

**CODE OF
STUDENT
CONDUCT**

**MACON COUNTY SCHOOLS
2019-2020**

CODE OF STUDENT CONDUCT

CODE OF STUDENT CONDUCT

The basic purpose of the Student Code of Conduct for schools is to help establish and maintain a safe and orderly environment, which must prevail if learning is to take place. The term “school” as it applies to these guidelines refers to all school buildings, parking areas and properties. These rules are in effect at any function or school sponsored activity and while students are waiting for, riding or leaving the bus. These rules apply to any student whose conduct at any time or place has a direct and immediate effect on maintaining order and discipline in the schools. (See policy 4300 for complete policy)

Principals are authorized to establish individual school rules and regulations, in addition to the rules listed below. School administrators have the responsibility to notify law enforcement officers of certain violations of state or federal laws and to call law enforcement officers to assist in the maintenance of order.

It is the intention of the Macon County Board of Education to enforce these rules fairly, firmly, without discrimination because of race or gender, and with due respect for the constitutional rights of every student. The Code of Student Conduct supplements applicable policies of the Macon County Board of Education’s policy on student control and conduct, suspension and expulsions which is set forth in the Policy Manual of the Macon County Board of Education. The Policy Manual may be viewed online at www.macon.k12.nc.us

CODE OF STUDENT CONDUCT

Table of Contents

Rule 1:	Compliance with Directions of Principals, Teachers and Other School Personnel and With School Rules	4
Rule 2:	Disruption of School	4
Rule 3:	Bomb Threats, Communicating a False Bomb Report, or Perpetuating a Bomb Hoax	5
Rule 4:	Student Threats	5
Rule 5:	Gangs	6
Rule 6:	Bullying.....	7
Rule 7:	Student Conspiracy or Plotting to Cause Harm to Other Students or Staff	8
Rule 8:	Damage or Destruction of School Property	8
Rule 9:	Theft or Damage to Private Property	8
Rule10:	Physical Abuse of a Student/Fighting.....	9
Rule 11:	Physical Abuse of School Employees or Other Persons.....	9
Rule 12:	Written and Verbal Abuse of School Employees and/or Other Adults	9
Rule 13:	Weapons and Dangerous Instruments.....	10
Rule 14:	Substance Abuse and Drug Paraphernalia.....	11
Rule 15:	Tobacco Policy.....	12
Rule 16:	Dress Code	12
Rule 17:	Sexual Harassment.....	13
Rule 18:	Use of Wireless Communications Devices.....	14
Rule 19:	Repeated School Violations.....	14
Rule 20:	Responsible Use of Technology	15
Rule 21:	Organizations and Publications.....	15
Rule 22:	Walkouts and Boycotts	16
Rule 23:	Trespassing	16
Rule 24:	Violation of North Carolina Criminal Statue.....	17
Rule 25:	Integrity and Civility.....	17
	Searches and Seizures.....	18
	Notification of Law Enforcement Officials.....	19
	Appeals Procedures, Long-Term Suspension.....	19
	365 Day Suspension.....	19
	Expulsion.....	20
	Counseling, Corporal Punishment, Student Parking	20
	Suspension from Athletic Participation, Suspension from Athletics/Buses	21
	Use of Videotape Recorders on School Buses.....	21
	Student Records	21
	Student Attendance Policy and Rules.....	22-25
	Dropout Prevention/Driver’s License, Lose Control.....	25

CODE OF STUDENT CONDUCT

RULE 1: Compliance with Directions of Principals, Teachers and Other School Personnel and With School Rules

Students shall comply with the directives of all school personnel at all times while a student is at school.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 5 days OSS.	Ranging from in-school disciplinary action up to 10 days OSS. Repeated violations may result in long-term suspension.	Ranging from in-school disciplinary action up to 10 days OSS. Repeated violations may result in long-term suspension.

RULE 2: Disruption of School

A student shall not, by use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance or any other conduct, intentionally cause the disruption or obstruction of any lawful function of the school or classroom while at school.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 5 days OSS.	Ranging from in-school disciplinary action up to 10 days OSS. Repeated violations may result in long-term suspension.	Ranging from in-school disciplinary action up to 10 days OSS. Repeated violations may result in long-term suspension.

RULE 3: Bomb Threats, Communicating a False Bomb Report, or Perpetrating a Bomb Hoax

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

No student may knowingly or willfully cause, encourage or aid another student to make a bomb threat or perpetrate a bomb hoax. Any student who becomes aware that another student or other person intends to use a bomb, make a bomb threat or perpetrate a bomb hoax must notify a teacher or the principal immediately.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to OSS.	Ranging from OSS to long-term suspension. Law enforcement may be contacted if required by law.	Ranging from OSS to long-term suspension. Law enforcement may be contacted if required by law.

CODE OF STUDENT CONDUCT

RULE 4: Student Threats

Students shall respect other students, visitors, school employees and other persons by utilizing appropriate language and behaviors at all times. Any action which is insulting, threatening, abusive, harassing, profane, obscene or seriously disrespectful, and which disrupts the learning process for any student or which demeans or degrades another person is specifically prohibited. In addition, students who leave threatening notes or post on the Internet threats to other students, faculty or staff will be considered in violation of this rule.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 5 days OSS.	Ranging from in-school disciplinary action up to 10 days OSS. Repeated violations may result in long-term suspension.	Ranging from in-school disciplinary action up to 10 days OSS. Repeated violations may result in long-term suspension.

RULE 5: Gangs

The Board strives to create a safe, orderly, caring and inviting school environment. Gangs and gang-related activities have proven contrary to that mission and are prohibited within the schools. A gang is any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts, or the purposeful violation of any Macon County School policy, and having a common name or common identifying sign, colors or symbols. No student shall commit any act that furthers gang or gang-related activities. Additional information on gang activity can be accessed at each school as information on gang-related activities is subject to change. Conduct prohibited by this policy includes:

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

CODE OF STUDENT CONDUCT

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to and including long- term suspension. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.	Ranging from in-school disciplinary action up to and including alternative placement and/or long- term suspension. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.	Ranging from in-school disciplinary action up to and including alternative placement and/or long-term suspension. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.

RULE 6: Bullying *(See policies 1710/4021/7230 – Prohibition Against Discrimination, Harassment, and Bullying and 1720/4015/7225 – Discrimination, Harassment, and Bullying Compliant Procedure for complete policy.)*

Students shall not bully or harass other students;

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

- (1) places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property; or
- (2) creates or is certain to create a hostile environment by substantially interfering with or impairing a student’s educational performance, opportunities or benefits.

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, 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. Legitimate age-appropriate techniques are not considered harassment or bullying.

Consequences

Up to 5 days of OSS may be waived if the student shows proof of participation in Mediation/ Counseling from a Mediation Agency.

CODE OF STUDENT CONDUCT

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to and including long-term suspension. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.	Ranging from in-school disciplinary action up to long-term suspension. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.	Ranging from in-school disciplinary action up to long-term suspension. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.

RULE 7: Student Conspiracy or Plotting to Cause Harm to Other Students or Staff

Students shall be prohibited from conspiring with others or plotting individually regarding harmful acts of violence against other students, faculty or staff. In addition, students are prohibited from violent acts against the property of other students, faculty or staff.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Up to 10 days OSS. Law enforcement may be contacted if required by law. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.	Up to 10 days OSS, up to long-term suspension. Law enforcement may be contacted if required by law. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.	Up to 10 days OSS, up to long-term suspension. Law enforcement may be contacted if required by law. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.

RULE 8: Damage or Destruction of School Property

A student shall not cause or attempt to cause damage to any school property or private property on school grounds or during a school activity, function or event off school grounds and premises. Parent(s) or legal guardian(s) of any minor are liable for damage caused to school property to the extent of \$5,000. (Legal Reference: N.C.G.S. §115C-523).

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Up to 10 days OSS. Law enforcement may be contacted if required by law. Restitution may be required.	Ranging from up to 10 days OSS, to long-term suspension. Law enforcement may be contacted if required by law. Restitution may be required.	Ranging from up to 10 days OSS, to long-term suspension. Law enforcement may be contacted if required by law. Restitution may be required.

CODE OF STUDENT CONDUCT

RULE 9: Theft or Damage to Private Property

Students shall not steal, attempt to steal, knowingly be in possession of stolen property, vandalize, intentionally damage, or attempt to damage any school or private property while under school jurisdiction.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Up to 10 days OSS. Law enforcement may be contacted if required by law. Restitution may be required.	Ranging from up to 10 days OSS to long-term suspension. Law enforcement may be contacted if required by law. Restitution may be required.	Ranging from up to 10 days OSS to long-term suspension. Law enforcement may be contacted if required by law. Restitution may be required.

RULE 10: Physical Abuse of a Student/Fighting

Students shall not fight or attempt to cause bodily harm to another student. If a student is attempting to involve another student in a fight, the other student should walk away and report it to a teacher, assistant principal or principal. Students who instigate fights or participate in group assaults will be subject to the same consequences as those who are actually involved in fighting. This section does not apply when acting in self-defense. Hitting a person back is not self-defense; it is retaliation that will be considered fighting.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 5 days OSS. Law enforcement may be contacted if required by law.	Ranging from in-school disciplinary action up to 10 days OSS. Repeated violations may result in long-term suspension. Law enforcement may be contacted if required by law.	Ranging from in-school disciplinary action up to 10 days OSS. Repeated violations may result in long-term suspension. Law enforcement may be contacted if required by law.

RULE 11: Physical Abuse of School Employees or Other Persons

Students shall not cause or attempt to cause physical or bodily harm to principals, assistant principals, teachers, substitute teachers, student teachers, teacher assistants, coaches, advisors, counselors, media specialists, bus drivers or monitors or other adults at any time while a student is at school.

Consequences

CODE OF STUDENT CONDUCT

<p>Elementary School Up to 10 days OSS. Law enforcement may be contacted if required by law.</p>	<p>Ranging from up to 10 days OSS, to long-term suspension. Law enforcement may be contacted if required by law.</p>	<p>U Ranging from up to 10 days OSS, to long-term suspension. Law enforcement may be contacted if required by law.</p>
---	--	---

Rule 12: Written or Verbal Abuse of School Employees or Other Adults

Students shall not, through written or oral communication, threaten to cause, cause or attempt to cause harm to principals, assistant principals, teachers, substitute teachers, student teachers, teacher assistants, coaches, advisors, counselors, media specialists, bus drivers or monitors or other adults at any time while a student is at school or any school sponsored activities.

Consequences

<p>Elementary School Up to 10 days OSS. Law enforcement may be contacted if required by law.</p>	<p>Middle School Ranging from up to 10 days OSS to long-term suspension. Law enforcement may be contacted.</p>	<p>High School Ranging from to 10 days OSS to long-term suspension. Law enforcement may be contacted.</p>
---	---	--

RULE 13: Weapons and Dangerous Instruments

The Board will not tolerate the presence of weapons or destructive devices, bombs or terrorist threats, or actions that constitute a clear threat to the safety of students or employees.

Category I

As required by law, a student who brings or possesses a firearm or destructive device on school property or at a school-sponsored event must be suspended for 365 days, unless the superintendent modifies the required 365-day suspension. For this Category a firearm is (1) a weapon, including a starter gun that will, is designed to or may readily be converted to expel a projectile by the action of an explosive, (2) the frame or receiver of any such weapon or (3) any firearm muffler or firearm silencer {G.S. 115C-390.1(b)(6)}.

A destructive device is an explosive, incendiary or poison gas (1) bomb, (2) grenade, (3) rocket having a propellant charge of more than four ounces, (4) missile having an explosive or incendiary charge of more than one-quarter ounce, (5) mine or (6) similar device {G.S. 115C-390.1(b)(3)}.

CategoryII

CODE OF STUDENT CONDUCT

Consequences

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

Other weapons that are prohibited on school property or at a school-sponsored event include: knives, pocket knives, bowie knives, switchblades, dirks, daggers, slingshots, slungshots, leaded canes, blackjacks, metal knuckles, BB guns, air rifles, air pistols, stun guns and other electric shock weapons such as tasers, ice picks, razors and razor blades (except those designed and used solely for personal shaving), fireworks, and any sharp pointed or edged instrument except unaltered nail files and clips and tools used solely for preparation of food, instruction and maintenance, box cutters and other types of utility blades and blowguns.

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Confiscate weapon. Ranging from in-school disciplinary action up to 10 days OSS. Law enforcement will be contacted if required by law.	Confiscate weapon. Ranging from in-school disciplinary action up to 10 days OSS, to long term suspension. Law enforcement will be contacted if required by law.	Confiscate weapon. Ranging from in-school disciplinary action up to 10 days OSS, to long term suspension. Law enforcement will be contacted if required by law.

CODE OF STUDENT CONDUCT

Rule 14: Substance Abuse and Drug Paraphernalia (See also policy 6130 – Administering Medications)

No student shall possess, use, distribute, sell, possess with intent to distribute or sell, or conspire or attempt to distribute or sell, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid, other controlled substance, any alcoholic beverage, malt beverage, fortified wine, other intoxicating liquor, drug paraphernalia, counterfeit 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.

Consequences

POSSESSION

When the violation does not involve the distribution, sale, possession with intent to distribute or sell, or conspiracy or attempt to distribute or sell a substance prohibited by this policy, principals may suspend the student for a period up to ten days OSS or may seek long-term suspension. Up to five days of suspension may be waived if the student shows proof of substance abuse assessment and a scheduled first appointment from a substance abuse agency for counseling. Law enforcement will be notified for possession of controlled substances in violation of the law.

UNDER THE INFLUENCE

When the violation does involve possession or delivery of a prohibited substance, including the use or being under the influence of a prohibited substance where possession or delivery is involved, principals may suspend a student for a period of five to ten days OSS and may seek long-term suspension. Up to five days of suspension may be waived if the student shows proof of substance abuse assessment and scheduled first appointment from a substance abuse agency. Law enforcement will be notified for possession of controlled substances in violation of the law.

SALE

When the violation includes sale of a prohibited substance including the possession or delivery of a prohibited substance where a sale is involved, the principal may suspend a student for a period of five to ten days OSS and may seek long-term suspension. Law enforcement officials will be informed of this violation.

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

1. **Possess:** Having the power or intent to control a prohibited substance and shall include, but is not necessarily limited to the possession of a prohibited substance in a student's automobile, locker, book-bag, pocket book, desk or on a student's person.
2. **Use:** The consumption, injection, inhalation or absorption of a prohibited substance into a student's body by any means.
3. **Under the influence:** The use of any prohibited substance at any time or place when the prohibited substance would influence a student's mood, behavior or learning to any degree while a student is at school as defined in the introduction to the Student Behavior Guidelines.
4. **Sell:** The exchange of a prohibited substance for money, property, or any other benefit or item of value.
5. **Distribute:** To give, share or pass a prohibited substance
6. **Possess with intent to distribute/sell:** Intent to distribute or sell may be determined from the amount of the prohibited substance found, the manner in which it was packaged, the presence of packaging materials such as scales, baggies or other containers or from statement or actions of the student that demonstrate an intent to distribute or sell.

CODE OF STUDENT CONDUCT

7. **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.
8. **Unauthorized Prescription Drug:** Any drug or medication that has not been prescribed for the student possessing, using or under the influence of the drug, and/or any drug not prescribed for the student to whom the drug is sold or otherwise distributed.

Drug Paraphernalia: Means all equipment, products and materials of any kind that are used to facilitate, or intended or designed to facilitate, violations of the controlled substance act. (Legal reference: N.C.G.S. §90-113.21.)

Rule 15: Tobacco Policy

Students are prohibited from the use and/or possession of tobacco products and shall not possess, smoke, dip, chew or otherwise use any tobacco products, including electronic cigarettes and all lighted and smokeless tobacco products at any time while a student is at school.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Confiscation. Ranging from in-school disciplinary action up to 1 day OSS.	Confiscation. Ranging from in-school disciplinary action up to 5 days OSS.	Confiscation. Ranging from in-school disciplinary action up to 10 days OSS.

RULE 16: Dress Code

The Board believes that the dress and personal appearance of students greatly affect their academic performance and their interaction with other students. The Board requests that parents outfit their children in clothing that is conducive to learning. Generally, dress and grooming standards as determined by the student and his or her parents will be deemed acceptable. However, the Board prohibits any appearance or clothing that does the following:

1. violates a reasonable dress code adopted and publicized by the school;
2. is substantially disruptive;
3. is provocative or obscene; or
4. endangers the health or safety of the student or others.

Before being punished, a student who is not in compliance with this policy or a school dress code will be given a reasonable period of time to make adjustments so that he or she will be in compliance.

Disciplinary consequences for a student who fails to comply after being offered this opportunity will be consistent with Section D of policy 4300, Student Behavior Policies.

No style of clothing or the manner in which it is worn may expose undergarments or create a distraction or disturbance in the educational setting.

The expectations noted above represent the minimum standards established throughout the school system. In addition, specific items may be deemed inappropriate in a school setting in the judgment of the school administration, and prohibited through publication of the school's dress code.

CODE OF STUDENT CONDUCT

The Board recognizes that local law enforcement agencies may determine that wearing particular gang-related attire may present a threat to student safety. The Superintendent will work collaboratively with these agencies to prohibit such dress. See also Rule 5 of this Code.

This policy shall be reviewed regularly by the Superintendent who will make any proposed recommendations for changes to the Macon County Board of Education.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
In-school disciplinary action.	Ranging from in-school disciplinary action up to 3 days OSS.	Ranging from in-school disciplinary action up to 3 days OSS.

Rule 17: Sexual Harassment (*See policies 1710/4021/7230 – Prohibition Against Discrimination, Harassment, and Bullying and 1720/4015/7225 – Discrimination, Harassment, and Bullying Compliant Procedure for complete policy.*)

Sexual harassment means and includes any unwelcomed sexual advances, requests for sexual favors and any other non-consensual and/or offensive verbal or physical contact of a sexual nature between an employee and a student or between students and includes misconduct by males against females, females against males and between students of the same gender. Sexual harassment is further defined to include two different levels or degrees of misconduct.

Physical - This form of sexual harassment includes touching, fondling and/or grabbing a student in a sexual way without that student's consent or when the student finds such behavior offensive; and

Verbal - This form of sexual harassment includes teasing, joking and/or making lewd remarks of a sexual nature to a student without that student's consent or when the other student finds such behavior offensive.

Sexually harassing students, employees of Macon County Schools, any visitors or other individuals while at school is prohibited. Students are further prohibited from retaliating against an employee or student who has filed a sexual harassment complaint or participated in an investigation, proceeding or hearing regarding said complaint.

Procedures for Reporting and Investigating Sexual Harassment

Any student who believes that he/she has been sexually harassed by a school employee or another student should report such behavior immediately to any school official at his/her school (such as an administrator, teacher or school counselor).

Principal must immediately report assaults that result in serious personal injury to the appropriate law enforcement agency.

Consequences

CODE OF STUDENT CONDUCT

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
In- school disciplinary action up to 10 days OSS. Law enforcement may be contacted if required by law.	In- school disciplinary action up to 10 days OSS, long-term suspension. Law enforcement may be contacted if required by law.	In- school disciplinary action up to 10 days OSS, long-term suspension. Law enforcement may be contacted if required by law.

RULE 18: Use of Wireless Communication Devices *(See policy 4318 – Use of Wireless Communication Devices for complete policy.)*

The Board recognizes that cellular phones and other wireless communication devices have become an important tool through which parents communicate with their children. Therefore, students are permitted to possess such devices on school property so long as the devices are not activated, used, displayed or visible during the instructional day or as otherwise directed by school rules or school personnel. Wireless communication devices include, but are not limited to, cellular phones, electronic devices with Internet capability, paging devices, two-way radios and similar devices. School employees may immediately confiscate any wireless communication devices that are on, used, displayed or visible in violation of this policy. Absent compelling and unusual circumstances, confiscated wireless devices will be returned only to the student’s parent.

A student’s wireless communication device and its contents, including, but not limited to, text messages and digital photos, may be searched whenever a school official has reason to believe the search will provide evidence that the student has violated or is violating a law, Board policy, the Code of Student Conduct or a school rule.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Confiscate device. Ranging from in-school disciplinary action up to 10 days OSS. Law enforcement will be contacted if required by law.	Confiscate device. Ranging from in-school disciplinary action up to 10 days OSS, to long term suspension. Law enforcement will be contacted if required by law.	Confiscate device. Ranging from in-school disciplinary action up to 10 days OSS, to long term suspension. Law enforcement will be contacted if required by law.

RULE 19: Repeated School Violations

A student who has violated any rules repeatedly as set forth in the Student Code of Conduct will be subject to disciplinary action.

Consequences

CODE OF STUDENT CONDUCT

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 10 days OSS.	Ranging from in-school disciplinary action up to 10 days OSS, to long-term suspension. Law enforcement will be contacted if required by law.	Ranging from in-school disciplinary action up to 10 days OSS, to long-term suspension. Law enforcement will be contacted if required by law.

CODE OF STUDENT CONDUCT

RULE 20: Responsible Use of School Technology *(See policy 3225/4312/7320 – Technology Responsible Use for complete policy.)*

Students shall not violate any policies adopted by the Board of Education regarding student Internet and electronic mail usage or the terms of Macon County Schools Network and Internet Responsible Use Guidelines or individual school policy. Students shall not access inappropriate materials on the Internet as may be defined under such Internet policy; shall not violate any safety and security rules when using electronic mail, chat rooms, or other forms of electronic communication, as provided under the Internet policy; shall not engage in unauthorized access (“hacking”) or other unlawful activities online while using school system computer equipment or Internet access; and shall not engage in unauthorized disclosure, use and/or dissemination of personal and/or identification information of the Technology Policy.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 5 days OSS. Students may be required to pay restitution.	Ranging from in-school disciplinary action up to 10 days OSS, to long-term suspension. Students may be required to pay restitution.	Ranging from in-school disciplinary action up to 10 days OSS, to long-term suspension. Students may be required to pay restitution.

RULE 21: Organizations and Publications

Any “gang” or secret organization or publication is specifically prohibited on any school premises or in connection with any school-related activities. Distribution of ALL printed material must be approved by the principal, including all student publications such as the student newspaper, yearbook and student magazine.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 5 days OSS.	Ranging from in-school disciplinary action up to 10 days OSS, to long-term suspension.	Ranging from in-school disciplinary action up to 10 days OSS, to long-term suspension.

CODE OF STUDENT CONDUCT

RULE 22: Walkouts and Boycotts

Walkouts or boycotts by a student or group of students, or the urging of others to exercise these tactics, when actions do cause or would be reasonably likely to cause a material and substantial disruption of the normal and continuing operation of the educational processes within the school are not permitted and shall not be tolerated.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 10 days OSS. Law enforcement may be contacted.	Ranging from in-school disciplinary action up to 10 days OSS. Repeated violations may result in long-term suspension. Law enforcement may be contacted.	Ranging from in-school disciplinary action up to 10 days OSS. Repeated violations may result in long-term suspension. Law enforcement may be contacted.

RULE 23: Trespassing

The Board will not tolerate theft, trespass or damage to property by any student. Any student engaging in such behavior will be removed from the classroom or school environment for as long as is necessary to provide a safe and orderly environment for learning.

Prohibited Behavior

1. **Theft.** Students are prohibited from stealing or attempting to steal school or private property and/or from knowingly being in possession of stolen property.
2. **Damage to Property.** Students are prohibited from damaging or attempting to damage school or private property.
3. **Trespass.** Students are prohibited from trespassing on school property. A student will be considered a trespasser and may be criminally prosecuted in any of the following circumstances:
 - a. the student is on the campus of a school to which he or she is not assigned during the school day without the knowledge and consent of the officials of that school;
 - b. the student is loitering at any school after the close of the school day without any specific need or supervision; or
 - c. the student has been suspended from school but is on the property of any school during the suspension period without the express permission of the principal.

Any student suspended or expelled from Macon County Schools will not be allowed on any property of the Macon County Schools during the period of suspension without the expressed permission of his/her principal. This includes long term and short term suspension and expulsion. Failure to comply with this provision may lead to further disciplinary action and/or criminal prosecution for trespass.

Consequences

CODE OF STUDENT CONDUCT

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 1 day OSS.	Ranging from in-school disciplinary action up to 10 days OSS. Repeated violations may result in long-term suspension. Law enforcement may be contacted.	Ranging from in-school disciplinary action up to 10 days OSS. Repeated violations may result in long-term suspension. Law enforcement may be contacted.

RULE 24: Violations of North Carolina Criminal Statutes

Students shall not violate any criminal statute or local ordinance or commit any act which could result in criminal prosecution or juvenile proceedings not previously covered elsewhere in these rules at any place or time when the student’s behavior has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety or individuals in the school environment.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in- school disciplinary action up to 10 days OSS. Law enforcement may be contacted if required by law.	Ranging from in- school disciplinary action up to 10 days OSS, to long-term suspension. Law enforcement may be contacted.	Ranging from in-school disciplinary action up to 10 days OSS, to long-term suspension. Law enforcement may be contacted.

RULE 25: Integrity and Civility

All students are expected to demonstrate integrity, civility, responsibility and self-control. This expectation is directly related to the Board’s educational objectives for students to learn to be responsible for and accept the consequences of their behavior and for students to respect cultural diversity and ideological differences. Integrity, civility, responsibility and self-control also are critical for establishing and maintaining a safe, orderly and inviting environment.

Prohibited Behavior

In addition to any standards or rules established by the schools, the following behaviors are in violation of the standards of integrity and civility and are specifically prohibited:

1. cheating, including the actual giving or receiving of any unauthorized assistance or the actual giving or receiving of an unfair advantage on any form of academic work;
2. plagiarizing, including copying the language, structure, idea and/or thought of another and representing it as one's own original work;
3. violating copyright laws, including the unauthorized reproduction, duplication and/or use of printed or electronic work, computer software, or other copyrighted material;
4. cursing or using vulgar, abusive or demeaning language toward another person; and
5. playing abusive or dangerous tricks or otherwise subjecting a student or an employee to personal

CODE OF STUDENT CONDUCT

indignity

Consequences

Elementary School	Middle School	High School
Ranging from individual classroom disciplinary action to in-school disciplinary action and/or up to 10 days OSS.	Ranging from individual classroom disciplinary action to in-school disciplinary action, up to 10 days OSS.	Ranging from individual classroom disciplinary action to in-school disciplinary action, up to 10 days OSS.

SEARCHES AND SEIZURES *(See policies 4342 – Student Searches and 4318 – Use of Wireless Devices for complete policy).*

To maintain order and discipline in the schools and to protect the safety and welfare of students and school personnel, school authorities may search a student, student lockers, desks, motor vehicles or other school property, and may seize any evidence discovered in the search whereby a student has violated a state law or the policy and/or rules of the Macon County Board of Education and/or the school attended by the student. Student lockers, desks etc. are school property and may be searched at any time.

A student's wireless communication device and its contents, including, but not limited to, text messages and digital photos, may be searched whenever a school official has reason to believe the search will provide evidence that the student has violated or is violating a law, Board policy, the Code of Student Conduct or a school rule. The scope of such searches must be reasonably related to the objectives of the search and not excessively intrusive in light of the nature of the suspected infraction.

Random Metal Detection/Automobile Searches

Students may be required to submit to a screening for metal as a condition of entering or continuing attendance at school.

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains the authority to conduct routine patrols of student parking lots and inspection of the exteriors of student automobiles on school property. The interiors of student vehicles may be searched whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside. Such patrols and searches may be conducted without notice, without student consent and without a search warrant.

In addition, random searches of automobiles may be conducted to deter the possession of contraband such as weapons, guns, knives, illegal drugs and alcohol on school property or parking lots owned or leased by the school.

If a search yields evidence that a student has violated a state law or the policy and/or rules of the Macon County of Education and/or the school attended by the student, such evidence shall be seized by school officials and turned over to proper authorities for ultimate disposition.

Recommended Use of Police Canines on School Property

With the prior approval of the superintendent, and in conjunction with local law enforcement, school officials may use trained dogs (canines) to locate illegal materials. All dogs must be accompanied by a certified and authorized trainer who is responsible for the dog's actions and who is able to verify the dog's reliability and accuracy in sniffing out illegal material. Trained dogs may sniff lockers, desks, book

CODE OF STUDENT CONDUCT

bags, motor vehicles, and other inanimate objects. Dogs may not be used to sniff students or other persons under any circumstances. No students should be present during a dog search. Before a search occurs in a classroom, students will first be moved to a location outside the classroom.

- The principal may honor the request of the sheriff or chief of police to use police canines if the principal feels the request is based on reasonable suspicion.
- The principal may allow police canines to be used anywhere on the school campus, including unoccupied classrooms, athletic facilities and vehicles.
- At no time shall a principal permit the search of a student or employee using a police canine.

Notification of Law Enforcement Officials

Under North Carolina General Statute §115C-288(g) principals must report immediately to law enforcement agencies the following acts that occur on school grounds that involve:

- *assault resulting in serious personal injury
- *sexual assault
- *sexual offense
- *rape
- *kidnapping
- *taking indecent liberties with a minor
- *assaults involving the use of a weapon
- *Possession of a weapon in violation of the law
- *Possession of a firearm in violation of the law
- *Possession of controlled substance in violation of the law

Appeals Procedures

Long-Term Suspensions (See policy 4353 – Long-Term Suspension, 365-Day Suspension, Expulsion for complete policy.)

1. Parents will be notified by registered mail or in person of the principal's recommendation to the superintendent to long-term suspend the student.
2. Parents shall, within 72 hours, give written notice of appeal to the Superintendent of Macon County Schools. Information about filing an appeal will accompany the long-term letter from the school.
3. Upon notification of appeal, the Superintendent shall convene an appeals hearing for the appeal, establish a date and time agreeable to the parent and give notification of the appeals hearing date and time to all parties involved.
4. At the appeals hearing, the Superintendent shall allow the school to present a summary report regarding the nature of the offense(s), provide the results of the school's investigation and outline the penalties the principal has recommended. The student and his/her parents will have access to all the information shared with the Superintendent and will be provided opportunity to present evidence.
5. The Superintendent, after hearing all the evidence and witnesses, will decide whether to accept the principal's recommendation.. Parents will be notified by letter of the Superintendent's decision.

CODE OF STUDENT CONDUCT

365-day Suspension *(See policy 4353 – Long-Term Suspension, 365-Day Suspension, Expulsion for complete policy.)*

A student must be suspended who brings a weapon or explosive device as outlined in this Code, G.S. §115C-390.1(b)(3) and G.S. §115C-390.1(b)(6) on school property or on a school sponsored event, unless modified by the Superintendent pursuant to G.S. §115C-390.10.

CODE OF STUDENT CONDUCT

Expulsion *(See policy 4353 – Long-Term Suspension, 365-Day Suspension, Expulsion for complete policy.)*

Upon the recommendation of the principal and Superintendent, the Board of Education may expel a student who is fourteen years of age or older if the student's behavior indicates that his or her continued presence in school constitutes a threat to the safety of other students or employees.

The student's conduct need not result in the filing of criminal charges and need not have taken place on school premises or at a school activity in order for expulsion to be considered.

Depending on the circumstances – including the age and maturity of the student, the student's intention in committing the offense and the student's record of conduct – the following conduct may result in expulsion (note: the list below is for example and not intended to be exhaustive of circumstances that could result in expulsion):

1. Theft or attempted theft by a student from another person by using or threatening to use a weapon.
2. The intentional and malicious burning of any structure or personal property, including any vehicle.
3. An attack or threatened attack by a student against another person wherein the student uses a weapon or displays a weapon in a manner found threatening to that person.
4. An attack by a student on any employee, adult volunteer or other student that does not result in serious injury but that is intended to cause or reasonably could cause serious injury.
5. An attack by a student on another person whereby the victim suffers obvious severe or aggravated bodily injury, such as broken bones, loss of teeth, possible internal injuries, laceration requiring stitches, loss of consciousness, or significant bruising or pain; or whereby the victim requires hospitalization or treatment in a hospital emergency room as a result of the attack.
6. Any intentional, highly reckless or negligent act that results in the death of another person.
7. Confining, restraining or removing another person from one place to another, without the victim's consent or the consent of the victim's parent, for the purpose of committing a felony or for the purpose of holding the victim as a hostage, for ransom, or for use as a shield.
8. The possession of a weapon on any school property, including in a vehicle with the intent to use or transmit for another's use or possession in a reckless manner so that harm is reasonable foreseeable.
9. Taking or attempting to take anything of value from the care, custody or control of another person or persons, by force, threat of force, or violence, or by putting the victim in fear.
10. Any unauthorized and unwanted intentional touching, or attempt to touch, by one person of the sex organ of another, including the breasts of the female and genital areas of the male and female.
11. The possession, manufacture, sale or delivery, or any attempted sale or deliver, of a controlled substance in violation of Chapter 90 of the North Carolina General Statutes.
12. Any behavior resulting in a felony conviction on weapons, drug, assault or other charge that implicates the safety of other persons.
13. Any other behavior that demonstrates a clear threat to the safety of others in the school environment.

Counseling *(See policy 3610 – Counseling Program for complete policy)*

Following violations of the Code of Student Conduct, the principal may propose assessment/evaluations and/or counseling concerning his/her conduct that constituted the violation. Under appropriate circumstances and as permitted by law, the Superintendent may condition student disciplinary decisions on voluntary cooperation with such services.

CODE OF STUDENT CONDUCT

Student Parking

The parking of motor vehicles and other modes of conveyance on school grounds shall comply with the rules and regulations adopted by the individual school. Failure to abide with such rules and regulations may result in the student's loss of the privilege of parking a vehicle on campus. Student parking is a privilege and all students' motor vehicles on campus may be subject to search by school officials as outlined in policy 4342.

Suspension from Participation in Athletics and Extracurricular Activities *(See policy 3620 – Extracurricular Activities for complete policy.)*

Participation in extracurricular activities, including student organizations and interscholastic athletics, is a privilege, not a right, and may be reserved for students in good academic standing who meet behavior standards established by the board and the school. Participation in extracurricular activities may be restricted if a student (1) is not performing at grade level as provided in policy 3400, Evaluation of Student Progress; (2) has exceeded the number of absences allowed by policy 4400, Attendance; (3) has violated the student conduct standards found in the 4300 series of policies; or (4) has violated school rules for conduct.

Suspension from Attendance at Athletic/Extracurricular Activities and Bus Privileges

A student who exhibits violent or disruptive behavior during the school day(s) may be banned from attending extracurricular activities and riding the school bus at the discretion of the principal.

Use of Videotape Recorders on School Buses

It is the practice of the Macon County Schools to utilize videotape recorders on school buses. Utilization of such videotape recorders shall be for the purposes of identifying safety concerns and to substantiate bus conduct violations.

Such videotape recordings may be periodically and regularly reviewed by school officials, are considered confidential, but may be disclosed as part of school disciplinary proceedings or safety programs.

The placing of a student on a school bus shall constitute parental consent to have a child videotaped in such a manner.

Student Records *(See policy 4700 – Student Records and 4705/7825 – Confidentiality of Personal Identifying Information)*

In accordance with the provisions of the Family Education Rights and Privacy Act (FERPA), The Macon County Board of Education recognizes and adopts the following

- A. The right of a student's parents to inspect and review the student's cumulative record which includes all administration and educational records.
- B. The need to limit disclosure of educational information except in certain circumstances.
- C. The right of a student's parents to seek to correct the cumulative record.
- D. The right of any person to file a complaint with the Department of Health, Education and Welfare if The Macon County Board of Education violates the FERPA.
- E. The right of the student's parents to be informed of the procedures to be followed in seeking to correct the student's cumulative record. Regulations outlining such procedures are found in the Policy Manual of The Macon County Board of Education, a copy of which is located in every school.

CODE OF STUDENT CONDUCT

- F. The Macon County Board of Education designates the following as directory information: student's name; address; telephone listing; electronic mail address; pictures or videos taken on buses, school grounds, in school buildings and at school activities unless the picture or video may reveal confidential information about a student; date and place of birth; participation in officially recognized activities and sports; weight and height of members of athletic teams; dates of attendance, grade level, diplomas, certifications and awards received; and most recent previous school or educational institution attended by the student. Each year the school system will publish a list of what is designated directory information that will be released publicly when the information is requested or needed. Parents, guardians or eligible students may refuse to allow the release of directory information by notifying the school in writing within (10) days of publication of this notice.
- G. Pursuant to federal law, names, addresses and telephone listings of secondary school students shall be released to military recruiters and institutions of higher education upon request. Parents or eligible students may request that this information not be released without prior written consent by the parent or eligible student. Annually, parents and eligible students will be notified of the opportunity to make such a request. If the request is made, then the school system shall comply with the request and shall not release the name, address and telephone listing of the student without prior written consent. Parents, guardians or eligible students may make this request by notifying the school in writing within (10) days of publication of this policy in the Student Code of Conduct.
- H. It is the school system's procedure not to require parent permission for students to be photographed, videotaped and/or interviewed by system employees or media on routine school topics and activities for public information, instructional and promotional purposes. Parent permission must be given, however, to photograph videotape and/or interview exceptional children if they will be identified as exceptional children. Parents, guardians, or eligible students may request not to be photographed, videotaped and/or interviewed by notifying the school in writing within (10) days of publication of this policy in the Student Code of Conduct.

ATTENDANCE *(See policy 4400 – Attendance for complete policy.)*

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. In order to be recorded present, a student must be present at least one-half of the school day.

Consult policy 4400 for information concerning the keeping of attendance records, excused absences, absences for school-related activities, and excessive absences. Each school's handbook should further be consulted for school-based policies and procedures relating to attendance.

Dropout Prevention/Driver's License Legislation

North Carolina has legislation reflecting a coordinated statewide effort to motivate and encourage students to complete their high school education. The law provides for the revocation of the student's driving permit or license if the student does not maintain adequate academic progress or drops out of school. Adequate academic progress is defined as passing five (5) subjects under a traditional schedule (6 or 7 period day) or 3 out of 4 classes in a block schedule school.

This law applies to all North Carolina students under the age of 18 who are eligible for a driving permit or license. Previously a student had to present a birth certificate, social security card and Driver Education

CODE OF STUDENT CONDUCT

Completion Certificate to the Department of Motor Vehicles in order to obtain a permit or license. A student is required to present a Driving Eligibility Certificate, issued by the school and good for 30 days, to the Department of Motor Vehicles to obtain a permit or license.

The Driving Eligibility Certificate will only be issued to students making adequate academic progress. Students who do not meet the academic progress requirements will be reported to the Department of Motor Vehicles and their permit or license will be revoked. There is a provision for a request for a review of the student's situation based on hardship considerations. Students may regain academic eligibility at the end of each semester.

Lose Control, Lose Your License Legislation

Students given an expulsion/suspension for more than 10 (ten) consecutive days for one of the three reasons listed below are subject to having their permit/license suspended for up to one calendar year.

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

Students who are at least 14 years old or who are rising 8th graders are subject to this law. The law applies to all students, even to those exempted under Dropout Prevention/Driver's License Legislation. Unlike the Dropout Prevention/Driver's License Legislation law that ends when a student turns 18 years old, the "Lose Control" law does not stop at age 18 nor does it stop when the student graduates.

Students who may lose their permit/license under this legislation may be eligible to regain the permit/license after a six-month period by displaying exemplary behavior in an alternative education setting or having successfully completed a school district approved drug or alcohol treatment counseling program.

Adopted: February 25, 2019

Amended: