

# Student Code of Conduct



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The Cleveland County Board of Education strives to provide a quality education to all of our students and to prepare our students for the globally competitive twenty-first century. In this effort, we must work to ensure a safe and orderly atmosphere conducive to teaching and learning. In accomplishing this task, the Board of Education will need the full cooperation of every student, parent and community member.

All students shall comply with the Code of Student Conduct, state and federal laws, board policies, and local school rules governing student behavior and conduct. This policy applies to any student who is on school property; who is in attendance at any school or any school-sponsored activity; who is under the direction and supervision of school personnel; or whose conduct at any time or place, on or off campus, has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operations 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 or managed by the Cleveland County Board of Education.

The definitions of terms set forth in Policy 4353 apply to this policy as well.

The Cleveland County Code of Student Conduct is written as a set of expectations to promote a safe and orderly environment and encourage positive and appropriate student discipline. This policy 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.

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

Violations of the Code of Student Conduct, other board policies or regulations, local rules issued by the individual school, or the North Carolina General Statutes may result in disciplinary action, including student management strategies listed in policy 4200, suspensions for up to ten (10) school days ("short-term"); suspensions more than ten days ("long-term"); suspensions for up to 365 calendar days; and/or expulsion. A long-term suspension is any suspension of more than ten school days and up to the remainder of the school year, except that if the conduct leading to the long-term suspension occurs during the final quarter of the school year, the suspension may extend up to the first semester of the following school year. Students also may be assigned to an alternative program approved by the Cleveland County Board of Education for disciplinary reasons, consistent with Board Policy.

Students shall be informed of local school rules that, if violated, may result in suspension or expulsion. Parents and students shall receive a copy of the Code of Student Conduct when a child is first enrolled in the Cleveland County Schools and at the beginning of each school year. Policies listed in the Code of Student Conduct may be categorized by severity as a level "A," "B," or "C" offense. However, a serious violation of any of the policies listed in this Code of Student Conduct may result in long-term suspension or expulsion of a student regardless of the category. Repeated violations of this Code or of local school rules may subject a student to long-term suspension or expulsion, provided the student and parent have been notified of this possibility and other behavior interventions have been attempted.

Principals and other school officials are authorized to report any serious misconduct to law enforcement and are required to inform law enforcement immediately in cases of certain alleged criminal acts occurring on school property as set forth in G.S. 115C-288(g) and in policy 5150, Reporting to External Agencies. Internal disciplinary proceedings will take place independently from any criminal investigation and prosecution.

Consequence ranges set forth in this policy are default recommendations to guide principals. Principals may adjust the level of disciplinary consequence based on the circumstances of the conduct and the presence of aggravating or mitigating factors 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 presence of multiple rule violations stemming from a single incident;
- The student's academic history;
- Whether the conduct caused a threat to safety;
- Whether school property or personal property was damaged;
- Whether the conduct caused a substantial disruption of the educational environment;
- Whether a weapon was involved and whether any injury resulted.

The Cleveland County Board of Education sets the following expectations for student behavior.

For students with an Individualized Education Program (IEP), Cleveland County Schools provides disciplinary procedures as required under the Individuals with Disabilities Act and the NC Policies Governing Services for Children with Disabilities.

# 1 ELEMENTARY/ INTERMEDIATE SCHOOL

## “A” Level Offenses

### Expectation 1 – Acceptable Use

All students are expected to exercise good judgment, use the computer resources in an appropriate manner and adhere to policy 3350, Student Acceptable Use, and all applicable laws and regulations. Individual users of the internet are expected to abide by the generally accepted rules of network etiquette. Student use of electronic information resources is expected to be related to educational goals and objectives. Failure to comply with the Student Acceptable Use policy for Cleveland County Schools, shall be a violation of this expectation.

1st offense – In school disciplinary action.  
2nd offense – Up to one day suspension.  
3rd offense – Up to three days suspension.

### Expectation 2 – Compliance with School Personnel/Insubordination

All students enrolled in Cleveland County Schools shall be respectful and comply with all directions given by principals, teachers, substitute teachers, teacher assistants, bus drivers, school resource officers, and all other school personnel who are authorized to give such directions.

Students are expected to comply without delay to the directives of all school personnel at all times while a student is at school or involved in a school related activity.

Students who fail to comply with the directions of any school personnel anytime during the school day, during extra-curricular activities or during any period that the school personnel has authority, have violated this policy.

1st offense – In school disciplinary action.  
2nd offense – Up to three days suspension.  
3rd offense – Up to five days suspension.

### Expectation 3 – Conduct on a School Bus

Cleveland County Schools desires to offer a school transportation system that supports the mission and vision of the school system and provides a safe, efficient, and effective way to school for students. It is important to note that school transportation is a privilege and not a student right. At all times, students should obey the directions of the school bus driver, school personnel associated with the bus, or any driver of a school vehicle. If a student fails to comply with the directions of the driver or school personnel, the student may lose the privilege of riding the school bus. Behaviors on the school bus that violate other expectations outlined in the Code of Conduct may also result in suspension from school.

- Students should follow directions given by the school bus driver or administrator.
- Students should remain in his/her assigned seat until the bus reaches the student’s particular stop and the bus has come to a complete stop.
- Students should not eat or drink on the school bus.
- Students should be sure to take all of their belongings with them when exiting the school bus.
- Students should not bring contraband on the school bus. This includes any item that is a distraction to the bus driver.
- Students should not tamper with the bus, video cameras, or any other part of the school bus.

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- Students should only get off at their assigned stops.
- Students should only board their assigned bus. Permission must be granted from the school administration for students to change the bus they are riding.
- Students should not willfully delay the bus schedule.
- Students should follow all expectations as defined in the Code of Conduct. All expectations for student behavior apply at the school, on the school bus, at the school bus stop, on any school grounds, and on any school associated function.

1st offense – Warning  
2nd offense – In school disciplinary action.  
3rd offense – Up to five days suspension from the school bus.  
4th offense – Up to ten days suspension from the school bus.  
5th offense – Up to twenty days suspension from the school bus.  
6th offense – Up to forty-five days suspension from the school bus.

Additional referrals may result in suspension from the school bus for the remainder of the school year.

**\*\*A violation of a Level B or C offense on the school bus will result in a minimum of a forty-five day suspension off the school bus along with the appropriate stated consequence for the offense.**

A student may be removed from the bus at any time for the remainder of the school year for a serious violation.

### **Expectation 4 – Damage to School Property up to \$1,000**

Cleveland County Schools encourages respect for the property of the school and/or school system at all times. Students involved in intentionally damaging or vandalizing, attempting to damage or vandalize, or defacing school property or private property while under school jurisdiction shall be responsible for the cost of replacement, repair, or restoration of the property. Along with the financial responsibility assumed with the damage, students shall also be subject to the following consequences and possible criminal charges.

1st offense – In school disciplinary action and responsible for costs.  
2nd offense – Up to three days suspension and responsible for costs.  
3rd offense – Up to five days suspension and responsible for costs.

Damage to property that exceeds \$1,000 will be considered a Level B offense. See Expectation 17.

### **Expectation 5 – Disruption of School**

To fulfill the mission of Cleveland County Schools and to effectively teach all of our students in the best learning environment possible, it is essential that our schools be free from unnecessary disruptions, obstructions, or interference.

With this in mind, students will be expected to respect themselves, others, property, and the teaching and learning process. Student behavior that involves passive resistance, noise, threat, fear, intimidation, coercion, force, violence, or any other form of conduct that causes a disruption to any school function, mission, or process is in violation of this expectation. Urging other students to engage in such conduct is also a violation.

1st offense – In school disciplinary action.  
2nd offense – Up to five days suspension.  
3rd offense – Up to ten days suspension.

### **Expectation 6 – Obscene literature/language/profanity/gestures**

Students will be expected to express themselves appropriately and in accordance to the mission and vision of Cleveland County Schools and their respective schools. Any expression spoken, written, or otherwise portrayed in any manner should be appropriate for the educational setting.



Possessing or distributing literature or illustrations that are obscene or disruptive, profanity, or vulgar or obscene language or gestures that significantly disrupt the educational environment will not be tolerated.

1st Offense – Up to one day suspension.  
 2nd Offense – Up to two days suspension.  
 3rd Offense – Up to three days suspension.

### **Expectation 7 – Dress Code**

Students are expected to adhere to standards of dress and appearance that are compatible with a safe and effective learning environment. The Cleveland County Board of Education adopts a dress code to create a positive learning environment, teach good grooming and hygiene, instill discipline, prevent disruption, avoid safety hazards, and teach respect for authority. Presenting a bodily appearance or wearing clothing which is disruptive, provocative, revealing, profane, vulgar, offensive or obscene, or which endangers the health or safety of the student or others, is prohibited.

Students will comply with the Student Dress Code policy for Cleveland County Schools, policy 4316.

1st offense – In school disciplinary action.  
 2nd offense – In school disciplinary action.  
 3rd offense – Up to one day suspension.  
  
 Continued offenses – Up to three days suspension.

### **Expectation 8 – Peer Relations**

Students are expected to engage in positive and appropriate relationships with their peers. Students should refrain from acts of bullying/intimidation, extortion, threats, harassment, discrimination, rough play, and inappropriate displays of affection.

Bullying/Intimidation – Repeatedly inflicting or threatening to inflict physical or psychological harm, by an individual or group.

Threats – Making any threat or false threat through written or verbal language, sign or act which conveys an expression of intent to cause harm or violence or to disrupt school activities.

Extortion – Extorting or obtaining money, property, statements, or any related objects by the use of threats of force.

Harassment/Discrimination – Using abusive or offensive gestures, language or remarks that interfere with an individual's educational environment. Examples of harassment and discrimination include but are not limited to: abusive jokes, insults, slurs, name-calling, threats, insulting signs or actions, or intimidation. Students will comply with policies 4015 and 4021, Harassment.

1st offense – Up to three days suspension.  
 2nd offense – Up to five days suspension.  
 3rd offense – Up to ten days suspension.

Rough Play – Engaging in rough-housing, boisterous activity or horseplay that poses a danger to the participants or others or disrupts school activities.

Displays of Affection – Engaging in behavior that is overly affectionate, disruptive, demeaning, indecent, or of a sexual nature while at school or at a school-sponsored activity.

1st offense – In school disciplinary action.  
 2nd offense – Up to one day suspension.  
 3rd offense – Up to two days suspension.

### **Expectation 9 – Academic Integrity**

Cleveland County Schools believes in and promotes character education including core values such as honesty, truthfulness, and integrity. Students are expected to exhibit these characteristics in their actions and academic work. Violations of academic integrity include but are not limited to cheating, plagiarism, forgery, alteration or falsification of statements and documents, use of false identification, and violation of the copyright laws.

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Students who engage in, or assist or encourage others to engage in, these activities are in violation of this policy.

1st offense – In school disciplinary action.  
2nd offense – In school disciplinary action.  
Continued offenses – Up to one day suspension.  
  
Violations of this expectation may also result in academic penalties.

#### **Expectation 10 – Cell Phones/Wireless Communication Devices**

Cell phones and other wireless communication devices may not be turned on, handled, or visible during the instructional day or at other school functions without prior approval by the school administration.

1st offense – In school disciplinary action.  
2nd offense – Up to one day suspension.  
3rd offense – Up to two days suspension.

#### **Expectation 11 – Skipping School/Class**

Cleveland County Schools recognizes the importance of school and classroom attendance and holds classroom and instructional time in very high regard.

Students are expected to adhere and comply with the school schedule. Students are expected to arrive on time and to remain on campus and in assigned classes or activities unless they have been authorized to leave by school personnel.

1st offense – In school disciplinary action.  
2nd offense – Up to one day suspension.  
3rd offense – Up to two days suspension.

#### **Expectation 12 – Theft**

Cleveland County Schools encourages respect for school property and for personal property of students, school employees and others. Students guilty of stealing, attempting to steal, or knowingly being in possession of stolen property are subject to school consequences as well as possible criminal charges.

1st offense – Up to one day suspension.  
2nd offense – Up to three days suspension.  
3rd offense – Up to five days suspension.

#### **Expectation 13 – Tobacco**

Cleveland County Schools promotes a safe and healthy environment for all students and staff. Students should not use or possess any form of tobacco product, including e-cigarettes, at any time while at school, on school property, involved in school related activities, or being supervised by school personnel. Cleveland County Schools promotes a 100% tobacco free environment for all students, staff, visitors, and community members.

1st offense – Up to two days suspension.  
2nd offense – Up to three days suspension.  
3rd offense – Up to five days suspension.

**Expectation 14 – Trespassing**

Cleveland County Schools desires to maintain a safe environment for students and staff on all school campuses. In order to provide this environment, students are expected to attend the school to which they are assigned. Unless authorized by personnel at both schools, students should not be on campus at any other school during the school day.

Students who loiter on campus after the school day or after any school activity will be considered trespassing.

Students who have been suspended from school may be considered trespassing if they appear on the property of any school during the suspension period without the permission of the school principal. Trespassing may also result in criminal prosecution.

1st offense – In school disciplinary action.  
 2nd offense – Up to three days suspension.  
 3rd offense – Up to five days suspension.

**“B” Level Offenses****Expectation 15 – Boycott/Protest**

Cleveland County Schools believes that all students should participate in the educational environment and activities set forth by the Board of Education and each individual school. Students should embrace the opportunities for enrichment, experiences, and knowledge.

Students will not be permitted to boycott or walk out of any lawful school function in which attendance is required. Furthermore, students shall not engage in any protest, march, picket, or sit-in designed to disrupt the school environment or cause a disruption of any school activity whether on or off school campus.

1st offense – Up to one day suspension.  
 2nd offense – Up to three days suspension.  
 3rd offense – Up to five days suspension.

**Expectation 16 – Fighting/Physical Aggression/Assault**

Students enrolled in Cleveland County Schools should expect to attend school in a non-threatening environment. Students are expected to refrain from physically aggressive behavior directed toward other students. These behaviors include but are not limited to hitting, shoving, scratching, kicking, biting, stabbing, throwing objects or any other behavior intended to or reasonably likely to result in a fight or to cause physical harm. Students involved in or instigating a fight or other physical aggression on school property or at any school sponsored event shall be subject to the following consequences, adjusted as appropriate based on the aggravating and mitigating factors listed above, and may be subject to criminal charges. See Expectation 35 for violations involving serious physical injury.

1st offense – Up to three days suspension.  
 2nd offense – Up to five days suspension.  
 3rd offense – Up to ten days suspension and possible recommendation for long term suspension.

**Expectation 17 – Damage to School Property Exceeding \$1,000**

Cleveland County Schools encourages respect for the property of the school and/or school system. Students involved in intentionally damaging or vandalizing, attempting to damage or vandalize, or defacing school property or private property while under school jurisdiction shall be responsible for the cost of replacement, repair, or restoration of the property. Along with the financial responsibility assumed with the damage, students shall also be subject to the following consequences and possible criminal charges.

1st offense – Up to five days suspension.  
 2nd offense – Up to seven days suspension.  
 3rd offense – Up to ten days suspension and possible recommendation for long term suspension.

**Expectation 18 – Disruption of School (Major Disruptions)**

To fulfill the mission of Cleveland County Schools and to effectively teach all of our students in the best learning environment possible,

it is essential that our schools be free from unnecessary disruptions, obstructions, or interference.

With this in mind, students will be expected to respect themselves, others, property, and the teaching and learning process. Student behavior that involves aggressive resistance, extreme noise, threat, fear, intimidation, coercion, force, violence, or any other form of conduct that significantly disrupts any school function, mission or process is in violation of this expectation.

1st offense – Up to five days suspension.  
2nd offense – Up to seven days suspension.  
3rd offense – Up to ten days suspension and possible recommendation for long term suspension.

### **Expectation 19 – Fire Alarms**

Cleveland County Schools promotes a safe and orderly learning environment for all students. Setting off, attempting to set off, or aiding and abetting anyone in setting off a fire alarm is strictly prohibited. Also prohibited is interfering with or damaging any part of a fire alarm, fire or smoke detection device, or fire extinguishing system.

1st offense – Up to three days suspension.  
2nd offense – Up to five days suspension.  
3rd offense – Up to ten days suspension and possible recommendation for long term suspension.

### **Expectation 20 – Fireworks, Ammunition**

Cleveland County Schools is committed to providing a safe environment for students, staff, and visitors. Possessing, distributing, igniting or using any fireworks or ammunition on school property, in any school vehicle, or at any school sponsored activity or event is strictly prohibited.

1st offense – Up to three days suspension.  
2nd offense – Up to five days suspension.  
3rd offense – Up to ten days suspension and possible recommendation for long term suspension.

### **Expectation 21 – Gang Activity**

Students enrolled in Cleveland County Schools are expected to engage in positive peer relationships. Students shall not participate in, lead, or encourage others to participate in a gang, gang activity or gang behavior. A gang is defined as any ongoing group, organization or association, whether formal or informal, having as one of its primary purposes or activities the commission of criminal acts and having a common name, identifying sign, colors, symbols, tattoos, attire or other distinguishing characteristics. Gang activity or behavior may include:

1. Wearing, possessing or displaying clothing, jewelry, tattoos, symbols, signs or other items that show affiliation with or membership in a gang.
2. Communicating verbally or non-verbally in a manner that conveys affiliation with or membership in a gang.
3. “Tagging” or otherwise defacing school property or personal property with gang or gang-related symbols, signs, names or slogans.
4. Intimidating, threatening or using physical violence towards any person related to gang activity, or inciting others to do so.
5. Soliciting or recruiting others for gang membership or affiliation.

Before being suspended for a first offense of wearing gang-related attire, a student may receive a warning and be allowed to change or remove the attire if the school administration determines that the student did not intend the attire to show gang affiliation.

1st offense – Up to three days suspension.  
2nd offense – Up to five days suspension.  
3rd offense – Up to ten days suspension and possible recommendation for long term suspension.

**Expectation 22 – Hazing**

Students enrolled in Cleveland County Schools shall be free from physical injury, verbal abuse, or psychological damage as part of an initiation or a condition of membership in any school group, function or organization. Students who engage in or encourage others to engage in hazing of another student shall be subject to disciplinary action and possible criminal prosecution.

- 1st offense – Up to three days suspension.
- 2nd offense – Up to five days suspension.
- 3rd offense – Up to ten days suspension and possible recommendation for long term suspension.

**\*Expectation 23 – Possession of Weapons other than Firearms**

Students enrolled in Cleveland County Schools should expect to attend school in an environment free from all weapons. Students shall not possess, handle, transmit, or bring on to school property any items including, but not limited to, knife, BB gun, air rifle, air pistol, sling shot, blackjack, metal knuckles, bludgeon, bowie knife, switchblade, dirk, dagger, leaded cane, stun gun or other electronic shock weapon, pepper spray, razors and razor blades, or any sharp-pointed or edged instrument, or facsimile or other item that could be considered a weapon or dangerous instrument. This policy does not apply to instructional supplies, unaltered nail files and clips, or tools used solely for preparation of food, instruction, or maintenance.

