

Safe schools are critical to creating a learning environment where students can succeed. Staff and students share in the responsibility to take reasonable precautions and safety measures to create and maintain safe schools. The following safety measures must be implemented at each school.

A. SUPERVISION OF STUDENTS

Students must be reasonably supervised while in the care and custody of the school system. This includes: during school hours, including while in class, between classes, on the playground and during recess or lunch periods, during authorized school field trips, and on school buses. Reasonable precautions should be taken to assure the safety of students on school grounds and on buses before, during and after school.

Students who are subject to policy 4260, Student Sex Offenders, and are receiving educational services on school property must be under the supervision of school personnel at all times.

B. SUPERVISION OF VISITORS

School administrators shall strictly enforce policy 5015, School Volunteers, and policy 5020, Visitors to the Schools.

C. CARE OF SCHOOL BUILDINGS AND GROUNDS

The principal is required to inspect school buildings, playgrounds, and equipment for health, fire and safety hazards on a regular basis and as required by law. The principal must notify the superintendent immediately of repairs needed in order to meet safety standards.

Any staff who observes any potential hazards must immediately notify the principal.

Proper signs indicating potential danger must be posted.

The superintendent must provide to local law enforcement and emergency management agencies copies of floor plans of all school buildings and site plans showing campus boundaries and access points.

D. ESTABLISHING PROCESSES TO ADDRESS POTENTIAL SAFETY CONCERNS

1. Safe Schools Plans

Pursuant to G.S. 115C-407, each school must have a safe school plan that establishes procedures for addressing school safety. The safe school plan should be integrated into the school improvement plan (see policy 3430, School Improvement Plan).

The safe school plan must include a component designed to train appropriate school personnel in the management of disruptive or dangerous student behavior. The plan also must include procedures to evaluate the effectiveness of this training in preventing or addressing disruptive or dangerous student behavior. Implementation of this training component will be subject to the availability of funds appropriated for this purpose.

2. School Rules and Training

Rules are to be made in each school to help prevent accidents in buildings, on school grounds or on the playgrounds. Staff training is to include instruction on being alert and able to recognize and respond to behavior, information and related indicators which warn of impending problems. In addition, as a part of instruction, school personnel must teach and review with students safety procedures and precautions for handling chemicals or potentially dangerous equipment and for responding to threats to school safety. Each school shall practice emergency drills on a regular basis and as required by law.

3. Reporting Suspicious Behavior

Students should notify any staff member of any acts of violence, harassment or bullying or any other unusual or suspicious behavior that may endanger safety. Ongoing student education efforts will aim at minimizing any fear, peer pressure, embarrassment or other impediments to students reporting potential problems. Maintaining a safe school environment that is conducive to learning requires staff to be proactive in dealing with violence, harassment and bullying. Staff members must report immediately to the principal any information reported by a student or their own observation of unusual or suspicious behavior or acts of violence, harassment or bullying. Every principal is required to investigate

and act upon any reports of such behavior including, when appropriate, reporting criminal activities to law enforcement and the superintendent or designee. (See policies 1710/4021/7230, Prohibition Against Discrimination, Harassment and Bullying, 1720/4015/7225, Discrimination, Harassment and Bullying Complaint Procedure, and 4335, Criminal Behavior.)

4. Potential Threats of Registered Sex Offenders

The principal of each school shall register with the North Carolina Sex Offender and Public Protection Registry to receive e-mail notification when a registered sex offender moves within a one-mile radius of the school.

5. Student Behavior Standards

Students are expected to meet behavior standards set forth in board policies.

Legal Reference: G.S. 14-208.18; 115C-36, -47, -105.47, -288, -307, -391, -391.1, -524

Cross Reference: Prohibition Against Discrimination, Harassment and Bullying (policy 1710/4021/7230, Discrimination, Harassment and Bullying Complaint Procedure (policy 1720/4015/7335), School Improvement Plan (policy 3430), Student Sex Offenders (policy 4260), Student Behavior Policies (all policies in the 4300 series), School Volunteers (policy 5015), Visitors to Schools (policy 5020), Registered Sex Offenders (policy 5022), Weapons and Explosives Prohibited (policy 5025/7275), Staff Responsibilities (policy 7300), Security of Facilities (policy 9220)

Adopted: March 6, 2000

Updated: July 1, 2009

Updated:

NONDISCRIMINATION ON THE BASIS OF DISABILITIES

Policy Code: **1730/4022/7231**

The board of education will not discriminate against qualified persons with disabilities on the basis of a disability. This non-discrimination policy includes, but is not limited to benefits of and participation in system programs and activities. The system will provide aids, benefits and school services to disabled persons with disabilities in the most integrated school setting appropriate to his or her needs so that he or she may have an opportunity commensurate to that provided to persons without disabilities to obtain the same results, gain the same benefit or reach the same level of achievement.

