

MEMO



August 2023

Dear GCS Leaders and Families:

We have revised the GCS Student Code of Conduct. That, along with various student-centered strategies, are some of the ways the district is **strengthening the health, wellness and safety of students and staff**. The new Code provides a guide for decision-making related to student discipline and behavioral support, demonstrating the district's commitment to creating inclusive and caring learning environments while prioritizing the safety of the school community.

Together, we have an immense opportunity to change learning and life outcomes for generations to come. By working collaboratively and compassionately, we can make a significant impact on the well-being and success of our students. Thank you for your dedication to the well-being of our youth. I look forward to continued progress and positive outcomes for all our students.

Sincerely,

Whitney Oakley, Ed.D.
Superintendent

GUILFORD COUNTY SCHOOLS CODE OF STUDENT CONDUCT

Guiding Principles

The Board of Education for Guilford County Schools (GCS) believes that student discipline is an integral part of its educational program. Teaching students self-discipline helps them learn important skills of goal-setting, problem-solving, critical thinking, good citizenship, and respect for self, others, and property. Maintaining effective discipline is also critical to establishing safe, orderly, and positive learning environments so that all students have an opportunity to learn.

Recognizing that exclusion from instruction can exacerbate behavioral problems, diminish academic achievement, and hasten school drop outs, GCS seeks to avoid using discipline tactics that exclude a student from instruction when feasible and to reserve exclusion from instruction for the most serious misconduct that threatens the safety of students, staff, or visitors. Schools should implement interventions that support students in learning to make positive choices and minimize exclusion from instruction.

These principles should guide all decision-making related to student discipline and behavioral support across GCS.

Applicability of Code of Conduct

GCS maintains the Code of Student Conduct (“Code”) to make clear expectations of the school community. The Code applies to any student who is on school property, (which also includes any school-sponsored or school-provided transportation), who is in attendance at school or at any school-sponsored activity, or whose conduct at any time, place, or cyberspace, on or off campus, has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment. Students are expected to be familiar with all rules of behavior in the Code of Student Conduct. Further, students are expected to comply with any state and federal laws, school board policies, and local school rules governing student behavior and conduct regardless of whether they are specifically listed in this Code.

Online Conduct: Students who engage in online conduct that is reasonably expected to have an adverse direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment, regardless of where they are when they engage in that conduct, could be subject to disciplinary action for violation of the Code. The rules in the Code apply to student behavior online, in text messages, e-mails, electronic communications, social media, online applications, sharing of photographs, videos, memes, images, and any other type of electronic communication, when the conduct is subject to the Code. However, GCS lacks jurisdiction over off-campus online conduct that is not reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals

in the school environment, and school officials may be limited in their ability to investigate incidents and enforce school rules for online conduct that occurs off-campus.

Reports to Law Enforcement

School officials are obligated by certain legal requirements to notify law enforcement of certain conduct. Specifically, any of the following acts that occur on school property must be reported to law enforcement:

- (1) assault resulting in serious personal injury
- (2) sexual assault
- (3) sexual offense
- (4) rape
- (5) kidnapping
- (6) indecent liberties with a minor
- (7) assault involving the use of a weapon
- (8) possession of a firearm in violation of the law
- (9) possession of a weapon in violation of the law
- (10) possession of a controlled substance in violation of the law

School officials must also report to law enforcement any allegations of a violent crime against a child, a sexually violent crime against a child, or suspected child abuse regardless of where such acts occur. School officials must also report any allegations of child abuse or neglect to the local Child Protective Services, NC Department of Health and Human Services regardless of where such acts occur.

School officials may also collaborate with law enforcement to protect the safety of students and staff by notifying them of any safety concerns arising on school property.

Law enforcement officials make their own decisions regarding criminal prosecutions and juvenile justice consequences. This Code does not govern in any way how law enforcement may respond to a particular situation and contacting law enforcement is not considered to be a disciplinary consequence for violations of the Code. For some violations, the Code notes that the principal is obligated to notify law enforcement. This notation is not comprehensive and does not preclude any school official from seeking law enforcement assistance in any situation.

Levels of Disciplinary Intervention

The appropriate disciplinary intervention for violation of the Code of Student Conduct depends on the circumstances of the violation, the age and maturity of the student, the needs of the student, the severity of the violation, the harm caused by the violation, and the potential for disruption or safety concerns at the school after the violation. When determining the appropriate disciplinary intervention, the principal or designee should identify both the rule infraction and the level of intervention necessary to address it. The rules are divided into five different levels to guide principals in making these determinations. However, the levels and interventions described below are not intended to be an exhaustive list of options or a strict requirement for the principal or designee. The principal or designee has the discretion to impose different, less severe, or more severe consequences that are the appropriate pedagogical and safety response to the situation at hand. In determining whether a different level of intervention should be applied than that listed in any particular Code violation, the principal or designee should consider and be guided by the following mitigating and aggravating factors.

Level I	Level II	Level III	Level IV	Level V
Minimal disruption to school, consequences typically handled at the school level.	Mild disruption to school typically without injury to other students or staff.	Serious rule violations typically with serious impact on learning, well-being, and/or safety of students or staff.	Serious offenses that threaten the safety of others, or substantially disrupt the education environment.	Offenses that result in the indefinite removal of a student from school and all school properties by the GCS Board of Education.

Mitigating Factors: The principal or designee may choose to reduce the level of the violation when mitigating factors exist, which include but are not limited to:

- The student is in elementary school;
- The student did not and would not be expected to understand the full impact of their decision due to the age, grade level, and/or cognitive ability of the student;
- The student has not engaged in the type of conduct before;
- The student has no record of violating the Code of Student Conduct before;
- The student acknowledges the violation and indicates an understanding that they will not repeat the conduct;
- The conduct had a minimal impact on the educational environment;
- The conduct did not harm other students or staff; and/or
- Imposing a lower level of disciplinary intervention will not cause disruption to the educational environment or threaten the safety of other students at the school.

Aggravating Factors: The principal or designee may choose to increase the level of the violation when aggravating factors exist, which include but are not limited to:

- The student is in high school;
- The student is of an age and grade level that they are expected to understand the impact of their decision;
- The student has engaged in the type of conduct before;
- The conduct involved a combination of multiple rule violations;
- The student has violated the Code of Student Conduct before;
- The student does not acknowledge the violation;
- The conduct impacted the learning of other students;
- The conduct caused harm to other students or staff;
- The conduct disrupted the educational environment;
- Continued presence of the student on campus is likely to cause disruption or unsafe conditions; and/or
- The student incited others to engage in dangerous or disruptive conduct.

Rules

The following rules for conduct apply to all students, and the violation of the rules will result in consequences consistent with the severity of the violation. The principal or designee is responsible for exercising their discretion in determining the appropriate response, within the parameters set forth in the rules.

Level I Rules

Interventions for Level I Infractions: A Level I infraction results in required consequences to address the behavioral needs of the student. Consequence options are typically implemented in the student's current school and may include services such as support related to anger management or conflict resolution. Options for interventions that may be required as part of a Level I infraction include but are not limited to:

- Verbal warning
- Parent/caregiver contact
- Conference with student and/or parent/caregiver
- Confiscation of unauthorized items
- Restricted use of electronic devices
- Required work-based contributions to the school

- Required participation in Counseling services
- Referral to student services team
- Required participation in Restorative practices program
- Bullying prevention training
- Required attendance at tobacco, CBD, or vaping addiction programs
- Temporary social restriction from peers
- Service Learning
- Return of property
- Restitution for damage
- Revocation of school-related privileges
- Behavior contract
- Up to a 3-day Suspension from receiving GCS-provided transportation
- Warning of referral to Level II (repeated offenses)
- Supports determined through the Multi-Tiered System of Support (“MTSS”) framework

Rule I-1 Noncompliance: Students must comply with all directions of school personnel or volunteers who are authorized to give such directions during any period of time when students are subject to the authority of school personnel, and/or at any time when a student’s behavior has a direct and immediate effect on maintaining order and discipline and/or protecting the safety and welfare of students and staff. Note that refusals to participate in valid requests by school personnel to search or comply with other security measures are covered in Level II (Rule II-4).

Rule I-2 School/Class Attendance: Being tardy to class, skipping class/school, or leaving campus without permission is prohibited. Students are not permitted to leave campus during lunch unless authorized by the school. Students are forbidden from aiding, inducing or transporting other students not authorized to participate in open lunch.

Rule I-3 Out of Area: Being in any area of the school campus or property without permission is prohibited. Students are expected to attend classes, participate in activities, and move throughout the campus in a manner consistent with their schedules and the directives of school personnel. Going off campus without permission or loitering in areas where the student does not have permission to be is a violation of this rule.

Rule I-4 Profane, Vulgar, or Obscene Language or Materials: Cursing or use of vulgar, profane, or obscene language is prohibited. Possessing, displaying, or sending materials or electronic text and/or images that convey a profane, vulgar, or obscene message or image are prohibited. Nudity or pornography of any kind will be considered an aggravating factor warranting a Level II response.

Rule I-5 Inappropriate Dress: Principals shall exercise appropriate discretion in implementing this policy, including making reasonable accommodations on the basis of students’ religious beliefs or medical conditions. Students are expected to adhere to standards of dress and

appearance that are compatible with an effective learning environment. Presenting profane or vulgar bodily appearance or wearing clothing which is disruptive, insufficient to cover the student's private areas, or which endangers the health or safety of the student or others is prohibited. Schools may implement dress code or Standard Mode of Dress (SMOD) policies at the school level. Before being disciplined for the first offense, a student shall receive a warning and be allowed to immediately change or remove the attire that is in violation of this rule and their parent(s) or caregiver(s) will be contacted.

Rule I-6 Use of Unauthorized Electronic Devices or Applications During Instructional Time: Students may not use any electronic device or personal entertainment device during instructional time unless authorized by the classroom teacher or other school personnel with supervision responsibilities during instructional time. Further, students are prohibited from using electronic devices in an unauthorized manner, including but not limited to, playing games, sending messages, and browsing websites, unless authorized by the classroom teacher or school personnel with supervision responsibilities during instructional time. In addition to other disciplinary interventions, any device used in violation of this policy may be confiscated and only returned to the students' parents/caregiver.

Rule I-7 Trespassing: No student shall be on the campus of any school except the one to which the student is assigned without the knowledge and consent of the officials of that school. Students who remain at school after the close of the school day or come onto school grounds when school is not in session without permission will be considered trespassers. A student under suspension from school is trespassing if they appear on the property of any school or at any school sponsored activity during the suspension period without the express permission of the principal. Aggravating factors particular to this rule violation include but are not limited to circumstances indicating that the student violated this rule in order to engage in fighting, destruction of property, or violation of a suspension. Note: GCS reserves the right to deem any person who is prohibited from being on its property a criminal trespasser and seek support from law enforcement to enforce the school's prohibition.

Rule I-8 Gambling. Students shall not engage in any form of games of chance or gambling for money and/or things of value.

Rule I-9 Invasion of Privacy: Students are prohibited from taking photographs, videos, or other media of any other student or school personnel without permission. Students are further prohibited from posting any such media or images in public spaces including online or via social media platforms. This rule includes but is not limited to posting videos of fights or other disruptive conduct where permission is not granted for the posting of each person's image, and posting pages

including images designed to make fun of or negatively target a particular student or staff member without their permission. If the invasion of privacy is done with an intent to embarrass, threaten, or otherwise emotionally harm another student or school personnel, such conduct will be considered an aggravating factor.

Rule I-10 Tobacco and Cannabidiol (CBD): No student shall possess, display, or use any tobacco product or CBD product. The prohibition on display of tobacco and CBD products does not extend to display that has a legitimate instructional or teaching purpose and is approved by a teacher or school administrator. More than one violation of this rule is considered an aggravating factor.

Rule I-11 Vaping: Vapes and e-cigarettes (even those containing only flavored vapor) are banned from school campuses and school events. A student who is found in possession of a vape or e-cigarette or related paraphernalia may be subject to disciplinary action for violation of Rule I-10 (prohibition of tobacco and CBD) or Rule III-4 (related to other controlled substances). More than one violation of this rule is considered an aggravating factor.

Level II Rules

Interventions for Level II Infractions: A Level II infraction is a clear violation of the rules that may cause some mild disruption to the school but has not caused injury to other students or staff. A Level II infraction results in required Restorative Measures or supportive interventions to address the behavioral needs of the student. Consequence options are typically implemented in the student's current school and include services such as support related to anger management or conflict resolution. However, a short-term suspension or reassignment may be appropriate to address a Level II infraction if determined by the Superintendent's designee in accordance with reassignment policies and procedures. Options for interventions that may be required as part of a Level II infraction include but are not limited to:

- Any responses available for Level I infractions
- In-school suspension
- Alternative classroom assignment
- After-school detention or Saturday school
- Permanent removal from participation in extracurricular/co- curricular programs or activities
- Suspension from receiving GCS-provided transportation
- Out-of-school suspension for one to 5 days
- Warning of referral to Level III (repeated offenses)

- Supports determined through the Multi-Tiered System of Support (“MTSS”) framework

Rule II-1 Integrity: Any student who engages in or attempts to engage in cheating, plagiarism, falsification, violation of copyright laws, or violation of computer access shall be subject to disciplinary action. The following actions are specifically prohibited:

- a. Cheating—giving or receiving of any unauthorized assistance on academic work.
- b. Plagiarism—copying the language, structure, or idea of another and representing it as one's own work. Plagiarism includes using artificial intelligence or other online resources to develop work product that does not reflect the student's own independent thoughts or ideas. Students must follow any parameters set forth by their classroom teachers for use of online resources or artificial intelligence in completing assignments.
- c. Falsification—verbal or written statement of any untruth. Students shall not provide false information to school officials and/or parents/caregivers regarding any report card, attendance matter, grades or progress reports, discipline matters or any other school business.
- d. Violation of copyright laws—unauthorized duplication of computer software (computer piracy), printed material, digital material, copyrighted media of any kind (such as sound recordings, motion pictures, etc.), and/or the use of pirated computer software.
- e. Violation of computer access—logging on as a person other than oneself to any device or system of any kind and/or impersonating someone other than oneself or misrepresenting oneself online or through electronic means. Any conduct prohibited under Policy Code 3225/4312/7320 Technology Responsible Use is also subject to disciplinary action regardless of whether the violation is specifically described in this Code of Conduct.

Rule II-2 School/Class/Activity Disturbance: Any physical or verbal disturbance which occurs within the school environment and which interrupts or interferes with teaching or orderly conduct of class/school activities is prohibited. Students are prohibited from causing the disruption of any lawful function, mission, or process of the school. Students shall not lead or participate in any activity that has a purpose of the disruption of school business or which significantly affects the educational process. Use of inappropriate gestures, symbols, or signs to incite disruption or promote dangerous behaviors is prohibited. Leading or inciting others to engage in violation of this rule, whether online or in person, is considered an aggravating factor.

Rule II-3 School Transportation Disturbance or Misbehavior: Any physical or verbal disturbance which occurs on GCS-provided transportation (including public transportation) and which interrupts or interferes with the safe and orderly operation of the vehicle is prohibited. Students must observe the directives of the school bus driver and/or bus/contract vehicle safety monitor. The following conduct is specifically prohibited and may result in revocation of GCS-provided transportation privileges: delaying the bus schedule, fighting, smoking, inappropriate behavior of a lewd or offensive nature, using profanity or refusing to obey the driver's instructions, tampering with or willfully damaging the school vehicle, getting off at an unauthorized stop,

departing the bus via the emergency door or windows without being told to do so by the driver, distracting the driver's attention by participating in disruptive behavior while the vehicle is in operation, standing or moving around the bus while the vehicle is in motion, throwing objects from the bus windows or doors, failing to observe and obey safety regulations, failing to sit in an assigned seat if applicable, willfully trespassing on a school-owned or operated vehicle, or violating any other Code rule while on the school bus.

Rule II-4 Non-Compliance with Search or Safety Precaution. Students must comply with the directives of school officials to protect the safety of the school environment, which includes searching for dangerous materials or contraband, conducting safety drills, and preventing dangerous persons from entering the school. Non-compliance includes but is not limited to refusing to participate in mandatory searches, refusing to comply with security requirements such as maintaining locked doors, refusing to pass through metal detectors, and any other conduct that impedes the ability of school officials to protect the safety of students and staff.

Rule II-5 Unjustified Activation of a Fire or Other Alarm System: Students must not activate any fire or other alarm system unless authorized to do so by school employees or unless there are reasonable grounds to believe that an actual emergency situation exists. No student may interfere with or damage any part of a fire alarm, fire detection, smoke detection, fire extinguishing system, or emergency escape system. The principal must notify the fire marshal in the event this rule is violated.

Rule II-6 Possession of Incendiary Material: The possession of any incendiary material (including but not limited to matches, lighters, or lighter fluid) or the use of any material reasonably likely to result in a fire on school property is prohibited.

Rule II-7 Property Damage: No student shall intentionally damage or attempt to damage or deface school property or personal property.

Rule II-8 Theft: No student shall steal, attempt to steal, or knowingly be in possession of stolen property.

Rule II-9 Extortion: Students shall not extort through verbal, written or physical threats, including coercion or intimidation anything of value (personal property, money, or information) from another student or school employee.

Rule II-10 Consensual Lewd or Sexual Behavior: Students shall conduct their personal and social relationships according to acceptable community standards. Inappropriate public displays of affection will not be allowed. Lewd, illegal or sexual gestures or acts, whether by one individual or multiple individuals, are not permitted, and particularly harmful acts or gestures could be considered an aggravating factor. Note: non-consensual sexual acts are covered in Level III.

Rule II-11 Threat/False Threat: No student shall make any threat through written or verbal language, sign, or act which conveys a serious expression of intent to cause harm or violence. Note that threats involving bombs, weapons, or terrorist acts are listed in Level III, and threats that cause severe disruption or significant fear for safety could be considered an aggravating factor.

Rule II-12 Failure to Report a Firearm or Firearms: Any student who has knowledge that another student possesses or intends to bring a firearm on any school campus or to any school activity must immediately report this information to school or law enforcement authorities. If evidence supports a conclusion that the student's failure to report was due to reasonable fear of retaliation for reporting, such circumstances should be considered a mitigating factor warranting Level I intervention.

Rule II-13 Bullying, Harassment, or Discrimination: Students are prohibited from engaging in discrimination, harassment, or bullying of other students. Issues related to bullying will be handled in accordance with Policy 1710/4021/7230 Prohibition Against Discrimination, Harassment, and Bullying and accompanying regulations. Conduct that is particularly physically or emotionally harmful to other students may be considered an aggravating factor warranting Level III intervention. The following definitions apply to this rule:

- a. Discrimination is any act or failure to act, whether intentional or unintentional, that unreasonably and unfavorably differentiates treatment of others based solely on their membership in a socially distinct group or category or on a personal characteristic.
- b. Harassment or bullying behavior is conduct intended to intimidate, discredit, injure, or disturb another person or a group of persons. Such conduct violates GCS policy when any pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication places a student in actual and reasonable fear of harm to their person or damage to their property or creates or has the reasonable potential to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities, or benefits. 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 such a differentiating characteristic. Examples of behavior that may constitute bullying or harassment include, but are not limited to, acts of disrespect, intimidation, or threats, such as verbal taunts, name-calling and put-downs, epithets, derogatory comments or slurs, lewd propositions, exclusion from peer groups, extortion of money or possessions, implied or stated threats, assault, impeding or blocking movement, offensive touching or any physical interference with normal work or movement, and visual insults, such as derogatory posters or cartoons. Harassment and bullying may also occur through electronic means ("cyberbullying"), such as via the internet, emailing, or text messaging, or by use of personal web sites to support deliberate, repeated, and hostile behavior intended to cause harm to persons or groups. **Note: harassment based on sex is covered in Level III.**

Rule II-14 Aiding and Abetting: No student shall aid or abet another student in violating any rule in the Code of Student Conduct. No student shall assist any person, whether a student,

visitor, or staff, in avoiding security measures put in place by the school such as mandatory scanners and locked doors.

Level III Rules

Interventions for Level III Infractions: Level III infractions are more serious violations of the Code of Student Conduct and typically have had a serious impact on the learning of others, or the well-being or safety of students and/or staff at the school. Consequences often involve removal of the student from their assigned school for a period of time, with completion of required consequences focused on behavioral interventions before being permitted to return to their assigned school. Options for interventions that may be required as part of a Level III infraction include but are not limited to:

- Any consequences under Level I or II
- Out-of-school suspension for one to 10 days
- Reassignment to an alternative learning program or school
- Warning of referral to Level IV (for repeated offenses)

Rule III-1 Physical Aggression/Fighting: Fighting or physical aggression toward students, staff, or any other person is prohibited. A student who is attacked may use reasonable force in self-defense (as defined below), but only to the extent necessary to get free from the attack and notify proper school authorities. A student who exceeds reasonable force may be disciplined even though someone else provoked the fight. If a student is attempting to involve another student in a fight, the other student should walk away and report it to school personnel. Students must not continue to fight after they have been told to stop, even if the student was initially acting in self-defense.

No student shall engage in fighting or physical aggression towards others, including but not limited to:

- a. Choking, hitting, slapping, shoving, scratching, spitting, biting, blocking the passage of, or throwing objects at another person in an aggressive, confrontational or dangerous manner.
- b. Taking any action or making comments or writing messages that might reasonably be expected to result in a fight or physical aggression.

For purposes of this rule, “self-defense” means an act to respond to a threat of harm to one’s person, where the perception of that threat was reasonable in light of the facts and circumstances and that the respondent had no other means of avoiding the physical altercation. Acts that go beyond what is necessary to protect one’s person from attack are not considered to be self-defense.

Note: If a teacher is assaulted or injured by a student and as a result the student is reassigned to alternative education services, long-term suspended, or expelled, the student shall not be returned to that teacher's classroom unless the teacher consents. **Any assault resulting in serious**

personal injury or assault involving the use of a weapon must be reported to law enforcement.

Rule III-2 Possession of a Dangerous Weapon or Other Instrument: Students shall not possess or conceal or transport any weapon, chemical agent or other instrument that could cause or that is intended to cause bodily injury or other harm to another or misuse otherwise acceptable objects in a manner intended to cause harm to others. Any student who finds a weapon or dangerous instrument/substance on school property or receives it from another person on school property and immediately provides it to school personnel is not in violation of this rule. Note: Refer to Level IV for violations involving Firearms/Destructive Devices. **Any violation of this rule must be reported to law enforcement.**

Rule III-3 Possession of a Counterfeit Dangerous Weapon or Other Instrument: Students shall not possess, conceal, transport, or wield any counterfeit weapon, chemical agent or other instrument that has the appearance of being able to cause bodily injury or other physical harm. Violation of this rule includes but is not limited to possession of airsoft rifles, toy guns, antique weapons or other paraphernalia used for waging war even if inoperable, or replicas of any weapons. Any student who finds a counterfeit weapon or dangerous instrument/substance on school property or receives it from another person on school property and immediately provides it to school personnel is not in violation of this rule.

Rule III-4 Narcotics, Alcoholic Beverages, Controlled Substances, Chemicals, and Drug Paraphernalia: No student shall possess, use, distribute, sell, possess with intent to distribute or sell, or conspire or attempt to distribute or sell, purchase, 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 substance, any unauthorized prescription drug, or any other chemicals or products with the intention of bringing about a state of exhilaration, euphoria, or of otherwise altering the student's mood or behavior. The proper use of a drug authorized by valid medical prescription from a legally authorized health care provider shall not be considered a violation of this rule when the drug is taken by the person for whom the drug was prescribed. Definitions applicable to this rule are as follows:

- a. Possession: Having the prohibited substance on the student's person or in another place where the student, either alone or jointly with others, has control over it. This may include, but is not limited to, possession of a prohibited substance in an automobile, locker, book bag, or desk.
- b. Use: The consumption, injection, inhalation or absorption of a prohibited substance into a student's body by any means.
- c. Under the influence: The use of any prohibited substance when the prohibited substance would influence a student's mood, behavior, or learning to any degree.
- d. Counterfeit Substance: Any substance that is described or presented with the intention of deceiving another into believing that it is a substance prohibited under this policy.
- e. Unauthorized Prescription Drug: Any drug or medication that has not been prescribed for the student.

- f. Drug Paraphernalia: Objects used for ingesting, inhaling, or otherwise introducing controlled substances into the body, e.g., pipes, rolling papers, roach clips. Relevant evidence may be considered in determining whether an object is drug paraphernalia.
- g. Conspiracy: An agreement by two or more persons to commit an unlawful act in violation of this policy.
- h. Sell: The exchange of a prohibited substance for money, property, or any other benefit or item of value.
- i. Possession with Intent to Distribute/Sell: Intent to distribute or sell may be determined from the amount of the prohibited substance found, the manner in which it was packaged, the presence of packaging materials such as scales, baggies or other containers, or from statements or actions of the student that demonstrate an intent to distribute or sell. For purposes of this definition, a student has not "distributed" a prohibited substance (but may have violated the rule against "possession" or "use") if the student's only involvement is to share or pass a prohibited substance with other students in the course of using it, so long as the student was not the one who brought the prohibited substance onto school property or otherwise made it available to other students. A student may have violated the rule against "distributing" a prohibited substance even if the substance is given freely rather than exchanged for something of value.

When a first infraction of this policy involves only possession, conspiracy to possess, use, and/or being under the influence of a substance prohibited by this policy, the principal or designee should consider such circumstances to be a mitigating factor. The principal or designee should design the disciplinary intervention to promote participation in school and to address potential addiction concerns. **The principal must report possession of any controlled substance to law enforcement.**

Rule III-5 Sex-based harassment, Sexual Assault, or Violent Sexual Offenses: Students are prohibited from engaging in unwelcome conduct towards another student on the basis of sex that could create a hostile environment for another student. Unwanted, unwelcome, and uninvited sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature are strictly prohibited. In some instances, such conduct is not so severe or pervasive as to create a hostile environment but are nonetheless prohibited. In those cases, principals may choose to treat the violation of this rule as Level I or II violation. **However, sexual assault or other violent sexual act may be considered an aggravating factor justifying a Level IV response.** Violations of this rule will be handled in collaboration with the GCS Title IX office and in accordance with Policy 1725/4035/7236 Title IX Sexual Harassment – Prohibited Conduct and District Response Policy and accompanying regulations. Any violation of Policy 1725/4035/7236 and any other violation of criminal law involving sexual offenses is a violation of this rule. **The principal must report any allegation of sexual assault or violent sexual act against a child to law enforcement.**

Rule III-6 Hazing: Hazing is prohibited. No group or individual shall require a student to wear abnormal dress, play abusive or ridiculous tricks on him/her, frighten, scold, beat, harass, or subject him/her to personal indignity. Any violation of this rule involving assault resulting in

serious personal injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault involving the use of a weapon, violent crime against a child, or sexually violent crime against a child **must be reported to law enforcement.**

Rule III-7 Bomb Threat: No student shall make a bomb threat or hoax by making a false report that a device designed to cause damage or destruction by explosion, blasting, or burning is located on the school premises or at the site of school activities. No student shall with the intent to perpetrate a hoax, conceal, place or display on school property or the site of school activities any device or artifact so as to cause any person reasonably to believe the same to be a bomb or other destructive device.

Rule III-8 Acts of Terror: No student shall threaten to commit an act of terror on school property or at the site of a school activity that is designed to cause, or is likely to cause, serious injury or death to another person, when the threat is intended to cause, or actually causes, a significant disruption to the instructional day or a school-sponsored activity. No student shall make a report that they know is false, that an act of terror designed to cause, or likely to cause, serious injury or death to another person on school property or at the site of a school-sponsored activity is imminent, when that report is intended to cause, or actually causes, a significant disruption to the instructional day or a school-sponsored activity.

Level IV Rules

Interventions for Level IV Infractions: Level IV infractions are serious offenses involving conduct that substantially threatens the safety of students, staff, or visitors, or threatens to substantially disrupt the educational environment. Options at Level IV include long-term suspension and/or assignment to an alternative school or program. In certain situations, the reassignment may be permanent. Additionally, by law, with limited exceptions, students must be recommended for suspension for 365 days for bringing a firearm or destructive device onto school property.

Rule IV-1 Arson: Students shall not cause any fire whether or not there is an intent to commit arson or other crimes involving fire or explosion. Students shall not set fire to anything unless directed to do so under the supervision of a teacher or administrator for educational purposes. **Any violation of this rule must be reported to the fire marshal.**

Rule IV-2 Firearm/Destructive Device: Any student shall be recommended for suspension of 365 calendar days for bringing a firearm or destructive device onto school property or to a school-sponsored event off school property, or for possessing a firearm or destructive device on school property or at a school-sponsored event off school property. School property includes any

property owned, used or leased by the Board of Education, including school buses, other vehicles and school bus stops. The following definitions apply to this rule:

- a. A “firearm” is a 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 term shall not include an inoperable antique firearm, a BB gun, stun gun, air rifle, or air pistol.
- b. 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 of more than one-quarter ounce; mine; or device similar to any of the devices listed in this definition.

The recommendation for 365-day suspension does not apply to any student who finds the firearm on school property or receives it from another person on school property and who delivers the weapon, immediately, to school or law enforcement authorities. **Violation of this rule must be reported to law enforcement.**

Level V

Interventions for Level V Infractions: Level V refers to cases of expulsion: The indefinite removal of a student (age 14 or older) from school and all school properties by the GCS Board of Education whose continued presence constitutes a clear threat to other persons or who is a registered sex offender who is subject to the Jessica Lunsford Act. No infractions are listed under Level V. Instead, if a student commits a Level III or Level IV infraction and the aggravating factors justify expulsion, then the Superintendent or designee may recommend expulsion to the Board of Education.

Accordingly, any violation of a rule listed under Level III or Level IV may result in Level V intervention if the circumstances and aggravating factors warrant such a response.

GUILFORD COUNTY SCHOOLS CODE OF STUDENT CONDUCT

Guiding Principles

The Board of Education for Guilford County Schools (GCS) believes that student discipline is an integral part of its educational program. Teaching students self-discipline helps them learn important skills of goal-setting, problem-solving, critical thinking, good citizenship, and respect for self, others, and property. Maintaining effective discipline is also critical to establishing safe, orderly, and positive learning environments so that all students have an opportunity to learn.

Recognizing that exclusion from instruction can exacerbate behavioral problems, diminish academic achievement, and hasten school drop outs, GCS seeks to avoid using discipline tactics that exclude a student from instruction when feasible and to reserve exclusion from instruction for the most serious misconduct that threatens the safety of students, staff, or visitors. Schools should implement interventions that support students in learning to make positive choices and minimize exclusion from instruction.

These principles should guide all decision-making related to student discipline and behavioral support across GCS.

Applicability of Code of Conduct

GCS maintains the Code of Student Conduct ("Code") to make clear expectations of the school community. The Code applies to any student who is on school property, (which also includes any school-sponsored or school-provided transportation), who is in attendance at school or at any school-sponsored activity, or whose conduct at any time, place, or cyberspace, on or off campus, has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment. Students are expected to be familiar with all rules of behavior in the Code of Student Conduct. Further, students are expected to comply with any state and federal laws, school board policies, and local school rules governing student behavior and conduct regardless of whether they are specifically listed in this Code.

Online Conduct: Students who engage in online conduct that is reasonably expected to have an adverse direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment, regardless of where they are when they engage in that conduct, could be subject to disciplinary action for violation of the Code. The rules in the Code apply to student behavior online, in text messages, e-mails, electronic communications, social media, online applications, sharing of photographs, videos, memes, images, and any other type of electronic communication, when the conduct is subject to the Code. However, GCS lacks jurisdiction over off-campus online conduct that is not reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals

in the school environment, and school officials may be limited in their ability to investigate incidents and enforce school rules for online conduct that occurs off-campus.

Reports to Law Enforcement

School officials are obligated by certain legal requirements to notify law enforcement of certain conduct. Specifically, any of the following acts that occur on school property must be reported to law enforcement:

- (1) assault resulting in serious personal injury
- (2) sexual assault
- (3) sexual offense
- (4) rape
- (5) kidnapping
- (6) indecent liberties with a minor
- (7) assault involving the use of a weapon
- (8) possession of a firearm in violation of the law
- (9) possession of a weapon in violation of the law
- (10) possession of a controlled substance in violation of the law

School officials must also report to law enforcement any allegations of a violent crime against a child, a sexually violent crime against a child, or suspected child abuse regardless of where such acts occur. School officials must also report any allegations of child abuse or neglect to the local Child Protective Services, NC Department of Health and Human Services regardless of where such acts occur.

School officials may also collaborate with law enforcement to protect the safety of students and staff by notifying them of any safety concerns arising on school property.

Law enforcement officials make their own decisions regarding criminal prosecutions and juvenile justice consequences. This Code does not govern in any way how law enforcement may respond to a particular situation and contacting law enforcement is not considered to be a disciplinary consequence for violations of the Code. For some violations, the Code notes that the principal is obligated to notify law enforcement. This notation is not comprehensive and does not preclude any school official from seeking law enforcement assistance in any situation.

Levels of Disciplinary Intervention

The appropriate disciplinary intervention for violation of the Code of Student Conduct depends on the circumstances of the violation, the age and maturity of the student, the needs of the student, the severity of the violation, the harm caused by the violation, and the potential for disruption or safety concerns at the school after the violation. When determining the appropriate disciplinary intervention, the principal or designee should identify both the rule infraction and the level of intervention necessary to address it. The rules are divided into five different levels to guide principals in making these determinations. However, the levels and interventions described below are not intended to be an exhaustive list of options or a strict requirement for the principal or designee. The principal or designee has the discretion to impose different, less severe, or more severe consequences that are the appropriate pedagogical and safety response to the situation at hand. In determining whether a different level of intervention should be applied than that listed in any particular Code violation, the principal or designee should consider and be guided by the following mitigating and aggravating factors.

Level I	Level II	Level III	Level IV	Level V
Minimal disruption to school, consequences typically handled at the school level.	Mild disruption to school typically without injury to other students or staff.	Serious rule violations typically with serious impact on learning, well-being, and/or safety of students or staff.	Serious offenses that threaten the safety of others, or substantially disrupt the education environment.	Offenses that result in the indefinite removal of a student from school and all school properties by the GCS Board of Education.

Mitigating Factors: The principal or designee may choose to reduce the level of the violation when mitigating factors exist, which include but are not limited to:

- The student is in elementary school;
- The student did not and would not be expected to understand the full impact of their decision due to the age, grade level, and/or cognitive ability of the student;
- The student has not engaged in the type of conduct before;
- The student has no record of violating the Code of Student Conduct before;
- The student acknowledges the violation and indicates an understanding that they will not repeat the conduct;
- The conduct had a minimal impact on the educational environment;
- The conduct did not harm other students or staff; and/or
- Imposing a lower level of disciplinary intervention will not cause disruption to the educational environment or threaten the safety of other students at the school.

Aggravating Factors: The principal or designee may choose to increase the level of the violation when aggravating factors exist, which include but are not limited to:

- The student is in high school;
- The student is of an age and grade level that they are expected to understand the impact of their decision;
- The student has engaged in the type of conduct before;
- The conduct involved a combination of multiple rule violations;
- The student has violated the Code of Student Conduct before;
- The student does not acknowledge the violation;
- The conduct impacted the learning of other students;
- The conduct caused harm to other students or staff;
- The conduct disrupted the educational environment;
- Continued presence of the student on campus is likely to cause disruption or unsafe conditions; and/or
- The student incited others to engage in dangerous or disruptive conduct.

Rules

The following rules for conduct apply to all students, and the violation of the rules will result in consequences consistent with the severity of the violation. The principal or designee is responsible for exercising their discretion in determining the appropriate response, within the parameters set forth in the rules.

Level I Rules

Interventions for Level I Infractions: A Level I infraction results in required consequences to address the behavioral needs of the student. Consequence options are typically implemented in the student's current school and may include services such as support related to anger management or conflict resolution. Options for interventions that may be required as part of a Level I infraction include but are not limited to:

- Verbal warning
- Parent/caregiver contact
- Conference with student and/or parent/caregiver
- Confiscation of unauthorized items
- Restricted use of electronic devices
- Required work-based contributions to the school

Policy Regulation 4300-R1*

- Required participation in Counseling services
- Referral to student services team
- Required participation in Restorative practices program
- Bullying prevention training
- Required attendance at tobacco, CBD, or vaping addiction programs
- Temporary social restriction from peers
- Service Learning
- Return of property
- Restitution for damage
- Revocation of school-related privileges
- Behavior contract
- Up to a 3-day Suspension from receiving GCS-provided transportation
- Warning of referral to Level II (repeated offenses)
- Supports determined through the Multi-Tiered System of Support (“MTSS”) framework

Rule I-1 Noncompliance: Students must comply with all directions of school personnel or volunteers who are authorized to give such directions during any period of time when students are subject to the authority of school personnel, and/or at any time when a student’s behavior has a direct and immediate effect on maintaining order and discipline and/or protecting the safety and welfare of students and staff. Note that refusals to participate in valid requests by school personnel to search or comply with other security measures are covered in Level II (Rule II-4).

Rule I-2 School/Class Attendance: Being tardy to class, skipping class/school, or leaving campus without permission is prohibited. Students are not permitted to leave campus during lunch unless authorized by the school. Students are forbidden from aiding, inducing or transporting other students not authorized to participate in open lunch.

Rule I-3 Out of Area: Being in any area of the school campus or property without permission is prohibited. Students are expected to attend classes, participate in activities, and move throughout the campus in a manner consistent with their schedules and the directives of school personnel. Going off campus without permission or loitering in areas where the student does not have permission to be is a violation of this rule.

Rule I-4 Profane, Vulgar, or Obscene Language or Materials: Cursing or use of vulgar, profane, or obscene language is prohibited. Possessing, displaying, or sending materials or electronic text and/or images that convey a profane, vulgar, or obscene message or image are prohibited. Nudity or pornography of any kind will be considered an aggravating factor warranting a Level II response.

Rule I-5 Inappropriate Dress: Principals shall exercise appropriate discretion in implementing this policy, including making reasonable accommodations on the basis of students’ religious beliefs or medical conditions. Students are expected to adhere to standards of dress and

Policy Regulation 4300-R1*

appearance that are compatible with an effective learning environment. Presenting profane or vulgar bodily appearance or wearing clothing which is disruptive, insufficient to cover the student's private areas, or which endangers the health or safety of the student or others is prohibited. Schools may implement dress code or Standard Mode of Dress (SMOD) policies at the school level. Before being disciplined for the first offense, a student shall receive a warning and be allowed to immediately change or remove the attire that is in violation of this rule and their parent(s) or caregiver(s) will be contacted.

Rule I-6 Use of Unauthorized Electronic Devices or Applications During Instructional Time: Students may not use any electronic device or personal entertainment device during instructional time unless authorized by the classroom teacher or other school personnel with supervision responsibilities during instructional time. Further, students are prohibited from using electronic devices in an unauthorized manner, including but not limited to, playing games, sending messages, and browsing websites, unless authorized by the classroom teacher or school personnel with supervision responsibilities during instructional time. In addition to other disciplinary interventions, any device used in violation of this policy may be confiscated and only returned to the students' parents/caregiver.

Rule I-7 Trespassing: No student shall be on the campus of any school except the one to which the student is assigned without the knowledge and consent of the officials of that school. Students who remain at school after the close of the school day or come onto school grounds when school is not in session without permission will be considered trespassers. A student under suspension from school is trespassing if they appear on the property of any school or at any school sponsored activity during the suspension period without the express permission of the principal. Aggravating factors particular to this rule violation include but are not limited to circumstances indicating that the student violated this rule in order to engage in fighting, destruction of property, or violation of a suspension. Note: GCS reserves the right to deem any person who is prohibited from being on its property a criminal trespasser and seek support from law enforcement to enforce the school's prohibition.

Rule I-8 Gambling. Students shall not engage in any form of games of chance or gambling for money and/or things of value.

Rule I-9 Invasion of Privacy: Students are prohibited from taking photographs, videos, or other media of any other student or school personnel without permission. Students are further prohibited from posting any such media or images in public spaces including online or via social media platforms. This rule includes but is not limited to posting videos of fights or other disruptive conduct where permission is not granted for the posting of each person's image, and posting pages

Policy Regulation 4300-R1*

including images designed to make fun of or negatively target a particular student or staff member without their permission. If the invasion of privacy is done with an intent to embarrass, threaten, or otherwise emotionally harm another student or school personnel, such conduct will be considered an aggravating factor.

Rule I-10 Tobacco and Cannabidiol (CBD): No student shall possess, display, or use any tobacco product or CBD product. The prohibition on display of tobacco and CBD products does not extend to display that has a legitimate instructional or teaching purpose and is approved by a teacher or school administrator. More than one violation of this rule is considered an aggravating factor.

Rule I-11 Vaping: Vapes and e-cigarettes (even those containing only flavored vapor) are banned from school campuses and school events. A student who is found in possession of a vape or e-cigarette or related paraphernalia may be subject to disciplinary action for violation of Rule I-10 (prohibition of tobacco and CBD) or Rule III-4 (related to other controlled substances). More than one violation of this rule is considered an aggravating factor.

Level II Rules

Interventions for Level II Infractions: A Level II infraction is a clear violation of the rules that may cause some mild disruption to the school but has not caused injury to other students or staff. A Level II infraction results in required Restorative Measures or supportive interventions to address the behavioral needs of the student. Consequence options are typically implemented in the student's current school and include services such as support related to anger management or conflict resolution. However, a short-term suspension or reassignment may be appropriate to address a Level II infraction if determined by the Superintendent's designee in accordance with reassignment policies and procedures. Options for interventions that may be required as part of a Level II infraction include but are not limited to:

- Any responses available for Level I infractions
- In-school suspension
- Alternative classroom assignment
- After-school detention or Saturday school
- Permanent removal from participation in extracurricular/co- curricular programs or activities
- Suspension from receiving GCS-provided transportation
- Out-of-school suspension for one to 5 days
- Warning of referral to Level III (repeated offenses)

- Supports determined through the Multi-Tiered System of Support (“MTSS”) framework

Rule II-1 Integrity: Any student who engages in or attempts to engage in cheating, plagiarism, falsification, violation of copyright laws, or violation of computer access shall be subject to disciplinary action. The following actions are specifically prohibited:

- a. Cheating—giving or receiving of any unauthorized assistance on academic work.
- b. Plagiarism—copying the language, structure, or idea of another and representing it as one's own work. Plagiarism includes using artificial intelligence or other online resources to develop work product that does not reflect the student's own independent thoughts or ideas. Students must follow any parameters set forth by their classroom teachers for use of online resources or artificial intelligence in completing assignments.
- c. Falsification—verbal or written statement of any untruth. Students shall not provide false information to school officials and/or parents/caregivers regarding any report card, attendance matter, grades or progress reports, discipline matters or any other school business.
- d. Violation of copyright laws—unauthorized duplication of computer software (computer piracy), printed material, digital material, copyrighted media of any kind (such as sound recordings, motion pictures, etc.), and/or the use of pirated computer software.
- e. Violation of computer access—logging on as a person other than oneself to any device or system of any kind and/or impersonating someone other than oneself or misrepresenting oneself online or through electronic means. Any conduct prohibited under Policy Code 3225/4312/7320 Technology Responsible Use is also subject to disciplinary action regardless of whether the violation is specifically described in this Code of Conduct.

Rule II-2 School/Class/Activity Disturbance: Any physical or verbal disturbance which occurs within the school environment and which interrupts or interferes with teaching or orderly conduct of class/school activities is prohibited. Students are prohibited from causing the disruption of any lawful function, mission, or process of the school. Students shall not lead or participate in any activity that has a purpose of the disruption of school business or which significantly affects the educational process. Use of inappropriate gestures, symbols, or signs to incite disruption or promote dangerous behaviors is prohibited. Leading or inciting others to engage in violation of this rule, whether online or in person, is considered an aggravating factor.

Rule II-3 School Transportation Disturbance or Misbehavior: Any physical or verbal disturbance which occurs on GCS-provided transportation (including public transportation) and which interrupts or interferes with the safe and orderly operation of the vehicle is prohibited. Students must observe the directives of the school bus driver and/or bus/contract vehicle safety monitor. The following conduct is specifically prohibited and may result in revocation of GCS-provided transportation privileges: delaying the bus schedule, fighting, smoking, inappropriate behavior of a lewd or offensive nature, using profanity or refusing to obey the driver's instructions, tampering with or willfully damaging the school vehicle, getting off at an unauthorized stop,

departing the bus via the emergency door or windows without being told to do so by the driver, distracting the driver's attention by participating in disruptive behavior while the vehicle is in operation, standing or moving around the bus while the vehicle is in motion, throwing objects from the bus windows or doors, failing to observe and obey safety regulations, failing to sit in an assigned seat if applicable, willfully trespassing on a school-owned or operated vehicle, or violating any other Code rule while on the school bus.

Rule II-4 Non-Compliance with Search or Safety Precaution. Students must comply with the directives of school officials to protect the safety of the school environment, which includes searching for dangerous materials or contraband, conducting safety drills, and preventing dangerous persons from entering the school. Non-compliance includes but is not limited to refusing to participate in mandatory searches, refusing to comply with security requirements such as maintaining locked doors, refusing to pass through metal detectors, and any other conduct that impedes the ability of school officials to protect the safety of students and staff.

Rule II-5 Unjustified Activation of a Fire or Other Alarm System: Students must not activate any fire or other alarm system unless authorized to do so by school employees or unless there are reasonable grounds to believe that an actual emergency situation exists. No student may interfere with or damage any part of a fire alarm, fire detection, smoke detection, fire extinguishing system, or emergency escape system. The principal must notify the fire marshal in the event this rule is violated.

Rule II-6 Possession of Incendiary Material: The possession of any incendiary material (including but not limited to matches, lighters, or lighter fluid) or the use of any material reasonably likely to result in a fire on school property is prohibited.

Rule II-7 Property Damage: No student shall intentionally damage or attempt to damage or deface school property or personal property.

Rule II-8 Theft: No student shall steal, attempt to steal, or knowingly be in possession of stolen property.

Rule II-9 Extortion: Students shall not extort through verbal, written or physical threats, including coercion or intimidation anything of value (personal property, money, or information) from another student or school employee.

Rule II-10 Consensual Lewd or Sexual Behavior: Students shall conduct their personal and social relationships according to acceptable community standards. Inappropriate public displays of affection will not be allowed. Lewd, illegal or sexual gestures or acts, whether by one individual or multiple individuals, are not permitted, and particularly harmful acts or gestures could be considered an aggravating factor. Note: non-consensual sexual acts are covered in Level III.

Rule II-11 Threat/False Threat: No student shall make any threat through written or verbal language, sign, or act which conveys a serious expression of intent to cause harm or violence. Note that threats involving bombs, weapons, or terrorist acts are listed in Level III, and threats that cause severe disruption or significant fear for safety could be considered an aggravating factor.

Rule II-12 Failure to Report a Firearm or Firearms: Any student who has knowledge that another student possesses or intends to bring a firearm on any school campus or to any school activity must immediately report this information to school or law enforcement authorities. If evidence supports a conclusion that the student's failure to report was due to reasonable fear of retaliation for reporting, such circumstances should be considered a mitigating factor warranting Level I intervention.

Rule II-13 Bullying, Harassment, or Discrimination: Students are prohibited from engaging in discrimination, harassment, or bullying of other students. Issues related to bullying will be handled in accordance with Policy 1710/4021/7230 Prohibition Against Discrimination, Harassment, and Bullying and accompanying regulations. Conduct that is particularly physically or emotionally harmful to other students may be considered an aggravating factor warranting Level III intervention. The following definitions apply to this rule:

- a. Discrimination is any act or failure to act, whether intentional or unintentional, that unreasonably and unfavorably differentiates treatment of others based solely on their membership in a socially distinct group or category or on a personal characteristic.
- b. Harassment or bullying behavior is conduct intended to intimidate, discredit, injure, or disturb another person or a group of persons. Such conduct violates GCS policy when any pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication places a student in actual and reasonable fear of harm to their person or damage to their property or creates or has the reasonable potential to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities, or benefits. 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 such a differentiating characteristic. Examples of behavior that may constitute bullying or harassment include, but are not limited to, acts of disrespect, intimidation, or threats, such as verbal taunts, name-calling and put-downs, epithets, derogatory comments or slurs, lewd propositions, exclusion from peer groups, extortion of money or possessions, implied or stated threats, assault, impeding or blocking movement, offensive touching or any physical interference with normal work or movement, and visual insults, such as derogatory posters or cartoons. Harassment and bullying may also occur through electronic means ("cyberbullying"), such as via the internet, emailing, or text messaging, or by use of personal web sites to support deliberate, repeated, and hostile behavior intended to cause harm to persons or groups. **Note: harassment based on sex is covered in Level III.**

Rule II-14 Aiding and Abetting: No student shall aid or abet another student in violating any rule in the Code of Student Conduct. No student shall assist any person, whether a student,

visitor, or staff, in avoiding security measures put in place by the school such as mandatory scanners and locked doors.

Level III Rules

Interventions for Level III Infractions: Level III infractions are more serious violations of the Code of Student Conduct and typically have had a serious impact on the learning of others, or the well-being or safety of students and/or staff at the school. Consequences often involve removal of the student from their assigned school for a period of time, with completion of required consequences focused on behavioral interventions before being permitted to return to their assigned school. Options for interventions that may be required as part of a Level III infraction include but are not limited to:

- Any consequences under Level I or II
- Out-of-school suspension for one to 10 days
- Reassignment to an alternative learning program or school
- Warning of referral to Level IV (for repeated offenses)

Rule III-1 Physical Aggression/Fighting: Fighting or physical aggression toward students, staff, or any other person is prohibited. A student who is attacked may use reasonable force in self-defense (as defined below), but only to the extent necessary to get free from the attack and notify proper school authorities. A student who exceeds reasonable force may be disciplined even though someone else provoked the fight. If a student is attempting to involve another student in a fight, the other student should walk away and report it to school personnel. Students must not continue to fight after they have been told to stop, even if the student was initially acting in self-defense.

No student shall engage in fighting or physical aggression towards others, including but not limited to:

- a. Choking, hitting, slapping, shoving, scratching, spitting, biting, blocking the passage of, or throwing objects at another person in an aggressive, confrontational or dangerous manner.
- b. Taking any action or making comments or writing messages that might reasonably be expected to result in a fight or physical aggression.

For purposes of this rule, “self-defense” means an act to respond to a threat of harm to one’s person, where the perception of that threat was reasonable in light of the facts and circumstances and that the respondent had no other means of avoiding the physical altercation. Acts that go beyond what is necessary to protect one’s person from attack are not considered to be self-defense.

Note: If a teacher is assaulted or injured by a student and as a result the student is reassigned to alternative education services, long-term suspended, or expelled, the student shall not be returned to that teacher's classroom unless the teacher consents. **Any assault resulting in serious**

personal injury or assault involving the use of a weapon must be reported to law enforcement.

Rule III-2 Possession of a Dangerous Weapon or Other Instrument: Students shall not possess or conceal or transport any weapon, chemical agent or other instrument that could cause or that is intended to cause bodily injury or other harm to another or misuse otherwise acceptable objects in a manner intended to cause harm to others. Any student who finds a weapon or dangerous instrument/substance on school property or receives it from another person on school property and immediately provides it to school personnel is not in violation of this rule. Note: Refer to Level IV for violations involving Firearms/Destructive Devices. **Any violation of this rule must be reported to law enforcement.**

Rule III-3 Possession of a Counterfeit Dangerous Weapon or Other Instrument: Students shall not possess, conceal, transport, or wield any counterfeit weapon, chemical agent or other instrument that has the appearance of being able to cause bodily injury or other physical harm. Violation of this rule includes but is not limited to possession of airsoft rifles, toy guns, antique weapons or other paraphernalia used for waging war even if inoperable, or replicas of any weapons. Any student who finds a counterfeit weapon or dangerous instrument/substance on school property or receives it from another person on school property and immediately provides it to school personnel is not in violation of this rule.

Rule III-4 Narcotics, Alcoholic Beverages, Controlled Substances, Chemicals, and Drug Paraphernalia: No student shall possess, use, distribute, sell, possess with intent to distribute or sell, or conspire or attempt to distribute or sell, purchase, 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 substance, any unauthorized prescription drug, or any other chemicals or products with the intention of bringing about a state of exhilaration, euphoria, or of otherwise altering the student's mood or behavior. The proper use of a drug authorized by valid medical prescription from a legally authorized health care provider shall not be considered a violation of this rule when the drug is taken by the person for whom the drug was prescribed. Definitions applicable to this rule are as follows:

- a. Possession: Having the prohibited substance on the student's person or in another place where the student, either alone or jointly with others, has control over it. This may include, but is not limited to, possession of a prohibited substance in an automobile, locker, book bag, or desk.
- b. Use: The consumption, injection, inhalation or absorption of a prohibited substance into a student's body by any means.
- c. Under the influence: The use of any prohibited substance when the prohibited substance would influence a student's mood, behavior, or learning to any degree.
- d. Counterfeit Substance: Any substance that is described or presented with the intention of deceiving another into believing that it is a substance prohibited under this policy.
- e. Unauthorized Prescription Drug: Any drug or medication that has not been prescribed for the student.

- f. Drug Paraphernalia: Objects used for ingesting, inhaling, or otherwise introducing controlled substances into the body, e.g., pipes, rolling papers, roach clips. Relevant evidence may be considered in determining whether an object is drug paraphernalia.
- g. Conspiracy: An agreement by two or more persons to commit an unlawful act in violation of this policy.
- h. Sell: The exchange of a prohibited substance for money, property, or any other benefit or item of value.
- i. Possession with Intent to Distribute/Sell: Intent to distribute or sell may be determined from the amount of the prohibited substance found, the manner in which it was packaged, the presence of packaging materials such as scales, baggies or other containers, or from statements or actions of the student that demonstrate an intent to distribute or sell. For purposes of this definition, a student has not "distributed" a prohibited substance (but may have violated the rule against "possession" or "use") if the student's only involvement is to share or pass a prohibited substance with other students in the course of using it, so long as the student was not the one who brought the prohibited substance onto school property or otherwise made it available to other students. A student may have violated the rule against "distributing" a prohibited substance even if the substance is given freely rather than exchanged for something of value.

When a first infraction of this policy involves only possession, conspiracy to possess, use, and/or being under the influence of a substance prohibited by this policy, the principal or designee should consider such circumstances to be a mitigating factor. The principal or designee should design the disciplinary intervention to promote participation in school and to address potential addiction concerns. **The principal must report possession of any controlled substance to law enforcement.**

Rule III-5 Sex-based harassment, Sexual Assault, or Violent Sexual Offenses: Students are prohibited from engaging in unwelcome conduct towards another student on the basis of sex that could create a hostile environment for another student. Unwanted, unwelcome, and uninvited sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature are strictly prohibited. In some instances, such conduct is not so severe or pervasive as to create a hostile environment but are nonetheless prohibited. In those cases, principals may choose to treat the violation of this rule as Level I or II violation. **However, sexual assault or other violent sexual act may be considered an aggravating factor justifying a Level IV response.** Violations of this rule will be handled in collaboration with the GCS Title IX office and in accordance with Policy 1725/4035/7236 Title IX Sexual Harassment – Prohibited Conduct and District Response Policy and accompanying regulations. Any violation of Policy 1725/4035/7236 and any other violation of criminal law involving sexual offenses is a violation of this rule. **The principal must report any allegation of sexual assault or violent sexual act against a child to law enforcement.**

Rule III-6 Hazing: Hazing is prohibited. No group or individual shall require a student to wear abnormal dress, play abusive or ridiculous tricks on him/her, frighten, scold, beat, harass, or subject him/her to personal indignity. Any violation of this rule involving assault resulting in

serious personal injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault involving the use of a weapon, violent crime against a child, or sexually violent crime against a child **must be reported to law enforcement.**

Rule III-7 Bomb Threat: No student shall make a bomb threat or hoax by making a false report that a device designed to cause damage or destruction by explosion, blasting, or burning is located on the school premises or at the site of school activities. No student shall with the intent to perpetrate a hoax, conceal, place or display on school property or the site of school activities any device or artifact so as to cause any person reasonably to believe the same to be a bomb or other destructive device.

Rule III-8 Acts of Terror: No student shall threaten to commit an act of terror on school property or at the site of a school activity that is designed to cause, or is likely to cause, serious injury or death to another person, when the threat is intended to cause, or actually causes, a significant disruption to the instructional day or a school-sponsored activity. No student shall make a report that they know is false, that an act of terror designed to cause, or likely to cause, serious injury or death to another person on school property or at the site of a school-sponsored activity is imminent, when that report is intended to cause, or actually causes, a significant disruption to the instructional day or a school-sponsored activity.

Level IV Rules

Interventions for Level IV Infractions: Level IV infractions are serious offenses involving conduct that substantially threatens the safety of students, staff, or visitors, or threatens to substantially disrupt the educational environment. Options at Level IV include long-term suspension and/or assignment to an alternative school or program. In certain situations, the reassignment may be permanent. Additionally, by law, with limited exceptions, students must be recommended for suspension for 365 days for bringing a firearm or destructive device onto school property.

Rule IV-1 Arson: Students shall not cause any fire whether or not there is an intent to commit arson or other crimes involving fire or explosion. Students shall not set fire to anything unless directed to do so under the supervision of a teacher or administrator for educational purposes. **Any violation of this rule must be reported to the fire marshal.**

Rule IV-2 Firearm/Destructive Device: Any student shall be recommended for suspension of 365 calendar days for bringing a firearm or destructive device onto school property or to a school-sponsored event off school property, or for possessing a firearm or destructive device on school property or at a school-sponsored event off school property. School property includes any

property owned, used or leased by the Board of Education, including school buses, other vehicles and school bus stops. The following definitions apply to this rule:

- a. A “firearm” is a 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 term shall not include an inoperable antique firearm, a BB gun, stun gun, air rifle, or air pistol.
- b. 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 of more than one-quarter ounce; mine; or device similar to any of the devices listed in this definition.

The recommendation for 365-day suspension does not apply to any student who finds the firearm on school property or receives it from another person on school property and who delivers the weapon, immediately, to school or law enforcement authorities. **Violation of this rule must be reported to law enforcement.**

Level V

Interventions for Level V Infractions: Level V refers to cases of expulsion: The indefinite removal of a student (age 14 or older) from school and all school properties by the GCS Board of Education whose continued presence constitutes a clear threat to other persons or who is a registered sex offender who is subject to the Jessica Lunsford Act. No infractions are listed under Level V. Instead, if a student commits a Level III or Level IV infraction and the aggravating factors justify expulsion, then the Superintendent or designee may recommend expulsion to the Board of Education.

Accordingly, any violation of a rule listed under Level III or Level IV may result in Level V intervention if the circumstances and aggravating factors warrant such a response.