- 1st offense – Up to five days suspension.
- 2nd offense – Up to ten days suspension and possible recommendation for long-term suspension.
- 3rd offense – Up to ten days suspension and possible recommendation for long-term suspension.

**\*Expectation 24 – Possession of Drugs or Alcohol**

Cleveland County Schools believes that all schools should be free from drugs and alcohol. Students enrolled in CCS shall not possess, use 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 drugs or unauthorized prescription drug, or possess or use any other chemicals or products with the intention of bringing about a state of exhilaration, euphoria, or of otherwise altering the student's mood or behavior. Selling, distributing, possessing with the intent to distribute or sell, or conspiring or attempting to sell or distribute are Level C offenses.

- 1st offense – Up to eight days suspension. This suspension may be reduced in half with the student's participation in an approved drug assessment program and the student's and parent's participation in an approved drug program.
- 2nd offense – Up to ten days suspension and possible recommendation for long-term suspension.
- 3rd offense – Up to ten days suspension and possible recommendation for long-term suspension.

**Expectation 25 – Sexual Harassment**

Students enrolled in Cleveland County Schools are expected to respect the worth and dignity of all students. Sexual harassment includes but is not limited to deliberate and unwelcome touching, unwelcome sexual advances, requests for sexual favors or pressure for sexual activity, and sexual or degrading words used toward an individual. Students must comply with policies 4015 and 4021, Sexual Harassment.

- 1st offense – Up to three days suspension.
- 2nd offense – Up to five days suspension.
- 3rd offense – Up to ten days suspension and possible recommendation for long-term suspension.

**Expectation 26 – Threats (towards staff/serious threats towards students)**

Cleveland County Schools promotes an environment that is safe and secure for all students, staff, and school personnel. Students, staff, and school volunteers should be able to carry out their responsibilities free from any threatening act. This safe environment is extended to the entire school campus, school vehicles, and school functions. Students enrolled in CCS shall not communicate threats of death or

serious bodily injury toward any student, school employee or school volunteer. This includes threats made verbally, in writing, or in any other form of communication.

1st offense – Up to three days suspension.  
 2nd offense – Up to five days suspension.  
 3rd offense – Up to ten days suspension and possible recommendation for long-term suspension.

### **Expectation 27 – Verbal Abuse of Staff**

All employees and volunteers in Cleveland County Schools should be able to perform their duties and work in an environment free from verbal, written, or communicated abuse. Participation in serious and/or persistent verbal or written conduct that prevents an orderly and peaceful learning and teaching environment is prohibited. Students shall not direct insulting, abusive, profane, or obscene words towards employees or volunteers.

1st offense – Up to three days suspension.  
 2nd offense – Up to five days suspension.  
 3rd offense – Up to ten days suspension and possible recommendation for long-term suspension.

### **“C” Level Offenses**

The following conduct is prohibited as outlined below:

#### **\*Expectation 28 – Arson**

Burning or attempting to burn any school building or property. Possessing incendiary material including, but not limited to, gasoline, kerosene, or other flammable liquid for the purpose of burning or the attempted burning of school property.

Offense – Ten day suspension and possible recommendation for long-term suspension.

#### **\*Expectation 29 – Distribution of Drugs or Alcohol**

Distributing, selling, possessing with intent to distribute or sell, or conspiring or attempting to distribute or sell 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 drugs or unauthorized prescription drug, or other chemicals or products with the intention of bringing about a state of exhilaration, euphoria, or of otherwise altering the student's mood or behavior.

Offense – Ten day suspension and possible recommendation for long-term suspension.

#### **\*Expectation 30 – Sexual Assault**

Offensively or forcibly touching another person's private parts, including buttocks or breasts, or forcing or attempting to force another to engage in a sexual act against his or her will.

Offense – Ten day suspension and possible recommendation for long-term suspension.



**\*Expectation 31 – Sexual Acts**

Engaging in any consensual sexual act while on school property or at a school-sponsored activity or event.

Offense – Ten day suspension and possible recommendation for long-term suspension.

**\*Expectation 32 – Use of a Weapon**

Using in a threatening or dangerous manner any weapon or other object that can reasonably be considered a weapon or a facsimile of a weapon.

Offense – Ten day suspension and possible recommendation for long-term suspension.

**\*Expectation 33 – Possession or Use of a Firearm**

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.

Offense – Recommendation for a 365 calendar day suspension. This required suspension may be modified by the Superintendent in accordance with G.S. 115C-390.10. The superintendent shall 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 a school employee and had no intent to use such firearm or destructive device in a harmful or threatening way.

**\*Expectation 34 – Bomb Threat or Hoax**

(a) Communicating by any means to any person or group of persons, a report, knowing or having reason to know the report is false, that there is located on educational property or at a school-sponsored curricular or extracurricular activity off educational property an explosive device or any device, substance or material designed to cause harmful or life-threatening illness or injury to another person; or

(b) With intent to perpetrate a hoax, concealing, placing, or displaying a device, machine, instrument, or artifact on educational property or at a school-sponsored curricular or extracurricular activity off educational property, so as to cause any person reasonably to believe the same to be a bomb or other device capable of causing injury to persons or property.

Offense – Ten day suspension and possible recommendation for long-term suspension.

**\*Expectation 35 – Assault on a Student**

No student may cause or attempt to cause serious physical injury to another student or intentionally behave in such a manner as could reasonably cause serious physical injury to any student. For the purposes of this policy “serious physical injury” shall refer to any significant or aggravated bodily injury, including but not limited to broken bone(s), loss or chipping of teeth, loss or impairment of

vision, loss of consciousness, internal injuries, scarring or other disfigurement, significant bleeding, lacerations resulting in sutures, significant bruising, severe or prolonged pain, any injury requiring hospitalization for any period of time, and/or any injury resulting in medical treatment beyond simple first aid procedures.

Offense – Ten day suspension and possible recommendation for long-term suspension.

**\*Expectation 36– Assault on Teachers or Other School Personnel**

Causing or attempting to cause bodily harm to a teacher, school personnel, volunteer or other adult who is not a student.

\*Indicates Reportable Offense as defined by G.S. 115C-288.

# 2 Middle School

## “A” Level Offenses

### Expectation 1 – Acceptable Use

All students are expected to exercise good judgment, use the computer resources in an appropriate manner and adhere to policy 3350, Student Acceptable Use, and all applicable laws and regulations. Individual users of the Internet are expected to abide by the generally accepted rules of network etiquette. Student use of electronic information resources is expected to be related to educational goals and objectives. Failure to comply with the Student Acceptable Use policy for Cleveland County Schools shall be a violation of this expectation.

1st offense – Up to one day suspension.  
2nd offense – Up to two days suspension and loss of privileges.  
3rd offense – Up to five days suspension and loss of privileges.

### Expectation 2 – Compliance with School Personnel/Insubordination

All students enrolled in Cleveland County Schools shall be respectful and comply with all directions given by principals, teachers, substitute teachers, teacher assistants, bus drivers, school resource officers, and all other school personnel who are authorized to give such directions.

Students are expected to comply without delay to the directives of all school personnel at all times while a student is at school or involved in a school related activity.

Students who fail to comply with the directions of any school personnel anytime during the school day, during extra-curricular activities or during any period that the school personnel has authority, have violated this policy.

1st offense – Up to three days suspension.  
2nd offense – Up to five days suspension.  
3rd offense – Up to ten days suspension.



### Expectation 3 – Conduct on a School Bus

Cleveland County Schools desires to offer a school transportation system that supports the mission and vision of the school system and provides a safe, efficient, and effective way to school for students. It is important to note that school transportation is a privilege and not a student right. At all times, students should obey the directions of the school bus driver, school personnel associated with the bus, or any driver of a school vehicle. If a student fails to comply with the directions of the driver or school personnel, the student may lose the privilege of riding the school bus. Behaviors on the school bus that violate other expectations outlined in the Code of Conduct may also result in suspension from school.

- Students should follow directions given by the school bus driver or administrator.
- Students should remain in his/her assigned seat until the bus reaches the student's particular stop and the bus has come to a complete stop.
- Students should not eat or drink on the school bus.
- Students should be sure to take all of their belongings with them when exiting the school bus.
- Students should not bring contraband on the school bus. This includes any item that is a distraction to the bus driver.
- Students should not tamper with the bus, video cameras, or any other part of the school bus.
- Students should only get off at their assigned stops.
- Students should only board their assigned bus. Permission must be granted from the school administration for students to change the bus they are riding.
- Students should not willfully delay the bus schedule.
- Students should follow all expectations as defined in the Code of Conduct. All expectations for student behavior apply at the school, on the school bus, at the school bus stop, on any school grounds, and on any school associated function.

1st offense – Warning

2nd offense – Up to five days suspension from the school bus.

3rd offense – Up to ten days suspension from the school bus.

4th offense – Up to twenty days suspension from the school bus.

5th offense – Up to forty-five days suspension from the school bus.

Additional referrals may result in suspension from the school bus for the remainder of the school year.

**\*\*A violation of a Level B or C offense on the school bus will also result in a minimum of a forty-five day suspension off the school bus along with the appropriate stated consequence for the offense.**

A student may be removed from the bus at any time for the remainder of the school year for a serious violation.

### Expectation 4 – Damage to School Property up to \$1,000

Cleveland County Schools encourages respect for the property of the school and/or school system at all times. Students involved in intentionally damaging or vandalizing, attempting to damage or vandalize, or defacing school property or private property while under school jurisdiction shall be responsible for the cost of replacement, repair, or restoration of the property. Along with the financial responsibility assumed with the damage, students shall also be subject to the following consequences and possible criminal charges.

1st offense – Up to two days suspension and responsibility of cost.

2nd offense – Up to three days suspension and responsibility of cost.

3rd offense – Up to ten days suspension and responsibility of cost.

Damage to property that exceeds \$1,000 will be considered a Level B offense. See Expectation 17.

**Expectation 5 – Disruption of School**

To fulfill the mission of Cleveland County Schools and to effectively teach all of our students in the best learning environment possible, it is essential that our schools be free from unnecessary disruptions, obstructions, or interference.

With this in mind, students will be expected to respect themselves, others, property, and the teaching and learning process. Student behavior that involves passive resistance, noise, threat, fear, intimidation, coercion, force, violence, or any other form of conduct that causes a disruption to any school function, mission, or process is in violation of this expectation. Urging of other students to engage in such conduct is also a violation.

1st offense – Up to one day suspension.  
 2nd offense – Up to three days suspension.  
 3rd offense – Up to five days suspension.

**Expectation 6 – Obscene literature/language/profanity/gestures**

Students will be expected to express themselves appropriately and in accordance to the mission and vision of Cleveland County Schools and their respective schools. Any expression spoken, written, or otherwise portrayed in any manner should be appropriate for the educational setting.

Possessing or distributing literature or illustrations that are obscene or disruptive, profanity, or vulgar or obscene language or gestures that significantly disrupt the educational environment will not be tolerated.

1st offense – Up to one day suspension.  
 2nd offense – Up to two days suspension.  
 3rd offense – Up to three days suspension.

**Expectation 7 – Dress Code**

Students are expected to adhere to standards of dress and appearance that are compatible with a safe and effective learning environment. The Cleveland County Board of Education adopts a dress code to create a positive learning environment, teach good grooming and hygiene, instill discipline, prevent disruption, avoid safety hazards, and teach respect for authority. Presenting a bodily appearance or wearing clothing which is disruptive, provocative, revealing, profane, vulgar, offensive or obscene, or which endangers the health or safety of the student or others, is prohibited.

Students will comply with the Student Dress Code policy for Cleveland County Schools, policy 4316.

1st offense – In school disciplinary action and correct the dress code violation.  
 2nd offense – Up to one day suspension and correct the dress code violation.  
 Continued – Up to three days suspension and offenses correct the dress code violation.

**Expectation 8 – Peer Relations**

Students are expected to engage in positive and appropriate relationships with their peers. Students should refrain from acts of bullying/intimidation, extortion, threats, harassment, discrimination, rough play, and inappropriate displays of affection.

Bullying/Intimidation – Repeatedly inflicting or threatening to inflict physical or psychological harm, by an individual or group.

Threats – Making any threat or false threat through written or verbal language, sign or act which conveys an expression of intent to cause harm or violence or to disrupt school activities.

Extortion – Extorting or obtaining money, property, statements, or any related objects by the use of threats of force.

Harassment/Discrimination – Using abusive or offensive gestures, language or remarks that interfere with an individual’s educational environment. Examples of harassment and discrimination include but are not limited to: abusive jokes, insults, slurs, name-calling, threats, insulting signs or actions, or intimidation. Students will comply with policies 4015 and 4021, Harassment.

1st offense – Up to three days suspension.  
2nd offense – Up to five days suspension.  
3rd offense – Up to ten days suspension.

Rough Play – Engaging in rough-housing, boisterous activity or horseplay that poses a danger to the participants or others or disrupts school activities.

Displays of Affection – Engaging in behavior that is overly affectionate, disruptive, demeaning, indecent, or of a sexual nature while at school or at a school-sponsored activity.

1st offense – Up to one day suspension.  
2nd offense – Up to two days suspension.  
3rd offense – Up to three days suspension.

### **Expectation 9 – Academic Integrity**

Cleveland County Schools believes in and promotes character education including core values such as honesty, truthfulness, and integrity. Students are expected to exhibit these characteristics in their actions and academic work. Violations of academic integrity include but are not limited to cheating, plagiarism, forgery, alteration or falsification of statements and documents, use of false identification, and violation of the copyright laws.

Students who engage in, or assist or encourage others to engage in, these activities are in violation of this policy.

1st offense – In school disciplinary action.  
2nd offense – Up to one day suspension.  
3rd offense – Up to three days suspension.

### **Expectation 10 – Cell Phones/Wireless Communication Devices**

Cell phones and other wireless communication devices may not be turned on, handled, or visible during the instructional day or other school functions without prior approval by the school administration.

1st offense – Up to one day suspension.  
2nd offense – Up to two days suspension.  
3rd offense – Up to three days suspension.

### **Expectation 11 – Skipping School**

Cleveland County Schools recognizes the importance of school and classroom attendance and holds classroom and instructional time in very high regard.

Students are expected to adhere and comply with the school schedule. Students are expected to arrive on time and remain on campus and in assigned classes or activities unless they have been authorized to leave by school personnel.

Offense – Up to two days suspension.

**Expectation 12 – Theft**

Cleveland County Schools encourages respect for school property and for personal property of students, school employees and others. Students guilty of stealing, attempting to steal, or knowingly being in possession of stolen property are subject to school consequences as well as possible criminal charges.

1st offense – Up to three days suspension.  
 2nd offense – Up to five days suspension.  
 3rd offense – Up to ten days suspension.

**Expectation 13 – Tobacco**

Cleveland County Schools promotes a safe and healthy environment for all students and staff. Students should not use or possess any form of tobacco product, including e-cigarettes, at any time while at school, on school property, involved in school related activities, or being supervised by school personnel. Cleveland County Schools promotes a 100% tobacco free environment for all students, staff, visitors, and community members.

1st offense – Up to two days suspension.  
 2nd offense – Up to three days suspension.  
 3rd offense – Up to five days suspension.

**Expectation 14 – Trespassing**

Cleveland County Schools desires to maintain a safe environment for students and staff on all school campuses. In order to provide this environment, students are expected to attend the school to which they are assigned. Unless authorized by personnel at both schools, students should not be on campus at any other school during the school day.

Students who loiter on campus after the school day or after any school activity will be considered trespassing.

Any student that has been suspended from school may be considered trespassing if they appear on the property of any school during the suspension period without the permission of the school principal. Trespassing may also result in criminal prosecution.

1st offense – Up to two days suspension.  
 2nd offense – Up to three days suspension.  
 3rd offense – Up to five days suspension.

**“B” Level Offenses****Expectation 15 – Boycott/Protest**

Cleveland County Schools believes that all students should participate in the educational environment and activities set forth by the Board of Education and each individual school. Students should embrace the opportunities for enrichment, experiences, and knowledge.

Students will not be permitted to boycott or walk out of any lawful school function in which attendance is required. Furthermore, students shall not engage in any protest, march, picket, or sit-in designed to disrupt the school environment or cause a disruption of any school activity whether on or off any school campus.

1st offense – Up to ten days suspension.  
 2nd offense – Up to ten days suspension and possible recommendation for long-term suspension.  
 3rd offense – Up to ten days suspension and possible recommendation for long-term suspension.

**Expectation 16 – Fighting/Physical Aggression**

Students enrolled in Cleveland County Schools should expect to attend school in a non-threatening environment. Students are expected to refrain from physically aggressive behavior directed toward other students. These behaviors include but are not limited to hitting, shoving, scratching, kicking, biting, stabbing, throwing objects or any behavior intended to or reasonably likely to result in a fight or to cause physical harm. Students involved in or instigating a fight or other physical aggression on school property or at any school sponsored event shall be subject to the following consequences, adjusted as appropriate based on the presence of aggravating or mitigating factors, and may be subject to criminal charges. See Expectation 35 for violations involving serious physical injury.

- 1st offense – Up to five days suspension.
- 2nd offense – Up to ten days suspension and possible recommendation for long-term suspension.
- 3rd offense – Ten days suspension and possible recommendation for long-term suspension.

**Expectation 17 – Damage to School Property Exceeding \$1,000**

Cleveland County Schools encourages respect for the property of the school and/or school system. Students involved in intentionally damaging or vandalizing, attempting to damage or vandalize, or defacing school property or private property while under school jurisdiction shall be responsible for the cost of replacement, repair, or restoration of the property. Along with the financial responsibility assumed with the damage, students shall also be subject to the following consequences and possible criminal charges.

- 1st offense – Up to ten days suspension, payment of the cost of replacement, repair, or restoration of the property, and possible recommendation for long-term suspension.

**Expectation 18 – Disruption of School (Major Disruptions)**

To fulfill the mission of Cleveland County Schools and to effectively teach all of our students in the best learning environment possible, it is essential that our schools be free from unnecessary disruptions, obstructions, or interference.

With this in mind, students will be expected to respect themselves, others, property, and the teaching and learning process. Student behavior that involves aggressive resistance, extreme noise, threat, fear, intimidation, coercion, force, violence, or any other form of conduct that significantly disrupts any school function, mission or process is in violation of this expectation.

- 1st offense – Up to ten days suspension.
- 2nd offense – Up to ten days suspension and possible recommendation for long-term suspension.
- 3rd offense – Up to ten days suspension and possible recommendation for long-term suspension.

**Expectation 19 – Fire Alarms**

Cleveland County Schools promotes a safe and orderly learning environment for all students. Setting off, attempting to set off, or aiding and abetting anyone in setting off a fire alarm is strictly prohibited. Also prohibited is interfering with or damaging any part of a fire alarm, fire or smoke detection device, or fire extinguishing system.

- 1st offense – Up to ten days suspension.
- 2nd offense – Up to ten days suspension and possible recommendation for long-term suspension.
- 3rd offense – Up to ten days suspension and possible recommendation for long-term suspension.

**Expectation 20 – Fireworks, Ammunition**

Cleveland County Schools is committed to providing a safe environment for students, staff, and visitors. Possessing, distributing, igniting or using any fireworks or ammunition on school property, in any school vehicle, or at any school sponsored activity or event is strictly prohibited.

- 1st offense – Up to five days suspension.
- 2nd offense – Up to ten days suspension and possible recommendation for long-term suspension.
- 3rd offense – Ten days suspension and possible recommendation for long-term suspension.

**Expectation 21 – Gang Activity**

Students enrolled in Cleveland County Schools are expected to engage in positive peer relationships. Students shall not participate in, lead, or encourage others to participate in a gang, gang activity or gang behavior. A gang is defined as any ongoing group, organization or association, whether formal or informal, having as one of its primary purposes or activities the commission of criminal acts and having a common name, identifying sign, colors, symbols, tattoos, attire or other distinguishing characteristics.

- 1st offense – Up to five days suspension.
- 2nd offense – Up to ten days suspension.
- 3rd offense – Up to ten days suspension and possible recommendation for long-term suspension.

Before being suspended for a first offense of wearing gang-related attire, a student may receive a warning and be allowed to change or remove the attire if the school administration determines that the student did not intend the attire to show gang affiliation.

**Expectation 22 – Hazing**

Students enrolled in Cleveland County Schools shall be free from physical injury, verbal abuse, or psychological damage as part of an initiation or as a condition of membership in any school group, function or organization. Students who engage in or encourage others to engage in hazing shall be subject to disciplinary action and possible criminal prosecution.

- 1st offense – Up to five days suspension.
- 2nd offense – Up to ten days suspension.
- 3rd offense – Up to ten days suspension and possible recommendation for long-term suspension.

**\*Expectation 23 – Possession of Weapons other than Firearms**

Students enrolled in Cleveland County Schools should expect to attend school in an environment free from all weapons. Students shall not possess, handle, transmit, or bring on to school property any items including, but not limited to, knife, BB gun, air rifle, air pistol, sling shot, blackjack, metal knuckles, bludgeon, bowie knife, switchblade, dirk, dagger, leaded cane, stun gun or other electronic shock weapon, pepper spray, razors and razor blades, or any sharp-pointed or edged instrument, or facsimile or other item that could be considered a weapon or dangerous instrument. This policy does not apply to instructional supplies, unaltered nail files and clips, or tools used solely for preparation of food, instruction, or maintenance.

See Expectation 33 for violations involving firearms or destructive devices.

- 1st offense – Up to ten days suspension and possible recommendation for long-term suspension.
- 2<sup>nd</sup> offense – Ten days suspension and possible recommendation for long-term suspension.



**\*Expectation 24 – Possession of Drugs or Alcohol**

Cleveland County Schools believes that all schools should be free from drugs and alcohol. Students enrolled in CCS shall not possess, use 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 drugs or unauthorized prescription drug, or possess or use any other chemicals or products with the intention of bringing about a state of exhilaration, euphoria, or of otherwise altering the student's mood or behavior. Selling, distributing, possessing with the intent to distribute or sell, or conspiring or attempting to sell or distribute are Level C offenses.

- 1st offense – Ten days suspension. This suspension may be reduced in half with the student's participation in an approved drug assessment program and the student and parent's participation in an approved drug program.
- 2nd offense – Ten days suspension and possible recommendation for long-term suspension.

**Expectation 25 – Sexual Harassment**

Students enrolled in Cleveland County Schools are expected to respect the worth and dignity of all students. Sexual harassment includes but is not limited to deliberate and unwelcome touching, unwelcome sexual advances, requests for sexual favors or pressure for sexual activity, and sexual or degrading words used toward an individual. Students must comply with policies 4015 and 4021, Sexual Harassment.

- 1st offense – Up to ten days suspension.
- 2nd offense – Up to ten days suspension and possible recommendation for long-term suspension.
- 3rd offense – Ten days suspension and possible recommendation for long-term suspension.

**Expectation 26 – Threats (towards staff/serious threats towards students)**

Cleveland County Schools promotes an environment that is safe and secure for all students, staff, and school personnel. Students, staff, and school volunteers should be able to carry out their responsibilities free from any threatening act. This safe environment is extended to the entire school campus, school vehicles, and school functions. Students enrolled in CCS shall not communicate threats of death or serious bodily injury toward any student, school employee or school volunteer. This includes threats made verbally, in writing, or in any other form of communication.

- 1st offense – Up to ten days suspension.
- 2nd offense – Up to ten days suspension and possible recommendation for long-term suspension.
- 3rd offense – Ten days suspension and possible recommendation for long-term suspension.

**Expectation 27 – Verbal Abuse of Staff**

All employees and volunteers in Cleveland County Schools should be able to perform their duties and work in an environment free from verbal, written, or communicated abuse. Participation in serious and/or persistent verbal or written conduct that prevents an orderly and peaceful learning and teaching environment is prohibited. Students shall not direct insulting, abusive, profane, or obscene words towards employees or volunteers.

- 1st offense – Up to ten days suspension.
- 2nd offense – Up to ten days suspension and possible recommendation for long-term suspension.
- 3rd offense – Ten days suspension and possible recommendation for long-term suspension.

**“C” Level Offenses**

The following conduct is prohibited as outlined below:

**\*Expectation 28 – Arson**

Burning or attempting to burn any school building or property. Possessing incendiary material including, but not limited to, gasoline, kerosene, or other flammable liquid for the purpose of burning or the attempted burning of school property.

Offense – Ten day suspension and possible recommendation for long-term suspension.

**\*Expectation 29 – Distribution of Drugs or Alcohol**

Distributing, selling, possessing with intent to distribute or sell, or conspiring or attempting to distribute or sell 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 drugs or unauthorized prescription drug, or other chemicals or products with the intention of bringing about a state of exhilaration, euphoria, or of otherwise altering the student’s mood or behavior.

Offense – Ten day suspension and possible recommendation for long-term suspension.

**\*Expectation 30 – Sexual Assault**

Offensively or forcibly touching another person’s private parts, including buttocks or breasts, or forcing or attempting to force another to engage in a sexual act against his or her will.

Offense – Ten day suspension and possible recommendation for long-term suspension.

**\*Expectation 31 – Sexual Acts**

Engaging in any consensual sexual act while on school property or at a school-sponsored activity or event.

Offense – Ten day suspension and possible recommendation for long-term suspension.

**\*Expectation 32 – Use of a Weapon**

Using in a threatening or dangerous manner any weapon or other object that can reasonably be considered a weapon or a facsimile of a weapon.

Offense – Ten day suspension and possible recommendation for long-term suspension.



**\*Expectation 33 – Possession or Use of a Firearm**

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.

Offense – Recommendation for a 365 calendar day suspension. This required suspension may be modified by the Superintendent in accordance with G.S. 115C-390.10. The superintendent shall 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 a school employee and had no intent to use such firearm or destructive device in a harmful or threatening way.

**\*Expectation 34 – Bomb Threat or Hoax**

(a) Communicating by any means to any person or group of persons, a report, knowing or having reason to know the report is false, that there is located on educational property or at a school-sponsored curricular or extracurricular activity off educational property an explosive device or any device, substance or material designed to cause significant illness or injury to another person; or

(b) With intent to perpetrate a hoax, concealing, placing, or displaying a device, machine, instrument, or artifact on educational property or at a school-sponsored curricular or extracurricular activity off educational property, so as to cause any person reasonably to believe the same to be a bomb or other device capable of causing injury to persons or property.

Offense – Ten day suspension and possible recommendation for long-term suspension.

**\*Expectation 35 – Assault on a Student**

No student may cause or attempt to cause serious physical injury to another student or intentionally behave in such a manner as could reasonably cause serious physical injury to any student. For the purposes of this policy “serious physical injury” shall refer to any significant or aggravated bodily injury, including but not limited to broken bone(s), loss or chipping of teeth, loss or impairment of vision, loss of consciousness, internal injuries, scarring or other disfigurement, significant bleeding, lacerations resulting in sutures, significant bruising, severe or prolonged pain, any injury requiring hospitalization for any period of time, and/or any injury resulting in medical treatment beyond simple first aid procedures.

Offense – Up to ten day suspension and possible recommendation for long-term suspension.

**\*Expectation 36– Assaults on Teachers or Other School Personnel**

Causing or attempting to cause bodily harm to a teacher, school personnel, volunteer or other adult who is not a student.

Offense – Up to ten day suspension and possible recommendation for long-term suspension.

If a teacher is assaulted or injured by a student and as a result the student is long-term suspended or reassigned to an alternative education program, the student shall not be returned to that teacher’s classroom without the teacher’s consent.

# 3 HIGH SCHOOL

## “A” Level Offenses

### Expectation 1 – Acceptable Use

All students are expected to exercise good judgment, use the computer resources in an appropriate manner and adhere to policy 3350, Student Acceptable Use, and all applicable laws and regulations. Individual users of the Internet are expected to abide by the generally accepted rules of network etiquette. Student use of electronic information resources is expected to be related to educational goals and objectives. Failure to comply with the Student Acceptable Use policy for Cleveland County Schools shall be a violation of this expectation.

1st offense –	Up to one day suspension.
2nd offense –	Up to two days suspension and loss of privileges.
3rd offense –	Up to five days suspension and loss of privileges.

### Expectation 2 – Compliance with School Personnel/Insubordination

All students enrolled in Cleveland County Schools shall be respectful and comply with all directions given by principals, teachers, substitute teachers, teacher assistants, bus drivers, school resource officers, and all other school personnel who are authorized to give such directions.

Students are expected to comply without delay to the directives of all school personnel at all times while a student is at school or involved in a school related activity.

Students who fail to comply with the directions of any school personnel anytime during the school day, during extra-curricular activities or during any period that the school personnel has authority, have violated this policy.

1st offense –	Up to three days suspension.
2nd offense –	Up to five days suspension.
3rd offense –	Up to ten days suspension.

### Expectation 3 – Conduct on a School Bus

Cleveland County Schools desires to offer a school transportation system that supports the mission and vision of the school system and provides a safe, efficient, and effective way to school for students. It is important to note that school transportation is a privilege and not a student right. At all times, students should obey the directions of the school bus driver, school personnel associated with the bus, or any driver of a school vehicle. If a student fails to comply with the directions of the driver or school personnel, the student may lose the privilege of riding the school bus. Behaviors on the school bus that violate other expectations outlined in the Code of Conduct may also result in suspension from school.

- Students should follow directions given by the school bus driver or administrator.
- Students should remain in his/her assigned seat until the bus reaches the student’s particular stop and the bus has come to a complete stop.
- Students should not eat or drink on the school bus.
- Students should be sure to take all of their belongings with them when exiting the school bus.
- Students should not bring contraband on the school bus. This includes any item that is a distraction to the bus driver.
- Students should not tamper with the bus, video cameras, or any other part of the school bus.
- Students should only get off at their assigned stops.

- Students should only board their assigned bus. Permission must be granted from the school administration for students to change the bus they are riding.
- Students should not willfully delay the bus schedule.
- Students should follow all expectations as defined in the Code of Conduct. All expectations for student behavior apply at the school, on the school bus, at the school bus stop, on any school grounds, and on any school associated function.

Additional referrals may result in suspension from the school bus for the remainder of the school year.

**\*\*A violation of a Level B or C offense on the school bus will also result in a minimum of a forty-five day suspension off the school bus along with the appropriate stated consequence for the offense.**

A student may be removed from the bus at any time for the remainder of the school year for a serious violation.

1st offense – Up to five days suspension from the school bus.  
 2nd offense – Up to ten days suspension from the school bus.  
 3rd offense – Up to twenty days suspension from the school bus.  
 4th offense – Up to forty-five days suspension from the school bus.

#### **Expectation 4 – Damage to School Property up to \$1,000**

Cleveland County Schools encourages respect for the property of the school and/or school system at all times. Students involved in intentionally damaging or vandalizing, attempting to damage or vandalize, or defacing school property or private property while under school jurisdiction shall be responsible for the cost of replacement, repair, or restoration of the property. Along with the financial responsibility assumed with the damage, students shall also be subject to the following consequences and possible criminal charges.

1st offense – Up to three days suspension and responsibility of cost.  
 2nd offense – Up to five days suspension and responsibility of cost.  
 3rd offense – Up to ten days suspension and responsibility of cost.  
 Damage to property that exceeds \$1,000 will be considered a Level B offense. See Expectation 17.

#### **Expectation 5 – Disruption of School**

To fulfill the mission of Cleveland County Schools and to effectively teach all of our students in the best learning environment possible, it is essential that our schools be free from unnecessary disruptions, obstructions, or interference.

With this in mind, students will be expected to respect themselves, others, property, and the teaching and learning process. Student behavior that involves passive resistance, noise, threat, fear, intimidation, coercion, force, violence, or any other form of conduct that causes a disruption to any school function, mission, or process is in violation of this expectation. Urging of other students to engage in such conduct is also a violation.

1st offense – Up to one day suspension.  
 2nd offense – Up to three days suspension.  
 3rd offense – Up to five days suspension.

#### **Expectation 6 – Obscene literature/language/profanity/gestures**

Students will be expected to express themselves appropriately and in accordance to the mission and vision of Cleveland County Schools and their respective schools. Any expression spoken, written, or otherwise portrayed in any manner should be appropriate for the educational setting.

Possessing or distributing literature or illustrations that are obscene or disruptive, profanity, or vulgar or obscene language or gestures that significantly disrupt the educational environment will not be tolerated.

(Continued from previous page)

1st offense – Up to one day suspension.  
 2nd offense – Up to three days suspension.  
 3rd offense – Up to five days suspension.

### **Expectation 7 – Dress Code**

Students are expected to adhere to standards of dress and appearance that are compatible with a safe and effective learning environment. The Cleveland County Board of Education adopts a dress code to create a positive learning environment, teach good grooming and hygiene, instill discipline, prevent disruption, avoid safety hazards, and teach respect for authority. Presenting a bodily appearance or wearing clothing which is disruptive, provocative, revealing, profane, vulgar, offensive or obscene, or which endangers the health or safety of the student or others, is prohibited.

Students will comply with the Student Dress Code policy for Cleveland County Schools, policy 4316.

1st offense – In school disciplinary action and correct the dress code violation.  
 2nd offense – Up to one day suspension and correct the dress code violation.  
 3rd offense – Up to three days suspension and correct the dress code violation.  
 Continued – Up to three days suspension offenses and correct dress code violation.

### **Expectation 8 – Peer Relations**

Students are expected to engage in positive and appropriate relationships with their peers. Students should refrain from acts of bullying/intimidation, extortion, threats, harassment, discrimination, rough play, and inappropriate displays of affection.

Bullying/Intimidation – Repeatedly inflicting or threatening to inflict physical or psychological harm, by an individual or group.

Threats – Making any threat or false threat through written or verbal language, sign or act which conveys an expression of intent to cause harm or violence or to disrupt school activities.

Extortion – Extorting or obtaining money, property, statements, or any related objects by the use of threats of force.

Harassment/Discrimination – Using abusive or offensive gestures, language or remarks that interfere with an individual's educational environment. Examples of harassment and discrimination include but are not limited to: abusive jokes, insults, slurs, name-calling, threats, insulting signs or actions, or intimidation. Students will comply with policies 4015 and 4021, Harassment.

1st offense – Up to three days suspension.  
 2nd offense – Up to five days school suspension.  
 3rd offense – Up to ten days suspension.

Rough Play – Engaging in rough-housing, boisterous activity or horseplay that poses a danger to the participants or others or disrupts school activities.

Displays of Affection – Engaging in behavior that is overly affectionate, disruptive, demeaning, indecent, or of a sexual nature while at school or at a school-sponsored activity.

**1st offense – Up to one day suspension**  
**2nd offense – Up to three days school suspension.**  
**3rd offense – Up to five days school suspension.**

**Expectation 9 – Academic Integrity**

Cleveland County Schools believes in and promotes character education including core values such as honesty, truthfulness, and integrity. Students are expected to exhibit these characteristics in their actions and academic work. Violations of academic integrity include but are not limited to cheating, plagiarism, forgery, alteration or falsification of statements and documents, use of false identification, and violation of the copyright laws.

Students who engage in, or assist or encourage others to engage in, these activities are in violation of this policy.

1st offense – In school disciplinary action.  
 2nd offense – Up to one day suspension.  
 Continued offenses – Up to three days school suspension.

Violations of this expectation may result in academic penalties.

**Expectation 10 – Cell Phones/Wireless Communication Devices**

Cell phones and other wireless communication devices may not be turned on, handled, or visible during the instructional day or other school functions without prior approval by the school administration.

1st offense – Up to one day suspension.  
 2nd offense – Up to three days suspension.  
 3rd offense – Up to five days suspension.

**Expectation 11 – Skipping School**

Cleveland County Schools recognizes the importance of school and classroom attendance and holds classroom and instructional time in very high regard.

Students are expected to adhere and comply with the school schedule. Students are expected to arrive on time and remain on campus and in assigned classes or activities unless they have been authorized to leave by school personnel.

Offense - Up to two days suspension.

**Expectation 12 – Theft**

Cleveland County Schools encourages respect for school property and for personal property of students, school employees and others. Students guilty of stealing, attempting to steal, or knowingly being in possession of stolen property are subject to school consequences as well as possible criminal charges.

**Expectation 13 – Tobacco**

Cleveland County Schools promotes a safe and healthy environment for all students and staff. Students should not use or possess any form of tobacco product at any time while at school, on school property, involved in school related activities, or being supervised by school personnel. Cleveland County Schools promotes a 100% tobacco free environment for all students, staff, visitors, and community members.

1st offense – Up to three days suspension.  
 2nd offense – Up to five days suspension.  
 3rd offense – Up to ten days suspension.

**Expectation 13 – Tobacco**

Cleveland County Schools promotes a safe and healthy environment for all students and staff. Students should not use or possess any form of tobacco product, including e-cigarettes, at any time while at school, on school property, involved in school related activities, or being supervised by school personnel. Cleveland County Schools promotes a 100% tobacco free environment for all students, staff, visitors, and community members.

1st offense – Up to two days suspension.  
2nd offense – Up to three days suspension.  
3rd offense – Up to five days suspension.

**Expectation 14 – Trespassing**

Cleveland County Schools desires to maintain a safe environment for students and staff on all school campuses. In order to provide this environment, students are expected to attend the school to which they are assigned. Unless authorized by personnel at both schools, students should not be on campus at any other school during the school day.

Students who loiter on campus after the school day or after any school activity will be considered trespassing.

Any student that has been suspended from school may be considered trespassing if they appear on the property of any school during the suspension period without the permission of the school principal. Trespassing may also result in criminal prosecution.

1st offense – Up to three days suspension.  
2nd offense – Up to five days suspension.  
3rd offense – Up to ten days suspension.

**“B” Level Offenses****Expectation 15 – Boycott/Protest**

Cleveland County Schools believes that all students should participate in the educational environment and activities set forth by the Board of Education and each individual school. Students should embrace the opportunities for enrichment, experiences, and knowledge.

Students will not be permitted to boycott or walk out of any lawful school function in which attendance is required. Furthermore, students shall not engage in any protest, march, picket, or sit-in designed to disrupt the school environment or cause a disruption of any school activity whether on or off any school campus.

1st offense – Up to ten days suspension.  
2nd offense – Ten days suspension and possible recommendation for long-term suspension.

**Expectation 16 – Fighting/Physical Aggression**

Students enrolled in Cleveland County Schools should expect to attend school in a non-threatening environment. Students are expected to refrain from physically aggressive behavior directed toward other students. These behaviors include but are not limited to hitting, shoving, scratching, kicking, biting, stabbing, throwing objects or any behavior intended to or reasonably likely to result in a fight or to cause physical harm. Students involved in or instigating a fight or other physical aggression on school property or at any school sponsored event shall be subject to the following consequences, adjusted as appropriate based on the presence of aggravating or mitigating factors, and may be subject to criminal charges. See Expectation 35 for violations involving serious physical injury.

1st offense – Up to ten days suspension.  
2nd offense – Up to ten days suspension and possible recommendation for long-term suspension.  
3rd offense – Ten days suspension and possible recommendation for long-term suspension.



**Expectation 17 – Damage to School Property Exceeding \$1,000**

Cleveland County Schools encourages respect for the property of the school and/or school system. Students involved in intentionally damaging or vandalizing, attempting to damage or vandalize, or defacing school property or private property while under school jurisdiction shall be responsible for the cost of replacement, repair, or restoration of the property. Along with the financial responsibility assumed with the damage, students shall also be subject to the following consequences and possible criminal charges.

1st offense – Up to ten days school suspension, payment of the cost of replacement, repair, or restoration of the property, and possible recommendation for long-term suspension.

**Expectation 18 – Disruption of School (Major Disruptions)**

To fulfill the mission of Cleveland County Schools and to effectively teach all of our students in the best learning environment possible, it is essential that our schools be free from unnecessary disruptions, obstructions, or interference.

With this in mind, students will be expected to respect themselves, others, property, and the teaching and learning process. Student behavior that involves aggressive resistance, extreme noise, threat, fear, intimidation, coercion, force, violence, or any other form of conduct that significantly disrupts any school function, mission or process is in violation of this expectation.

1st offense – Up to ten days suspension and possible recommendation for long-term suspension.  
2nd offense – Ten days suspension and possible recommendation for long-term suspension.

**Expectation 19 – Fire Alarms**

Cleveland County Schools promotes a safe and orderly learning environment for all students. Setting off, attempting to set off, or aiding and abetting anyone in setting off a fire alarm is strictly prohibited. Also prohibited is interfering with or damaging any part of a fire alarm, fire or smoke detection device, or fire extinguishing system.

**Expectation 20 – Fireworks, Ammunition**

Cleveland County Schools is committed to providing a safe environment for students, staff, and visitors. Possessing, distributing, igniting or using any fireworks or ammunition on school property, in any school vehicle, or at any school sponsored activity or event is strictly prohibited.

1st offense – Up to ten days suspension and possible recommendation for long term suspension.  
2nd offense – Ten days suspension and possible recommendation for long-term suspension.

**Expectation 21 – Gang Activity**

Students enrolled in Cleveland County Schools are expected to engage in positive peer relationships. Students shall not participate in, lead, or encourage others to participate in a gang, gang activity or gang behavior. A gang is defined as any ongoing group, organization or association, whether formal or informal, having as one of its primary purposes or activities the commission of criminal acts and having a common name, identifying sign, colors, symbols, tattoos, attire or other distinguishing characteristics.

1st offense – Up to five days school suspension.  
2nd offense – Up to ten days suspension.  
3rd offense – Up to ten days suspension and possible recommendation for long-term suspension.

Before being suspended for a first offense of wearing gang-related attire, a student may receive a warning and be allowed to change or remove the attire if the school administration determines that the student did not intend the attire to show gang affiliation.

**Expectation 22 – Hazing**

Students enrolled in Cleveland County Schools shall be free from physical injury, verbal abuse, or psychological damage as part of an initiation or as a condition of membership in any school group, function or organization. Students who engage in or encourage others to engage in hazing shall be subject to disciplinary action and possible criminal prosecution.

- 1st offense – Up to five days school suspension.
- 2nd offense – Up to ten days suspension.
- 3rd offense – Ten days suspension and possible recommendation for long-term suspension.

**\*Expectation 23 – Possession of Weapons other than Firearms**

Students enrolled in Cleveland County Schools should expect to attend school in an environment free from all weapons. Students shall not possess, handle, transmit, or bring on to school property any items including, but not limited to, knife, BB gun, air rifle, air pistol, sling shot, blackjack, metal knuckles, bludgeon, bowie knife, switchblade, dirk, dagger, leaded cane, stun gun or other electronic shock weapon, pepper spray, razors and razor blades, or any sharp-pointed or edged instrument, or facsimile or other item that could be considered a weapon or dangerous instrument. This policy does not apply to instructional supplies, unaltered nail files and clips, or tools used solely for preparation of food, instruction, or maintenance.

See Expectation 33 for violations involving firearms or destructive devices.

- 1st offense – Up to ten days suspension and possible recommendation for long term suspension.
- 2nd offense – Ten days suspension and possible recommendation for long-term suspension.

**\*Expectation 24 – Possession of Drugs or Alcohol**

Cleveland County Schools believes that all schools should be free from drugs and alcohol. Students enrolled in CCS shall not possess, use 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 drugs or unauthorized prescription drug, or possess or use any other chemicals or products with the intention of bringing about a state of exhilaration, euphoria, or of otherwise altering the student's mood or behavior. Selling, distributing, possessing with the intent to distribute or sell, or conspiring or attempting to sell or distribute are Level C offenses.

- 1st offense – Ten days suspension. This suspension may be reduced in half with the student's participation in an approved drug assessment program and the student and parent's participation in an approved drug program.
- 2nd offense – Ten days suspension and possible recommendation for long-term suspension.

**Expectation 25 – Sexual Harassment**

Students enrolled in Cleveland County Schools are expected to respect the worth and dignity of all students. Sexual harassment includes but is not limited to deliberate and unwelcome touching, unwelcome sexual advances, requests for sexual favors or pressure for sexual activity, and sexual or degrading words used toward an individual. Students must comply with policies 4015 and 4021, Sexual Harassment.

- 1st offense – Up to ten days suspension and possible recommendation for long-term suspension.
- 2<sup>nd</sup> offense – Ten days suspension and possible recommendation for long-term suspension.

**Expectation 26 – Threats (towards staff/serious threats towards students)**

Cleveland County Schools promotes an environment that is safe and secure for all students, staff, and school personnel. Students, staff, and school volunteers should be able to carry out their responsibilities free from any threatening act. This safe environment is extended



to the entire school campus, school vehicles, and school functions. Students enrolled in CCS shall not communicate threats of death or serious bodily injury toward any student, school employee or school volunteer. This includes threats made verbally, in writing, or in any other form of communication.

1st offense – Up to ten days and possible recommendation for long-term suspension.  
2nd offense – Ten days suspension and possible recommendation for long-term suspension.

### **Expectation 27 – Verbal Abuse of Staff**

All employees and volunteers in Cleveland County Schools should be able to perform their duties and work in an environment free from verbal, written, or communicated abuse. Participation in serious and/or persistent verbal or written conduct that prevents an orderly and peaceful learning and teaching environment is prohibited. Students shall not direct insulting, abusive, profane, or obscene words towards employees or volunteers.

1st offense – Up to five days suspension.  
2nd offense – Up to ten days suspension and possible recommendation for long-term suspension.  
3rd offense – Ten days suspension and possible recommendation for long-term suspension.

### **“C” Level Offenses**

The following conduct is prohibited as outlined below:

#### **\*Expectation 28 – Arson**

Burning or attempting to burn any school building or property. Possessing incendiary material including, but not limited to, gasoline, kerosene, or other flammable liquid for the purpose of burning or the attempted burning of school property.

Offense – Ten day suspension and possible recommendation for long-term suspension.

#### **\*Expectation 29 – Distribution of Drugs or Alcohol**

Distributing, selling, possessing with intent to distribute or sell, or conspiring or attempting to distribute or sell 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 drugs or unauthorized prescription drug, or other chemicals or products with the intention of bringing about a state of exhilaration, euphoria, or of otherwise altering the student's mood or behavior.

Offense – Ten day suspension and possible recommendation for long-term suspension.

#### **\*Expectation 30 – Sexual Assault**

Offensively or forcibly touching another person's private parts, including buttocks or breasts, or forcing or attempting to force another to engage in a sexual act against his or her will.

Offense – Ten day suspension and possible recommendation for long-term suspension.

**\*Expectation 31 – Sexual Acts**

Engaging in any consensual sexual act while on school property or at a school-sponsored activity or event.

Offense – Ten day suspension and possible recommendation for long-term suspension.

**\*Expectation 32 – Use of a Weapon**

Using in a threatening or dangerous manner any weapon or other object that can reasonably be considered a weapon or a facsimile of a weapon.

Offense – Ten day suspension and possible recommendation for long-term suspension.

**\*Expectation 33 – Possession or Use of a Firearm**

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.

Offense – recommendation for a 365 calendar day suspension. This required suspension may be modified by the Superintendent in accordance with G.S. 115C-390.10. The superintendent shall 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 a school employee and had no intent to use such firearm or destructive device in a harmful or threatening way.

**\*Expectation 34 – Bomb Threat or Hoax**

(a) Communicating by any means to any person or group of persons, a report, knowing or having reason to know the report is false, that there is located on educational property or at a school-sponsored curricular or extracurricular activity off educational property an explosive device or any device, substance or material designed to cause harmful or life-threatening illness or injury to another person; or

(b) With intent to perpetrate a hoax, concealing, placing, or displaying a device, machine, instrument, or artifact on educational property or at a school-sponsored curricular or extracurricular activity off educational property, so as to cause any person reasonably to believe the same to be a bomb or other device capable of causing injury to persons or property.

**\*Expectation 35 – Assault on a Student**

No student may cause or attempt to cause serious physical injury to another student or intentionally behave in such a manner as could reasonably cause serious physical injury to any student. For the purposes of this policy “serious physical injury” shall refer to any significant or aggravated bodily injury, including but not limited to broken bone(s), loss or chipping of teeth, loss or impairment of vision, loss of consciousness, internal injuries, scarring or other disfigurement, significant bleeding, lacerations resulting in sutures, significant bruising, severe or prolonged pain, any injury requiring hospitalization for any period of time, and/or any injury resulting in medical treatment beyond simple first aid procedures.

Offense – Ten day suspension and possible recommendation for long-term suspension.

**\*Expectation 36 – Assaults on Teachers or Other School Personnel**

Causing or attempting to cause bodily harm to a teacher, school personnel, volunteer or other adult who is not a student.

Offense – Ten day suspension and possible recommendation for long-term suspension.

**\*Indicates Reportable Offense as defined by G.S. 115C-288.**

**Notice to parents for students who are expelled or suspended for more than 10 school days:**

If a student is expelled or suspended for more than ten (10) school days, the superintendent or designee shall give notice to the student's parent/guardian of the student's procedural and appeal rights. Notice shall be in plain language and shall be easily understandable. If English is the second language of the parent or guardian, the notice shall be written in the parent's or guardian's first language when the appropriate foreign language resources are readily available. The notice also shall be provided in English. The notice shall identify the information to be included in the student's official record and the procedure for expunging the information.

**Legal Reference: G.S. 115C-390.1 – 390.12, -398; G.S. 14-35, -269.2; Gun Free Schools Act of 1994**

**Adopted: July 6, 2009**

**Revised**

# 4 School Board Policies

**Attendance**

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

To be counted present a student must be in attendance at least one-half of the student school day. This shall include attendance at official school activities at a place other than school with the approval of the principal.

Daily Attendance: To be counted present, a student must be in attendance at least one-half of the student's school day. This includes attendance at official school activities at a place other than school, with the approval of the principal or designee.

Class Attendance: To be counted present, a student must be in attendance at least one-half of the student's class period.

Students who arrive at school after the school day begins are to report to the office or other location designated by the principal.

**A. ATTENDANCE RECORDS**

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

**B. EXCUSED ABSENCES**

When a student must miss school, a written excuse signed by a parent or guardian must be presented to the student's teacher or attendance office within two (2) days of the student's return after an absence. When the absence results from a medical or dental appointment, written excuse should be presented with a doctor's signature or stamp and when possible, such appointments should be scheduled during non-school hours. Absences due to extended illnesses may also require a statement from a physician. When cumulative absences exceed ten (10) days, a statement from a physician is required to excuse an illness. However, students with documented chronic or serious acute health problems will be exempt from this requirement for excused absences resulting from the health problems. Failure to submit a written excuse will result in the absence being coded unexcused.

**An absence may be excused for any of the following reasons:**

1. personal illness or injury that makes the student physically unable to attend school;
2. isolation ordered by the Cleveland County Health Department or State Board of Health;
3. death in the immediate family (The immediate family of a student includes but is not necessarily limited to grandparents, parents, and siblings);
4. medical or dental appointment;
5. participation under subpoena as a witness in a court proceeding;
6. a minimum of two days each academic year for observance of an event required or suggested by the religion of the student or the student's parent(s);
7. participation in a valid educational opportunity, such as travel or service as a legislative or Governor's page, with prior approval from the principal;
8. pregnancy and related conditions or parenting, when medically necessary; or
9. visitation with the student's parent or legal guardian, at the discretion of the Superintendent or designee, if the parent or legal guardian (a) is an active duty member of the uniformed services as defined by policy, and (b) has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting.

In the case of excused absences, short-term out-of-school suspensions, and absences under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school) the student will be permitted to make up his or her work. (Also see policies related to Immunization and Health Requirements for School Admission and Short-Term Suspension.) The teacher will determine when work is to be made up. The student or parent is responsible for finding out what assignments are due and completing them within the specified time period.

**C. SCHOOL-RELATED ACTIVITIES**

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

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

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

**D. EXCESSIVE ABSENCES**

Class attendance and participation are critical elements of the educational process and may be taken into account in assessing academic achievement. Students are expected to be at school on time and to be present at the scheduled starting time for each class. The principal or designee shall notify parents and take all other steps required by G.S. 115C-378 for excessive absences as follows:

1. After three (3) unexcused absences in the school year, the principal or designee shall notify the parent, guardian, or custodian by mail that these absences are unlawful.
2. The principal or designee shall send a written notice by mail to the parent, guardian, or custodian when a child has six (6) unexcused absences and may be in violation of the North Carolina Compulsory Attendance Law and may be prosecuted if the absences cannot

be justified as excused under the standards stated in the section entitled “Excused Absences” above. A copy of the notice also will be directed to the social worker, school attendance counselor, or other appropriate school personnel, who will work with the student and family to improve attendance.

3. After ten (10) accumulated unexcused absences in a school year, the principal or designee shall notify the parent/guardian or custodian by certified mail of the student’s excessive number of unexcused absences. The principal also shall review any reports or investigation prepared pursuant to G.S. 115C-381 and shall, if possible, confer with the student and the student’s parent/guardian or custodian to determine whether the parent/guardian or custodian received notification pursuant to the requirements of this policy and the Compulsory Attendance Law and made a good faith effort to comply with the law. If the principal determines that the parent/guardian or custodian has not made a good faith effort to comply with the law, the principal shall notify the district attorney and/or Cleveland County Director of Social Services. Where the parent/guardian or custodian has made a good faith effort, the principal may file a complaint with the juvenile court counselor pursuant to Ch. 7B of the General Statutes that the child is habitually absent from school without valid excuse.

For students experiencing homelessness, school officials must consider issues related to the student’s homelessness, such as a change of caregivers or nighttime residence, before taking disciplinary action or imposing other barriers to school attendance based on excessive absences or tardies. Excessive absences may impact eligibility for participation in interscholastic athletics.

**Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, et seq.; G.S. 115C-47, -84.2, -288(a), -375.5, -378 to -383, -390.2(d), -390.2(l), -390.5, -407.5; 130A-440; 16 N.C.A.C. 6E .0102, .0103; State Board of Education Policies ATND-000, -003, NCAC-6E.0104**

Adopted: February 11, 2019  
Replaces: Board policy 4000, Attendance

## **ATTENDANCE REGULATION**

### **DAILY & CLASS ATTENDANCE**

To be counted present for daily attendance purposes, a student must be in attendance at least one-half of the students’ school day. To be counted present for class attendance purposes, a student must be in attendance at least one-half of the student’s class period.

### **UNEXCUSED ABSENCES**

All absences for reasons other than those identified under the section entitled “Excused Absences” in policy will be deemed unexcused. An absence also will be deemed unexcused unless the student’s parent/guardian or custodian provides written documentation of the reason(s) for the absence to the principal’s designee within two (2) school days of the student’s return to school. A student who is suspended for misconduct will not be considered absent without excuse for the purposes of this policy, although such absences will be considered unexcused for the purpose of make-up work and co-curricular activity eligibility. However, students suspended for ten (10) days or less will have the opportunity to take any quarterly, semester or grading period examinations missed during the suspension period.

Three (3) unexcused tardies to school or unexcused early dismissals from school will constitute an unexcused absence.

### **MAKE-UP WORK**

When any absence occurs, whether excused or unexcused, the student is expected to make up missed work. Students are entitled to make up work from an excused absence without receiving penalties to their marks or grades. Each school shall determine whether teachers may assess a reasonable academic penalty for work that is late due to an unexcused absence.

High school and middle school students are responsible for securing and arranging make-up work from their teachers. Teachers shall help students accept this responsibility by providing information and assistance concerning missed assignments. In case of elementary students, the teacher will assign make up work where appropriate in the teacher’s discretion. The teacher will determine when work is to be made up.

Students may be permitted to make up absences in order to avoid retention or loss of credit due to excessive absences. Each school shall establish its own procedures for making up absences/work in core courses.

## **HOSPITAL/HOMEBOUND**

If a student is unable to attend school and is receiving hospital/homebound instruction from his/her home school, the student will not be counted absent for those days covered by the hospital/homebound instruction.

### **EXTRACURRICULAR ACTIVITIES**

No student who is absent from school may participate in any extracurricular, social, or athletic event held on the day of his/her absence.

### **EXCESSIVE ABSENCES**

Class attendance and participation are critical elements of the educational process and may be taken into account in assessing academic achievement. Excessive absences will have serious academic consequences and may result in class or grade-level failure. The principal shall develop a method of reviewing excessive absences at each school.

The IEP team shall be involved in any promotion or retention decision made under this policy for a child in the Exceptional Children's Program.

Decisions of the principal with regard to attendance, grade retention and/or denial of credit made pursuant to this policy may be appealed in accordance with the Student Grievance Procedures.

Elementary School - Elementary school students who are absent from school more than twenty (20) days for any reason shall receive no credit for the year of study and shall be retained in the same grade for the succeeding year except by a determination of the principal upon review of the student's record.

Intermediate School - Intermediate school students who are absent from school more than eighteen (18) days for any reason shall receive no credit for the year of study and shall be retained in the same grade for the succeeding year except by a determination of the principal upon review of the student's record.

Middle School – Middle school students who are absent from school more than sixteen (16) days for any reason shall receive no credit for the year of study and shall be retained in the same grade for the succeeding year except by a determination of the principal upon review of the student's record.

High School – High school students who are absent from school more than six (6) days during a semester long class or twelve (12) days in a year-long course, will lose the opportunity to receive credit for the course. The student shall receive a grade of FF unless the student's academic average for that course is failing, in which case, the actual failing grade shall be assigned.

Middle School and High School - No student is eligible to go on any field trip or school sponsored activity that results in a loss of class time without prior permission of the principal or designee when the student has reached the maximum number of class absences.

Adopted: February 11, 2019  
Replaces: Board policy 4000, Attendance (in part)

**Board Policy 1310/4002**

### **Parent Involvement Policy**

The Cleveland County Board of Education (the "Board") recognizes the critical role of parents in the education of their children and in the schools. The Board directs school administrators to develop programs that will promote and support parental involvement in student learning and achievement at school and at home and encourage successful progress toward graduation. Each parent is encouraged to learn about the educational program, the educational goals and objectives of the school system, and his or her own child's progress. The Board also encourages parents to participate in activities designed by school personnel to involve them, such as parent conferences, in order to encourage effective communication.

The Board directs each principal or designee to develop a parental involvement plan as a part of the school improvement plan. This plan must include, at a minimum, efforts that meet the requirements established in this policy. In addition, the plan must include ways to enhance parental involvement in the following areas:

1. meaningful two-way communication between home and school;
2. promotion of responsible parenting;
3. involvement of parents and guardians in student learning;



4. promotion of volunteering;
5. involvement of parents and guardians in school decisions that affect children and families;
6. training for parents on school related topics;
7. community collaboration; and
8. promotion of student health awareness.

This policy applies to the parents, legal guardians, and legal custodians of students who are under 18 years old and are not married.

#### A. PARENT COMMUNICATION AND CONFERENCES

The Board encourages school personnel to have regular contact with parents for commendation as well as for notification of concerns. Principals or designees shall plan for periodic communication with parents. Teachers are responsible for scheduling conferences with parents.

The principal or designee shall provide the parent of each student in kindergarten, first, or second grade with written notification of the student's reading progress. The notice will be provided three times a year, following each benchmark assessment and will include: (1) assessment results, (2) whether the child may not reach reading proficiency by the end of third grade; and (3) instructional support activities for use at home.

The Board encourages the Superintendent to work with local business leaders, including the local chambers of commerce, to encourage employers to adopt as part of their stated personnel policies time for employees who are parents or guardians to attend conferences with their child's teachers.

#### B. PARENTAL NOTIFICATION

Each principal or designee of a Title I school shall effectively notify parents of all parental rights and other required information regarding Title I schools and programs, in accordance with federal law. Parents of students in Title I schools shall receive a copy of the system-wide Title I parent involvement policy and the school-wide parent involvement plan.

In addition, annually every building principal or designee shall effectively notify parents of the following:

1. parental rights related to student records;
2. parental rights related to student surveys;
3. the approximate dates of any non-emergency, invasive physical examination or screening that is: (a) required as a condition of attendance, (b) administered and scheduled in advance by the school administration, and (c) not necessary to protect the immediate health and safety of students;
4. the schedule of pesticide use on school property and their right to request notification of nonscheduled pesticide use;
5. student behavior policies, the Code of Student Conduct, and school standards and rules;
6. the permissible use of seclusion and restraint in the schools;
7. policy 1720/4015/7225, Discrimination, Harassment, and Bullying Complaint Procedure;
8. policy 1740/4010, Student and Parent Grievance Procedure;
9. the dates of the system-wide and state-mandated tests that students will be required to take during that school year, how the results from the tests will be used and the consequences thereof, and whether each test is required by the State Board of Education or by the local Board;
10. grading practices that will be followed at the school and, for parents of high school students, the method of computing the grade point averages that will be used for determining class rank;
11. available opportunities and the enrollment process for students to take advanced courses and information explaining the value of taking advanced courses;
12. a clear and concise explanation of the North Carolina testing and accountability system that includes all information required by federal law;
13. a report containing information about the school system and each school, including, but not limited to:
  - a. the following information both in the aggregate and disaggregated by category: student achievement, graduation rates, performance on other school quality and/or student success indicators, the progress of students toward meeting long-term goals established by the state, student performance on measures of school climate and safety, and, as available, the rate of enrollment in post-secondary education;
  - b. the performance of the school system on academic assessments as compared to the state as a whole and the performance of each school on academic assessments as compared to the state and school system as a whole;
  - c. the percentage and number of students who are:
    - i. assessed,

- ii. assessed using alternate assessments,
    - iii. involved in preschool and accelerated coursework programs, and
    - iv. English learners achieving proficiency;
  - d. the per pupil expenditures of federal, state, and local funds; and
  - e. teacher qualifications.
14. the grade awarded to the school on the most recent annual report card issued for it by the State Board of Education if the school received a grade of D or F;
  15. supportive services available to students, including guidance, counseling and health services;
  16. information about meningococcal meningitis and influenza, including the causes, symptoms, and vaccines, how the diseases are spread, and places where parents and guardians may obtain additional information and vaccinations for their children;
  17. for parents of students in grades 5 through 12, information about cervical cancer, cervical dysplasia, and human papillomavirus, including the causes and symptoms of these diseases, how they are transmitted, how they may be prevented by vaccination, including the benefits and possible side effects of vaccination, and places parents and guardians may obtain additional information and vaccinations for their children;
  18. information about and an application form for free and reduced price meals and/or free milk;
  19. information about the school breakfast program;
  20. information about the availability and location of free summer food service program meals for students when school is not in session;
  21. for parents of children with disabilities, procedural safeguards;
  22. information on the availability of the asbestos management plan and planned or in-progress inspections, re-inspections, response actions, and post-response actions, including periodic re-inspection and surveillance activities;
  23. education rights of homeless students;
  24. the content and implementation of the local school wellness policy;
  25. their right to take four hours of unpaid leave from their jobs every year in order to volunteer in their child's school as stated in G.S. 95-28.;
  26. that the school system does not discriminate on the basis of race, color, national origin, sex, disability, or age;
  27. that the school system provides equal access to its facilities, programs and activities to the Boy Scouts and other designated youth groups; and
  28. the availability of and the process for requesting a waiver or reduction of student fees.

#### C. OPPORTUNITIES TO WITHHOLD CONSENT/OPT OUT

As a part of the annual notification described above, parents will be effectively notified that they may opt out of any of the following:

1. release of student directory information about their child for school purposes or to outside organizations;
2. release of their child's name, address, and telephone listing to military recruiters or institutions of higher education;
3. their child's participation in curricula related to (a) prevention of sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS); (b) avoidance of out-of-wedlock pregnancy; or (c) reproductive health and safety education, as provided in policy 3540, Comprehensive Health Education Program. A copy of the materials that will be used in these curricula will be available in the school media center during the school year and at other times that the media center is available to the public. To meet any review periods required by law, materials also may be made available for review in the central office;
4. their child's participation in academic or career guidance or personal or social counseling services of a generic nature offered to groups of students (e.g., peer relations strategies offered to all sixth graders). However, parental notification and permission are not required for: (a) short-duration academic, career, personal, or social guidance and counseling and crisis intervention that is needed to maintain order, discipline, or a productive learning environment; (b) student-initiated individual or group counseling targeted at a student's specific concerns or needs; and (c) counseling if child abuse or neglect is suspected;
5. their child's participation in non-Department of Education-funded surveys concerning protected topics;
6. their child's participation in any non-emergency, invasive physical examination or screening that is: (a) required as a condition of attendance; (b) administered and scheduled in advance by the school administration; and (c) not necessary to protect the immediate health and safety of students;
7. the collection, disclosure, or use of their child's personal information for marketing purposes; and
8. release of their child's free and reduced-price meal information to State Medicaid or State children's health insurance program (SCHIP).

Any parent or legal guardian who wishes to opt out/withhold consent must do so in writing after receiving notice. Otherwise, consent to the programs or activities is presumed. After the annual notification, the school is not required to provide further notice to the parent



or legal guardian as to the manner in which student directory information is used, the curriculum is provided, or guidance programs are made available.

#### D. PARENTAL PERMISSION REQUIRED

Written parental permission is required prior to the following activities:

1. the administration of medications to students by employees of the school system;
2. the release of student records that are not considered directory information, unless the release is allowed or required by law;
3. off-campus trips;
4. students' participation in sports or extracurricular activities;
5. all decisions or actions as required by the IDEA with regard to providing special education or related services to students with disabilities;
6. certain health services, as required by law;
7. participation in a mental health assessment or mental health services under circumstances prescribed by federal law;
8. students' participation in programs or services that provide information about where to obtain contraceptives or abortion referral services;
9. students' participation in surveys funded by the Department of Education that are conducted concerning protected topics;
10. disclosure of students' free and reduced price lunch eligibility information or eligibility status;
11. students' independent access to the Internet.

Legal References: Elementary and Secondary Education Act, as amended, 20 U.S.C. 6301 et seq., 34 C.F.R. pt. 200; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, 34 C.F.R. pt. 99; Protection of Pupil Rights Amendment, 20 U.S.C. 1232h, 34 C.F.R. pt. 98; Individuals with Disabilities Education Act, 20 U.S.C. 1400, et seq.; Asbestos Hazard Emergency Response Act, 15 U.S.C. 2641, et seq.; McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, et seq.; 42 U.S.C. 1758, 7 C.F.R. pt. 245; 42 U.S.C. 1758b; National School Lunch Program, 42 U.S.C. 1751 et seq., 7 C.F.R. 210.12; Boy Scouts of America Equal Access Act, 20 U.S.C. 7905, 34 C.F.R. 108.9; 20 U.S.C. 7908; G.S. 90-21.1; 95-28.3; 115C-47(47), -47(51), -47(54), -47(58), -81(e1), -105.41, -109.1, -174.26(d), -307(c), -375.4, -390.2, -391.1, -407.16; State Board of Education Policies FCB-A-000, GCS-A-001, GCS-J-002

Adopted: January 10, 2017

Revised: November 6, 2017

### Board Policy 4320

#### Drugs, Alcohol, Tobacco, Vaporizers, and Other Electronic Smoking Devices

The Cleveland County Board of Education (the "Board") is committed to creating safe, orderly, clean, and inviting schools for all students and staff. To this end, the Board supports state laws that prohibit the sale or distribution of unauthorized or illegal drugs, alcohol and tobacco products to minors and that prohibit the use of such products by minors.

#### A. DRUGS AND ALCOHOL

Unauthorized or illegal drugs and alcohol are a threat to safe and orderly schools and will not be tolerated. Students are prohibited from possessing, using, transmitting, selling, or being under the influence of any of the following substances:

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

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

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

The principal must report to the appropriate law enforcement agency any student who has used or possessed prohibited substances in violation of this section.

## **B. TOBACCO, VAPORIZERS AND OTHER ELECTRONIC SMOKING DEVICES**

The Board also supports state and federal laws that prohibit the use of tobacco products in school buildings, on school campuses, and in or on any other school property owned or operated by the school Board. For the purposes of this policy, the term “tobacco product” means any product that contains or that is made or derived from tobacco and is intended for human consumption, including all lighted and smokeless tobacco products, as well as electronic cigarettes, vaporizers, and other electronic smoking devices even if they do not contain tobacco or nicotine.

In support of the Board’s commitments and state and federal law, students are prohibited from using or possessing any tobacco product, vaporizer and other electronic smoking devices (1) in any school building, on any school campus, and in or on any other school property owned or operated by the school Board, including school vehicles; (2) at any school-related activity, including athletic events; or (3) at any time when the student is subject to the supervision of school personnel, including during school trips. Upon principal approval, nothing in this policy prohibits the use or possession of tobacco products for an instructional or research activity conducted in a school building, provided that the activity is conducted or supervised by a faculty member and that the activity does not include smoking, chewing, or otherwise ingesting tobacco.

## **C. CONSEQUENCES**

The disciplinary consequences for violations of this policy shall be consistent with Board policy. The Superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy.

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

## **D. SERVICES FOR STUDENTS**

The administration may consult with the county health department and other appropriate organizations to provide students with information and access to support systems and programs to encourage students to abstain from the use of tobacco products, vaporizers and other electronic smoking devices. The school system may, from time to time, provide free non-smoking programs and services to its students. In addition, students in violation of section A of this policy may be referred to the appropriate alcohol or drug agency for assessment, which may include an outpatient or inpatient program.

## **E. NOTICE**

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

**Legal References: Pro-Children Act of 1994, 20 U.S.C. 6081 et seq.; 21 U.S.C. 321 (rr); 21 C.F.R. 1100 et seq.; G.S. 14-313; 115C-47, -288, -307, -390.2, -407**

Adopted: February 11, 2019

Replaces: Board policy 2510, Tobacco-Free Schools (in part)

## **Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)**

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

## **A. PROTECTED TOPICS**

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

1. political affiliations or beliefs of the student or the student’s parent;
2. mental or psychological problems of the student or the student’s family;
3. sex behavior and attitudes;

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

Upon request, parents have the right to review any survey that concerns one of the protected topics or any instructional materials used in any such survey. The school system will take measures to protect the identification and privacy of students participating in any survey concerning any of the protected topics. These measures may include limiting access to completed surveys and to survey results, as allowed by law.

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

## **B. COLLECTION OF STUDENT DATA FOR MARKETING PURPOSES**

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

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

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

## **C. PARENT INVOLVEMENT**

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

**Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, h, 34 C.F.R. pt. 99; G.S. 115C-36**

Adopted: April 8, 2019

Replaces: Board policy 2400, Student Participation in Surveys and Research Studies and Board policy 4110, Collection, Disclosure and Use of Student Information

*Parents who believe their rights have been violated may file a complaint with:*

**Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920**

**AUTHORITY OF SCHOOL PERSONNEL****Board Policy 4301**

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

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

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

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

Except as restricted by G.S. 115C-391.1, school personnel may use appropriate seclusion and restraint techniques reasonably needed in the circumstances described above as long as such use is consistent with state law and applicable Board policies and procedures. The Board prohibits the administration of corporal punishment for student discipline.

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

**Legal References: G.S. 115C-47, -288, -307, -390.3, -391.1**

**Adopted: December 14, 2018**

Replaces: Board policy 4210, Student Discipline, 4240, Corporal Punishment and Reasonable Force, and 4245, Use of Seclusion and Restraint

**Notice to Parents and Eligible Students**

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that Cleveland County Schools, with certain exceptions, obtain the written consent of parents or eligible students (students who have reached age 18) before disclosing personally identifiable information from the student's education records.

Cleveland County Schools may disclose appropriately designated "directory information" without written consent unless parents or eligible students have advised the school district to the contrary in accordance with district procedures. (Cleveland County Schools' Policy 4100). The primary purpose of directory information is to allow Cleveland County Schools to include this type of information from a student's education records in certain school publications. Examples include:

- The yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports programs and activity sheets

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, also can be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. Parents or eligible students who do not want Cleveland County Schools to disclose directory information without prior written consent must notify in writing the principal of the school the student attends by September 30. Cleveland County Schools has designated the following as directory information:

- Student's name, age
- Names of student's parents or guardians
- School student attends or most recently attended
- Dates of attendance
- Date of graduation
- Degrees, honors and awards received
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams

In addition, federal laws require schools to provide military recruiters and institutions of higher education upon request with student names, addresses and telephone listings - unless parents or eligible students have advised the district that they do not want this information disclosed without their prior written consent. Parents or eligible students who do not want this information released should notify in writing the principal of the school the student attends by September 30. If such a request is made, the school shall comply and will not release the name, address and telephone listing of the student without prior written consent.

### **Notification of Rights under FERPA**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who have reached 18 years of age (eligible students) certain rights with respect to the student's education records:

- (1) The right to inspect and review the student's education records within 45 days of the day the school receives a request for access.

Parents or eligible students should submit to the school principal or counselor a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. (Cleveland County Schools' Policy 4100).

- (2) The right to request an amendment of the student's education records they believe are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who ask to amend a record should write the Superintendent or designee and clearly identify the part of the record they want changed and specify why it should be changed. If the Superintendent or designee decides not to amend the record as requested, the parent or eligible student will be notified in writing of the decision and advised of their right to a hearing. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- (3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement personnel); a person serving on the school board; a person or company with whom the school has contracted as its agent to provide a service instead of using its own employees or officials (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

- (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

**Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5920**

**Prohibition Against discrimination, Harassment, and Bullying**

The Cleveland County Board of Education (the “Board”) acknowledges the dignity and worth of all students and employees and strives to create a safe, orderly, caring, and inviting school environment to facilitate student learning and achievement. The Board prohibits discrimination on the basis of race, color, national origin, sex, sexual orientation, disability, or age and will provide equal access to designated youth groups as required by law. Any form of unlawful discrimination, harassment, or bullying in any educational or employment activities or programs is against Board policy.

**A. PROHIBITED BEHAVIORS****1. Discrimination**

The Board prohibits all forms of unlawful discrimination. For purposes of this policy, discrimination means any act or failure to act that unreasonably and unfavorably differentiates treatment of others based solely on their membership in a socially distinct group or category, such as race, ethnicity, sex, sexual orientation, pregnancy, religion, age, or disability.

**2. Harassment and Bullying**

The Board prohibits all forms of unlawful harassment and bullying. For purposes of this policy, harassment or bullying behavior is any pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication that:

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

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

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

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

**3. Cyber-Bullying and Cyber-Harassment**

The Board prohibits cyber-bullying and cyber-harassment. Cyber-bullying and cyberharassment are any words, actions, or conduct that meet the definitions of bullying or harassing behavior described in this policy, and are conveyed via e-mail, text message, Internet message boards, interactions on social media, or other electronic media.

**4. Sexual Harassment**

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

- a. submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual’s employment, academic progress, or completion of a school-related activity;
- b. submission to or rejection of such conduct is used as the basis for employment decisions affecting the individual, or in the case of a student, submission to or rejection of such conduct is used in evaluating the student’s performance within a course of study or other school-related activity; or



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

Sexually harassing conduct may include, but is not limited to, deliberate, unwelcome touching that has sexual connotations or is of a sexual nature, suggestions or demands for sexual involvement accompanied by implied or overt promises of preferential treatment or threats, pressure for sexual activity, continued or repeated offensive sexual flirtations, advances or propositions, continued or repeated verbal remarks about an individual's body, sexually degrading words used toward an individual or to describe an individual, sexual assault, sexual violence, or the display of sexually suggestive drawings, objects, pictures, or written materials.

Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex, but not involving sexual activity or language, may be combined with incidents of sexually harassing conduct to determine if the incidents of sexually harassing conduct are sufficiently serious to create a sexually hostile environment.

Sexual harassment does not include personal compliments welcomed by the recipient or social interactions or relations freely entered into by an employee or prospective employee or appropriate social interactions between students that do not violate the Student Code of Conduct. In the case of consensual relations between students, there may be reason to question the consensual nature of the conduct if one or both of the students are very young or there is a large age disparity between the students. It is possible for sexual harassment to occur at various levels: between peers or coworkers, between supervisors and subordinates, between employees and students, between students, or imposed by non-employees on employees and/or students. Sexual harassment may be committed by members of the same sex or by members of the opposite sex. Romantic or sexual advances toward students by employees or romantic or sexual relationships between school system employees and students are never appropriate, whether they are consensual or otherwise outside the definition of sexual harassment. Such relationships are prohibited. Employees engaging in inappropriate relationships with students will be subject to disciplinary action, up to and including dismissal.

## 5. Gender-Based Harassment

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

## 6. Retaliation

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

## B. APPLICATION OF POLICY

This policy applies to students, employees, volunteers, and visitors. "Visitors" includes persons, agencies, vendors, contractors, and organizations doing business with or performing services for the school system.

This policy applies to behavior that takes place:

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

This policy shall not be construed to allow school officials to punish student expression or speech based on an undifferentiated fear or apprehension of a disturbance or out of a desire to avoid the discomfort and unpleasantness that may accompany an unpopular viewpoint.

## C. REPORTING AND INVESTIGATING COMPLAINTS OF DISCRIMINATION, HARASSMENT, OR BULLYING

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

of the school officials identified in that policy. Reports may be made anonymously, and all reports shall be investigated in accordance with that policy.

#### **D. CONSEQUENCES**

Any violation of this policy is serious and shall result in prompt and appropriate action. Students who violate this policy will be disciplined in accordance with applicable policies and procedures governing student conduct and discipline. Based on the nature and severity of the offense and the circumstances surrounding the incident, the student will be subject to appropriate consequences and/or remedial actions ranging from positive behavioral interventions up to, and including, expulsion.

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

The actions taken in response to harassment or bullying behavior shall be reasonably calculated to end any harassment or bullying, eliminate a hostile environment if one has been created, and prevent harassment from occurring again. When considering if a response beyond the individual level is appropriate, school administrators should consider the nature and severity of the misconduct to determine whether a classroom, school-wide, or school system-wide response is necessary. Such classroom, school-wide, or school system-wide responses may include staff training, harassment and bullying prevention programs, and/or other measures deemed appropriate by the Superintendent or designee.

Nothing in this policy precludes the school system from taking disciplinary action against a student or employee where the evidence does not establish discrimination, harassment, or bullying but the conduct otherwise violates the Code of Conduct.

#### **E. TRAINING AND PROGRAMS**

The Board directs the Superintendent to establish training and other programs that are designed to help eliminate unlawful discrimination, harassment, and bullying and to foster an environment of understanding and respect for all members of the school community. The training or programs should (1) provide examples of behavior that constitutes discrimination, harassment, or bullying; (2) teach employees to identify groups that may be the target of discrimination, harassment, or bullying; and (3) train school employees to be alert to locations where such behavior may occur, including locations within school buildings, at school bus stops, on cell phones, and on the Internet. Information about this policy and the related complaint procedure must be included in the training plan.

As funds are available, the Superintendent is also authorized to provide additional training for students, employees, and volunteers who have significant contact with students regarding the Board's efforts to address discrimination, harassment, and bullying and will create programs to address these issues.

#### **F. NOTICE**

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

#### **G. COORDINATORS**

The Superintendent shall appoint one or more individuals to coordinate the school system's efforts to comply with and carry out its responsibilities under federal non-discrimination laws. These responsibilities include investigating complaints communicated to school officials alleging noncompliance with Title VI or Title IX of the Civil Rights Act, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA), the Age Discrimination Act, and/or the Boy Scouts Act, or alleging actions which would be prohibited by those laws. The names, titles, and contact information for these individuals will be posted on the district's website and otherwise made publicly available.

#### **H. RECORDS AND REPORTING**

The Superintendent or designee shall maintain confidential records of complaints or reports of discrimination, harassment, or bullying. The records must identify the names of all individuals accused of such offenses and the resolution of such complaints or reports. The

Superintendent or designee also shall maintain records of training conducted and corrective action(s) or other steps taken by the school system to provide an environment free of discrimination, harassment, and bullying.

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

## **I. EVALUATION**

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

Legal References: Age Discrimination in Employment Act of 1967, 29 U.S.C. 621 et seq., 34 C.F.R. pt. 110; Americans with Disabilities Act, 42 U.S.C. 12101 et seq., 28 C.F.R. pt. 35; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., 34 C.F.R. pt. 100; Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e et seq., 29 C.F.R. pt. 1604; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 et seq., 34 C.F.R. pt. 106; Boy Scouts of America Equal Access Act, 20 U.S.C. 7905, 34 C.F.R. pt. 108; Racial Incidents and Harassment Against Students at Educational Institutions; Investigative Guidance, U.S. Department of Education, Office for Civil Rights (1994); Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, U.S. Department of Education, Office for Civil Rights (2001); Notice of NonDiscrimination, U.S. Department of Education, Office for Civil Rights (2010); Dear Colleague Letter, U.S. Department of Education, Office for Civil Rights, (October 26, 2010), available at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf>; Dear Colleague Letter, U.S. Department of Education, Office for Civil Rights, (April 4, 2011) available at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.pdf>; *Oncale v. Sundowner Offshore Services*, 523 U.S. 75 (1998); G.S. 115C-335.5, -407.15 through -407.18; 126-16; State Board of Education Policy HRS-A-000

Adopted: February 13, 2017

Inquiries regarding compliance with Title IX may be directed to the Title IX Coordinator or to OCR. The Title IX Coordinator is the assistant superintendent or his/her designee and may be reached at:

**Ronny Funderburke**  
Title IX Coordinator  
Cleveland County Schools  
400 West Marion Street  
Shelby, NC 28150  
Telephone: 704/476-8000  
Fax: 704/476-8300

OCR may be reached at the:

**District of Columbia Office  
Office for Civil Rights**

United States Department of Education  
1100 Pennsylvania Ave., N.W.,  
Room 316  
Post Office Box 14620  
Washington, D.C. 20044-4620

Telephone: 202/208-2545  
Fax: 202/208-7797;  
TDD: 202/208-7741  
Email: [OCR\\_DC@ed.gov](mailto:OCR_DC@ed.gov)

Grievances or complaints regarding this policy may be addressed in accordance with the employee grievance policy. Grievances regarding alleged sexual harassment may be raised according to the procedures outlined in the sexual harassment policy.

This policy shall be included in the school system's parent/student handbook and in staff handbooks prepared at each school.

**LEGAL REF: Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. § 1681, et seq.; 34 C.F.R. Part 106.**

**ADOPTED: May 22, 2006**

## Parental Inspection of and objection to Instructional Materials

Parents may have concerns about instructional materials used in the school system. Thus, the Board provides opportunities for parents to review instructional materials and a process for parents to use when they object to instructional materials.

### A. PARENTAL RIGHT TO INSPECT MATERIALS

Parents have a right under federal law to inspect all instructional materials which will be used in connection with any survey, analysis, or evaluation as part of any applicable federally funded programs. Parents ordinarily also may review all other instructional materials following procedures provided by the school or Superintendent. The term “instructional materials” does not include academic tests or assessments. Some materials available through the Internet and used in individual classes to provide up-to-date information or information on current events may not be available for advance review; however, all materials used in reproductive health and safety education shall be available for review as provided in policy.

### B. PARENTAL OBJECTION TO MATERIALS & PROCEDURE FOR COMPLAINT

Despite the quality of the selection process, the care taken in the process, and the qualifications of persons selecting the resources, occasional objections to instructional materials may be made. The Cleveland County Board of Education supports principles of intellectual freedom inherent in the First Amendment to the Constitution of the United States and expressed in the Library Bill of Rights of the American Library Association and the Students’ Right to Read of the National Council of Teachers of English. Parents may present an objection to the principal regarding the use of particular instructional materials following the procedure listed below:

Procedure Following a Complaint If the complaint cannot be resolved informally with the principal, the following formal steps will be taken:

1. The principal or designee will provide the complainant with a copy of this policy and a Request for Reconsideration of Instructional Material form. This form must be filled out and returned to the school principal by the complainant before any consideration is given.
2. The principal shall keep challenged material in use during the review period and no material shall be withdrawn or made unavailable to students whose parents do not object as a result of any such request.
3. If the complainant seeks to excuse only his/her child from use of the challenged material, the principal shall make a decision based on consideration of the basis of the parent’s objection, the availability of curriculum alternatives, and the degree to which the requested change would significantly disrupt the educational program or place a substantial burden on instructional staff.
4. If the complainant is not satisfied with the decision of the principal and/or seeks to remove the challenged material from school use, the complainant may submit an appeal to the school-level Media and Technology Advisory Committee. The school-level Media and Technology Advisory Committee will:

- a. read, view or listen to the material in its entirety;
- b. survey reviews of the material in professional reviewing sources;
- c. determine the extent to which the material supports the curriculum and the selection criteria;
- d. weigh the merits against the alleged weaknesses, considering the whole item instead of isolated passages or portions; and
- e. provide a written report of the committee’s decision to the principal and the media supervisor;
- f. review the complainant’s objections to the challenged materials;
- g. use checklist for school Media and Technology Advisory Committee; and
- h. retain or withdraw the challenged item upon completion of this process.

The principal will notify the complainant in writing of the Media and Technology Advisory Committee’s decision. A copy of the report will be filed in the principal’s office.

If the complainant is not satisfied with the committee’s decision, he/she may file a Request for Review of Building-Level Recommendation with the school principal within fifteen (15) days of notification of the building-level decision.

Procedure Following a Challenge to a Building-Level Recommendation:

1. Upon receiving a completed Request for Review of Building-Level Recommendation, the principal shall inform the Superintendent that a formal complaint has been received.
2. The Board, upon notification from the Superintendent that a review of a building-level decision has been requested, may create a system level Media and Technology Advisory Reconsideration Committee if one does

not exist. The committee should consist of:

- a. the Superintendent or designee, who shall serve as the committee chair;
- b. the media supervisor;
- c. a media coordinator and/or teacher from each level of school within the system;
- d. a principal from each level of school within the system;
- e. a parent/community member from each level of school within the system;
- f. a parent from the school from which the challenge originates; and
- g. at least 1 high school student.

3. The Media and Technology Advisory Reconsideration Committee will re-examine all documentation from the original reconsideration decision and prepare a written report of the findings and recommendation directed to the Board. Specifically, the members of the committee will:

- a. review the report of the building-level committee;
- b. read, view, or listen to the material in its entirety;
- c. check general acceptance of the material by reading reviews and consulting recommended lists from reputable agencies;
- d. record and consider any statement or explanation requested of the complainant; and
- e. review the objections of the complainant as stated in the Request for Review of the building-level recommendation form.

4. The Board will decide whether to continue using the challenged material based upon the considerations outlined in this policy, the statement of findings by the Media and Technology Advisory Reconsideration Committee, and other legitimate educational factors.

5. The Board shall, at all times, have sole authority and discretion to determine whether a challenge has merit and whether challenged materials should be retained or removed.

The Superintendent or designee will include notice of the right to inspect and object to instructional materials set forth in this policy in the student/parent handbook distributed at the beginning of each school year.

Legal References: U.S. Const. amend. I; 20 U.S.C. 1232h; N.C. Const. art. I, § 14; Board of Educ. v. Pico, 457 U.S. 853 (1982); G.S. 115C art. 8 pt. 1; 115C-45, -47, -98, -101

Adopted: February 12, 2018

## **Board Policy 3225/4312/7320**

### **Technology Responsible Use**

The Cleveland County Board of Education (the “Board”) provides its students and staff access to a variety of technological resources. These resources provide opportunities to enhance learning and improve communication within the school community and with the larger global community. Through the school system’s technological resources, users can observe events as they occur around the world, interact with others on a variety of subjects, and acquire access to current and in-depth information.

The Board intends that students and employees benefit from these resources while remaining within the bounds of safe, legal, and responsible use. Accordingly, the Board establishes this policy to govern student and employee use of school system technological resources. This policy applies regardless of whether such use occurs on or off school system property, and it applies to all school system technological resources, including but not limited to computer networks and connections, the resources, tools, and learning environments made available by or on the networks, and all devices that connect to those networks.

#### **A. EXPECTATIONS FOR USE OF SCHOOL TECHNOLOGICAL RESOURCES**

The use of school system technological resources, including access to the Internet, is a privilege, not a right. Individual users of the school system’s technological resources are responsible for their behavior and communications when using those resources. Responsible use of school system technological resources is use that is ethical, respectful, academically honest, and supportive of student learning. Each user has the responsibility to respect others in the school community and on the Internet. Users are expected to abide by the generally accepted rules of network etiquette. General student and employee behavior standards, including those prescribed in applicable Board policies, the Code of Student Conduct, and other regulations and school rules, apply to use of the Internet and other school technological resources.

In addition, anyone who uses school system computers or electronic devices or who accesses the school network or the Internet using school system resources must comply with the additional rules for responsible use listed in Section B, below. These rules are intended to clarify expectations for conduct but should not be construed as all-inclusive.



Before using the Internet, all students will be educated about appropriate online behavior.

All students and employees must be informed annually of the requirements of this policy and the methods by which they may obtain a copy of this policy. Failure to adhere to these requirements will result in disciplinary action, including revocation of user privileges. Willful misuse may result in disciplinary action and/or criminal prosecution under applicable state and federal law.

## **B. RULES FOR USE OF SCHOOL TECHNOLOGICAL RESOURCES**

1. An Employee Acceptable Use Policy Agreement Form, developed by the school system, must be signed by the employee before access is permitted and an e-mail account is assigned. An employee's acceptance of the Agreement is considered condition of employment and refusal to sign may result in discipline up to and including dismissal.

2. School system technological resources are provided for school-related purposes only. Acceptable uses of such technological resources are limited to responsible, efficient, and legal activities that support learning and teaching. Use of school system technological resources for commercial gain or profit is prohibited. Student personal use of school system technological resources for amusement or entertainment is also prohibited. Because some incidental and occasional personal use by employees is inevitable, the Board permits infrequent and brief personal use by employees so long as it occurs on personal time, does not interfere with school system business, and is not otherwise prohibited by Board policy or procedure.

3. Under no circumstance may software purchased by the school system be copied for personal use.

4. Students and employees must comply with all applicable laws, including those relating to copyrights and trademarks, confidential information, and public records. Any use that violates state or federal law is strictly prohibited. Plagiarism of Internet resources will be treated in the same manner as any other incidents of plagiarism, as stated in the Code of Student Conduct.

5. No user of technological resources, including a person sending or receiving electronic communications, may engage in creating, intentionally viewing, accessing, downloading, storing, printing, or transmitting images, graphics (including still or moving pictures), sound files, text files, documents, messages, or other material that is obscene, defamatory, profane, pornographic, harassing, abusive, or considered to be harmful to minors.

6. The use of anonymous proxies to circumvent content filtering is prohibited.

7. Users may not install or use any Internet-based file sharing program designed to facilitate sharing of copyrighted material.

8. Users of technological resources may not send electronic communications fraudulently (i.e., by misrepresenting the identity of the sender).

9. Users must respect the privacy of others. When using e-mail, chat rooms, blogs, or other forms of electronic communication, students must not reveal personal identifying information or information that is private or confidential, such as the home address or telephone number, credit or checking account information, or social security number of themselves or fellow students. In addition, school employees must not disclose on school system websites or web pages or elsewhere on the Internet any personally identifiable, private, or confidential information concerning students (including names, addresses, or pictures) without the written permission of a parent or guardian or an eligible student, except as otherwise permitted by the Family Educational Rights and Privacy Act (FERPA). Users also may not forward or post personal communications without the author's prior consent.

10. Users may not intentionally or negligently damage computers, computer systems, electronic devices, software, computer networks, or data of any user connected to school system technological resources. Users may be held responsible for any loss or damage caused by intentional or negligent acts in caring for computers under their care. The school system is responsible for any routine maintenance or standard repairs to school system computers. Users are expected to notify the Technology Services Department or designee immediately of any need for service or repair. Users may not knowingly or negligently transmit computer viruses or self-replicating messages or deliberately try to degrade or disrupt system performance. Users must scan any downloaded files for viruses.

11. Users may not create or introduce games, network communications programs, or any foreign program or software onto any school system computer, electronic device, or network without the express permission of the technology director or designee.

12. Users are prohibited from engaging in unauthorized or unlawful activities, such as "hacking" or using the computer network to gain or attempt to gain unauthorized or unlawful access to other computers, computer systems, or accounts.

13. Users are prohibited from using another individual's ID or password for any technological resource without permission from the individual. Students must also have permission from the teacher or other school official.



14. Users may not read, alter, change, block, execute, or delete files or communications belonging to another user without the owner's express prior permission.
15. Employees shall not use passwords or user IDs for any data system (e.g., the state student information and instructional improvement system applications, time-keeping software, etc.) for an unauthorized or improper purpose.
16. If a user identifies a security problem on a technological resource, he or she must immediately notify a system administrator. Users must not demonstrate the problem to other users. Any user identified as a security risk will be denied access.
17. Teachers shall make reasonable efforts to supervise students' use of the Internet during instructional time.
18. Views may be expressed on the Internet or other technological resources as representing the view of the school system or part of the school system only with prior approval by the Superintendent or designee.

#### RESTRICTED MATERIAL ON THE INTERNET

The Internet and electronic communications offer fluid environments in which students may access or be exposed to materials and information from diverse and rapidly changing sources, including some that may be harmful to students. The Board recognizes that it is impossible to predict with certainty what information on the Internet students may access or obtain. Nevertheless school system personnel shall take reasonable precautions to prevent students from accessing material and information that is obscene, pornographic, or otherwise harmful to minors, including violence, nudity, or graphic language that does not serve a legitimate pedagogical purpose. The Superintendent shall ensure that technology protection measures are used, disabled or minimized only when permitted by law and Board policy. The Board is not responsible for the content accessed by users who connect to the Internet via their personal mobile telephone technology (e.g., 3G, 4G service).

#### D. PARENTAL CONSENT

The Board recognizes that parents of minors are responsible for setting and conveying the standards their children should follow when using media and information sources. Accordingly, before a student may independently access the Internet, the student's parent must be made aware of the possibility that the student could obtain access to inappropriate material while engaged in independent use of the Internet. Parents may deny their child(ren) access to the Internet at any time by completing the "Parental Request to Deny Access" form, which is included in the Code of Conduct.

In addition, in accordance with the Board's goals and visions for technology, students may require accounts in third party systems for school related projects designed to assist students in mastering effective and proper online communications or to meet other educational goals. Parental permission will be obtained when necessary to create and manage such third party accounts.

#### E. PRIVACY

Students, employees, visitors, and other users have no expectation of privacy in anything they create, store, send, delete, receive, or display when using the school system's network, devices, Internet access, email system, or other technological resources owned or issued by the school system, whether the resources are used at school or elsewhere, and even if the use is for personal purposes. Users should not assume that files or communications created, transmitted, or displayed using school system technological resources or stored on servers or on the storage mediums of individual devices will be private. The school system may, without notice, (1) monitor, track, and/or log network access, communications, and use; (2) monitor and allocate filespace; and (3) access, review, copy, store, delete, or disclose the content of all user files, regardless of medium, the content of electronic mailboxes, and system outputs, such as printouts, for any lawful purpose. Such purposes may include, but are not limited to, maintaining system integrity, security, or functionality, ensuring compliance with Board policy and applicable laws and regulations, protecting the school system from liability, and complying with public records requests. School system personnel shall monitor online activities of individuals who access the Internet via a school-owned device. technological resources, individuals consent to have that use monitored by authorized school system personnel as described in this policy.

#### F. USE OF PERSONAL TECHNOLOGY ON SCHOOL SYSTEM PROPERTY

Each principal may establish rules for their school site as to whether and how personal technology devices (including, but not limited to smart phones, tablets, laptops, etc.) may be used on campus. The school system assumes no responsibility for personal technology devices brought to school.

#### G. PERSONAL WEBSITES

The Superintendent may request the removal of personal websites that substantially disrupt the school environment or that utilize school system or individual school names, logos, or trademarks without permission.

##### 1. Students

Though school personnel generally do not monitor students' Internet activity conducted on non-school system devices during non-school hours, when the student's online behavior has a direct and immediate effect on school safety or maintaining order and

discipline in the schools, the student may be disciplined in accordance with Board policy.

## 2. Employees

Employees' personal websites are subject to applicable law and policy.

## 3. Volunteers

Volunteers are to maintain an appropriate relationship with students at all times. Volunteers are encouraged to block students from viewing personal information on volunteer personal websites or online networking profiles in order to prevent the possibility that students could view materials that are not age-appropriate. An individual volunteer's relationship with the school system may be terminated if the volunteer engages in inappropriate online interaction with students.

Legal References: U.S. Const. amend. I; Children's Internet Protection Act, 47 U.S.C. 254(h)(5); Electronic Communications Privacy Act, 18 U.S.C. 2510-2522; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; 17 U.S.C. 101 et seq.; 20 U.S.C. 7131; G.S. 115C- 325(e) (applicable to career status teachers), -325.4 (applicable to non-career status teachers)

Adopted: January 8, 2018

## Board Policy 3420

### Student Promotion and Accountability

#### A. PURPOSE

The Cleveland County Board of Education (the "Board") believes that students should progress to the next level of study only after they are proficient in their knowledge and application of the current curriculum level. To the extent reasonably possible, students should be given as much time or as little time as they need to be proficient at a particular level of study. Students will be promoted to the next level of study as described in this policy.

#### B. STUDENT PROMOTION STANDARDS

The Superintendent shall develop (1) proposed promotion standards and (2) a process to be used in determining a student's readiness to progress to the next level of study. The standards will be based, in part, upon proficiency in reading. The standards and process must provide multiple criteria for assessing a student's readiness to progress to the next level of study, such as standardized test scores, formative and diagnostic assessments, grades, a portfolio or anthology of the student's work, and, when appropriate, accepted standards for assessing developmental growth. The standards and process will incorporate all state law and State Board of Education policy requirements, including those for the assessment and promotion of third grade students as described in G.S. 115C-83.6 et seq. and State Board of Education Policies KNEC-002 and -003.

Principals shall ensure that the promotion standards are used by teachers and school administrators in assessing each student's readiness to progress to the next level of study. Principals have the authority to promote or retain students in accordance with state law and based upon the standards approved by the Board and any applicable standards set by the State Board of Education.

To reduce the number of students who do not meet promotion standards, the Board directs school administrators and teachers to address the needs of students who are not making adequate academic progress as required by policy.

#### C. DIPLOMA STANDARDS

To receive a North Carolina high school diploma, a student must complete the requirements set forth in policy.

#### D. APPEALS OF PROMOTION DECISIONS

##### 1. Appeal to the Superintendent

Within five (5) workdays of receiving the principal's written decision to promote or retain a student, the student's parents may appeal the decision to the Superintendent. The Superintendent may overturn the principal's decision only upon a finding that the principal's decision was arbitrary and capricious (i.e., without a rational basis) or was otherwise an abuse of discretion.

The Superintendent must render a decision within 10 workdays of receiving the appeal. The Superintendent may support the principal's decision, remand it back to the principal for consideration of additional issues, or reverse the decision.

The Superintendent's findings must be in writing and must be provided to the parents.

2. **Appeal to the Board of Education**

The Superintendent's decision to promote or retain a student may be appealed to the Board in accordance with the procedures set forth in the student and parent grievance policy.

**E. READING CAMPS**

The Board will provide reading camp opportunities as required by law at no fee for students who have not yet demonstrated reading proficiency on a third grade level at the end of third grade and for first and second grade students whose demonstrated reading comprehension is below grade level. The Superintendent or designee shall encourage parents of eligible students to enroll their students in a reading camp.

**F. PROMOTION STANDARDS FOR STUDENTS WITH DISABILITIES**

To the extent possible, students with disabilities must be held to the same promotion standards as all other students. However, for students who take alternative assessments in lieu of the end-of-grade (EOG) or end-of-course (EOC) tests, promotion decisions must be based on criteria recommended by the IEP team.

All intervention strategies and other opportunities, benefits, and resources that are made available to students without disabilities must be made available to those students with disabilities who are subject to the student promotion standards. Such opportunities must be in addition to the special education services provided to the student.

**G. CREDIT BY DEMONSTRATED MASTERY**

Beginning with the 2014-15 school year, the Superintendent shall provide opportunities for students in grades 9 through 12 to earn course credit by demonstrating mastery of course material without first completing the regular period of classroom instruction in the course. Students in grades 6 through 8 may earn credit by demonstrated mastery for high school courses offered in middle school. To earn credit by demonstrated mastery, students must demonstrate a deep understanding of the content standards and application of knowledge through a multi-phase assessment, in accordance with standards established by the State Board of Education and any additional standards established by the Superintendent.

**H. CREDIT RECOVERY**

Students who fail or receive an incomplete on a high school course may retake parts of the course through credit recovery to earn credit for the course. Credit recovery delivers a subset of the blueprint of the original course in order to specifically address deficiencies in a student's mastery of the course and target specific components of a course necessary for completion. A pre-assessment of the student's understanding of the course material will be administered at the beginning of the course and the credit recovery will be tailored to meet the needs of the individual student. The length of a credit recovery course is dictated by the skills and knowledge the student needs to recover and not a fixed length of seat time.

Any EOC exam associated with the credit recovery course will be administered no later than 30 days upon completion of the credit recovery course. The credit recovery due to any failure will be graded as pass or fail and will not impact the student's grade point average. The original grade for the course will remain on the student's transcript.

The Superintendent shall develop procedures addressing the implementation of credit recovery opportunities across the school system.

**I. REPEATING A PREVIOUSLY FAILED COURSE FOR CREDIT**

As provided in State Board of Education policy CCRE-001, high school students who fail a course for credit may repeat that course. To take advantage of this option, the student must repeat the entire course. Beginning with the 2015-16 school year, when a student initially fails a high school course and successfully repeats the course for credit, the new course grade will replace the original failing grade for the course on the student's transcript and in calculations of the student's GPA, class rank, and honor roll eligibility. The Superintendent may develop procedures for students to indicate their intent to repeat a course for credit under this paragraph and may establish any other rules as necessary and consistent with State Board policy.

**J. ACCELERATION**

Some students may need less time to learn the curriculum. Teachers are encouraged to challenge these students by expanding the curriculum, providing opportunities to explore subjects in greater detail or providing different types of educational experiences. To challenge a student sufficiently, the principal may reassign the student to a different class or level of study and/or may identify concurrent enrollment or other curriculum expansion options.

The principal, after consulting with the professional staff and the student's parents, may determine that skipping a grade level is appropriate.

**K. REPORTING REQUIREMENTS**

## 1. Superintendent's Report to the Board

At least on an annual basis, the Superintendent shall provide the Board with the following information for each school:

- a. aggregate student performance scores on state-mandated tests and any other standardized tests used by a school or the school system;
- b. the number and percentage of students retained and/or not meeting the standards for their grade level;
- c. the number and percentage of third grade students exempt from mandatory third grade retention by category of exemption as listed in state law; and
- d. remedial or additional educational opportunities provided by the school system and the success of these efforts in helping students meet promotion standards.

## 2. Report to the North Carolina State Board of Education and Department of Public Instruction

Pursuant to statutory requirements and standards established by the Department of Public Instruction, all required information regarding student performance will be provided annually to the State Board of Education and the Department of Public Instruction.

## 3. Publication on the School System Website

Information about the reading performance of first, second, and third grade students will be posted on the school system website in accordance with state law.

**L. RESOURCES**

Consistent with the objective of improving student performance, the Board will provide schools with maximum flexibility in the allocation of state funds. School personnel are expected to budget financial resources in a manner that will meet the standards established in this policy. The Board will consider requests to transfer funds from other funding allotment categories to intervention strategies as part of the school improvement plan submitted by school officials. All funds will be used in a fiscally sound manner in accordance with Fiscal Management Standards.

**M. NOTIFICATION TO PARENTS**

The Superintendent or designee shall provide information regarding promotion standards to all students and parents. In addition, if a kindergarten, first grade, second grade, or third grade student (1) is demonstrating difficulty with reading development or (2) is not reading at grade level, the student's teacher shall provide the student's parents timely written notice advising that if the student is not demonstrating reading proficiency by the end of third grade, the student will be retained, unless exempt from mandatory retention for good cause. Parents are encouraged to help their children meet the promotion standards and will have opportunities to discuss the promotion standards and procedures with teachers and the principal. Information provided to parents should be in the parents' native language when appropriate foreign language resources are readily available.

The teacher of a student who does not meet promotion standards must notify the student's parents that the student has failed to meet the standards for progression to the next level of study and must provide the parents with information concerning retesting, intervention, review, and appeal opportunities. When a student is to be retained, the principal shall provide the student's parents written notice of the retention and, if the student will be retained in accordance with G.S. 115C-83.7(a) for failure to demonstrate reading proficiency, (1) written notice of the reason the student is not eligible for a good cause exemption as provided in G.S. 115C-83.7(b) and (2) a description of proposed reading interventions that will be provided to the student to remediate identified areas of reading deficiency. Teachers shall provide parents of students retained under G.S. 115C-83.7(a) at least monthly written reports on student progress toward reading proficiency. The evaluation of a student's progress will be based upon the student's classroom work, observations, tests, assessments, and other relevant information.

**N. CHILDREN OF MILITARY FAMILIES**

As required by the Interstate Compact on Educational Opportunity for Military Children (G.S. 115C-407.5) and Board policy, school administrators have the authority to exercise flexibility in waiving course or program prerequisites or other preconditions for the placement of children of military families in courses or programs offered by the school system.

**Legal References:** G.S. 115C-36, -45(c), -47, -81.5, -83.2, -83.3, -83.6, -83.7, -83.8, -83.9, -83.10, 83.11, -105.21, -174.11, -288(a), -407.5; State Board of Education Policies CCRE-001, KNEC- 002, KNEC-003

**Other Resources:** Guidelines for Testing Students Identified as English Learners (N.C.

Department of Public Instruction), available at <http://www.dpi.state.nc.us/docs/accountability/policyoperations/lep/testinglep1314.pdf>; North Carolina Read to Achieve: A Guide to Implementing House Bill 950/S.L. 2012-143 Section 7A

(N.C. Department of Public Instruction), available at <http://www.dpi.state.nc.us/docs/k-3literacy/resources/guidebook.pdf>

**Adopted: August 13, 2018**

**Replaced: Board policy 3600, Student Promotion and Accountability**

**Revised: April 8, 2019**

## **Board Policy 3600-R**

### **Local Promotion Standards**

#### **Grades K-8**

In addition to the following local promotion standards, all students must comply with the Cleveland County Schools Attendance Policy.

#### **Kindergarten**

##### **Reading, Writing and Readiness**

- Knows the basic concepts of print: left to right, top to bottom, front of book, back of book, where to begin reading, etc.
- Associates sounds to letters (phonemic awareness)
- Associates the sequence of written letters with the sequence of sounds in the spoken word
- Recognizes upper and lower case letters out of sequence
- Comments on and reads some environmental print
- Recognizes high frequency words
- Reads or attempts to read using letter knowledge and pictures to construct meaning
- Tells and retells stories (beginning, middle, end, characters, details and setting)
- Predicts possible events in texts before and during reading
- Identifies the sequence of events in a story
- Writes name and recognizes own name in print
- Expresses ideas in writing using consonant letters and/or word (temporary and/or conventional spelling)
- Demonstrates adequate progress in writing skills

##### **Mathematics**

- Uses counting to determine how many (to at least 30)
- Understands that there are relationships between and among numbers (to at least 10)
- Compares sets of objects and numbers using appropriate vocabulary (more, less, same/equal, one more, one less, first, second, third, etc.)
- Understands the concepts of joining and separating through modeling (to at least 10)
- Uses fair shares (equipartition) to solve story problems
- Understands the concept of equality (group of objects up to 10)
- Understands the meaning of repeated patterns (represented by actions, words or objects)
- Extends simple repeated patterns
- Classifies two-dimensional figures as circles, rectangles (including squares), and triangles and three-dimensional shapes as spheres, cubes, cylinders, and cones
- Recognizes that length and weight (mass) are attributes and can be measured
- Understands the concept of time as it relates to sequences and personal referents
- Recognizes that the days of the week, months of the year and seasons occur in a sequence that repeats
- Classifies objects according to one attribute
- Understands that data can be collected, organized, and displayed in a way that provides information about a question

#### **Grade 1**

##### **Reading and Writing**

- Applies phonetic clues to decode unknown words
- Recognizes high frequency words
- Reads a variety of narrative and expository texts at appropriate emergent levels
- Tells and retells stories with exclamatory phrases and describing words
- Composes a variety of written products: stories, journals, letters, response logs, and simple poems
- Uses word families and word parts to spell and write
- Demonstrates adequate progress in writing skills including complete sentences, spelling strategies, and basic capitalization and punctuation



**Mathematics**

- Reads, writes, counts and uses physical models representing numbers 0 through 100
- Compares and orders sets and numbers
- Understands place value
- Groups and counts by 2's, 5's and 10's
- Adds and subtracts single digit numbers using multiple strategies
- Creates, models and solves problems that use addition, subtraction, and fair shares (between two or three)
- Measures length, capacity and mass with non-standard measurement
- Applies calendar knowledge
- Tells time to the hour and half-hour
- Identifies and compares two and three dimensional figures
- Collects, organizes, describes and displays data using picture graphs, line plots and tallies
- Understands simple probability concepts
- Uses a variety of methods to illustrate similarities and differences in two sets
- Creates, extends and analyzes patterns

**Grade 2**

**Reading and Writing**

- Reads a variety of narrative and expository texts at the end of second grade
- Recalls main idea, facts, and details from a text
- Uses a variety of self-correcting strategies
- Recognizes high frequency words
- Uses conventional spelling most of the time
- Demonstrates adequate progress in writing skills

**Mathematics**

- Represents whole numbers from 0 through 1000 in terms of the base ten numeration system
- Interprets the value of a digit (1-9 and 0) in a multi-digit numeral by its position within the number with models, words, and numerals
- Uses multiple strategies fluently to solve story problems involving addition and subtraction
- Remembers addition and related subtraction facts (sums to 20) to develop fluency
- Classifies numbers into the categories of odd and even
- Understands that patterns grow and repeat
- Understands the use of non-standard units in measurement of length, weight, capacity, and area
- Understands how to tell time to the hour and half-hour
- Remembers the names of values of coins (penny, nickel, dime, and quarter)

**Grade 3**

- Must attain a passing grade in reading, writing, mathematics, science and social studies
- Demonstrates adequate progress in writing skills

**Grade 4**

- Must attain a passing grade in reading, writing, mathematics, science and social studies
- Demonstrates adequate progress in writing skills

**Grade 5**

- Must attain a passing grade in reading, writing, mathematics, science and social studies
- Demonstrates adequate progress in writing skills

**Grade 6**

- Must attain a passing grade in English/Language Arts, mathematics, science and social studies
- Passes 50% of elective classes
- Demonstrates adequate progress in writing skills

**Grade 7**

- Must attain a passing grade in English/Language Arts, mathematics, science and social studies
- Passes 50% of elective classes
- Demonstrates adequate progress in writing skills



**Grade 8**

- Must attain a passing grade in English/Language Arts, mathematics, science and social studies
- Passes 50% of elective classes
- Demonstrates adequate progress in writing skills

**Grades 9-12**

In addition to the following local promotion and graduation requirements, all students must comply with the Cleveland County Schools Attendance Policy. Students entering 9th grade must complete the Future-Ready Core graduation requirements.

**End-of-Course Tests**

The end-of-course (EOC) test and North Carolina Final Exam results shall count as twenty percent (20%) of a student's final grade in each high school course for which an EOC or NC Final Exam test is available.

**Academic Placement**

Placement in high school courses shall be determined using a variety of information, including test scores, grades, teacher recommendations, attendance, student motivation or other diagnostic information. The school principal shall be responsible for final placement decisions.

**Future-Ready Core Course of Study**

The following requirements apply to the graduating classes for students at all traditional high schools, unless otherwise indicated.

Courses Required	Credits Required	State & Local Requirements
English	4	English I, English II, English III and English IV
Mathematics	4	NC Math 1 (Algebra I), NC Math 2 (Geometry), NC Math 3 (Algebra II) and a 4th math course, which should be higher than NC Math 3 and aligned with the student's post-high school plans
Science	3	Earth/Environmental, Biology, and a Physical Science (Chemistry, Physics or Physical Science)
Social Studies	4	World History, Civics & Economics, American History: Founding Principles, American History I, and American History II
Health/P.E.	1	Health & PE and CPR Instruction
Electives	12 (6 are local requirements)	Two electives must be any combination of Career and Technical Education, Arts Education, or World Language; 4 must be from one of the following: Career and Technical Education, J.R.O.T.C., Arts Education, or any other subject area or cross-disciplinary course. (The UNC System requires two levels of the same language as a minimum entrance requirement.) Students are strongly encouraged to complete a four-course concentration focused on student interest and post-secondary goals.
<b>Total Credits</b>	<b>28</b>	

Note: Due to a change in the school schedule, Shelby High School students graduating in 2020 and 2021 are only required to have 11 electives for a total of 27 credits to graduate.

Future-Ready Occupational Course of Study The following requirements are only available to certain students with disabilities who have an IEP.

Courses Required	Credits Required	State & Local Requirements
English	4	English I, English II, English III and English IV
Mathematics	3	Introduction to Math, NC Math I (Algebra I), and Financial Management
Science	2	Applied Science and Biology
Social Studies	2	American History: Founding Principles, Civics & Economics; and American History I or II
Health/P.E.	1	Health & PE and CPR Instruction
Career/Technical	4	Career/Technical Education Electives
Occupational Preparation	6	Occupational Preparation I, II, III, and IV, which require 150 hours of school-based training, 225 hours of community-based training, and 225 hours of paid employment
Electives	0	
Other Requirements	0	Completion of IEP objectives and Career Portfolio
<b>Total Credits</b>	<b>22</b>	

#### Alternative Course of Study

The following requirements apply to students at Turning Point Academy or students on a Differentiated Diploma.

Courses Required	Credits Required	State & Local Requirements
English	4	English I, English II, English III and English IV
Mathematics	4	NC Math 1 (Algebra I), NC Math 2 (Geometry), NC Math 3 (Algebra II) and a 4th math course, which should be higher than NC Math 3 and aligned with the student's post-high school plans
Science	3	Earth/Environmental, Biology, and a Physical Science (Chemistry, Physics or Physical Science)
Social Studies	4	World History, Civics & Economics, American History: Founding Principles, American History I, and American History II
Health/P.E.	1	Health & PE and CPR Instruction
	6	Two electives must be any combination of Career and Technical Education, Arts Education, or World Language; 4 must be from one of the following: Career and Technical Education, J.R.O.T.C., Arts Education, or any other subject area or cross-disciplinary course. (The UNC System requires two levels of the same language as a minimum entrance requirement.) Students are strongly encouraged to complete a four-course concentration
Electives	12 (6 are local requirements)	Two electives must be any combination of Career and Technical Education, Arts Education, or World Language; 4 must be from one of the following: Career and Technical Education, J.R.O.T.C., Arts Education, or any other subject area or cross-disciplinary course. (The UNC System requires two levels of the same language as a minimum entrance requirement.) Students are strongly encouraged to complete a four-course concentration focused on student interest and post-secondary goals.
<b>Total Credits</b>	<b>22</b>	

### Promotion Requirements

The number of credits and course requirements for promotion in high school for students are as follows:

Promotion Level	Required Credits	Required Courses
Sophomore	6 to 8	1 Math and English I
Junior	12 to 16	2 Maths and English I & II
Senior	20 to 24	2 Maths and English I, II, & III

### Maximum Potential

Credit Students transferring from a school with a schedule different from a modified or 4 x 4 block schedule must complete 85% of their maximum potential credit to be promoted.

### Exemption for Students with Specific Learning Disabilities in Mathematics

General Statute 115C-12(9d)b.1 states that “the State Board shall not adopt or enforce any rule that requires Algebra I (NC Math I) as a graduation standard or as a requirement for a high school diploma for any student whose individualized education program (i) identifies the student as learning disabled in the area of mathematics and (ii) states that this learning disability will prevent the student from mastering Algebra I (NC Math I).” With this statute, these students are not required to pass NC Math I or any courses higher than NC Math I.

Specific items to note:

- A student’s IEP may have a primary area of eligibility other than ‘specific learning disability’, yet the student could still have a specific learning disability in mathematics listed elsewhere in the IEP.
- Students receiving this exemption still must earn four mathematics credits, though these can be in courses less rigorous than NC Math I. Decisions on these courses for individual students are made at the local level.
- If a student eligible for this exemption still opts to take the NC Math I course [or any other mathematics course with an End-of-Course (EOC) test], he/she must adhere to rules associated with these courses (i.e., student must take the EOC test; EOC score must count 20% toward the student’s final grade for the course; etc.). Participation in one or more of these statewide assessments must be listed in the student’s IEP, including all necessary accommodations and whether an alternate assessment is required.

### Cleveland County School System Differentiated Diploma

Cleveland County Schools offers the Differentiated Diploma Program through our local high schools for students who are at risk of dropping out of high school or who have faced a life-altering hardship, which has had a traumatic effect on their education.

### General Information

1. The Differentiated Diploma is an alternative diploma program, which allows students to earn course credits that meet North Carolina graduation requirements. Students who are accepted into the Differentiated Diploma Program must meet all state graduation requirements and any additional local graduation requirements, such as a Graduation Project, required to earn a traditional high school diploma from the Cleveland County School System.
2. This diploma option may be offered to a select group of students who face challenging situations, which may prevent them from graduating from high school.
3. Even though the Differentiated Diploma Program is not a fast-track program, the individual needs of the student will be considered when determining acceptance into the program. In rare circumstances, with approval from the Superintendent or designee, a student in the Differentiated Diploma Program may be permitted to graduate in a different time frame than their traditional cohort. A student following the Differentiated Diploma Program must complete state mandated seat time for course credit, as well all test standards & other local requirements.

### Guidelines

The Differentiated Diploma Program will focus heavily on graduation required and career oriented courses. An individual plan for graduation will be developed and monitored for each student admitted to the program. The student may attend his/her home school or Turning Point Academy based on the individual student’s needs. The Differentiated Diploma Plan remains active regardless of which Cleveland County high school a student attends and is in effect until the student graduates or withdraws from the program.

### Admission Process and Criteria

Admission will be considered for students who meet at least one of the following criteria:

1. A student who has significant social or emotional barriers that impede his/her success in a conventional school environment,
2. A student who is experiencing a significant life hardship which negatively affects his/her ability to be successful in school or to complete the traditional diploma track,
3. A student who is considering dropping out or has previously dropped out,
4. An older student who has a history of chronic absences,
5. A student who has a significant number of prior course failures or
6. A student who was retained in multiple grades prior to entering high school.

Applicants must display an individual need that will impede his/her ability to graduate from high school under the traditional requirements. A student may be referred and identified as a candidate as early as deemed necessary based on individual circumstances and needs.

### Referral Process

Referrals will come **only** from high school principals of the Cleveland County Schools.

Referrals will not be accepted for seniors after the first 9 weeks of the semester in which the student is expected to graduate, except in very rare situations that are beyond the student's control. All efforts should be made to refer a student, prior to the semester in which he/she may be eligible to graduate, to ensure that an appropriate schedule is in place.

The principal may discuss the Differentiated Diploma Program with the student as an option, but no student will be allowed into the program unless he/she has been admitted by the Differentiated Diploma Placement Committee. The Differentiated Diploma Placement Committee is facilitated by the Superintendent's designee. The Differentiated Diploma Placement Committee will make decisions for acceptance into the Differentiated Diploma Program after review of the completed application. The following items must be included for an application to be complete: application information, student request form, student and parent signed agreement form and student transcript.

### Differentiated Diploma Student Application

The application should be submitted by the high school principal or designee. The following information is required: student name, school name, date of birth, cohort graduation date, differentiated diploma graduation date, required courses completed, graduation requirements not completed, principal's description of the obstacles that will prevent this student from completing traditional graduation requirements) and name of person submitting application.

The Differentiated Diploma Program is a highly structured program for a select group of student whose circumstances may hamper graduation from high school. A student following the Differentiated Diploma plan must complete the total state mandated credits to receive a North Carolina high school diploma. The program is coordinated through the Cleveland County Schools Secondary Education department.

**Board Policy 4300**

## ADMINISTRATION OF MEDICATION TO STUDENTS

The Cleveland County Board of Education discourages administration of medication to students during the school day when medicine could be taken outside of school hours.

Pursuant to G.S. 115C 307(c) and 115C-375.1, school employees may administer medication, including over-the-counter medication, when prescribed by a doctor upon written request of a student's parent or guardian. Administration of medication during school hours by school personnel is discouraged.

Only school personnel, parents, or guardians will be allowed to administer medicine to a student during the school day. Self medication by students is allowed only in accordance with Section C of this policy. Students are prohibited from sharing medication with other students.

It is the parent or guardian's responsibility to alert school personnel to any possible adverse reaction to medication. The first dose of any medication must be given at home to help prevent an adverse reaction occurring at school.

### Pre-Kindergarten Students

1. School personnel may only administer prescription or over-the-counter medication to a student enrolled in a pre-kindergarten program when accompanied by a written authorization that includes the student's name, date or dates for which the authorization is applicable, dosage instructions, and signature of the student's parent or legal guardian and physician.
2. In the event of a medical emergency, and the parent or legal guardian of a pre-kindergarten student is unavailable, school employees may administer medication to the student if they receive authorization to do so by a medical care provider authorized to prescribe the medication.

### **Kindergarten - 12th Grade Students**

A. Medication prescribed by a physician, including over-the-counter medication prescribed by a physician, that is administered by school personnel during school hours must be accompanied by a physician's signature certifying that the medication must be dispensed during school hours. Medication prescribed by a doctor should be delivered by the parent or guardian to the school in its original container with the completed Administration of Medication form signed by a physician.

B. 1. Medication shall be dispensed from a central location designated by the principal of each school. It is the responsibility of the principal or designee to see that the medications are kept locked in a central secure location (except for medications requiring refrigeration), designate two or more persons for the administration and security of medications, and designate staff to maintain proper documentation of the time and dosage of medications given on a form developed by the Cleveland County Schools. The completed medication form should be maintained through the end of the school year.

2. No teacher, assistant teacher, or volunteer shall administer any prescription medication within the classroom setting except in the case of self-contained exceptional children's classrooms where it would be inappropriate to send students to the office or in individual cases in regular classrooms where the principal and the teacher agree that a specific student would be better served by classroom administration of medication. In cases where classroom administration is approved, there shall be a locked storage facility within the classroom and appropriate record keeping shall be maintained.

3. Principals may present for approval to the board a plan for classroom based administration of medication which provides the board assurances of medication security and privacy of students.

C. At all grades, students may self-medicate with prescription medicine or with over-the-counter medicine only with written permission from the student's parent or legal guardian and physician on the Authorization for Medication form provided by the school. Student's also must complete the Student Contract for Self-Carried and Self-Administered Medication form provided by the school. Permission for students to possess and self-administer medication must be obtained each school year.

The storage of self-administered medications is determined by the principal based on the nature of the medication, age of the student, and the student's ability to maintain safe use, including the student's keeping the medication on their person.

In cases where students self-administer medication during the school day, the Cleveland County Board of Education will assume no liability.

D. At the end of the school year, or if medication is discontinued, any medication not picked up by the parent or guardian within 2 weeks will be destroyed.

E. A confidential prescription medication log shall be maintained for each child receiving medication.

F. School personnel may not administer any medication except that provided by the parent, not to exceed manufacturer's recommended dosage.

G. Principals shall provide staff development on the importance of administering medications in a manner to insure the privacy of the student to the extent possible.

H. Principals shall develop procedures to insure that parents and students are informed of this policy at the beginning of each year.

I. School personnel designated to administer medications during school hours shall be trained by the school nurse.

**LEGAL REF: G.S. 115C-307, -375.1, -375.2; G.S. 110-102.1A**

**ADOPTED: September 26, 2005**

**Board Policy 4304**

### **Use of Seclusion and Restraint**

It is the policy of the Cleveland County Board of Education 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 G.S. 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.

No employee of the Cleveland County Schools shall retaliate against another employee for making a report alleging a prohibited use of seclusion, restraint, or aversive techniques, unless the employee knew or should have known that the report was false.

**Legal References: G.S. 115C-391.1, -47(45)**

**Adopted: March 11, 2019**

**Replaces: Board policy 4245, Use of Seclusion and Restraint**

## **Board Policy 4330**

### **PHYSICAL EXAMINATIONS/SCREENINGS**

A parent or guardian of a student or an eligible student (any student 18 years of age or older or an emancipated minor) shall be directly notified, by U.S. mail or email, at least annually, at the beginning of the school year, of the specific or approximate dates during the school year of the administration of any non-emergency invasive physical examination or screening that the school may administer to a student. Parents or guardians will have the opportunity to request that their child be excluded from the administration of any invasive physical examination or screening that is required as a condition of attendance, administered by the school and scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or other students.

The following physical examinations or screenings are not covered by this policy: (1) examinations or screenings permitted or required by State law, including screenings permitted without parental notification; (2) examinations or screenings administered to students in accordance with the Individuals with Disabilities Education Act; and (3) hearing, vision, or scoliosis screenings.

“Invasive physical examination” means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening. Notification of the rights of parents and guardians under this policy shall be placed in the student/parent handbook and distributed at the beginning of each school year. Notice will be provided to parents and guardians, within a reasonable period of time, regarding any revision made to this policy during the school year.

The rights provided to parents and guardians under this policy transfer to the student when the student turns 18 years old or is an emancipated minor at any age.

The superintendent may develop administrative regulations to implement this policy.

**LEGAL REF: 20 U.S.C. § 1232h**

**ADOPTED: February 13, 2006**

### **Public Notice**

In compliance with Federal Law, Cleveland County Schools administrators all education programs, employment activities and admissions without discrimination against any person on the basis of sex, race, color, religion, national origin, age or disability. This includes but is not limited to the programs under the following Federal Acts:

#### **US Department of Education**

- Carl D. Perkins Career-Technical Education Act of 2006
- Individuals with Disabilities Education Act (IDEA)
- Section 504 of the Rehabilitation Act of 1973
- Title I of Elementary and Secondary Education Act English as a Second Language
- Title IV of the Civil Rights Act of 1964
- Title IX of the Education Amendment of 1972

#### **US Department of Justice**

- Title II of the Americans with Disabilities Act of 1990



**Inquiries or complaints should be directed to:**

Ronny Funderburke  
 Central Services  
 400 West Marion Street  
 Shelby, NC 28150  
 704-476-8058

**Inclement Weather Information**

Cleveland County Schools will be divided into four zones - high school attendance areas - for inclement weather decisions. All elementary, intermediate and middle schools “feeding” into these high schools will operate on the same schedule as their high school.

Classes may be cancelled in one or two zones; however, schools throughout the county will close when more than two zones are cancelled. For example, when Burns High School is closed, the middle and elementary schools that “feed” students to Burns will also be closed. If weather conditions in the remainder of the county are acceptable, schools in the Crest, Kings Mountain and Shelby high school zones will operate.

Bus routes may be limited in some areas when school transportation officials determine they are unsafe even when school is not closed in that area.

A master calendar will be maintained to ensure students throughout the county attend school for the same number of days and that inclement weather make-up days are used appropriately.

Decisions concerning closings and delays will be posted on the school district website at [www.clevelandcountyschools.org](http://www.clevelandcountyschools.org) and the Weather Hotline at (704) 476-8001.

**Board Policy 3540****Health Education Program**

The Cleveland County Board of Education (the “Board”) is committed to a sound, comprehensive health education program that provides students with accurate information and encourages them to be responsible for their own health and behavior. The Board recognizes the primary role of parents in providing for the health and well-being of their children and seeks to involve parents as provided in this policy. The comprehensive health education program provided by the school system will meet the requirements of state law and the objectives established by the State Board of Education. The Board may, in its discretion, expand on the subject areas to be included in the program and on the instructional objectives to be met.

**A. COMPREHENSIVE HEALTH EDUCATION PROGRAM**

A comprehensive health education program must be taught to students from kindergarten through ninth grade. As required by law, the health education program must include age-appropriate instruction on bicycle safety, nutrition, dental health, environmental health, family living, consumer health, disease control, growth and development, first aid and emergency care, mental and emotional health, drug and alcohol abuse prevention, prevention of sexually transmitted diseases (STDs), including HIV/AIDS and other communicable diseases, and reproductive health and safety education.

As required by law and beginning in seventh grade, reproductive health and safety education will include age-appropriate instruction on the benefits of sexual abstinence until marriage and strategies for remaining abstinent, STDs, the human reproductive system, preventable risks for preterm birth in subsequent pregnancies, the effectiveness of contraceptive methods in preventing pregnancy, awareness of sexual assault and sexual abuse, and sex trafficking prevention and awareness.

**B. PARENTAL OPPORTUNITIES TO REVIEW MATERIALS AND WITHHOLD CONSENT FOR STUDENT PARTICIPATION**

Each year before students participate in reproductive health and safety education or in other separate instruction on the prevention of STDs, including HIV/AIDS, or the avoidance of out-of-wedlock pregnancy, the principal or designee shall notify parents of the opportunity to review the materials and objectives that will be used in instruction. A copy of all objectives and materials will be available for review in the media center of each school where these subjects will be taught.

The principal or designee shall also notify parents of the right to withhold or withdraw consent for their child's participation in all reproductive health and safety education instruction or in specific topics such as STDs, the effectiveness and safety of contraceptive methods, awareness of sexual assault and sexual abuse, and sex trafficking prevention and awareness. Parents may also withhold consent to student participation in other separate instruction on the prevention of STDs, including HIV/AIDS, or the avoidance of out-of-wedlock pregnancy. Any parent wishing to withhold consent must do so in writing to the principal.

### C. STANDARDS FOR INSTRUCTION

For reproductive health and safety education, teachers shall follow the instructional objectives and only use the age-appropriate materials that have been made available to parents for review in accordance with this policy. Information conveyed during instruction will be objective and based upon scientific research that is peer reviewed and accepted by professionals and credentialed experts in the field of sexual health education or other field authorized by law. A determination of what is an appropriate education for a student with disabilities must be made in accordance with the student's individualized education plan, following all procedures as provided in the North Carolina *Policies Governing Services for Children with Disabilities*.

Contraceptives shall not be made available or distributed on school property. Board of Education employees shall not provide information to students about where to obtain contraceptives or abortion services, unless consent is given by the parent or guardian to provide such information.

### D. HEALTH LIVING EDUCATION

The Cleveland County Schools Healthful Living Education program will clearly articulate, through qualified teachers and other appropriate personnel, using directive teaching methods, a curriculum that is abstinence-based, family-centered, and age-appropriate. The curriculum will encourage parental involvement, include factual and accurate information, will develop critical thinking skills, and will motivate students to make healthy and responsible choices.

Legal References: G.S. 115C art. 9; 115C-36, -81.25, -81.30; Policies Governing Services for Children with Disabilities, State Board of Education Policy EXCP-000; State Board of Education Policy SCOS-007

Adopted: July 23, 2018

### **AHERA Inspection and Management Plan**

Cleveland County Schools has asbestos management plans in place for all facilities in accordance with mandated requirements of the Asbestos Hazard Emergency Response Act (AHERA). The purpose of the management plan is to ensure that asbestos is properly detected and controlled on a continuing basis. A periodic surveillance is conducted every six months by trained personnel at schools built prior to 1980. A North Carolina licensed inspector conducts a complete re-inspection every three years. Asbestos management plans are located at each school site and at Cleveland County School Plant Operation office.



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*Exceptional Educational Experience - Every Day for Every Student.*