authorized to handle any incident that is not covered or mentioned in this handbook in a timely and appropriate manner. This code is not intended to restrict in any way the authority of principals to make such rules, not inconsistent with this code, as they are authorized by law to make for the government and operation of their respective schools, or with the authority of teachers to make such rules, not inconsistent with this code, as they are authorized by law to make for their respective classes.

**II. Authority of School Personnel**

A. Building Administrators

The principal has the authority and responsibility to investigate and take appropriate action regarding any credible allegations of student misconduct referred to him or her. Principals are authorized to develop school rules of conduct not inconsistent with this Code, and must notify students of any school rules that may result in out-of-school suspension. Principals are authorized to impose disciplinary consequences up to ten days out-of-school suspension, and to make a recommendation to the Superintendent for long-term suspension or expulsion.

**B. Teachers**

Teachers have the responsibility and authority to maintain order and discipline within the classroom and in common areas. Teachers may not suspend students or permanently remove them from class, but should report serious misconduct to the principal or designee for appropriate disciplinary action.

**C. Bus Drivers**

The school bus driver, subject to the direction of the principal, shall have complete authority over and responsibility for the operation of the bus and the maintenance of good order and conduct on the bus, and shall report promptly to the principal any misconduct or disregard or violation of the driver's instructions by any person riding on the bus.

**D. All Personnel**

All staff members have the responsibility to maintain order and safety in the school, and students must obey directives of all authorized school personnel.

All school personnel have the authority to manage or remove disruptive or dangerous students. School personnel may use reasonable force to control behavior or to restrain or 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 other dangerous object on the person, or within the control of a student;
4. For the protection of persons or property or for self-defense;
5. To maintain order on educational property, in the classroom, or at a school-related activity on or off educational property.

### **III. Law Enforcement Involvement**

Principals may contact law enforcement to report suspected criminal activity on school grounds or at school events. If the principal has personal knowledge, a reasonable belief, or actual notice from school personnel that an act has occurred on school property involving assault resulting in serious personal 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, the principal shall immediately report the act to the appropriate local law enforcement agency.

School officials shall cooperate at all time with the efforts of law enforcement; however, school disciplinary measures will proceed independently of any criminal, juvenile investigation or prosecution.

#### The Role of School Resource Officers

The SRO is specifically trained to perform three roles: law enforcement officer; law-related counselor; and law-related education teacher. School Resource Officers may be involved in investigating possible criminal misconduct by students but are not generally involved in school disciplinary proceedings.

SRO responsibilities:

1. To provide security for students, staff and others on school property and at school events;
2. To enforce Federal, State and Local criminal laws and ordinances, and to investigate suspected criminal activity on school property;
3. To counsel public school students in special situations, such as students suspected of engaging in criminal misconduct, when requested by the principal or by the parents of a student;
4. To answer questions that students may have about North Carolina or Juvenile laws;
5. To assist other law enforcement officers with outside investigations concerning students attending the school(s) which the SRO is assigned;
6. To provide security for special events or functions, such as PTA meetings, at the request of the principal or the safety manager; and
7. To provide traffic control during the arrival and departure of students when a school crossing guard is absent.

#### IV. Definitions

**Alternative Education Services** – Part or full-time programs providing direct or computer-based instruction in a setting other than the student's assigned school that allow a student to progress in one or more core courses.

**Board** -- the Orange County Board of Education

**Classroom** -- any location where designated learning experiences take place and where school officials have supervisory responsibility.

**Day or Days** -- school days excluding teacher workdays, holidays, vacations days and weekends, unless otherwise specified.

**Expulsion** -- permanent exclusion of a student from registering, enrolling or attending any Orange County school. This exclusion also includes riding in a school-owned or operated vehicle and prohibits the student from participating in school activities or entering any school property.

Expulsion requires action of the Board of Education.

**Parent** -- includes the natural parent, legal guardian, legal custodian or other caregiver adult who is acting in the place of a parent and is entitled under state law to enroll the student in school.

**Principal** -- the school principal or any school professional to whom the principal delegates authority.

**Student** -- any person enrolled or attending any of the Orange County Schools.

**Substitute Teacher** -- any person who is approved according to local policy to take the place of the teacher during his/her absence.

**Superintendent** -- the Superintendent of the Orange County Schools or his/her chosen representative.

**Teacher** -- the certified professional entrusted by the Board and the Superintendent with the responsibility pursuant to law for the education, health and well-being of students under his/her direction, or a substitute teacher.

**Tardy** -- late for a class or other school period as defined by the schools and the North Carolina laws and regulations.

**365 Day Suspension** – out-of-school suspension for 365 calendar days.

## V. Preventive Measures

When it is recognized that a student is behaving in a manner which indicates potential disciplinary problems, school personnel shall make reasonable efforts to initiate preventive measures. Possible preventive intervention procedures may include, but are not limited to:

- conferences with the student;
- conferences with the parents/guardians;
- periodic follow-up reports to parents/guardians; and
- referral to appropriate support personnel.

School personnel shall actively seek effective, positive methods and strategies to help each student learn to behave in a manner that is conducive to effective learning and that respects the rights of others. Each school principal shall systematically identify potential problem areas within his/her school that may contribute to discipline problems and shall work to maintain a positive school environment to minimize discipline problems.

## VI. Disciplinary Consequences

A suggested range of consequences is listed under each Rule. Principals have discretion to impose punishment outside the suggested range. In selecting a disciplinary consequence, principals may consider the presence of aggravating or mitigating circumstances, such as:

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

Long-term suspensions are reserved for serious violations of the Code of Conduct that either threaten the safety of students, staff, or school visitors or threaten to substantially disrupt the educational environment. Students receiving services under an IEP or 504 plan will be disciplined in accordance with state and federal laws pertaining to children with disabilities.

The following is a non-exclusive list of possible consequences for violating the Student Code of Conduct:

- Conference with Parents

Parents are encouraged to set up an appointment with any teacher, counselor or administrator to discuss their child's progress or problems. In the case of serious or repeated violations of school rules, an administrator shall endeavor to schedule a parent conference to discuss the child's behavior.

- **Confiscation**

Any student's property that disrupts the learning environment may be removed from that student's possession. In the case of non-threatening property, the parent may reclaim the property when attending a conference with a school official. Any property that may cause a threat to any person or school property may be turned over to law enforcement officials.

- **Restitution**

The replacement of or payment for any property taken, damaged or destroyed.

- **Detention**

Supervised detention on campus before or after school hours is available as a disciplinary consequence. Parents should be notified 24 hours in advance.

- **Removal from the Classroom**

Any student may be removed from regular class activities for any portion of a school day, if necessary to maintain order and safety or to conduct an investigation of a school discipline matter, as long as he/she is placed under the supervision of an adult.

- **Suspension from Extracurricular Activities/Loss of Privileges**

A student may be suspended from participating in any or all extracurricular activities including graduation exercises for violation of the Student Code of Conduct. Principals, teachers and/or their designees may withdraw specific school privileges from students who exhibit inappropriate behaviors. Principals may condition participation in athletics or other activities on good conduct, as per Policy 3620.

- **Removal from School Provided Transportation**

Students who violate the Code of Conduct while on a school system vehicle may be prohibited from riding the bus or other school provided transportation for any period of time up to the remainder of the school year.

- **Community Service**

Principals are authorized to develop community service programs in which students may perform tasks on campus as a consequence for misconduct.

- **In-School Suspension (ISS)**

In-school suspension is provided as an alternative environment for certain infractions of the Student Code of Conduct. The student is counted as present and is required to complete assignments developed by his/her regular teachers. Credit is given for this work. ISS is not considered a short-term suspension.

- **Out-of-School Suspension (OSS)**

A student may be suspended from attendance at school for violations of the Student Code of Conduct. During a period of out-of-school suspension the student will not be permitted on any school grounds or allowed to participate in or attend any school-related functions without express permission from the building principal.

Short-term suspension is for 10 days or less.

Long-term suspension is for more than 10 days and up to the end of the school year, except that if the conduct leading to the long-term suspension occurs in the final quarter of the school year, the suspension may be extended up to and including the first semester of the following school year.

365-day suspension is used for special circumstances defined by state law.

- **Expulsion**

The Board of Education may, upon recommendation of the Superintendent and Principal, permanently expel from the Orange County Schools any student 14 years of age or older whose behavior indicates that the student's continued presence in the school constitutes a clear threat to the safety of other students or employees.

## **VII. Corporal Punishment**

The district believes that a well disciplined school system can be maintained without the use of corporal punishment. Therefore, the district prohibits the use of corporal punishment by principals, assistant principals, teachers, substitute teachers, any other school system personnel, student teachers or volunteers.

## VIOLATIONS OF THE CODE OF CONDUCT

**Rule 1. Minor Infractions of Classroom/School Rules** – Students may be disciplined for violations of classroom or school rules. Teachers will follow a classroom discipline procedure appropriate to the infraction, to include: warning, parents/guardian contact, after-school detention, and referral to office for assignment of ISS or OSS.

### Consequences

Elementary	Middle School	High School
Ranging from in-school disciplinary action up to 1 day OSS	Ranging from in-school disciplinary action up to 3 days OSS	Ranging from in-school disciplinary action up to 10 days OSS

**Rule 2. Contraband Items** – 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.

### Consequences

Elementary	Middle School	High School
Confiscation of item. Ranging from in-school disciplinary action up to 1 day OSS	Confiscation of item. Ranging from in-school disciplinary action up to 3 days OSS	Confiscation of item. Ranging from in-school disciplinary action up to 10 days OSS

**Rule 3. Dress Code Violation** -- The Orange County Board of Education respects a student's right to choose his or her style of dress or appearance. The Board of Education requires students to appear at school fully clothed and groomed in an appropriate manner consistent with a proper atmosphere for learning. Good grooming promotes pride and good behavior. If a student's dress or lack of cleanliness is such that it constitutes a threat to health or safety, the principal or principal's designee may require the student and student's parent or guardian to take appropriate action to remedy the situation. In addition, if a student's dress or appearance violates the dress code or is so unusual, inappropriate or lacking in cleanliness that it clearly disrupts class or learning activities, the student will be required to change his or her dress or appearance. Repeated violations may result in further disciplinary action.

A copy of this policy will be distributed to all students each year. Reasonable accommodations will be made by the school principal or principal's designee for those students who, because of a sincerely held religious belief or medical reason, request in advance a waiver of a particular guideline for dress or appearance. Reasonable accommodations shall be made by the principal to accommodate students involved in special duties, activities, or projects approved by the school. This would include but not be limited to: athletics, vocational classes and projects, special events, or other activities that would allow for non-conforming dress on a school campus.

Items listed below shall apply to all students:



- No student’s appearance or clothing will be acceptable if it is deemed disruptive, provocative, indecent, vulgar, or obscene, or if it endangers the health or safety of the student or others.
- Hats, sweatbands, hoods (or other head coverings), or sunglasses are not to be worn inside school buildings.
- Clothing that shows affiliation with a gang or promotes gang affiliation, including bandanas, is prohibited at all times. See Policy 4330, Gang Membership and Gang-Related Activities Policy 4330.
- Any adornment such as chains or spikes that reasonably could be perceived as or used as a weapon; and any symbols, styles or attire frequently associated with intimidation, violence or violent groups will not be permitted.
- Clothing bearing lewd/vulgar or offensive themes/remarks (including tee-shirts advertising alcohol or tobacco products) is prohibited.
- Clothing must not reveal underclothes or lack thereof, midriff, backs, cleavage, or chest/torso area. Shirts and blouses must cover the waist and go past the waistline.
- Pajamas or nightclothes may not be worn to school.
- No sagging pants are allowed. A belt is required if pants do not remain at the waist.
- Tight clothing such as knit or spandex bicycle/biker pants or overly tight pants are not allowed.
- Skirts, dresses, and/or shorts may be no higher than mid-thigh.
- Proper footwear is required. Shoes that have laces must be laced, tied and fit. No bedroom slippers or shower shoes are allowed.
- For elementary schools, high heels and platform shoes are dangerous for young students and are prohibited. They are not able to walk well in them and may trip when trying to run.

Consequences

Elementary	Middle School	High School
Ranging from in-school disciplinary action up to 1 day OSS	Ranging from in-school disciplinary action up to 3 days OSS	Ranging from in-school disciplinary action up to 3 days OSS

**Rule 4. Integrity** -- Students shall not cheat, lie, plagiarize, falsify notes 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.

Students should also refer to the Technology and Acceptable Use Policy for rules governing integrity and the use of electronic resources.

Consequences

Elementary	Middle School	High School
In-school disciplinary action	Ranging from in-school disciplinary action up to 5 days OSS	Ranging from in-school disciplinary action up to 10 days OSS. Zero on assignment

**Rule 5. Trespassing** – Students are prohibited from trespassing on school property. Trespassing is unauthorized presence on any Orange County Schools property, including:

- 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; 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.

Consequences

Elementary	Middle School	High School
Ranging from in-school disciplinary action up to 1 day OSS. Law enforcement may be notified	Ranging from in-school disciplinary action up to 3 days OSS. Law enforcement may be notified	Ranging from in-school disciplinary action up to 10 days OSS. Law enforcement may be notified

**Rule 6. Attendance** – Students shall follow state and local attendance guidelines as reflected in Board Policy 4400 and attend classes in a timely and regular fashion. Parents/guardians have the responsibility under state law to insure their children comply with the compulsory attendance laws. In addition to the consequences reflected below, parent conferences and other interventions as outlined in Policy 4400, including truancy enforcement, may be utilized.

**a) Skipping (Not coming to school)** -- Students shall come to school and be present in their designated homeroom and/or their assigned classroom for every class period unless their absence is excused by an administrator or teacher or as provided in the school attendance policy.

Consequences

Elementary	Middle School	High School
In-school disciplinary action	ISS or other in-school disciplinary action, including after-school detention	ISS or other in-school disciplinary action, including Saturday school or after-school detention

**b) Skipping (leaving school once present)** -- Students shall remain at school once they have arrived and be present in their designated homeroom and/or their assigned classroom unless they have been authorized to do otherwise by the principal or his/her designee.

Consequences

Elementary	Middle School	High School
In-school disciplinary action	ISS, or other in-school disciplinary action, up to 1 day OSS	ISS, or other in-school disciplinary action, up to 2 days OSS

c) **Unexcused Tardies in Homeroom or Assigned Classes** -- Students are not to be tardy to homeroom or assigned classes.

Consequences

Elementary	Middle School	High School
In-school disciplinary action	ISS or other in-school disciplinary action	ISS or other in-school disciplinary action

**Rule 7. Inappropriate Interpersonal and/or Sexual Behavior** -- 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.

Consequences

Elementary	Middle School	High School
Ranging from in-school disciplinary action up to 2 days OSS	Ranging from in-school disciplinary action up to 5 days OSS	Ranging from in-school disciplinary action up to 10 days OSS

**Rule 8. Use of Tobacco Products** -- Students shall not use or possess any tobacco product at any time in any building, facility, or vehicle owned, leased, rented or chartered by the Orange County Schools, on any school grounds and property – including athletic fields and parking lots – owned leased, rented or chartered by the Orange County Schools, 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.

This policy does not prohibit the use of tobacco products for instructional or research activities if the activity is conducted or supervised by a faculty member and the activity does not include smoking, chewing, or otherwise ingesting the tobacco product.

For purposes of this policy, “tobacco product” is defined to include cigarettes, cigars, pipes, chewing tobacco, snuff, and any other items containing or reasonably resembling tobacco or tobacco products. “Tobacco use” includes smoking, chewing, dipping, or any other use of tobacco products.

Consequences

Elementary	Middle School	High School
Confiscation. Parental/guardian contact. Conference with school nurse.	Confiscation. In-school disciplinary action up to five days OSS. An alternative educational	Confiscation. In-school disciplinary action up to five days OSS. An alternative educational

In-school disciplinary action.	program may be offered for the first violation at the principal's discretion. *See below	program may be offered for the first violation at the principal's discretion. See below
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\* For the first violation at the middle and high school levels, an alternative tobacco education program may be offered. The alternative shall require participation of the student and parent/guardian in an approved corrective education program (ex. ATS-Alternative to Suspension Tobacco Education Program). Failure to meet the requirements of the alternative program reactivates the consequences listed above.

Students interested in quitting will be assessed by the Youth Tobacco-Use Prevention Project Manager at the Orange County Health Department or appropriate school-based personnel for their interest in enrolling into a cessation program (ex. NOT-Not on Tobacco). Continued follow-up by the project manager or school personnel will be determined on a case-by-case basis.

**Rule 9. Disrespect and Noncompliance with Directives from Principals, Teachers, and Other School Personnel** -- Students shall comply with the directives of all school personnel and shall exhibit respectful and appropriate behavior toward school personnel and volunteers at all times while a student is subject to this Code.

Consequences

Elementary	Middle School	High School
Ranging from in-school disciplinary action up to 5 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances.	Ranging from in-school disciplinary action up to 10 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances.	Ranging from in-school disciplinary action up to 10 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances.

**Rule 10. Electronic Devices** -- Electronic devices subject to this rule include but are not limited to cell phones, pagers, walkie-talkies, other portable communication devices, digital cameras, music players, electronic games, and personal laptop or tablet computers (unless provided or approved by a teacher or administrator).

- Elementary students are not allowed to possess electronic devices at school. Principals may grant specific, conditional waivers of this rule to individual elementary school students for health or other unusual reasons.
- In middle and high schools, electronic devices must be turned off, put away, and kept out of sight at all times during the school day and during school-sponsored activities. Middle/high school students are allowed to use cellular phones for athletic events and after school events such as dances, unless otherwise notified by an administrator or other faculty member supervising the activity.
- Cell phones and other wireless communication devices are banned for all students attending Partnership Academy Alternative School.
- Students shall be personally and solely responsible for the security of their electronic devices. The Orange County Board of Education shall not assume responsibility or liability for the theft, loss or damage to a student's cellular telephone or other electronic devices and does not assume responsibility for the unauthorized use of any device.

- Using cellular telephones or other devices with photographic capabilities in student locker-rooms, restrooms or any other student changing areas, at any time is prohibited.

Violations of this rule will result in confiscation of the device, and a parent/guardian is required to attend a conference in order to gain possession of the item. This rule does not apply to personal vehicles, overnight/day school-sponsored field trips and athletic events.

Consequences

Elementary	Middle School	High School
Confiscation of device. Ranging from in-school disciplinary action up to 2 days OSS	Confiscation of device. Ranging from in-school disciplinary action up to 5 days OSS	Confiscation of device. Ranging from in-school disciplinary action up to 5 days OSS

**Rule 11. Bus Misbehavior** -- Students, at all times while riding a school bus or other school-owned or operated vehicle, shall observe the directives of the school bus driver and/or bus/contract vehicle safety monitor. The following conduct is specifically prohibited and may result in revocation of school system provided transportation privileges: delaying the bus schedule, fighting, smoking, using profanity or refusing to obey the driver's instructions, tampering with or willfully damaging the school vehicle, getting off at an unauthorized stop, distracting the driver's attention by participating in disruptive behavior while the vehicle is in operation, throwing objects from the bus, failing to observe and obey safety regulations, willfully trespassing on a school-owned or operated vehicle or violating any other Code of Conduct rule while on the school bus.

Consequences

Elementary	Middle School	High School
Ranging from in-school disciplinary action up to 10 days OSS, and/or suspension from bus transportation up to the remainder of the year.	Ranging from in-school disciplinary action up to 10 days OSS, and/or suspension from bus transportation up to the remainder of the year.	Ranging from in-school disciplinary action up to 10 days OSS, and/or suspension from bus transportation up to the remainder of the year.

**Rule 12. Gambling** -- Students shall not engage in any form of games of chance or gambling for money and/or objects of value.

Consequences

Elementary	Middle School	High School
Ranging from in-school disciplinary action up to 1 day OSS	Ranging from in-school disciplinary action up to 3 days OSS	Ranging from in-school disciplinary action up to 5 days OSS

**Rule 13. Insulting, Abusive, Harassing, Profane, Obscene or Seriously Disrespectful Language.**

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.

Consequences

Elementary	Middle School	High School
Ranging from in-school disciplinary action up to 5 days OSS.	Ranging from in-school disciplinary action up to 5 days OSS. Long-term suspension may be justified by the presence of aggravating factors.	Ranging from in-school disciplinary action up to 10 days OSS. Long-term suspension may be justified by the presence of aggravating factors.

**Rule 14. Inappropriate Literature, Illustrations or Images.** The possession of literature, illustrations, or other images, including electronic images, which significantly disrupt the educational process or which are obscene is prohibited.

Consequences

Elementary	Middle School	High School
Ranging from in-school disciplinary action up to 5 days OSS.	Ranging from in-school disciplinary action up to 10 days OSS. Long-term suspension may be justified by the presence of aggravating factors.	Ranging from in-school disciplinary action up to 10 days OSS. Long-term suspension may be justified by the presence of aggravating factors.

**Rule 15. Gang-Related Activity.**

The Orange County School System does not tolerate gang membership or gang-related activity. Orange County Schools supports a proactive approach to dealing with gangs and gang-related activities in schools, at school-related events, and in the community.

A gang is any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts, or the purposeful violation of any OCS policy, and having a common name identifying signs, colors, or symbols. No student shall commit any act that furthers gangs or gang-related activities. Conduct prohibited by this policy includes:

- A. Wearing, possessing, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs, visible tattoos and body markings, or other items, or being in possession of literature that show affiliation with a gang, or is evidence of membership or affiliation in any gang or that promotes gang affiliation;
- B. Communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.) to convey membership affiliation in any gang or that promotes gang affiliation;
- C. Tagging, or otherwise defacing school or personal property with gang or gang-related symbols or slogans;

- D. Requiring payment of money or insurance for gang-related protection or harassing others in intimidating or threatening ways as part of gang-related activities;
- E. Inciting other students to intimidate or to act with physical violence upon any other person as related to gang activity;
- F. Soliciting others for gang membership; and
- G. Conspiring to commit any violation of this policy or committing or conspiring to commit any other illegal act or other violation of school district policies that relates to gang activity.

The Superintendent and/or the district designee shall regularly consult with law enforcement officials to identify gang-related items, symbols and behaviors, and provide each principal with this information.

Before being suspended for a first offense of wearing gang-related attire, a student will receive a warning and will be allowed to immediately change or remove the attire that is in violation of this policy. Unless the student has been specifically notified of a prohibited item of attire, a student will receive this warning the first time he or she is observed wearing a particular item in violation of this policy.

**Consequences**

<b>Elementary</b>	<b>Middle School</b>	<b>High School</b>
Ranging from in-school disciplinary action up to 5 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances.	Ranging from in-school disciplinary action up to 5 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances.	Ranging from in-school disciplinary action up to 10 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances.

**Rule 16. Sexual Harassment** -- Students are prohibited from engaging in sexual harassment of fellow students or other individuals while subject to this Code. For purposes of this Rule, sexual harassment includes unwanted conduct of a sexual nature, whether verbal or physical, which has the effect of unreasonably interfering with the victim's educational performance or creating an intimidating, hostile, or offensive environment for the victim.

Any student who believes he or she has been the victim of sexual harassment is encouraged to report the conduct to a staff member for investigation, as outlined in Policy 7235.

**Consequences**

<b>Elementary</b>	<b>Middle School</b>	<b>High School</b>
Ranging from in-school disciplinary action up to 10 days OSS.	OSS up to and including long-term suspension. Law enforcement may be notified.	OSS up to and including long-term suspension. Law enforcement may be notified.

**Rule 17. Harassment and Bullying** – Harassment, bullying and cyberbullying are prohibited.

Harassment is unwanted, unwelcomed, and uninvited behavior that demeans, threatens, or offends the victim and which has the effect of unreasonably interfering with the victim's educational performance or creating an intimidating, hostile, or offensive environment for the victim. A hostile environment can be created through pervasive or persistent misbehavior or a single incident, if sufficiently severe. Harassing behavior may include, but is not limited to epithets, derogatory comments or slurs and lewd propositions, 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 teaching techniques are not considered harassing behavior.

Bullying means the repeated intimidation of others by the real or threatened infliction of physical, verbal, written, electronically transmitted or emotional abuse or through attacks on the property of another. Bullying may include, but is not limited to, verbal taunts, name-calling and put-downs, extortion of money or possessions, implied or stated threats, and exclusion from peer groups.

Cyberbullying is when one or more people intentionally bully another person using technology. Examples of cyberbullying: sending mean or threatening messages to a classmate via email, IM (instant messaging), or text messages; spreading rumors about classmates through email, IM, or text messages; creating a Web site or MySpace (or other social-networking) account that targets another student; sharing fake or embarrassing photos or videos of classmates with others via a cell phone or the Web; stealing a classmate's login and password to send mean or embarrassing messages from his or her account.

The Orange County Board of Education recognizes that bullying is disruptive, damaging and sometimes violent, and has a negative effect on school climate. Students who are intimidated and fearful cannot give their education the single-minded attention they need for success. Every student has the right to learn and achieve high academic standards in a safe and civil school environment.

**Consequences**

Elementary	Middle School	High School
<p>Parents/guardian Contact. Ranging from in-school disciplinary action up to 10 days including OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Repeated offenses may require student participation in an approved corrective education program (ex. Dispute Settlement Center). Law enforcement may be notified.</p>	<p>Parents/guardian Contact. Ranging from in-school disciplinary action up to 10 days including OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Repeated offenses may require student participation in an approved corrective education program (ex. Dispute Settlement Center). Law enforcement may be notified.</p>	<p>Parents/guardian Contact. Ranging from in-school disciplinary action up to 10 days including OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Repeated offenses may require student participation in an approved corrective education program (ex. Dispute Settlement Center). Law enforcement may be notified.</p>

**Rule 18. Hazing** -- It shall be a violation for any student to engage in what is known as hazing or to aid or abet any other student in hazing. Hazing is to annoy any student by playing abusive or ridiculous tricks on him/her, to frighten, scold, beat or harass him/her or to subject him/her to personal indignity.



Consequences

Elementary	Middle School	High School
Ranging from in-school disciplinary action up to 5 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement may be notified.	Ranging from in-school disciplinary action up to 10 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement may be notified.	Ranging from in-school disciplinary action up to 10 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement may be notified.

**Rule 19. Fighting and Physical Aggression** -- 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.

Consequences

Elementary	Middle School	High School
Ranging from in-school disciplinary action up to 10 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement may be notified.	Ranging from in-school disciplinary action up to 10 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement may be notified.	Up to 10 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement may be notified.

**Rule 20. Threat/False Threat.** 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.

Consequences

Elementary	Middle School	High School
Ranging from in-school disciplinary action up to 10 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement may be notified.	Ranging from in-school disciplinary action up to 10 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement may be notified.	Up to 10 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement may be notified.

**Rule 21. Unjustified Activation of a Fire or Other Alarm System** -- Students shall not activate any fire or other alarm system unless authorized to do so by school employees or unless there are reasonable grounds to believe that an actual emergency situation exists.

Consequences

Elementary	Middle School	High School
Ranging from in-school disciplinary action up to 5 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement may be notified.	Ranging from in-school disciplinary action up to 10 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement may be notified.	Ranging from in-school disciplinary action up to 10 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement may be notified.

**Rule 22. Extortion** -- Students shall not extort through verbal, written or physical threats, coercion or intimidation anything of value from any other student or school employee.

Consequences

Elementary	Middle School	High School
Restitution of costs may be required. Minimum of 3 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement may be notified.	Restitution of costs may be required. Minimum of 3 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement may be notified.	Restitution of costs may be required. Minimum of 3 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement may be notified.

**Rule 23. Theft or Destruction of School or Personal Property** -- Students shall not steal or attempt to steal or knowingly be in possession of stolen property. Students shall not vandalize or damage or attempt to damage school property or property belonging to others.

Consequences

Elementary	Middle School	High School
In-school disciplinary action up to 10 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement may be notified. Restitution may be required.	In-school disciplinary action up to 10 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement may be notified. Restitution may be required.	In-school disciplinary action up to 10 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement may be notified. Restitution may be required.

**Rule 24. Robbery, Burglary, Taking or Destroying Property Using Violence or Threat of Violence --** Students shall not steal or attempt to steal, damage or destroy property of others using threats of bodily harm.

Consequences

Elementary	Middle School	High School
Ranging from in-school disciplinary action up to 10 days OSS. Law enforcement may be notified. Restitution may be required.	OSS up to 10 days and/or long-term suspension. Law enforcement may be notified. Restitution may be required.	OSS up to 10 days and/or long-term suspension. Law enforcement may be notified. Restitution may be required.

**Rule 25. , Physical Aggression, Threats or Actions of Assault Against Adults --**

**a) Physical Assault or Physical Harm to School Employees and Other Adults --** Students shall not cause or attempt to cause or act in a way that reasonably could cause physical or bodily harm to school employees or other adults.

Consequences

Elementary	Middle School	High School
Short-term or long-term suspension Law enforcement will be notified.	Short-term or long-term suspension Law enforcement will be notified.	Short-term or long-term suspension. Law enforcement will be notified.

**b) Physical Aggression Toward Adults --** Students shall not exhibit physical aggression toward school employees or other adults at any time.

Consequences

Elementary	Middle School	High School
In-school disciplinary action up to 10 days OSS. Long-term suspension may be justified by aggravating circumstances.	OSS up to 10 days. Long-term suspension may be justified by aggravating circumstances.	OSS up to 10 days. Long-term suspension may be justified by aggravating circumstances.

**c) Written or Verbal Assault to School Employees and Other Adults --** Students shall not, through written, oral, or electronic communication, threaten to cause, cause or attempt to cause harm to school employees or other adults.

Consequences

Elementary	Middle School	High School
Ranging from in-school disciplinary action up to 10 days OSS. Law enforcement may be notified.	OSS up to and including long-term suspension. Law enforcement may be notified.	OSS up to and including long-term suspension. Law enforcement may be notified.

**Rule 26. Violent Physical Assault Upon a Student** -- Students shall not cause or attempt to cause serious injury of any kind to another student.

Consequences

Elementary	Middle School	High School
Short-term or long-term suspension. Law enforcement will be notified if required by law and may be notified in other circumstances.	Short-term or long-term suspension. Law enforcement will be notified if required by law and may be notified in other circumstances.	Short-term or long-term suspension. Law enforcement will be notified if required by law and may be notified in other circumstances.

**Rule 27. Possession of a Firearm or Destructive Device.** Students shall not bring onto school property or possess a firearm or destructive device. A firearm is any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, or any firearm muffler or firearm silencer. The definition of firearm under this rule does not include an inoperable antique firearm, a BB gun, stun gun, air rifle, or air pistol. A destructive device is an explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge or more than one-quarter ounce, mine, or similar device.

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

Consequences

Elementary	Middle School	High School
365 day suspension. Confiscate weapon. Law enforcement will be notified.	365 day suspension. Confiscate weapon. Law enforcement will be notified.	365 day suspension. Confiscate weapon. Law enforcement will be notified.

a) **Possession of Other Types of Guns** -- Students shall not possess or conceal or transport any air gun, BB gun, pellet gun, stun-gun, paintball gun, zip gun or any other weapon capable of or causing serious bodily injury or any gun facsimile (an exact or close reproduction or imitation of a gun that could reasonably be perceived by a person to be an actual or real gun) or incidental items relating to firearms use, such as bullets, magazine clips, or other projectile items.

Consequences

Elementary	Middle School	High School
Out of school suspension up to and including long-term suspension. Confiscate weapon. Law enforcement	Out of school suspension up to and including long-term suspension. Confiscate weapon. Law enforcement will be notified.	Out of school suspension up to and including long-term suspension. Confiscate weapon. Law enforcement will be notified.

will be notified.		
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- b) **Possession of Other “Look-alike” Firearms** -- Students shall not possess any other “look-alike” gun such as a plastic gun, rubber gun, candy gun, or water pistol.

Consequences

Elementary	Middle School	High School
Up to 10 days of OSS and conference with parents/guardian. Confiscate “look-alike” weapon. Repeated offenses may result in a recommendation for long-term suspension. Law enforcement will be notified.	Up to 10 days of OSS and conference with parents/guardian. Confiscate “look-alike” weapon. Repeated offenses may result in a recommendation for long-term suspension. Law enforcement will be notified.	Up to 10 days of OSS and conference with parents/guardian. Confiscate “look-alike” weapon. Repeated offenses may result in a recommendation for long-term suspension. Law enforcement will be notified.

**Rule 28. Disruption of School**

- a) **Disruption of Class/School** -- 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.

Consequences

Elementary	Middle School	High School
Ranging from in-school disciplinary action up to 5 days OSS.	Ranging from in-school disciplinary action up to 10 days OSS. Long-term suspension may be recommended if justified by the presence of aggravating factors.	Ranging from in-school disciplinary action up to 10 days OSS. Long-term suspension may be recommended if justified by the presence of aggravating factors.

- (b) **Communicating a False Bomb Report or Perpetrating a Bomb Hoax** -- No student shall make or aid and abet anyone in making a false report concerning the existence of a bomb or any other dangerous object on school premises or at the site of school activities. Students shall not perpetrate a bomb hoax by any means, including the concealment, placement, or display of any device, machine, or artifact to cause a person to reasonably believe the item is a bomb.

Consequences

Elementary	Middle School	High School
Out of school suspension up to and including long-term suspension. Law enforcement will be notified.	Out of school suspension up to and including long-term suspension. Law enforcement will be notified.	Out of school suspension up to and including long term suspension. Law enforcement will be notified.

- c) **Communicating a Terroristic Threat or Perpetrating a Terroristic Hoax** -- Students shall not communicate a false report by any means that there is located on any school property or at any

school-sponsored school activity off school property any device, substance, or material used to cause harmful or life-threatening illness or injury to others. Students shall not perpetrate a hoax by concealing, placing, disseminating, or displaying on school property or at school-sponsored activity off school property any device, machine, instrument, artifact, letter, package, material or substance to cause a person to reasonably believe the item is capable of causing harmful or life-threatening illness or injury. Students shall not threaten to commit an act of terror with the intent of causing a serious disruption to or causing an actual significant disruption of the instructional day or school-sponsored activity while a student is on any school property or school-sponsored activity on or off school property. Students shall not communicate a false report that terroristic act likely to cause serious injury or death is about to occur or is occurring on any school property or at any school-sponsored event off school property, with the intent of causing a significant disruption or actually causing a significant disruption of the instructional day or school-sponsored activity.

**Consequences**

<b>Elementary</b>	<b>Middle School</b>	<b>High School</b>
Out of school suspension up to and including long-term suspension. Law enforcement will be notified.	Out of school suspension up to and including long-term suspension. Law enforcement will be notified.	Out of school suspension up to and including long-term suspension. Law enforcement will be notified.

**(d) Inciting or Participating in Student Disorder** -- Students shall not lead or participate in any activity that has as its purpose the disruption of school business or which significantly adversely affects the educational process. In the event that the disruption does not abate immediately or if the principal deems it appropriate, law enforcement will be called.

**Consequences**

<b>Elementary</b>	<b>Middle School</b>	<b>High School</b>
Ranging from in-school disciplinary action up to 10 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement will be notified.	Ranging from in-school disciplinary action up to 10 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement will be notified.	Ranging from in-school disciplinary action up to 10 days OSS. Long-term suspension may be recommended for serious violations if justified by the presence of aggravating circumstances. Law enforcement will be notified.

**Rule 29. Possession of a Dangerous Weapon or Other Instruments** -- Students shall not possess or conceal or transport any weapon or other instrument that could cause or that is intended to cause bodily injury or other harm to another or misuse otherwise acceptable objects in a manner intended to cause harm to others.

**Consequences**

<b>Elementary</b>	<b>Middle School</b>	<b>High School</b>
Confiscate weapon. Up to 10	Confiscate weapon. Up to 10 days	Confiscate weapon. Long-term

days OSS. Special circumstances may result in long-term suspension. Law enforcement will be notified.	OSS. Special circumstances may result in long-term suspension. Law enforcement will be notified.	suspension recommended. Law enforcement will be notified.
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**Rule 30. Arson or Making or Possessing Explosive or Incendiary Devices --** Students shall not make, possess, light or explode firecrackers, explosives, pyrotechnic, incendiary (capable of producing flame or fire) or smoke-creating devices or materials or facsimiles thereof. Students shall not set fire to anything unless directed to do so under the supervision of a teacher or administrator for educational purposes. In the event that a device is discovered, it shall be confiscated and not returned to the student.

Consequences

Elementary	Middle School	High School
Confiscate device. OSS up to and including long-term suspension. Law enforcement will be notified.	Confiscate device. OSS up to and including long-term suspension. Law enforcement will be notified.	Confiscate device. OSS up to and including long-term suspension. Law enforcement will be notified.

**Rule 31. Narcotics, Alcoholic Beverages, Controlled Substances, Chemicals and Paraphernalia --**

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 of 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 Student Code of Conduct the following definitions apply:

1. 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, or desk, or on a student's person.
2. Use: The consumption, injection, inhalation or absorption of a prohibited substance into a student's body by any means.
3. 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.
4. Sell: The exchange of a prohibited substance for money, property, or any other benefit or item of value.
5. Distribute: To give, share, or pass a prohibited substance.
6. 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.

7. 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.

8. Unauthorized Prescription Drug: Any 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.

Consequences

Elementary	Middle School	High School
Out of school suspension up to and including long-term suspension. See # 1 & 2 below.	Out of school suspension up to and including long-term suspension. See # 1 & 2 below.	Out of school suspension up to and including long-term suspension. See # 1 & 2 below.

1. When a first infraction does not involve the distribution, sale or possession with intent to distribute or sell, or conspiracy or attempt to distribute or sell a substance prohibited by this policy, an alternative to suspension may be offered. This alternative may be offered only one time to students during their school career unless an exception is made by the Superintendent. Upon the students return to school, he/she will be asked to sign an OCS No Drug Contract. Violation of this contract and/or a second offense will result in a long-term suspension recommendation.

2. The proper use of a drug authorized by valid medical prescription from a legally authorized health care provider shall not be considered a violation of this rule when the drug is taken by the person for whom the drug was prescribed.

Note: Schedule I substances include, among other types, opiates and hallucinogenics such as LSD

**Rule 32. Violation of North Carolina Criminal Statutes** -- 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.

Consequences

Elementary	Middle School	High School
Out of school suspension up to and including long-term suspension. Law enforcement will be notified.	Out of school suspension up to and including long-term suspension. Law enforcement will be notified.	Out of school suspension up to and including long-term suspension. Law enforcement will be notified.

**Rule 33. Aiding and Abetting** -- Students shall not help, aid or facilitate others in the violation of any rule of conduct. Consequences for aiding and abetting will be determined based on the consequence level of the underlying violation.





# Due Process Procedures

## Short-Term Suspensions

Before imposing a short-term suspension, the principal must provide the student the opportunity for an informal hearing with the principal. The student must be informed of the charges and the basis for the accusations either verbally or in writing and must be given the opportunity to make statements in his or her defense or to explain any mitigating circumstances. There is an exception to the hearing requirement where giving the student the hearing would create a direct and immediate threat to the safety of other students or staff, or substantially disrupts or interferes with the education of other students or the maintenance of discipline at the school. In such cases, the informal hearing may be delayed but must occur as soon as practicable once the threat to safety or threat of disruption has passed.

A student is not entitled to appeal the principal's decision to impose a short-term suspension to the superintendent or the Board of Education.

When a student is suspended for a period of 10 days or less, the principal or designee shall give notice to the student's parent or guardian of the student's suspension and the student's rights by telephone, facsimile, e-mail, or any other method reasonably designed to achieve actual notice. If English is the second language of the parent, the notice shall be provided in the parent's primary language if foreign language resources are readily available.

### **A student suspended for 10 days or less shall be provided:**

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

## Long-Term Suspensions

- (1) Parents will be notified of the principal's recommendation to the Superintendent to long-term suspend the student and of their appeal rights under this policy by certified mail, telephone, facsimile, e-mail, or any other method reasonably designed to achieve actual notice. This notice shall be provided to the parent by

the end of the workday during which the suspension was recommended when reasonably possible, or as soon thereafter as is practicable.

This notice shall also contain:

- a) A description of the incident leading to the recommendation for suspension;
- b) The rule or policy violated;
- c) The process for appealing the recommendation, including applicable deadlines;
- d) The hearing procedures;
- e) Notice that the parent is permitted to retain an attorney to represent the student in the hearing process or to bring up to one non-attorney advocate to assist in the presentation of the student's appeal;
- f) Notice that the parent has a right to review the student's educational records prior to the hearing;
- g) A copy of this policy; and
- f) A reference to the Board's policy for expungement of discipline records under G.S. 115C-402.

If school personnel are aware that the parent's first language is not English and foreign language resources are readily available, this notice shall be provided in both English and the parent's primary language. All notices will contain certain basic information translated into the dominant non-English language used by residents within the county, as required by law.

- (2) Parents/guardians shall, within four (4) school days of the date of mailing, give written notice to the Superintendent of their intention to appeal the principal's recommendation. If the parent/guardian chooses to retain an attorney to represent the student, he or she must notify the Superintendent that of that attorney's presence at least three (3) school days prior to the hearing.
- (3) If the student declines the opportunity to appeal, the superintendent shall review the circumstances of the recommendation for long-term suspension, and may (a) impose the suspension if it is consistent with board policy and appropriate under the circumstances; (b) impose another appropriate penalty authorized by board policy; or (c) decline to impose any penalty.
- (4) Upon receipt of a request for an appeal hearing, the Superintendent shall convene a hearing prior to the tenth day of suspension. If the parent/guardian requests a postponement of the hearing, this request will be accommodated if reasonably

possible, but the student shall not have the right to return to school pending the hearing.

- (5) The hearing shall be conducted in private before the Superintendent or the Superintendent's designee. The hearing will be conducted according to the following procedures:
  - a) The student has the right to be present, accompanied by his or her parents. The student has the right to be represented by an attorney or by a single advocate chosen to assist in the presentation of his or her case.
  - b) The student, parent, or student's representative has the right to review prior to the hearing any audio or video recordings of the incident and any evidence supporting the suspension that may be presented at the hearing, to the extent consistent with federal and state privacy laws and regulations, except that school officials are not required to disclose names or other information that could allow the student or his or her representative to identify witnesses if such information could create a safety risk for the witness.
  - c) The Superintendent or designee may consider the testimony of any witness, including hearsay or other evidence of a kind commonly relied on by reasonably prudent persons in the conduct of serious affairs.
  - d) In presenting evidence, the principal or other representative of the school shall present first the witnesses and documentary evidence against the student.
  - e) The student or his or her representative may present his or her evidence, including any documents and witnesses he or she may have related to the suspension or any aggravating or mitigating factors.
  - f) Both the principal or school representative and the pupil or his or her representative may question the witnesses presented by the other side. The Superintendent or designee may also question witnesses and has the power to limit questioning by any person if such questioning is unproductively lengthy, repetitive or irrelevant.
  - g) The Superintendent shall provide for the making of a tape recording of any information orally presented at the hearing and shall maintain a record of any tangible evidence submitted. The student may make his or her own audio recording of the hearing.
- (6) After the evidence has been presented and the hearing adjourned, the Superintendent or designee shall proceed to reach a decision. The decision should set forth in writing the findings upon which the decision rests as well as the decision. The written decision shall include the basis for the Superintendent's

decision, including a reference to the policy or rule(s) violated; notice of what information will be included in the student's official record; and notice of the student's right to appeal to the Board of Education and the procedures for such appeal. The Superintendent shall notify the student of his/her decision by the tenth day of suspension and will provide a copy of the written decision.

- (7) Any student aggrieved by final action of the Superintendent may in writing within five (5) school days of the notice from the Superintendent appeal to the Board of Education and at the hearing of such appeal shall have the right to be represented by any person of his or her choice. The period of suspension imposed by the Superintendent is not stayed pending the outcome of the appeal. Board-level suspension appeals shall be conducted according to the following procedure:
- a) The board-level appeal may be heard by a panel of at least two board members, as provided in Policy 2500.
  - b) The Board shall consider the record from the hearing before the Superintendent. If the student claims the discovery of new evidence which could not have been discovered by reasonable diligence at the time of the first hearing, the student may request the opportunity to present the new evidence to supplement the record. The Board of Education will first decide whether to allow the new evidence as a supplement to the record, or whether to hear the matter on the record from the hearing before the Superintendent.
  - c) Except as provided in this policy, board-level suspension appeal will be conducted according to the procedures contained in Policy 2500.
  - d) The board will hear the suspension appeal and render a decision within thirty calendar days following receipt of the request for a board hearing.

A decision by the Board of Education adverse to the student may be appealed to the courts of this state in the manner provided by N.C. General Statute 115C-390.8 (i).

### **365 – Day Suspension and Expulsion Recommendations**

Principals shall recommend to the superintendent a 365-day suspension for any student believed to have violated board policies regarding firearms or destructive devices. The superintendent may uphold or modify such recommendations on a case-by-case basis. The superintendent will not impose a 365-day suspension if the superintendent determines that the student took or received the firearm or destructive device from another person at school or found the firearm or destructive device at school, provided that the student delivered or reported the firearm or destructive

device as soon as practicable to a law enforcement officer or school employee and had no intent to use such firearm or destructive device in a harmful or threatening way.

If a 365-day suspension is recommended, the principal shall provide the student with the same notice required for a long-term suspension, above.

If the superintendent recommends a 365-day suspension, the superintendent must provide the student and the student's parent of the right to petition the board for readmission pursuant to N.C. General Statute 115C-390.12.

The superintendent's recommendation may be appealed to the board of education according to the procedures contained in this policy for appeal of a long-term suspension to the board of education.

The local Board of Education may, upon the recommendation of the principal and Superintendent, expel any student 14 years of age or older whose continued presence in school constitutes a clear threat to the safety of other students or employees. Prior to expelling the student, the board shall conduct a hearing to determine whether there is clear and convincing evidence that the student's continued presence in school constitutes a clear threat to the safety of other or employees.

Any student recommended for expulsion shall receive reasonable notice of the recommendation in accordance with the provisions of this policy for notice of long-term suspensions, and shall receive reasonable notice of the time and place of the scheduled hearing.

An expulsion hearing will be conducted according to the procedures applicable to appeal of long-term suspensions. Prior to issuing an expulsion, the board must consider whether there are alternative education services that may be offered to the student in a manner that does not create safety risks to other students and staff. The decision of the Board of Education is subject to judicial review in accordance with Article 4 of Chapter 150A of the General Statutes.

### **Requests for Readmission**

Students suspended for 365 days or expelled may requested readmission in writing after 180 calendar days from the date of the suspension or expulsion. Petitions for readmission will be reviewed and decided upon according to the procedures contained in N.C. General Statute 115C-390.12 and guidelines developed by the board. If a petition for readmission is granted, the board or superintendent may assign the student to any program within the school system, and may place reasonable conditions

on the student's readmission. No student will be returned to the classroom of a teacher whom he/she assaulted, unless the teacher consents.

Student Code of Conduct Contacts:

Steven Weber (**Short Term-Suspensions**)  
Director of Secondary Instruction  
[steven.weber@orange.k12.nc.us](mailto:steven.weber@orange.k12.nc.us)

Michael Gilbert (**Long-Term Suspensions**)  
Public Information Officer  
[Michael.gilbert@orange.k12.nc.us](mailto:Michael.gilbert@orange.k12.nc.us)

Patrick Rhodes, Superintendent

Orange County Schools  
200 East King Street  
Hillsborough, NC 27278

*The Board expressly prohibits unlawful discrimination, harassment, bullying and cyberbullying however motivated, directed toward any person or group, including, but not limited to members of a socially distinct group or category, race, sex, religion, age, national origin, sexual orientation, pregnancy, or disability.*

Cover Page – Orange County Schools' Suspension and Expulsion Due Process Procedures

<b>ASSAULTS, THREATS AND HARASSMENT</b>	<i>Date Reviewed/ Approved:</i> 02/16/2009	<i>Policy Number:</i> 4331
<i>Rescinds Policy Number:</i>		<i>Issued:</i>

Assaults, threats or harassment will not be tolerated from any student. Any student exhibiting such behavior will be removed from the classroom or school environment for as long as is necessary to provide a safe and orderly environment for learning. Except when certain consequences for misbehavior are required by law, principals in the elementary grades are directed to use good judgment and reasonable discretion in determining the appropriate consequence for violation of board policies, school standards or school rules.

#### A. ASSAULT, INJURY

##### 1. Prohibited Behavior

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. Assault includes engaging in a fight.

##### 2. Consequences

###### a. General Consequences

Violation of this section may result in short-term suspension up to 10 days, long-term suspension, 365 day suspension or expulsion. The procedures for long-term suspension or expulsion are provided in board Policy 4353, Long-Term Suspension, 365 Day Suspension, Expulsion. A determination of the appropriate consequence will be made in accordance with the provisions of that policy except as otherwise provided below. Placement in an alternative educational setting may be made in lieu of suspension in accordance with Policy 4353, Long-term Suspension, 365 Day Suspension, Expulsion, and/or as provided in Sections A.2.b and A.2.c of this policy.

###### b. Consequences for Serious Assaults on School Personnel

Any student who is found by the superintendent to be at least 13 years of age and to have physically assaulted and seriously injured school personnel must be removed to an alternative educational setting in accordance with G.S. 115C-391(d2). If an appropriate alternative educational setting is not available, the superintendent, upon recommendation of the principal, must suspend the student for no less than 300 days but no more than 365 days. A student may also be expelled for assaultive conduct when his or her behavior constitutes a clear threat to the safety of others. The principal shall make recommendations to the superintendent regarding placement decisions and the recommended length of the placement or the suspension, within the limits established by law, based at least in part upon recommendations of the principal of the school that constitutes the alternative setting.



c. **Consequences for Certain Physical Assaults of Adults and Students**

Upon the recommendation of the principal, the superintendent may remove a student to an alternative educational setting if the student is at least 13 and has:

- 1) physically assaulted a teacher or other adult who is not a student;
- 2) physically assaulted another student if the assault is witnessed by school personnel; or
- 3) physically assaulted and seriously injured another student.

This section applies to behavior that occurs on school property or at a school-sponsored or school-related event. It does not apply when a student was acting in self-defense. If no appropriate alternative educational setting is available, the superintendent may suspend the student for up to 365 days. A student may also be expelled for assaultive conduct when his or her behavior constitutes a clear threat to the safety of others. The principal will make recommendations to the superintendent regarding placement decisions and the recommended length of the placement or suspension, within the limits established by law.

If the student is under age 13, the consequences for assault will be determined in accordance with the general guidelines in Policy 4353, Long-Term Suspension, 365 Day Suspension, Expulsion, and the school behavior management plan.

**B. THREATENING ACTS**

1. **Prohibited Behavior**

Students are prohibited from directing toward any other person any language that threatens force, violence or disruption, or any sign or act that constitutes a threat of force, violence or disruption.

2. **Consequences**

Violation of this section may result in short-term suspension up to 10 days, long-term suspension or expulsion. The procedures for long-term suspension or expulsion are provided in Policy 4353, Long-Term Suspension, 365 Day Suspension, Expulsion. A determination of the appropriate consequence will be made in accordance with the provisions of that policy. Placement in an alternative educational setting may be made instead of suspension in accordance with Policy 4353, Long-Term Suspension, 365 Day Suspension, Expulsion. Consequences for bomb and terrorist threats are addressed in Policy 4333, Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety, and may include a 365 day suspension.

**C. HARASSMENT**

1. **Prohibited Behavior**

Students are prohibited from engaging in or encouraging any form of harassment, including bullying or cyber bullying against students, employees or any other individuals on school grounds or at school-related functions. Harassment is unwanted, unwelcomed and uninvited behavior that demeans, threatens or offends the victim and results in a hostile environment for the victim. The hostile environment may be created through pervasive or persistent misbehavior or a single incident if sufficiently severe. Harassment and bullying are further defined in Policy 7230, Prohibition Against Discrimination and Harassment. Sexual harassment is further defined in Policy 7235, Sexual Harassment.

## 2. Consequences

Complaints of harassment will be investigated pursuant to Policy 1740, Student and Parent Grievance Procedure. The consequences for harassment will be more severe than for violations of the standards of integrity and will be decided pursuant to Policy 7235 Sexual Harassment. Consequences may include disciplinary action up to and including expulsion, as appropriate.

Legal References: G.S. 14-33, -34 to -34.2; 115C-47, -276(r), -288, -307, -390, -391

Cross References: Prohibition Against Discrimination and Harassment (Policy 7230), Sexual Harassment (Policy 7235), Student and Parent Grievance Procedures (Policy 1740), Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety (Policy 4333), Long-Term Suspension, 365 Day Suspension, Expulsion (Policy 4353)

Adopted:

<b>WEAPONS, BOMB THREATS TERRORIST THREATS AND CLEAR THREATS TO SAFETY</b>	<i>Date</i> <i>Reviewed/Approved:</i> 05/18/2009	<i>Policy Number:</i> 4333
	<i>Rescinds Policy Number:</i> JCDAE	<i>Issued:</i> 02/07/1983, 12/06/2004

The board will not tolerate the presence of weapons, bomb or terrorist threats, or actions that constitute a clear threat to the safety of students and employees. Any student violating this policy will be removed from the classroom or school environment for as long as is necessary to provide a safe and orderly environment for learning. The superintendent is responsible for ensuring that consequences for prohibited behaviors are uniformly applied throughout the schools district. Except in cases when certain consequences for misbehavior are required by law, principals in the elementary grades are directed to use good judgment and reasonable discretion in determining the appropriate consequence for violation of board policies, school standards or school rules.

#### A. WEAPONS AND WEAPON-LIKE ITEMS

##### 1. Prohibited Behavior

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 include all of the following:

- a. loaded or unloaded firearms, including guns, pistols or rifles;
- b. explosives, including dynamite cartridges, bombs, grenades or mines;
- c. knives, including pocket knives, bowie knives, switchblades, dirks or daggers;
- d. slingshots or slungshots;
- e. leaded canes;
- f. blackjacks;
- g. metal knuckles;
- h. BB guns;
- i. air rifles or air pistols;
- j. stun guns or other electric shock weapons, such as tasers;
- k. icepicks;
- l. razors or razor blades (except those designed and used solely for personal shaving);
- m. fireworks; and
- n. any sharp pointed or edged instruments except unaltered nail files and clips and tools used solely for preparation of food, instruction and maintenance.

Examples of other objects that may be considered weapons are box cutters and other types of utility blades and blowguns.

No student may knowingly or willfully cause, encourage or aid any other 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 items, or who becomes aware that another student or other person intends to possess, handle or use such items must notify a teacher or the principal immediately.

This section does not apply to pupils who are members of the Reserve Officer Training Corps and who are required to carry arms or weapons in the discharge of their official class duties, nor does this section apply to weapons used in school-approved instruction, teams or ceremonies.

## 2. Consequences

### a. General Consequences

Violation of this section may result in short-term suspension up to 10 days, long-term suspension, 365 day suspension or expulsion. The procedures for suspension or expulsion are provided in policy 4353, Long-Term Suspension, 365 Day Suspension, Expulsion. A determination of the appropriate consequence for firearms/explosives violations will be made in accordance with the provisions of that policy and Subsection A.2.b, below. Placement in an alternative educational setting may be made instead of suspension in accordance with policy 4353, Long-Term Suspension, 365 Day Suspension, Expulsion.

### b. Consequences for Firearms/Explosives Violations

As required by law, a student who brings or possesses a firearm or powerful explosive on school property or at a school-sponsored curricular or extracurricular activity may be suspended for 365 days, unless the superintendent recommends and the board approves a modification. A firearm includes any gun, rifle, pistol or other weapon used for firing a projectile by means of an explosive charge. A firearm does not include a BB gun, stun gun, air rifle or air pistol. A powerful explosive includes a dynamite cartridge, a blasting cap, trinitrotoluene (TNT), nitroglycerin, a grenade or a mine.

A student who possesses a firearm or powerful explosive on school property also will be referred to the criminal justice or juvenile justice system. For purposes of this subsection, "school property" includes any public school building, bus, public school campus, grounds, recreational area or athletic field in the charge of the principal.

A student may not be suspended for 365 days for a weapons violation except in accordance with this subsection.

## B. BOMB THREATS

### 1. Prohibited Behavior

Students are prohibited from making, aiding and/or abetting in making a bomb threat or perpetrating a bomb hoax against school system property by making a false report that a device designed to cause damage or destruction by explosion, blasting or burning is located on school property.

No student may knowingly or willfully cause, encourage or aid 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.

### 2. Consequences

As required by law, the board will suspend for 365 days any student who:

- a. makes a false report that there is a bomb or bomb-like device located on school property or at a school-related or school-sponsored activity; or
- b. conceals, places or displays a device on school property or at a school-related or school-sponsored activity with the intent to cause others to believe the device is a bomb.

Upon the superintendent's recommendation, the board may modify the suspension. A student who violates this section also will be referred to the criminal justice and/or juvenile justice system.

## C. TERRORIST THREATS

### 1. Prohibited Behavior

Students are prohibited from making, aiding, conspiring and/or abetting in making a terrorist threat (threatening to commit a violent crime for the purpose of terrorizing another or of causing public panic) or perpetrating a terrorist hoax against school system property by making a false report that a device, substance or material designed to cause harmful or life-threatening injury to another person is located on school property.

No student may knowingly or willfully cause, encourage or aid another student to make a terrorist threat or perpetrate a terrorist hoax. Any student who becomes aware that another student or other person intends to use a device, substance or material designed to cause harmful or life-threatening illness or injury to another person, make a terrorist threat or perpetrate a terrorist hoax must notify a teacher or the principal immediately.

### 2. Consequences

As required by law, the board or superintendent will suspend for 365 days any student who:

- a. makes a false report that there is a device, substance or material designed to cause harmful or life-threatening illness or injury to another person located on school property or at a school-related or school-sponsored activity;
- b. conceals, places, disseminates or displays a device, machine, instrument, artifact, letter, package material or substance on school property or at a school-related or school-sponsored activity with the intent to cause others to believe the device is a substance or material capable of causing harmful or life-threatening illness or injury to another person;
- c. threatens to commit on school property or at a school-related or school-sponsored activity an act of terror that is likely to cause death, with the intent to cause a significant disruption to the instructional day or school-sponsored activity or which actually causes such disruption;
- d. makes a false report that there is about to occur or is occurring on school property or at a school-related or school-sponsored activity an act of terror

that is likely to cause serious injury or death, with the intent to cause a significant disruption to the instructional day or school-sponsored activity or which actually causes such disruption; or

- e. conspires to commit any of the above-described acts.

Upon the superintendent's recommendation, the board may modify the suspension. A student who violates this section also will be referred to the criminal justice and/or juvenile justice system.

#### D. CLEAR THREATS TO SAFETY OF STUDENTS AND EMPLOYEES

##### 1. Prohibited Behavior

Students are prohibited from engaging in behavior that constitutes a clear threat to the safety of other students or employees. Behavior constituting a clear threat to the safety of others includes, but is not limited to:

- a. theft or attempted theft by a student from another person by using or threatening to use a weapon;
- b. the intentional and malicious burning of any structure or personal property, including vehicles;
- c. an attack or threatened attack by a student against another person wherein the student uses a weapon or displays it in a manner found threatening to that person;
- d. an attack by a student on any employee, adult volunteer or another student that does not result in serious injury but that is intended to cause or reasonably could cause serious injury;
- e. an attack by a student upon another person whereby the victim suffers obvious severe or aggravated bodily injury, such as broken bones, loss of teeth, possible internal injuries, laceration requiring stitches, loss of consciousness, or significant bruising or pain; or whereby the victim requires hospitalization or treatment at a hospital emergency room as a result of the attack;
- f. any intentional, highly reckless or negligent act that results in the death of another person;
- g. confining, restraining, or removing another person from one place to another, without the victim's consent or the consent of the victim's parents, for the purpose of committing a felony or for the purpose of holding the victim as a hostage, for ransom, or for use as a shield;
- h. the possession of a weapon on any school property, including in vehicles;
- i. taking or attempting to take anything of value from the care, custody or control of another person or persons, by force, threat of force, or violence, or by putting the victim in fear;
- j. any unauthorized and unwanted intentional touching, or attempted touching,

of a person's sexual organs by another, including the breasts of the female and the genital areas of the male and female;

- k. the possession, manufacture, sale or delivery, or any attempted sale or delivery, of a controlled substance in violation of Chapter 90 of the General Statutes;
- l. any behavior resulting in a felony conviction on a weapons, drug, assault or other charge that implicates the safety of other persons; and
- m. any other behavior that demonstrates a clear threat to the safety of others in the school environment.

## 2. Consequences

### a. General Consequences

Violation of this section may result in long-term suspension, or expulsion. In addition, violations that otherwise constitute bomb or terrorist threats under Section B or C of this policy or firearms/explosives violations under Section A.2.b of this policy may result in a 365 day suspension. The procedures for long-term suspension or expulsion are provided in policy 4353, Long-Term Suspension, 365 Day Suspension, Expulsion. A determination of the appropriate consequence will be made in accordance with the provisions of that policy. Placement in an alternative educational setting may be made instead of suspension or expulsion in accordance with policy 4353, Long-Term Suspension, 365 Day Suspension, Expulsion.

### b. Expulsion

Upon the recommendation of the superintendent, the board may expel a student who is 14 years of age or older if the student's behavior indicates that his or her continued presence in school constitutes a clear threat to the safety of other students or employees. In determining whether expulsion is appropriate, the board will consider the culpability of the student, the dangerousness of the student and the harm caused by the student, in accordance with policy 4353, Long-Term Suspension, 365 Day Suspension, Expulsion.

The board also may expel a student who is subject to and in accordance with policy 4260, Student Sex Offenders.

Legal References: Gun-Free Schools Act, 20 U.S.C. 7151; G.S. 14-17, -18, -27.2 to -27.5, -32, -33, -34 to -34.2, -41, -60, -69.1, -69.2, -87, -87.1, -132, -132.2, -202.1, -208.18, -269.2, 277.5; ch. 90, art. 5; 115C-47, -207, -276(r), -288, -390, -391; State Board of Education Policy SS-A-002

Cross References: Student Sex Offenders (policy 4260), Long-Term Suspension, 365 Day Suspension, Expulsion (policy 4353)

Adopted: