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TO: Board of Education

FROM: Kevin Lancaster

DATE: November 7, 2011

SUBJ: Agenda Item (Section V – Policies and Regulations)

Attached you will find the Montgomery County Board of Education policies to be voted on for final approval.

I will be available to answer any questions you may have.

These are action items and will require a vote.

**UNIFORM DESCRIPTION****A. SHIRTS**

1. Must be golf/polo style with a collar. Shirts may have one plain pocket.
2. Must have buttons or snaps only (two to four on Polo style shirts)
3. Must be a solid school color (see below for individual school color selections)

East Middle School shirt colors	West Middle School shirt colors
Black	Black
Blue	Purple
Gray	Teal
White	White
4. May be long or short sleeve (sleeveless shirts are not permitted)
5. Must be free of labels and graphics of any kind
6. Must be tucked in at all times with the exception of approved sweaters and sweatshirts

**B. OTHER APPROVED TOPS**

1. Button down collar dress shirt (school colors) or collared blouses. Blouses cannot be transparent.
2. Mock turtlenecks/turtlenecks
3. Crew neck sweaters/sweatshirts (solid school colors) cannot hang past straddle of the pants.
4. Pullover and jacket style hooded sweatshirts. Hoods may not be worn inside or outside the school building. Hoods may only be worn while going to and from cars or buses during inclement weather.
5. T-shirt can only be worn as under clothing if it matches the school colors. T-shirts are not allowed to be worn as the primary shirt unless they are spirit wear shirts. Writing or graphics must not show through the top garment.

**C. PANTS, SHORTS, SKIRTS, JUMPERS, DRESSES, SKORTS, OVERALLS**

1. At East Middle School, all bottom garments must be black, khaki or navy blue in color. At West Middle School, all bottom garments must be khaki or black in color. No other colors may be visible. (Examples: pockets, buttons, and zippers)
2. Bottom garments must be free of labels and graphics of any kind.
3. Garments cannot have frays or holes and must be hemmed and not

- dragging the floor.
- 4. Boys' pants must be worn at the waist at all times. Girls will be allowed to wear low rider pants as long as they are not to an extreme and their shirts are totally tucked inside the pants.
- 5. Garments that do not fit properly will not be tolerated including oversized, undersized, and skin tight garments.
- 6. Pants must have zippers, buttons or snaps.
- 8. Pants are limited to no more than two front and two rear pockets. The small watch pocket as a fifth pocket will be allowed.
- 9. Form fitting spandex (or stretch) material, nylon, blue jeans, sweatpants\*, and pajama type pants are prohibited. \*Sweatpants will be allowed if they are part of an athletic uniform or spirit wear outfit.
- 10. Skirts are limited to no more than four pockets. The small watch pocket as a fifth pocket will be allowed.
- 11. Garments may not have more than two slits and the slits cannot exceed mid-thigh or four inches, whichever is the least.
- 12. Shorts cannot be shorter than mid-thigh.
- 13. Skirts/skorts/jumpers/dresses cannot be shorter than mid-thigh.
- 14. Capri pants are allowed but cannot be hip huggers, skin tight or undersized. The manufactured slit at the bottom of the Capri pant cannot be above the knee.

**D. BELTS**

- 1. Students must wear belts if the garment was manufactured with belt loops.
- 2. Belts or waistbands must be visible with shirts tucked in except when approved sweaters or sweatshirts are worn.
- 3. Belts must be black, brown, khaki, or school colors.
- 4. Graphics, labels or designs are unacceptable on all belts and belt buckles.
- 5. Belts must be an appropriate length and not hang below the straddle.

**E. SHOES**

- 1. Some type of footwear must be worn at all times.
- 2. Shoe laces must be tied at all times. Only one set of shoelaces may be worn.
- 3.
- 4. Shoes must match and be the appropriate size.
- 5. No flip flops, rubber soccer style sandals, or bedroom shoes may be worn.

**F. OVERCOATS**

1. Overcoats may be worn to school and placed in the student's locker for the entire day.

**G. LIGHT WEIGHT JACKETS**

1. The jacket must be in school colors and be one solid color.
2. The jacket cannot have any labels, artwork, or graphics with the exception of school pride wear and may be worn during the day during cold weather.
3. Windbreakers in solid school colors are acceptable. Only spirit wear graphics are allowed.

**H. HATS/SUNGLASSES**

1. Hats, sunglasses, do-rags, sweat bands and headbands or other items that may be seen as a disruption to the school setting are prohibited during the school day or extended school day.
2. Students whose religious tenets require the wearing of headgear will not be prohibited from wearing those items.

**I. SOCKS**

1. Both socks must match and be the same color.
2. Socks must be worn in a manner that does not undermine the integrity of the uniform.
3. Socks must be plain with no graphics or designs.

**J. PERSONAL APPEARANCE**

1. Combs and other hair grooming items cannot be visible in the hair.
2. All necklaces/medallions must be worn under clothing.
3. Piercing cannot present a health hazard or cause a disruption to the school environment.
4. Simple jewelry is appropriate and must be worn in a manner that does not undermine the integrity of the uniform policy. No heavy or spiked jewelry may be worn.

**K. MISCELLANEOUS**

1. *School Pride Apparel* may be worn as a part of the approved uniform.

2. Students who fail to wear the approved uniform in a manner that disrupts the classroom environment on a given day will be placed in In-School Suspension (ISS) until parents provide the uniform.
3. Repeat offenders will be dealt with at the discretion of the principal.
4. Parents who need financial assistance may submit their request on the appropriate form to the principal and the School Uniform Committee. A decision will be made and provided to the parent in writing. A deadline for applying will be given each year.
5. School uniform information, the dress code policy and vendor list will be provided for parents when the new school year begins, when a student enrolls or when revisions are made to the uniform policy.
6. Any item that is worn to school must not undermine the integrity of the *School Uniform Policy*, serve as a disruption to the educational process or present a health hazard to an individual or their peers.

Revised: July 14, 2005

Updated: October 2, 2009

Updated: May 2, 2011

Updated:

## **STUDENT DISCIPLINE HEARING PROCEDURES** *Policy Code: 4370*

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### **A. ADMINISTRATIVE HEARINGS**

The rules set out below will govern hearings held by the superintendent in assessing misbehavior and appropriate consequences. The purpose of the hearing will be to determine the fact relevant to the alleged misbehavior and the credibility of witnesses, based on the evidence presented at the hearing.

1. The hearing will be informal and conducted in private.
2. Prior to the hearing, the student and his or her parents and representative will have an opportunity to review any audio or video recordings of the incident and, consistent with federal and state student records laws and regulations, the information that may be presented as evidence against the student, including statements made by witnesses whose names are withheld in accordance with number 5, below.
3. The hearing must be attended by the superintendent, the principal and/or assistant administrators and any persons the superintendent deems necessary. The student has the right to be present at the hearing, to be accompanied by his or her parents and to be represented by an attorney or non-attorney advocate. Witnesses should be present only when providing information.
4. The school representatives have the burden of proving the misbehavior, the violation of board policy, the Code of Student Conduct, school standards or school rules and the appropriateness of the recommended consequence for the violation.
5. The school representatives will present first the witnesses and documentary evidence against the student first. School officials may withhold witness names or other identifying information if the identification of a witness could threaten the witness's safety.
6. After the school representatives have presented their evidence, the student or his or her representative may present evidence relating to the alleged disciplinary infraction, the student's intent at the time of the incident, any mitigating or aggravating factors involved, the disciplinary and academic history of the student and the potential benefits to the student of alternative to the suspension. Such evidence may include any oral testimony by the student or witnesses, written statements and other documents.

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7. Both the school representatives and the student or his or her parent or representative may examine the witnesses presented by the other side. The superintendent has the authority to limit questioning by any person, if the questioning is unproductive, unnecessarily lengthy, repetitive or irrelevant.
8. In reaching a determination in the matter, the superintendent shall consider the documents produced in the hearing, the testimony of the witnesses and other evidence presented at the hearing. If the superintendent determines that a violation occurred, the superintendent also shall determine the appropriateness of the recommended consequences for the violation. Formal rules of evidence do not apply and the superintendent may rely on evidence that a reasonably prudent person would consider in the conduct of serious affairs.
9. Following the hearing, the superintendent shall render a written decision based on substantial evidence presented at the hearing and shall notify the student and parent of that decision in accordance with the requirements of policy 4353, Long-Term Suspension, 365-Days Suspension, Expulsion.
10. The superintendent or designee shall provide for making a record of the hearing, including any findings or conclusions made by the superintendent. The student will have the right to make his or her own audio recording of the hearing.

### **B. BOARD HEARINGS**

1. Appeal of Long-Term or 365 Day Suspension

The board will provide the opportunity for a hearing that follows the procedures established for administrative hearings, except that (1) the superintendent or designee will represent the school system and the board or a panel of the board will be the decision maker and (2) unless the board requests otherwise or doing so would create a substantial threat of unfairness, the board will limit presentations of testimony to the student, the student's parent and representative and the school system's representative-and will limit documentation to the records and evidence presented at the administrative hearing. The board, at its discretion, may request additional information or evidence.

The board will review any records created by the superintendent's decision and the record created from any administrative hearing held. The board will review the superintendent's decision to ensure that: (1) there was a reasonable basis for determining that the student engaged in the specified misbehavior; (2) a

board policy, the Code of Student Conduct, a school standard or a school rule was violated; (3) the consequence for the violation was reasonable; and (4) procedures established by board policy were followed.

2. Board Decision on Expulsion

The board will provide an opportunity for a hearing to review the superintendent's recommendation for expulsion. The rules established for administrative hearings will be followed except that the superintendent or designee will represent the school system and the board will be the decision maker. The board may request additional records or witnesses. A decision will be made on the superintendent's recommendation following the standards established in policy 4353, Long-Term Suspension, 365 Days Suspension, Expulsion.

Legal References: G.S. 115C-45, -47, -276, -288, -390.1, -390.2, -390-7, -390.8

Cross References: Long-Term Suspension, 365 Days Suspension, Expulsion (policy 4353)

Adopted: April 10, 2000

Updated: May 4, 2009

Updated: April 13, 2010

Updated:



## **VISITORS TO THE SCHOOLS**

*Policy Code: 5020*

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The board encourages the community and parents to be involved in and support the schools and the educational program

### **A. OPPORTUNITIES TO VISIT THE SCHOOLS**

To encourage involvement, the following opportunities are provided to visit the schools:

1. visitors are welcome at the schools to observe and learn about the educational program at each school subject to reasonable rules developed by school administrators;
2. visitors are encouraged to use facilities made available to the public, such as the media centers or meeting space, as provided in board policy 5030, Community Use of Facilities; and
3. visitors are invited to attend public events, such as athletic events, musical programs, and dramatic productions.
4. for the purposes of this Policy, “the schools” shall include not only Montgomery County Schools property but shall also include any other school campus where Montgomery County Schools’ students are participating in events stated above.

### **B. REQUIREMENTS OF VISITORS TO THE SCHOOLS**

While the school board welcomes visitors to the schools, the paramount concern of the board is to provide a safe and orderly learning environment in which disruptions to instructional time are kept to a minimum. The superintendent and each principal shall establish and enforce reasonable rules to address this concern.

1. All school visitors during the school day must report immediately to the administrative office at the school to request and receive for permission to be in the school and receive permission to be in the school. Each principal shall ensure that signs are posted in the school to notify visitors of this requirement.
2. School visitors are expected to comply with all school rules and school board policies, including policy 5025, Prohibition of Alcoholic Beverages; policy 5026/7250, Smoking and Tobacco Products; and policy 5027/7275, Weapons and Explosives Prohibited.
3. Persons who are subject to policy 5022, Registered Sex Offenders, must comply with the provision of that policy.

**B. UNAUTHORIZED, DISRUPTIVE OR DANGEROUS VISITORS**

If a school employee becomes aware that an individual is on a school property without having received permission or that an individual is exhibiting unusual, threatening or dangerous behavior, the employee must either direct the individual to the administrative office or notify the principal, designee or school resource officer, depending on the circumstances.

If a school employee suspects that an individual is on school property in violation of policy 5022, Registered Sex Offenders, the employee must immediately notify the principal, designee or school resource officer.

Students will be instructed to notify a school employee of any unusual or suspicious behavior by visitors. School employees shall inform the principal or designee immediately of a student's report of suspicious behavior on the part of a school visitor.

When an individual disrupts the educational environment, acts in a disorderly manner, damages school property or violates board policy or law, the principal or designee has authority to:

1. order the individual to leave school property;
2. notify law enforcement;
3. take any other action deemed appropriate under the circumstances.

Failure to comply with requests to leave school grounds may result in the filing of trespass charges or other charges as appropriate against the offending individual.

The superintendent, upon recommendation from the principal, may deny an individual permission to come onto school grounds or enter a school facility for up to one school year if the individual is guilty of disruptive or dangerous behavior on school grounds or on grounds of other schools on which Montgomery County Schools' students are participating in school activities, including but not limited to, athletic events, academic events, and dramatic productions.

Legal References: G.S. 14-132, -132.2, -159.11, -159.12, 159.13; -115C-523, -524, -526

Cross References: Registered Sex Offenders (policy 5022), Prohibition of Alcoholic Beverages (policy 5025), Smoking and Tobacco Products (policy 5026/7250), Weapons and Explosives

## **VISITORS TO THE SCHOOLS**

*Policy Code: 5020*

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Prohibited (policy 5027/7275), Community Use of Facilities (policy 5030),

Adopted: April 10, 2000

Revised: January 12, 2009

Updated: