

ORANGE COUNTY
BOARD OF EDUCATION

AGENDA ITEM ABSTRACT

Meeting Date: May 28, 2013

AGENDA ITEM No: 13-05-(2)-16

ACTION ITEM: (Y/N) Y

SUBJECT: Student Code of Conduct Policy #4300-Revised – 1st Reading Approval

INFO CONTACT: Dr. Denise Morton and Alex Herring PHONE: 919-732-8126

- ATTACHMENTS:
1. Student Discipline and Code of Conduct Changes at a Glance
 2. Revised Student Discipline and Code of Conduct Policy #4300

PURPOSE: To provide the Board of Education, for approval on first reading, the proposed revisions to the 2013-2014 Student Code of Conduct Handbook (Policy #4300).

BACKGROUND: All Orange County Schools (OCS) students will receive this handbook at the beginning of the 2013-2014 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.

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

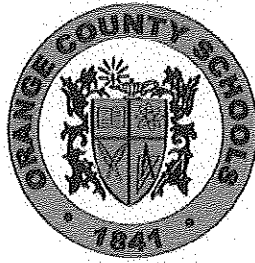
RECOMMENDATION: The Superintendent recommends that the Orange County Board of Education approve for first reading the proposed revisions to the 2013-2014 Student Code of Conduct Handbook.

CHANGES AT A GLANCE

General notes: The chart below explains revisions; many of the changes were made in order to clarify language and make the organization of the Code more user-friendly for students, parents and administrators. Where adjustments were made in the consequences listed below each Rule, these changes will be made after consultation with a committee and school attorneys.

Page	Change
Cover	Update
Rules at a Glance page	Add page numbers on right column
1	4300.1 "Introduction and Statement of Purpose" Added references to online behavior. Also added "reasonably expected to have" language which is contained in state discipline statute.
3	4300.2 E. Responding to Student Altercations Added a policy to guide employees intervening in student fights, as required by the 2012 School Violence Prevention Act (S.L. 2012-149).
3	4300.3 Law Enforcement Involvement Delete "Role of SRO's" section, after discussion with legal counsel and SRO's. This section is not contained in law or regulation and its origin is unclear. The school district is working on a new Memorandum of Agreement with law enforcement agencies that will delineate the role of SRO's. In reviewing the district's policies related to SRO's, Eva DuBuisson recommended that OCS adopt a policy to guide interactions with outside law enforcement. As per the School Violence Prevention Act OCS also needs a new policy on probation officer visits. These are combined into a draft "Interactions with Law Enforcement" policy which will be presented for Board approval.
9	Rule 1- Delete "after school" where it reads after school detention
16	Rule 10; Bullet 2; delete "kept out of sight at all times" and add "during instructional time".
17	New RULE #11 PROPOSED: LAPTOP OFFENSES These were discussed by the committee. Using Proxies, Attempting to access "blocked" sites

22	<p>Rule 17: revised by Eva DuBuisson to improve the definitions of bullying and cyberbullying. The prior definition of cyberbullying in particular was overly broad.</p> <p>Policy 3532 (bullying policy) will need to be updated as well. Eva has obtained the latest updated version from the NCSBA and is making some revisions for Board approval. The definitions in the new policy will match Rule 17.</p>
35	<p>Rule 31; Number 1;</p> <ul style="list-style-type: none"> -Delete OCS No Drug Contract -Add Note: School Nurse or Nurse designee must dispense authorized prescribed medication
40	<p>Add- Alexander Herring above title of Student Discipline Officer</p> <p>Delete- Patrick Rhodes, Superintendent</p>
41	<p>Remove "became effective December 1, 1997"</p>
48	<p>The Acceptable Use Policy can be placed on the back to make it a front to back form.</p>



ORANGE COUNTY SCHOOLS

Student Code of Conduct

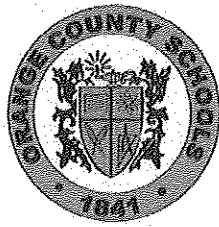
and Annual Notifications

Cover Design TBD

2013-2014

~~2012-2013~~

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Mission

Orange County Schools, in partnership with students, families and the community, is committed to providing challenging and engaging educational experiences that will develop responsible, knowledgeable and resourceful citizens prepared to contribute in our global society.

Vision

Orange County Schools prepares students to be responsible citizens in a diverse world by promoting academic and individual success.

Orange County Board of Education

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Ms. Anne Medenblik
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Patrick Rhodes, Superintendent

**PARENT NOTIFICATION
AND DUE PROCESS**

When the violation of the Student Code of Conduct results in a potential suspension of the student, either in-school suspension (ISS) or out-of-school suspension (OSS), immediate effort will be made to notify parents/guardians by telephone, facsimile transmission, e-mail, or any other method reasonably designed to give actual notice. Written notification at the last known address will follow. Students are entitled to due process for any suspension from school.

For conduct resulting in a potential short-term suspension of ten days or less, due process means that the student will receive notice of the conduct and an opportunity to present the student's version of the events surrounding the incident to the principal.

For conduct resulting in a potential long-term suspension for more than ten days, due process means that the student will receive notice of the conduct, an opportunity to present the student's version of the events surrounding the incident to the principal, and the Due Process Procedures (see page 33) set forth herein shall apply.

*Legal References:
Goss v. Lopez, 419 U.S. 565
(1975). NCGS 115C-391*

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Rules at a Glance: Violations of the Student Code of Conduct

<u>RULE NO.</u>	<u>RULE DESCRIPTION</u>	<u>PAGE #</u>
Rule 1	Minor Infractions of Classroom Rules	#
Rule 2	Contraband Items	#
Rule 3	Dress Code Violation	#
Rule 4	Integrity	#
Rule 5	Trespassing	#
Rule 6	Attendance Skipping School (not coming to school) Skipping School (leaving school) Unexcused Tardies	#
Rule 7	Inappropriate Interpersonal and/or Sexual Behavior	#
Rule 8	Use of Tobacco Products	#
Rule 9	Disrespect and Noncompliance with Directives from Principals, Teachers, and Other School Personnel	#
Rule 10	Electronic Devices	#
<u>Rule 11</u>	<u>Laptop Offenses</u>	
Rule 11	Bus Misbehavior	#
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Rule 13	Insulting, Abusive, Harassing, Profane, Obscene or Seriously Disrespectful Language	#
Rule 14	Inappropriate Literature, Illustrations or Images	#
Rule 15	Gang Related Activity	#
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Rule 23	Theft or Destruction of School or Personal Property	#
Rule 24	Robbery, Burglary, Taking or Destroying Property Using Violence or Threat of Violence	#
Rule 25	Physical Aggression, Threats or Actions of Assault Against Adults Physical Assault or Physical Harm to School Employees and Other Adults Physical Aggression Toward Adults Written or Verbal Assault to School Employees and Other Adults	#
Rule 26	Violent Physical Assault Upon a Student	#
Rule 27	Possession of a Firearm or Destructive Device Possession of Other Types of Guns Possession of Other "Look-alike" Firearms	#
Rule 28	Disruption of School Disruption of Class/School Communicating a False Bomb Report or Perpetrating a Bomb Hoax Communicating a Terroristic Threat or Perpetrating a Terroristic Hoax Inciting or Participating in Student Disorder	#
Rule 29	Possession of a Dangerous Weapon or Other Instruments	#
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Board Policy 4300

Student Code of Conduct

4300.1 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, who is using OCS electronic resources or networks, or whose conduct at any time or place, on or off campus or online, has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment. 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.

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Student Code of Conduct

4300.2
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.

4300.3
Law Enforcement
Involvement

E. Responding to Student Altercations

Employees with personal knowledge or actual notice of an altercation between students are expected to take reasonable measures to maintain a safe school environment. Reasonable measures include but are not limited to issuing verbal directives to end the altercation, immediately reporting the situation to administrative staff or other appropriate authority, using reasonable force, and removing bystanders from the area. Employees shall follow any additional instructions or guidance from supervisors in implementing this policy.

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 (SRO's)**~~

~~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~~

Board Policy 4300
Student Code of Conduct

~~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.~~

4300.4
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.

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Student Code of Conduct

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.

4300.5
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.

4300.6
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;

Board Policy 4300 Student Code of Conduct

4300.6 Disciplinary Consequences

- 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.

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Student Code of Conduct**

**4300.6
Disciplinary Consequences**

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.

**Board Policy 4300
Student Code of Conduct**

**4300.6
Disciplinary Consequences**

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.

**4300.7
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 STUDENT 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.

Rule 1

CONSEQUENCES

Elementary

Ranging from in-school disciplinary action up to 1 day OSS.

Middle School

Ranging from in-school disciplinary action up to 3 days OSS.

High School

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.

Rule 2

CONSEQUENCES

Elementary

Confiscation of item. Ranging from in-school disciplinary action up to 1 day OSS.

Middle School

Confiscation of item. Ranging from in-school disciplinary action up to 3 days OSS.

High School

Confiscation of item. Ranging from in-school disciplinary action up to 10 days OSS.

**Board Policy 4300
Student Code of Conduct**

**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, career-technical education 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.

...continued

**Board Policy 4300
Student Code of Conduct**

Rule 3 (cont.)

- 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 properly. No bedroom slippers or shower shoes are allowed.
- For elementary schools, high heels and platform shoes are dangerous for young students and are prohibited. Students are not able to walk well in them and may trip when trying to run.

**Rule 3
CONSEQUENCES**

Elementary

Ranging from in-school disciplinary action up to 1 day OSS.

Middle School

Ranging from in-school disciplinary action up to 3 days OSS.

High School

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.

**Rule 4
CONSEQUENCES**

Elementary

In-school disciplinary action.

Middle School

Ranging from in-school disciplinary action up to 5 days OSS.

High School

Ranging from in-school disciplinary action up to 10 days OSS. Zero on assignment

**Board Policy 4300
Student Code of Conduct**

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.

Rule 5

CONSEQUENCES

Elementary

Ranging from in-school disciplinary action up to 1 day OSS. Law enforcement may be notified.

Middle School

Ranging from in-school disciplinary action up to 3 days OSS. Law enforcement may be notified.

High School

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.

**Board Policy 4300
Student Code of Conduct**

Rule 6 (a)
Skipping School
(Not coming to School)

Skipping School (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.

Rule 6 (a)
CONSEQUENCES

Elementary

In-school disciplinary action.

Middle School

ISS or other in-school disciplinary action, including after-school detention.

High School

ISS or other in-school disciplinary action, including after-school detention.

Rule 6 (b)
Skipping School
(Leaving School)

Skipping School (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.

Rule 6 (b)
CONSEQUENCES

Elementary

In-school disciplinary action.

Middle School

ISS or other in-school disciplinary action, up to 1 day OSS.

High School

ISS or other in-school disciplinary action, up to 2 days OSS.

Rule 6(c)
Unexcused Tardies

Unexcused Tardies in Homeroom or Assigned Classes — Students are not to be tardy to homeroom or assigned classes.

Rule 6(c)
CONSEQUENCES

Elementary

In-school disciplinary action.

Middle School

ISS or other in-school disciplinary action.

High School

ISS or other in-school disciplinary action.

**Board Policy 4300
Student Code of Conduct**

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.

Rule 7

CONSEQUENCES

Elementary

Ranging from in-school disciplinary action up to 2 days OSS.

Middle School

Ranging from in-school disciplinary action up to 5 days OSS.

High School

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.

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Rule 8
CONSEQUENCES

Elementary

Confiscation. Parental/guardian contact. Conference with school nurse. In-school disciplinary action.

Middle School

Confiscation. In-school disciplinary action up to five days OSS. An alternative educational program may be offered for the first violation at the principal's discretion. **See below*

High School

Confiscation. In-school disciplinary action up to five days OSS. An alternative educational program may be offered for the first violation at the principal's discretion. **See below*

** 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.

Rule 9
CONSEQUENCES

Elementary

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.

Middle 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.

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.

Board Policy 4300
Student Code of Conduct

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~~ during instructional time 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.

Rule 10
CONSEQUENCES

Elementary

Confiscation of device. Ranging from in-school disciplinary action up to 2 days OSS.

Middle School

Confiscation of device. Ranging from in-school disciplinary action up to 5 days OSS.

High School

Confiscation of device. Ranging from in-school disciplinary action up to 5 days OSS.

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Student Code of Conduct

Rule 11
Laptop Offenses

Students shall not use proxy servers or attempt to access blocked sites on student laptops.

Rule 11
CONSEQUENCES

Elementary
Ranging from in-school disciplinary action up to and including loss of laptop for repeat offenses.

Middle School
Ranging from in-school disciplinary action up to and including loss of laptop for repeat offenses.

High School
Ranging from in-school disciplinary action up to and including loss of laptop for repeat offenses.

**Board Policy 4300
Student Code of Conduct**

**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.

**Rule 11
CONSEQUENCES**

Elementary

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

Middle 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.

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.

**Rule 12
Gambling**

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

**Rule 12
CONSEQUENCES**

Elementary

Ranging from in-school disciplinary action up to 1 day OSS.

Middle School

Ranging from in-school disciplinary action up to 3 days OSS.

High School

Ranging from in-school disciplinary action up to 5 days OSS.

**Board Policy 4300
Student Code of Conduct**

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.

Rule 13

CONSEQUENCES

Elementary

Ranging from in-school disciplinary action up to 5 days OSS.

Middle School

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

High School

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.

Rule 14

CONSEQUENCES

Elementary

Ranging from in-school disciplinary action up to 5 days OSS.

Middle School

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

High School

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.

...continued

**Board Policy 4300
Student Code of Conduct**

Rule 15 (cont.)

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.

**Rule 15
CONSEQUENCES**

Elementary

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.

Middle 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.

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.

**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.

**Rule 16
CONSEQUENCES**

Elementary

Ranging from in-school disciplinary action up to 10 days OSS.

Middle School

OSS up to and including long-term suspension. Law enforcement may be notified.

High School

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.

Harassment or bullying includes any pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication, that:

- 1 Places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property; or
- 2 Creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities, or benefits. For purposes of this section, "hostile environment" means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior.

Rule 17 (cont.)

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

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.

**Rule 17
CONSEQUENCES**

Elementary

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.

Middle School

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.

High School

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.

**Board Policy 4300
Student Code of Conduct**

**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.

**Rule 18
CONSEQUENCES**

Elementary

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.

Middle 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.

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.

**Board Policy 4300
Student Code of Conduct**

**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.

**Rule 19
CONSEQUENCES**

Elementary

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.

Middle 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.

High School

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.

**Rule 20
CONSEQUENCES**

Elementary

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.

Middle 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.

High School

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.

**Board Policy 4300
Student Code of Conduct**

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.

Rule 21

CONSEQUENCES

Elementary

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.

Middle 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.

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.

Rule 22

Extortion

Rule 22

CONSEQUENCES

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

Elementary

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.

Middle 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.

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.

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.

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Student Code of Conduct

Rule 23
CONSEQUENCES

Elementary

In-school disciplinary action up to 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.

Middle School

In-school disciplinary action up to 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.

High School

In-school disciplinary action up to 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

Rule 24
CONSEQUENCES

Students shall not steal or attempt to steal, damage or destroy property of others using threats of bodily harm.

Elementary

Ranging from in-school disciplinary action up to 10 days OSS. Law enforcement may be notified. Restitution may be required.

Middle School

OSS up to 10 days and/or long-term suspension. Law enforcement may be notified. Restitution may be required.

High School

OSS up to 10 days and/or long-term suspension. Law enforcement may be notified. Restitution may be required.

Rule 25 (a)
Physical Aggression,
Threats or Actions of
Assault Against Adults—
Physical Assault or Physical Harm to
School Employees and Other Adults

Rule 25 (a)
CONSEQUENCES

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.

Elementary

Short-term or long-term suspension Law enforcement will be notified.

Middle School

Short-term or long-term suspension Law enforcement will be notified.

High School

Short-term or long-term suspension. Law enforcement will be notified.

**Board Policy 4300
Student Code of Conduct**

**Rule 25 (b)
Physical Aggression,
Threats or Actions of
Assault Against Adults—**

Physical Aggression Toward Adults

Students shall not exhibit physical aggression toward school employees or other adults at any time.

**Rule 25 (b)
CONSEQUENCES**

Elementary

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

Middle School

OSS up to 10 days. Long-term suspension may be justified by aggravating circumstances.

High School

OSS up to 10 days. Long-term suspension may be justified by aggravating circumstances.

**Rule 25 (c)
Physical Aggression,
Threats or Actions of
Assault Against Adults—**

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.

**Rule 25 (c)
CONSEQUENCES**

Elementary

Ranging from in-school disciplinary action up to 10 days OSS. Law enforcement may be notified.

Middle School

OSS up to and including long-term suspension. Law enforcement may be notified.

High School

OSS up to and including long-term suspension. Law enforcement may be notified.

**Rule 26
Violent Physical Assault
Upon a Student**

**Rule 26
CONSEQUENCES**

Students shall not cause or attempt to cause serious injury of any kind to another student.

Elementary

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

Middle School

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

High School

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

**Board Policy 4300
Student Code of Conduct**

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.

Rule 27

CONSEQUENCES

Elementary

365 day suspension. Confiscate weapon. Law enforcement will be notified.

Middle School

365 day suspension. Confiscate weapon. Law enforcement will be notified.

High School

365 day suspension. Confiscate weapon. Law enforcement will be notified.

Rule 27 (a)

**Possession of Other Types
of Guns**

Students shall not possess, conceal or transport any air gun, BB gun, pellet gun, stun-gun, starter pistol, 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.

**Rule 27 (a)
CONSEQUENCES**

Elementary

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

Middle School

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

High School

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

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Student Code of Conduct**

**Rule 27 (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.

**Rule 27 (b)
CONSEQUENCES**

Elementary

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.

Middle 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.

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.

**Rule 28 (a)
Disruption of School –
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.

**Rule 28 (a)
CONSEQUENCES**

Elementary

Ranging from in-school disciplinary action up to 5 days OSS.

Middle School

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.

High School

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.

**Rule 28 (b)
Disruption of School –
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.

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Rule 28 (b)
CONSEQUENCES

Elementary

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

Middle School

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

High School

Out of school suspension up to and including long term suspension. Law enforcement will be notified.

Rule 28 (c)
Disruption of School –
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.

Rule 28 (c)
CONSEQUENCES

Elementary

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

Middle School

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

High School

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

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Student Code of Conduct**

Rule 28 (d)

Disruption of School —

**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.

Rule 28 (d)

CONSEQUENCES

Elementary

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.

Middle 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 will be notified.

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 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.

Rule 29

CONSEQUENCES

Elementary

Confiscate weapon. Up to 10 days OSS. Special circumstances may result in long-term suspension. Law enforcement will be notified.

Middle School

Confiscate weapon. Up to 10 days OSS. Special circumstances may result in long-term suspension. Law enforcement will be notified.

High School

Confiscate weapon. Long-term suspension recommended. Law enforcement will be notified.

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Student Code of Conduct

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.

Rule 30

CONSEQUENCES

Elementary

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

Middle School

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

High School

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.

...continued

Rule 31 (cont.)

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:** 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:** 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.

**Rule 31
CONSEQUENCES**

Elementary

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

Middle School

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

High School

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.

...continued

Board Policy 4300
Student Code of Conduct

Rule 31
CONSEQUENCES (cont.)

~~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; hallucinogenics such as LSD.

Note: School Nurse or Nurse Designee must dispense authorized prescribed medication in accordance with written policies governing the administration of medication at school.

Rule 32
Violation of North
Carolina Criminal
Statutes

Rule 32
CONSEQUENCES

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.

Elementary

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

Middle School

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

High School

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

Rule 33
Aiding and Abetting

Rule 33
CONSEQUENCES

Students shall not help, aid or facilitate others in the violation of any rule of conduct.

Elementary

Consequences for aiding and abetting will be determined based on the consequence level of the underlying violation.

Middle School

Consequences for aiding and abetting will be determined based on the consequence level of the underlying violation..

High School

Consequences for aiding and abetting will be determined based on the consequence level of the underlying violation.

Orange County Schools

Suspension and Expulsion 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. A copy of the notice shall be sent to the Superintendent.

This notice shall also contain:

- a. A description of the incident leading to the recommendation for suspension, including any aggravating or mitigating factors considered by the principal;
- 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
- h. 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 longterm 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 request 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

Short and Long Term-Suspensions

Alex Herring, Student Discipline Officer

Patrick Rhodes, Superintendent

Orange County Schools
200 East King Street
Hillsborough, NC 27278
919-732-8126

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.

Lose Control, Lose Your License Notification and Procedures

Students who receive an expulsion/suspension for more than ten (10) consecutive days for any of the reasons listed below can have their driver's permit or license suspended for up to one calendar year.

- The possession or sale of an alcoholic beverage or an illegal controlled substance on school property;
- The possession or use on school property of a weapon or firearm that resulted in disciplinary action under G.S. 115C-391 (d1) or that could have resulted in that disciplinary action if the conduct had occurred in a public school; and
- The physical assault on a teacher or other personnel on school property.

Students who are least 14 years old or who are rising 8th graders are subject to this law. This law also applies to those students exempted under the Dropout Prevention/Driver's License Legislation. Unlike the Dropout Prevention/Driver's License law that ends when a student turns 18 years old, the "Lose Control, Lose Your License" law does not end at age 18 nor does it stop when the student graduates. Students who may lose their driver's permit or license under this legislation may be eligible to regain the driver's permit or license after a six-month period by displaying exemplary behavior in an alternative educational setting or successfully completing a substance abuse treatment program.

Dropout Prevention/Driver's License Legislation

North Carolina House Bill 769 ~~became effective December 1, 1997 and~~ reflects a coordinated statewide effort to motivate and encourage students to complete high school. This legislation requires that a student's driving permit or license be revoked if a student is unable to maintain adequate progress or drops out of school. Adequate progress is defined as passing 70% of all courses and is determined by first semester grades and second semester grades for schools on block scheduling.

In rare cases, there may be circumstances beyond the control of the student or his/her parents that qualify as a hardship. If a hardship exists, the student may request a waiver. If the waiver is granted, the student would not be affected by the legislation. Hardship cases are rare and are reserved for extreme situations. Hardship Review forms are available at your school and must be submitted within the time-frames indicated. Documentation of the hardship is essential and must be submitted with the hardship request for consideration.

REQUIRED ANNUAL NOTIFICATIONS

ORANGE COUNTY SCHOOLS' PUBLIC NOTICES

Federal and state laws require public school systems across the nation and the state to provide parents and legal guardians with annual notification regarding specific issues. Those issues are listed below.

Section 504 of the Rehabilitation Act of 1973

No otherwise qualified individual with a disability in the United States...shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. *U.S. Department of Education*

Medical Information and New Vaccines

North Carolina General Statute 115C-47 requires schools to provide information concerning cervical cancer, cervical dysplasia and human papillomavirus. North Carolina General Statute 115C-375.4 requires Local Boards of Education to provide parents and guardians information on Meningococcal disease and vaccines. Information on these diseases can be found at http://www.orange.k12.nc.us/academic_dept_pages/student_services_nurse.html or www.cdc.gov/vaccines/vpd-vac. Those without internet access can contact a school nurse or the Orange County Health Department at 919.245.2400 for more information.

Permissible Use of Seclusion and Restraint

It is the policy of the Orange County School System to promote the safety of all students, staff, and visitors in its schools. To further this policy, school personnel may, in compliance with G. S. 115C-391.1 and state and local policies and procedures, employ reasonable restraint or seclusion techniques with students.

The Superintendent or designee shall provide copies of this policy and General Statute 115C-391.1 to school personnel and parents/guardians at the beginning of each school year. Principals shall notify parents of any prohibited use of seclusion, restraint, or aversive techniques and shall provide a written incident report within 30 days of any such incident as required by G. S. 115C-391.1 and applicable policies and procedures. The Superintendent or designee shall annually provide a record of reported incidents to the State Board of Education.

North Carolina's Safe Surrender Law

In 2001, the North Carolina General Assembly passed a law, G.S. 7B-500(b) or G.S. 7B-500(d), making it legal for females to surrender their newborn baby to a responsible adult without fear of criminal prosecution. While any responsible adult may receive a newborn, school social workers or family specialist social worker, school nurses, school counselors and law enforcement are examples of responsible adults who are familiar with this law. More information can be found at www.safesurrender.net. Those without internet access can contact their school nurse, school social worker or family specialist social worker.

Students with Disabilities – Individuals with Disabilities Education Act (IDEA)

The Individual with Disabilities Education Act mandates that every student (ages 3-21) identified with a disability under the Individuals with Disability Education Act receive a free and appropriate public education. If a student or parent/guardian suspects the child may have a disability, the parent should contact the school principal for a possible referral.

Non-Discrimination Statement

The Orange County Board of Education believes that all employees and students should be free of unlawful discrimination, including harassment and bullying and cyberbullying, as a part of a safe, orderly and inviting working and learning environment. It commits itself to non-discrimination in all its educational and employment activities. 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.

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) is a federal law that governs the maintenance of student records. Under the law, parents of student(s) or students if they are at least 18 years of age have both the right to inspect records kept by the school about the student and the right to request correction of inaccuracies in the records. Access to the records by persons other than the parents or the eligible student is limited and generally requires prior consent by the parents or the eligible student.

Career and Technical Education (CTE)

The Orange County School System offers a wide range of Career and Technical education programs including Agriculture Sciences, Business and Marketing, Family and Consumer Sciences, Career Development, Technology, Trade and Industrial Education, and Health Occupations. All middle schools offer exploratory Career and Technical Education courses. Orange County Career and Technical Education programs do not discriminate on the basis of race, color, national origin, sex, disability, or age in its activities and programs, including employment policies and practices.

The following person(s) has/have been designated to handle inquiries regarding the non-discrimination policies at the following address:

Orange County Schools
200 East King Street
Hillsborough, NC 27278

IDEA – Ms. Connie Crimmins, Director of Exceptional Children’s Program

Title IX and Title VI – Dr. Marcie Holland, Assistant Superintendent of Human Resources

Section 504 – Ms. Connie Crimmins, Director of Exceptional Children’s Program

Career and Technical Education – Ms. Patricia Harris, Director of Career and Technical Education Program

REQUIRED ANNUAL NOTICE

Family Educational Rights And Privacy Act

General Guidance For Parents

Family Educational Rights and Privacy Act (FERPA) is a federal law that applies to educational agencies and institutions that receive funding under a program administered by the U.S. Department of Education. Under FERPA, schools must generally afford parents:

- access to their children's education records
- an opportunity to seek to have the records amended
- and some control over the disclosure of information from the records.

Parents may access, seek to amend, or consent to disclosures of their children's education records, unless there is a court order or other legal document specifically stating otherwise. When a student turns 18 years of age or attends a postsecondary institution, the student, and not the parent, may access, seek to amend, and consent to disclosures of his or her education records.

Access to Education Records

Schools are required by FERPA to:

- provide a parent with an opportunity to inspect and review his or her child's education records within 45 days of the receipt of a request;
- provide a parent with copies of education records or otherwise make the records available to the parent if the parent, for instance, lives outside of commuting distance of the school; and
- redact the names and other personally identifiable information about other students that may be included in the child's education records.

Schools are not required by FERPA to:

- Create or maintain education records;
- Provide parents with calendars, notices, or other information which does not generally contain information directly related to the student.

Amendment of Education Records

Under FERPA, a school must:

- Consider a request from a parent to amend inaccurate or misleading information in the child's education records;
- Offer the parent a hearing on the matter if it decides not to amend the records in accordance with the request; and
- Offer the parent the right to place a statement to be kept and disclosed with the record if as a result of the hearing the school still decides not to amend the record.

A school is not required to consider requests for amendment under FERPA that:

- Seek to change a grade or disciplinary decision;
- Seek to change the opinions or reflections of a school official or other person reflected in an education record;
- Seek to change a determination with respect to a child's status under special education programs.

Disclosure of Education Records

A school MUST:

- Have a parent's consent prior to the disclosure of education records; and
- Ensure that the consent is signed and dated and states the purpose of the disclosure.

A school MAY disclose education records without consent when:

- The disclosure is to school officials who have been determined to have legitimate educational interests as set forth in the school district's annual notification of rights to parents;
- The student is seeking or intending to enroll in another school;

...continued

Family Educational Rights And Privacy Act (cont.)

- The disclosure is to state or local educational authorities auditing or evaluating Federal or State supported education programs or enforcing Federal laws which relate to those programs;
- The disclosure is pursuant to a lawfully issued court order or subpoena; and
- The information disclosed has been appropriately designated as directory information by the school.

Annual Notification

A school must annually notify parents of students in attendance that they must allow parents to:

- Inspect and review their children's education records;
- Seek amendment of inaccurate or misleading information in their children's education records; and
- Consent to most disclosures of personally identifiable information from education records.

The annual notice must also include:

- Information for a parent to file a complaint of an alleged violation with the Family Policy Compliance Office;
- A description of who is considered to be a school official and what is considered to be a legitimate educational interest so that information may be shared with that person; and
- Information about who to contact to seek access or amendment of education records.

Means of notification:

- Can include local or student newspaper; school calendar; student program guide; rules handbook, or other means to inform parents;
- Notification does not have to be made individually to parents.

Complaints of Alleged Violations:

Complaints of alleged violations may be addressed to:

Family Policy Compliance Office
US Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

Complaints must:

- Be timely submitted, not later than 180 days from the date the parent/guardian learned of the circumstances of the alleged violation; and
- Contain specific allegations of fact giving reasonable cause to believe that a violation has occurred, including:
- Relevant dates, such as the date of a request or a disclosure and the date the parent learned of the alleged violation;
- Names and titles of school officials and other third parties involved;
- A specific description of the specific education record in which the alleged violation occurred;
- A description of any contact with school officials regarding the matter, including dates and estimated times of telephone calls and/or copies of any correspondence exchanged between the parent and the school regarding the matter;
- The name and address of the school, school district, and superintendent of the district; and
- Any additional evidence that would be helpful in the consideration of the complaint.

Required Signature Form

Includes the following:

Student Internet & Media Permission Slip

Student & Parent/Guardian Code of Conduct Verification of Receipt & Review

Student Internet Acceptable Use Policy

**Orange County Schools
Student Internet and Media Permission Slip | Photographs/Videos**

The Orange County School System seeks to promote the positive classroom experiences of students. To do so, schools or the district public information officer will frequently contact area news media to report on activities in our schools. In addition, the media may contact the school district for permission to photograph or video classroom or school activities. Media representatives may not photograph students without principal approval. The district also publishes student accomplishments on school or district web sites. To give the district permission to release photographs/videos or other likenesses of your child to media representatives, please sign and return the permission slip below.

I give my permission for photographs/videos or other likenesses of my child to be released to the media (newspapers/TV) or published on school or district web sites and publications.

Name of Parent/Guardian (please print) _____ Phone Number: _____

Name of Student (please print) _____

Signature of Parent/Guardian: _____ Date: _____

**Orange County Schools Student Code of Conduct and Annual Notifications
Student and Parent/Guardian Verification of Receipt and Review**

This is to certify that we have received and reviewed the Student Code of Conduct and Annual Notifications and understand that this document governs the standards of behavior for students in the Orange County School District. We understand that these standards of student behavior apply to all school sites, off-site school sponsored activities, and on any form of transportation provided by the Orange County Schools.

Signature of Student _____ Date _____

Signature of Parent/Guardian _____ Date _____

NEW ADDITION

PROCEDURE FOR STUDENT INTERNET ACCEPTABLE USE

Date Reviewed/Approved: 06/22/2012 Policy Number: 3225-P

Rescinds Policy Number:

Issued: 12/01/2009

USER RESPONSIBILITIES

1. Internet access provided by Orange County Schools is a privilege that offers a wealth of information and resources for research. Where it is available, this resource is offered to staff, students, and other patrons at no cost. In order to maintain the privilege, users agree to learn and comply with all of the provisions of this policy.

ACCEPTABLE USE

1. All use of the Internet must be in support of educational and research objectives consistent with the mission and objectives of Orange County Schools.
2. Proper codes of conduct in electronic communication must be used. In news groups, giving out personal information is inappropriate. When using e-mail, extreme caution must always be taken in revealing any information of a personal nature.
3. Network accounts are to be used only by the authorized owner of the account for the authorized purpose.
4. All communications and information accessible via the network should be assumed to be private property.
5. Subscriptions to mailing lists and bulletin boards must be reported to the system administrator. Prior approval for such subscriptions is required for students and staff.
6. Mailing list subscriptions will be monitored and maintained, and files will be deleted from the personal mail directories to avoid excessive use of fileserver hard-disk space.
7. Exhibit exemplary behavior on the network as a representative of your school and community. Be polite!
8. From time to time, Orange County Schools will make determinations on whether specific uses of the network are consistent with the acceptable use policy.

UNACCEPTABLE USE

1. Giving out personal information about another person, including home address and phone number, is strictly prohibited.
2. Any use of the network for commercial or for-profit purposes is prohibited.
3. Excessive use of the network for personal business shall be cause for disciplinary action.
4. Any use of the network for product advertisement or political lobbying is prohibited.
5. Users shall not intentionally seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users, or misrepresent other users on the network.
6. No use of the network shall serve to disrupt the use of the network by others. Hardware and/or software shall not be destroyed, modified, or abused in any way.
7. Malicious use of the network to develop programs that harass other users or infiltrate a computer or computing system and/or damage the software components of a computer or computing system is prohibited.
8. Hate mail, chain letters, harassment, discriminatory remarks, and other antisocial behaviors are prohibited on the network.
9. The unauthorized installation of any software, including shareware and freeware, for use on Orange County Schools computers is prohibited.

NEW ADDITION

PROCEDURE FOR STUDENT INTERNET ACCEPTABLE USE

Policy Code: **3225-P**

10. Use of the network to access or process pornographic material, inappropriate text files (as determined by the system administrator building administrator), or files dangerous to the integrity of the local area network is prohibited.
11. The Orange County Schools network may not be used for downloading entertainment software or other files not related to the mission and objectives of Orange County Schools for transfer to a user's home computer, personal computer, or other media. This prohibition pertains to freeware, shareware, copyrighted commercial and non-commercial software, and all other forms of software and files not directly related to the instructional and administrative purposes of the Orange County Schools.
12. Downloading, copying, otherwise duplicating and/or distributing copyrighted materials without the specific written permission of the copyright owner is prohibited, except that duplication and/or distribution of materials for educational purposes is permitted when such duplication and/or distribution would fall within the Fair Use Doctrine of the United States Copyright Law (Title 17, USC). Use of the network for any unlawful purpose is prohibited.
13. Use of the network for any unlawful purpose is prohibited.
14. Use of profanity, obscenity, racist terms, or language that is reasonably likely to cause a substantial disruption in the school environment is prohibited.
15. Playing games is prohibited unless specifically authorized by a teacher for instructional purposes.
16. Establishing network or Internet connections to live communications, including voice and/or video (relay chat), is prohibited unless specifically authorized by the system administrator.

I have read, understand, and will abide by the Acceptable Use Policy when using computers and other electronic resources owned, leased, or operated by the Orange County Schools. I further understand that any violation of the regulations above is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked, school disciplinary action may be taken, and/or appropriate legal action may be initiated. The Orange County School System seeks to promote positive, responsible and appropriate use of the Internet/Network. The user is ultimately responsible for his or her activity on the Internet/Network connection provided by Orange County Schools.

Student's Name (please print) _____
Parent's Name (please print) _____ Phone Number: _____
Signature of Parent/Guardian: _____ Date: _____

Adapted from the National Center for Education Statistics suggested Acceptable Use Policy template.