The superintendent is directed to develop appropriate procedures to implement this nondiscrimination policy. The superintendent or his or her designee shall:

1. submit an assurance of nondiscrimination with each application for federal financial assistance;
2. designate a person to coordinate the system's efforts to comply with Section 504 of the Rehabilitation Act of 1973 ("Section 504") and its regulations;
3. designate a person to coordinate the system's efforts to comply with the Americans with Disabilities Act, and its regulations;
4. publish the name, office address and phone number of the Section 504 coordinator and the ADA coordinator in a manner intended to ensure that employees, applicants, students, parents and other individuals who participate in the school system's programs are aware of the coordinators;
5. make complaint procedures available as provided in policy 1720/4015/7225, Discrimination, Harassment and Bullying Complaint, which provide opportunities for prompt and equitable resolutions to complaints alleging actions prohibited by Section 504 or ADA or regulations for these statutes;
6. provide notice that the school system does not discriminate on the basis of disability in violation of Section 504 or the ADA, or their implementing regulations, and make such notice accessible to employees, applicants, students and parents;
7. make reasonable accommodation for qualifying applicants or employees with disabilities; however, a reasonable accommodation does not include an accommodation that demonstrably would impose an undue hardship on the program or would fundamentally alter the nature of the services, program or

activity;

8. not inquire about any disabilities that may need accommodation until after an applicant has been made an offer and, additionally, avoid using employment tests or other selection criteria that tend to screen out persons with disabilities unless the criteria are demonstrably job- related and effective alternatives are not available; and
9. provide a free appropriate public education to each qualified student with disabilities in accordance with Section 504 and its regulations.

Legal References: The Americans With Disabilities Act, 42 U.S.C. 12101, 28 C.F.R. pt. 35; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104.

Cross References: Discrimination, Harassment and Bullying Complaint Procedure (policy 1720/4015/7225)

Adopted: April 6, 2000
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A. OPPORTUNITIES TO ADDRESS CONCERNS AND COMPLAINTS

The board is committed to providing an effective means for parents and the community to voice concerns and complaints. The board also strives to resolve concerns and complaints whenever possible. To this end, the board has established the following processes:

1. informal resolutions of specific concerns (see Section B, General Process below);
2. public hearings and public comments at board meetings on subjects of concern to parents and the community (policy 2310, Public Participation at Board Meetings);
3. a procedure for parental concerns regarding the curriculum (policy 3210, Parental Inspection and Objection to Instructional Materials,);
4. specific processes for addressing disciplinary consequences (policies in the 4300 series);
5. processes as provided by law for special education students (policy 3520, Special Education Programs/Rights of Students with Disabilities and ; 4307, Disciplinary Action for Exceptional Children/Students with Disabilities);
6. a grievance procedure for addressing concerns regarding specific decisions, especially where there are concerns that board policy or law has been misapplied, misinterpreted or violated, including discrimination claims on the basis of sex or disability. (policies 1740/4010, Student and Parent Grievance Procedure and 1720/4015/7225, Discrimination, Harassment and Bullying Complaint Procedure.).

Numerous other policies provide opportunities for parental input, including Parental Involvement, policy 1310/4002.

B. GENERAL PROCESS

Complaints that are not specifically designated to be addressed in other policies should be addressed in the following manner:

1. The complaint should be received and addressed at the level closest to which the complaint originated. For example, a complaint regarding a classroom issue should be heard first by the teacher. A complaint regarding the school in general should be addressed first by the principal.
2. Any board member or employee receiving a complaint should verify that the complaint has been appropriately referred to him or her and, if not, assist the complainant by identifying the appropriate personnel to receive the complaint.
3. Once appropriately referred, if the complainant is not satisfied with the response to the complaint, the complainant should be informed of the options for further review of the complaint.
4. A complaint or series of complaints that raise significant issues about the educational program or the operation of the schools is an opportunity to further examine the success of the school district in meeting its goals and objectives. When feasible, a group representing various perspectives and interests, such as teachers, administrators, students and parents, should discuss the issue and make recommendations to appropriate personnel or to the board.

The superintendent shall communicate the requirements in this policy to board members and staff on a regular basis.

Legal Reference: G.S. 115C-36, -47

Cross Reference: Parental Involvement (policy 1310/4002), Discrimination, Harassment and Bullying Complaint Procedure (policy 1720/4015/7225), Student and Parent Grievance Procedure (policy 1740/4010), Public Participation at Board Meetings (policy 2310), Parental Inspection and Objection to Instructional Materials (policy 3210), Special Education Programs/Rights of Disabled Students (policy 3520), Student Behavior Policies (4300 series), Disciplinary Action for Exceptional Children/Students with Disabilities (policy 4307)

Adopted: March 6, 2000

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Updated:

STUDENT S AT RISK OF ACADEMIC FAILURE

Policy Code: 3405

The principal or designee is responsible for ensuring that teachers identify students at each school who are at risk for academic failure in compliance with G.S. 115C-105.41.

Such identification shall occur as early as reasonably may be done. No later than the end of the first quarter or after the teacher has had up to nine weeks of instructional time with a student, a personal education plan for academic improvement shall be developed or updated for each student at risk of academic failure who is not performing at least at grade level.

The principal or designee shall notify the student's parent that the student has a personal education plan and provide the parent with a copy of the plan.

Legal References: G.S. 115C-105.41

Cross References:

Adopted:

COMPREHENSIVE HEALTH EDUCATION PROGRAM

Policy Code: 3540

The board is committed to a sound, comprehensive health education program that provides students with accurate information and encourages them to be responsible for their own health and behavior. The board recognizes the primary role of parents in providing for the health and well-being of their children and seeks to involve parents as provided in this policy. The comprehensive health education program provided by the school district will meet the requirements of the Basic Education Program (BEP), as articulated in G.S. 115C-81(e1) and aligned state-adopted standards. The board may, in its discretion, expand on the subject areas to be included in the program and on the instructional objectives to be met.

A. COMPREHENSIVE HEALTH EDUCATION PROGRAM

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

As required by law, reproductive health and safety education in seventh grade and beyond will include age –appropriate instruction on sexual abstinence until marriage, STDs, the human reproductive system, effective contraceptive methods for preventing pregnancy and awareness of sexual assault and sexual abuse.

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

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

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

C. STANDARDS FOR INSTRUCTION

For reproductive health and safety education, teachers shall follow the instructional objectives and only use the age-appropriate materials that have been made available to parents for review in accordance with this policy. Information conveyed during instruction will be objective and based upon scientific research that is peer reviewed and accepted by professionals and credentialed experts in the field of sexual health education.

A determination of what is an appropriate education for a student with disabilities must be made in accordance with the student's individualized education plan, following all procedures as provided in the *North Carolina Procedures Governing Programs and Services for Children with Disabilities*.

Legal References: G.S. 115C-36, art. 9; -81(e1); State Board of Education Policies GCS -D-000, GCS-F-007.

Cross References:

Adopted: March 6, 2000

Updated: June 1, 2009

Updated:

STUDENT VOTER REGISTRATION AND PREREGISTRATION

Policy Code: **3640/5130**

The board is committed to securing the future of democracy by preparing young people to be educated, engaged voters. Further, the board is committed to working in collaboration with the local board of elections to encourage students who are sixteen years of age or older to register or preregister to vote as permitted by North Carolina law.

In keeping with this commitment, the board directs the superintendent or designee to establish any necessary procedures and to cooperate with the local board of elections in conducting annual voter registration and preregistration drives as part of Citizen Awareness Month as required by G.S. 163-82.25. The board further directs the superintendent to collaborate with the local board of elections to facilitate and encourage voter registration and preregistration at all high schools in the school system.

In compliance with G.S. 163-82.23, the principal of each high school shall make available to all students and others who are eligible to register and preregister to vote the application forms described in G.S. 163-82.3.

Legal References: G.S. 115C-47(58), -81(g1)(1)b; 163-82.1, -82.3, -82.23, -82.25

Cross References: Citizenship and Character Education (policy 3520)

Adopted:

The board affirms the principle that every student, regardless of race, creed, color, national origin, sex, cultural or economic background, or disability, should be given an equal opportunity for a sound basic education. Furthermore, no student, on the basis of sex, marital status, pregnancy, or parenthood, will be excluded from participating in, denied the benefits of, or subjected to discrimination under any educational program or activity conducted by the school system. The school system will treat its students without discrimination in regard to course offerings, athletics, counseling, employment assistance and extracurricular activities.

Any student, parent or guardian who feels that this policy has been misinterpreted, misapplied or violated may file a complaint in accordance with policy 1720/4015/7225, Discrimination, Harassment and Bullying Complaint Procedure.

The superintendent shall develop appropriate procedures to ensure that public education is provided to each qualified student with disabilities in accordance with 34 C.F.R. pt. 104, subpart D.

Legal References: Americans With Disabilities Act, 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 35; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 115C-1, -367, art.9

Cross References: Discrimination, Harassment and Bullying Complaint Procedure (policy 1720/4015/7225), Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231), Education for Pregnant and Parenting Students (policy 4023)

Adopted: April 10, 2000

Updated: May 4, 2009

Updated:

EDUCATION FOR PREGNANT AND PARENTING STUDENTS

Policy Code:

4023

The board of education will provide all pregnant and parenting students with the same educational instruction as other students or its equivalent. Pregnant and parenting students shall not be discriminated against or excluded from school or from any program, class or extracurricular activity because they are pregnant or parenting students. School administrators shall provide assistance and support to encourage pregnant and parenting students to remain enrolled in school and graduate.

In accordance with state law, the school system shall use, as needed, supplemental funds from the At-Risk Student Services allotment to support programs for pregnant and parenting students. Students who are pregnant or parenting shall be given excused absences from school for pregnancy and related conditions for the length of time the students' physicians find medically necessary. These absences include those due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent. Homework and make-up work shall be made available to pregnant and parenting students to ensure that they have the opportunity to keep current with assignments and avoid losing course credit because of their absence from school, and, to the extent necessary, a homebound teacher shall be assigned.

Legal References: G.S. 115C-375.5

Cross References: Prohibition Against Discrimination, Harassment and Bullying (policy 1710/4021/7230), Equal Educational Opportunities (policy 4001), Attendance (policy 4400)

Adopted: May 4, 2009

Updated:

STAFF-STUDENT RELATIONS

Policy Code: 4040/7310

The relationship between staff and students should be one of cooperation, understanding and mutual respect. The staff has the responsibility to provide an atmosphere conducive to learning and to motivate each student to perform to his or her capacity. The staff is expected to model the behavior expected of students in staff-student relationships.

All employees are prohibited from dating, courting or entering into a romantic or sexual relationship with any student enrolled in the school system regardless of the student's age. Employees engaging in such inappropriate conduct shall be subject to disciplinary action, up to and including dismissal, and may be subject to criminal action as provided in G.S. 14-202.4 and 14-27.7.

Any employee, who has reason to believe that another employee is inappropriately involved with a student, as described above, is required to report this information to the superintendent. An employee who fails to inform the superintendent of a suspected inappropriate relationship between an employee and a student may be subject to disciplinary action, up to and including dismissal.

For the purposes of this policy, the term "employees" includes independent contractors and school safety officer but does not include student employees.

Legal References: Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 *et seq.*, 34 C.F.R. pt 106; G.S. 14-27.7, -202.4; 115C-47(18); 16 NCAC 6C.0601, 0602; State Board of Education Policy TCP-C-014

Cross References: Governing Principle – Removal of Barriers (policy 1700), Prohibition Against Discrimination, Harassment and Bullying (policy 1710/4021/7230), Discrimination, Harassment and Bullying Complaint Procedure (policy 1720/4015/7225), Student and Parent Grievance Procedure (policy 1740/4010), Staff Responsibilities (policy 7300)

Adopted: April 10, 2000

Updated: April 6, 2009

Updated:

BEHAVIOR STANDARDS FOR TRANSFER STUDENTS

Policy Code: **4115**

This policy applies to transfer students seeking admission to the school system. Transfer students are students who have been enrolled in or who have attended a private or public school in this state or another state.

In accordance with state law, the student's parent, guardian or custodian must provide a statement made under oath or affirmation before a notary indicating (1) whether at the time of the admission request the student is under suspension or expulsion from attendance at a private or public school in this or any other state and (2) has been convicted of a felony in this or any other state.

STUDENTS UNDER SUSPENSION/EXPULSION OR CONVICTED OF A FELONY

If at the time of the admission request the student is under suspension or expulsion or has been convicted of a felony, the parent, guardian or custodian must provide to the school district all requested information related to the conduct. The superintendent or designee will review the information and make recommendations to the board as to whether the student should be admitted and whether any reasonable conditions should be imposed.

1. Suspension - The board may deny admission to a student who is under a suspension for conduct that could have led to a suspension from a school within the school district. Admission may be denied until the suspension has expired.
2. Expulsion - The board may deny admission to a student expelled from school pursuant to G.S. 115C-391 or who has been expelled from a school for behavior that indicated the student's continued presence in school constituted a clear threat to the safety of other students or employees. The student may request reconsideration of the decision in accordance with G.S. 115C-391(d).
3. Felony Conviction - The board may deny admission to a student who has been convicted of a felony in this state or any other state. The student may request reconsideration of the decision in accordance with G.S. 115C-391(d).

In any of the above-described circumstances where admission may be denied, the board alternatively may place reasonable conditions on the admission of the student. Such conditions include but are not limited to behavior contracts, alternative school placement and limits on free time and extracurricular activities. Drug testing and weapon searches also may be reasonable conditions so long as they meet any constitutional requirements.

Notwithstanding the provisions of this policy, students under suspension or expulsion who have been identified as having a disability pursuant to the *Individuals with Disabilities Education Act*, 20 U.S.C. § 1400, et seq., and who otherwise meet the requirements for enrollment in the school system are entitled to services to the extent mandated by federal and state law for such students.

Legal References: Individuals with Disabilities Education Act, 20 U.S.C., 1400 et seq., 34 C.F.R. pt. 300; G.S. 115C-366(a3), (a4), (a5), -391

Cross Reference: Discretionary Admission (policy 4130)

Adopted: April 10, 2000

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Updated:

ASSAULTS, THREATS AND HARASSMENT

Policy Code: **4331**

The board will not tolerate assaults, threats or harassment from any student. Any student exhibiting 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. Except when certain consequences for misbehavior are required by law, principals in the elementary grades are directed to use good judgment and reasonable discretion in determining the appropriate consequence for violation of board policies, school standards or rules.

A. ASSAULT, INJURY

1. Prohibited Behavior

Students are prohibited from assaulting, physically injuring, attempting to injure or intentionally behaving in such a way as could reasonably cause injury to any other person. Assault includes engaging in a fight.

2. Consequences

a. General Consequences

Violation of this section may result in short-term suspension up to 10 days, long-term suspension, 365 days suspension or expulsion. The procedures for long-term suspension or expulsion are provided in board policy 4353, Long-Term Suspension, 365 Days Suspension, Expulsion. A determination of the appropriate consequence will be made in accordance with the provisions of that policy except as otherwise provided below. Placement in an alternative educational setting may be made instead of suspension in accordance with policy 3470/4305 Alternative Learning Programs/Schools, and/or as provided in ~~S~~sections A.2.b and A.2.c of this policy.

b. Consequences for Serious Assaults on School Personnel

Any student who is found by the superintendent to be at least 13 years of age and to have physically assaulted and seriously injured school personnel must be removed to an alternative educational setting in accordance with G.S. 115C-391(d2). If an appropriate

alternative educational setting is not available, the superintendent, upon recommendation of the principal, must suspend the student for no less than 300 days but no more than 365 days. A student may also be expelled for assaultive conduct when his or her behavior constitutes a clear threat to the safety of others. The principal shall make recommendations to the superintendent regarding placement decisions and the recommended length of the placement or the suspension, within the limits established by law, based at least in part upon recommendations of the principal of the alternative school. This section does not apply when the student was acting in self-defense.

c. Consequences for Certain Physical Assaults of Adults and Students

Upon the recommendation of the principal, the superintendent may remove a student to an alternative educational setting if the student is at least 13 and has:

- (1) physically assaulted a teacher or other adult who is not a student;
- (2) physically assaulted another student if the assault is witnessed by school personnel; or
- (3) physically assaulted and seriously injured another student.

This section applies to behavior that occurs on school property or at a school-sponsored or school-related event. It does not apply when a student was acting in self-defense. If no appropriate alternative educational setting is available, the superintendent may suspend the student for up to 365 days. A student may also be expelled for assaultive conduct when his or her behavior constitutes a clear threat to the safety of others. The principal will make recommendations to the superintendent regarding placement decisions and the recommended length of the placement or suspension, within the limits established by law.

If the student is under age 13, the consequences for assault will be determined in accordance with the general guidelines in policy 4353, Long-Term Suspension, 365 Day Suspension, Expulsion, and the school behavior management plan (see policy 4302, School Plan for Management of Student Behavior).

B. THREATENING ACTS**1. Prohibited Behavior**

Students are prohibited from directing toward any other person any language that threatens force, violence or disruption, or any sign or act that constitutes a threat of force, violence or disruption.

2. Consequences

Violation of this section may result in short-term suspension up to 10 days, long-term suspension, or expulsion. The procedures for long-term suspension or expulsion are provided in policy 4353, Long-Term Suspension, 365 Days Suspension, Expulsion. A determination of the appropriate consequence will be made in accordance with the provisions of that policy. Placement in an alternative educational setting may be made instead of suspension in accordance with policy 3470/4305, Alternative Learning Programs/Schools. Consequences for bomb and terrorist threats are addressed in policy 4333, Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety and may include a 365 day suspension.

C. HARASSMENT**1. Prohibited Behavior**

Students are prohibited from engaging in or encouraging any form of harassment against students, employees or any other individuals on school grounds or at school-related functions. Harassment is unwanted, unwelcomed and uninvited behavior that demeans, threatens or offends the victim and results in a hostile environment for the victim. The hostile environment may be created through pervasive or persistent misbehavior or a single incident if sufficiently severe. Harassment and bullying are further defined in policy 1710/4021/7230, Prohibition Against Discrimination, Harassment and Bullying.

2. Consequences

Complaints of harassment will be investigated pursuant to policy 1720/4015/7225, Discrimination, Harassment and Bullying Complaint Procedure. Incidents of misbehavior that do not rise to the level of harassment may violate policy 4310, Integrity and Civility, which

establishes an expectation that students will demonstrate civility and integrity in their interactions with others. The consequences for harassment will be decided pursuant to policy 1745/4027 and will be more severe than for violations of the standards of integrity and will be decided pursuant to policy 1720/4015/7225. Consequences may include disciplinary action up to and including expulsion, as appropriate.

Legal Reference: G.S. -33, -34 to -34.2; 115C-47, -276(r), -288, -307, -390, -391

Cross Reference: Prohibition Against Discrimination, Harassment and Bullying (policy 1710/4021/7230), Discrimination, Harassment and Bullying Complaint Procedure (policy 1720/4015/7225, Alternative Learning Programs/Schools (policy 3470/4305), School Plan for Management of Behavior (policy 4302), Integrity and Civility (policy 4310), Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety (policy 4333), Long-Term Suspension, 365 Days Suspension, Expulsion (policy 4353)

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Updated:

PARENTAL INVOLVEMENT IN STUDENT BEHAVIOR ISSUES

Policy Code: **4341**

The board recognizes the need for parents and guardians to work with schools in helping students learn and practice acceptable standards of behavior. School employees are to encourage parents to participate in discussions on effective strategies for correcting misbehavior and appropriate consequences for violations of board policy, school standards or rules.

School personnel are expected, as a part of their school's student behavior management plan, to identify strategies that involve parents. At a minimum, the plan must provide for inviting parents to conferences whenever there are repeated violations of board policy, school standards or rules or whenever there is a serious violation that may result in removing the student from his or her regular educational environment for any extended period of time. Parents also have the right to inspect or obtain copies of student records as provided in board policy 4700, Student Records.

When the principal decides to impose a short-term suspension , the principal shall

1. before or as soon as is reasonably feasible after imposing any suspension, notify the parent of (1) the nature of the misbehavior ;(2) the board policy, school standard or rule that was violated; and (3) the consequence that may be or has been imposed;
2. maintain documents and relevant information received about the misbehavior for review with the parent, taking into account the rights of other students or staff that may be involved;
3. make reasonable efforts, if appropriate, to meet with the parent before or at the time the student returns to school after any suspension; and
4. make available a copy of this policy and all other applicable board policies, school standards and rules;

When a short-term suspension has been imposed, the principal shall inform the parent of the student's rights under board policies 4351, Short-Term Suspension, and 4360, Appeals of Consequences No Greater than Short-Term Suspension.

When the principal decides to recommend a long-term suspension, a 365 day suspension or an expulsion, the principal shall inform the parent of the student's rights as described in policy 4353, Long-Term

Suspension, 365 Day Suspension, Expulsion, If English is the second language of the parent or guardian, the principal shall provide the notice in English as well as in the parent's or guardian's first language when the appropriate foreign language resources are available. All records of parental contact should be maintained in the student's records and retained at least through the end of the school year.

Legal References: G.S. 115C-47, -391

Cross References: Parental Involvement (policy 1310/4002), Short-Term Suspension (policy 4351), Long-Term Suspension, 365 Day Suspension, Expulsion (policy 4353), Student Records (policy 4700)

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All student records must be current and maintained with appropriate measures of security and confidentiality. The principal is responsible for meeting all legal requirements pertaining to the maintenance, review and release of records retained at the school.

A. ANNUAL NOTIFICATION OF RIGHTS

The superintendent or designee is responsible for providing eligible students and parents with annual notification of their rights under the Family Educational Rights and Privacy Act (FERPA). The notice must contain all information required by federal law and regulations including the following:

1. the right to inspect and review the student's educational records and the procedure for exercising this right;
2. the right to request amendment of the student's educational records that the parent or eligible student believes to be inaccurate, misleading or in violation of the student's privacy rights; and the procedure for exercising this right;
3. the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent;
4. the type of information designated as directory information and the right to opt out of release of directory information;
5. that the school system releases records to other institutions that have requested the information and in which the student seeks or intends to enroll;
6. the right to opt out of releasing the student's name, address and phone number to military recruiters or institutions of higher education that request such information;
7. a specification of the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest if a school official discloses or intends to disclose personally identifiable information to school officials without consent;
8. notification if the school system uses contractors, consultants, volunteers or similar persons as school officials to perform certain school system services and functions that it would otherwise perform itself; and

9. the right to file complaints with the Family Policy Compliance Office in the U.S. Department of Education.

School officials are not required to individually notify parents or eligible students of their rights, but must provide the notice in a manner reasonably likely to inform the parents and eligible students of their rights. Effective notice must be provided to parents or eligible students who are disabled or whose primary or home language is not English.

B. DEFINITION OF PARENT, AND ELIGIBLE STUDENT

1. Parent

For purposes of this policy, the term “parent” includes a natural parent, a guardian or an individual acting as a parent in the absence of a parent or guardian. If the parents of a student are separated or divorced, both parents have the right to access the student’s records as provided in this policy, unless the school system has been provided with evidence that there is a court order, state statute or other legally binding document that specifically revokes these rights.

2. Eligible Student

For purposes of this policy, an eligible student is a student who has reached 18 years of age or is attending an institution of postsecondary education. The rights afforded to parents under this policy transfer to an eligible student. However, parents may still have access to the records as long as the student is claimed as a dependent by the parent for federal income tax purposes. An eligible student who desires to prevent access to records by his or her parents must furnish to the principal information verifying that the student is not a dependent of his or her parents. If a parent of a student who is at least 18 and no longer attending a school within the system wishes to inspect and review the student’s records, he or she must provide information verifying that the student is a dependent for federal income tax purposes.

A student under age 18 may have access to student records only upon consent of his or her parents.

C. CLASSIFICATION AND MAINTENANCE OF RECORDS

Information about students that is collected and stored by school personnel may be separated into several categories, including, but not limited to, the following records.

1. Cumulative Records

The cumulative record is the official record for each student. The cumulative record includes student identification information, such as the student's name, address, sex, race, birthplace and birth date; family data including the parents' names, addresses, work and home phone numbers and places of employment; academic work complete; grades; standardized test scores' health screenings and immunization records; honors and activities; class rank; date of graduation; and follow-up records.

2. Discipline Records

Student discipline records are part of the student's official record and must be maintained and reviewed pursuant to policy 4345, Student Discipline Records. Discipline records must be expunged and forwarded pursuant to the requirements of law and the procedures of policy 4345.

3. Records of Students with Disabilities

Students with recognized disabilities must be accorded all rights in regard to their records as provided by state and federal law, including the Individuals with Disabilities Education Act and policy 3520, Special Education Programs/Rights of Students with Disabilities. Records for a student identified as a student with a disability are considered part of the student's official records and must be maintained in accordance with all appropriate federal and state regulations. Access to these records will be restricted to personnel having specific responsibility in this area. A list of all approved personnel having access to these restricted files will be updated as needed, and a current, dated list will be posted in the student records location.

4. Records Received from the Department of Social Services

The Department of Social Services may disclose confidential information to the school system in order to protect a juvenile from abuse or neglect. Any confidential information disclosed under these circumstances must remain

confidential and may only be disclosed for purposes directly connected with carrying out the school system's mandated educational responsibilities.

5. Juvenile Records

Juvenile records include documentation or information regarding students who are under the jurisdiction of the juvenile court. These records may be received from local law enforcement and/or other local agencies authorized to share information concerning juveniles in accordance with G.S. 7B-3100. These records also may include notice from the sheriff to the board that a student has been required to register with the sheriff because the student has been found to be a danger to the community under G.S. Chapter 14, Part 4. Such documents must not be part of the student's official records but must be maintained by the principal in a safe, locked storage area that is separate from the student's other records. The principal shall not make a copy of such documents under any circumstances.

Juvenile records will be used only to protect the safety of or to improve the educational opportunities for the student or others. The principal may share juvenile records with individuals who have (a) direct guidance, teaching or supervisory responsibility for the student and (b) a specific need to know in order to protect the safety of the student and others. Persons provided access to juvenile records must indicate in writing that they have read the document(s) and agree to maintain confidentiality of the records.

The principal or designee must destroy juvenile documents if he or she receives notification that a court no longer has jurisdiction over the student or if the court grants the student's petition for expunction of the records. The principal or designee shall destroy all other information received from an examination of juvenile records when he or she finds that the information is no longer needed to protect the safety of or to improve the education opportunities for the student or others. If the student graduates, withdraws from school, transfers to another school, is suspended for the remainder of the school year or is expelled, the principal shall return all documents not destroyed to the juvenile court counselor.

If the student is transferring, the principal shall provide the juvenile court counselor with the name and address of the school to which the student is transferring.

6. Other Student Records

School system personnel may also keep other student records but must review such records annually and destroy them when their usefulness is no longer apparent or when the student leaves the school system.

7. Sole Possession, Employment and Law Enforcement Records

Student records do not include, and release of information under this policy does not apply to:

- a. Records made by teachers, counselors and administrators that are in the sole possession of the maker thereof and that are not accessible or revealed to any other person except a substitute;
- b. Employment records of student employees if those records relate exclusively to the student in his or her capacity as an employee and are not made available for any other use; and
- c. Records created by a law enforcement unit of the school system if created for a law enforcement purpose and maintained solely by the law enforcement unit of the school system. This does not include information obtained from the student's confidential file or other education records that is contained in a law enforcement record.

D. RECORDS OF STUDENTS PARTICIPATING IN THE NORTH CAROLINA ADDRESS CONFIDENTIALITY PROGRAM

Records of students participating in the North Carolina Address Confidentiality Program must show only the substitute address provided by the Address Confidentiality Program and must not be released to any third party other than a school to which the student is transferring, or as otherwise provided by law.

When transferring the record of a student participating in the North Carolina Address Confidentiality Program to a school outside of the system, the transferring school may send the files to the Address Confidentiality Program participant (parent or guardian) via the substitute address provided by the Address Confidentiality Program.

E. RECORDS OF MISSING CHILDREN

Upon notification by a law enforcement agency or the North Carolina Center for Missing Persons of the disappearance of a child who is currently or was previously enrolled in the school, school officials shall flag the record of that child. If the missing child's record is requested by another school system, the principal shall provide notice of the request to the superintendent and the agency that notified the school that the child was missing. The principal shall provide the agency with a copy of any written request for information concerning the missing child's record.

Any information received indicating that a student transferring into the system is a missing child must be reported promptly to the superintendent and the North Carolina Center for Missing Persons.

F. RECORDS OF MILITARY CHILDREN

School administrators shall comply with any regulations pertaining to the records of military children developed by the Interstate Commission of Educational Opportunity for Military Children.

In addition, children of military families, as defined by policy 4050, are entitled to the following.

1. For Students Leaving the School System

In the event that official education records cannot be released to the parents of military children who are transferring away from the school system, the custodian of records shall prepare and furnish to the parent a complete set of unofficial education records containing uniform information as determined by the Interstate Commission.

When a request for a student's official record is received from the student's new school, school officials shall process and furnish the official records to the student's new school within 10 days or within such time as is reasonably determined by the Interstate Commission.

2. For Students Enrolling in the School System

Upon receiving an unofficial education record from the student's previous school, school administrators shall enroll the student and place him or her in classes as quickly as possible based on the information in the unofficial records, pending validation by the official records.

Simultaneous with enrollment and conditional placement of the student, school administrators shall request the student's official record from his or her previous school.

G. REVIEW, RELEASE OF RECORDS TO PARENT OR ELIGIBLE STUDENT

A parent or eligible student may access the student's records upon proper request. The principal or guidance office personnel of the student's school shall schedule an appointment as soon as possible but no later than 45 days after the request by the parent of eligible student. The parent or eligible student may formally review the student's complete records only in the presence of the principal or a designee competent to explain the records. School personnel shall not destroy any educational records if there is an outstanding request to inspect or review the records.

A parent or eligible student has the right to challenge an item in the student record believed to be inaccurate, misleading or otherwise in violation of the student's privacy rights. The principal shall examine a request to amend a student record item and respond in writing to the person who challenges the item. Subsequent steps, if necessary, will follow the student grievance procedures as provided in policy 1740/4010, Student and Parent Grievance Procedure. If the final decision is that the information in the record is not accurate, misleading or otherwise in violation of the privacy rights of the student, the principal shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the school system.

A parent, guardian or eligible student has the right to challenge an item in the student record believed to be inaccurate or inappropriate. The principal will examine a request to amend a student record item and respond in writing to the person who challenges the item. Subsequent steps, if necessary, will follow the student grievance procedures as provided in board policy 1740/4010, Student and Parent Grievance Procedure.

C. RELEASE OR DISCLOSURE OF RECORDS TO OTHERS

Before releasing or disclosing records as permitted by law, school officials shall use reasonable methods to identify and authenticate the identity of the party to whom the records are disclosed.

1. Release/Disclosure With Parental Consent

School officials shall obtain written permission from a parent or eligible student before releasing or disclosing student records that contain personally identifiable information, except in circumstances where the school system is authorized by law to release the records without such permission. The written permission must specify the records to be released, the purpose of the release and the party(ies) to whom they are to be released.

2. Release/Disclosure Without Parental Consent

School system officials shall promptly release student records when a student transfers to another school. The records custodian may release or disclose records with personally identifiable information without parental permission to the extent permitted by law, including to other school officials who have a legitimate educational interest in the records.

When personally identifiable information from a student's record is released or disclosed without prior written consent of the parent or eligible student, the party to whom the information is released must agree not to disclose the information to any other party without the prior consent of the parent or eligible student. This restriction does not apply to the release of directory information, release of information to parents of non-eligible students, release of information to parents of dependent students, or release of information in accordance with a court order or subpoena.

The superintendent shall employ reasonable methods to ensure that teachers and other school officials obtain access only to those educational records in which they have legitimate educational interests.

3. Release of Directory Information

Permission of the parent or eligible student is not required for the release of information that is designated as directory information by the board, provided that the parent or eligible student has been given proper notice and an opportunity to opt out. (See policy 1310/4002, Parental Involvement.

- a. The board designates the following student record information as directory information:

- 1) name;

- 2) address;
 - 3) telephone listing;
 - 4) electronic mail address;
 - 5) photograph
 - 6) date and place of birth;
 - 7) participation in officially recognized activities and sports;
 - 8) weight and height of members of athletic team;
 - 9) dates of attendance;
 - 10) grade level
 - 11) diplomas, certification and awards received; and
 - 12) most recent previous school or education at institution attended by the student.
- b. The telephone number and actual address of a student who is or whose parent is a participant in the North Carolina Address Confidentiality Program is not considered directory information and will not be released.
 - c. As required by law, the names, addresses and telephone numbers of secondary school students shall be released, upon request, to military recruiters or institutions of high learning, whether or not such information is designated directory information by the school system. Students or their parents, however, may request that the student's name, address and telephone number not be released without prior written parental consent. School officials shall notify parents of the option to make a request and shall comply with any request made.
 - d. All requests for directory information must be submitted to the superintendent or designee for approval. The superintendent is directed

to establish regulations regarding the release of directory information. At the minimum, the regulations must:

- 1) specify the types of organizations that are eligible to receive directory information, and for what purposes;
- 2) provide for equal disclosure to organizations that are similar in purpose; and
- 3) authorize access to directory information to recruiters of military forces of the state or United States for the purpose of informing students of educational career opportunities available in the military to the same extent that such information is made available to persons or organizations that inform students of occupational or educational options.

4. Records of Students with Disabilities

Students with recognized disabilities must be accorded all rights in regards to their records as provided by state and federal law, including the Individuals with Disabilities Act.

5. Disclosure of De-Identified Information

Education records may be released without consent of the parent or eligible student if all personally identifiable information has been removed. Personally identifiable information includes both direct and indirect identifiers that, alone or in combination, would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

Unless specifically permitted by law, records that have been de-identified must not be released without the consent of the parent or eligible student if school officials reasonably believe that the person requesting the information knows the identity of the student to whom the education record relates.

I. WITHHOLDING RECORDS

School system administrators shall not withhold records upon a valid request by a parent, eligible student or school for any reason, including in order collecting fines assessed to the parent or student.

J. RECORD OF ACCESS AND DISCLOSURE

The principal or designee shall maintain a record in each student's file indicating all persons who have requested or received personally identifiable information from a student's record and the legitimate reason(s) for requesting or obtaining the information. This requirement does not apply to requests by or disclosure to parents, eligible students, school officials, parties seeking directory information, a party seeking or receiving the records under a court order or subpoena that prohibits disclosure, or those individuals with written parental consent.

K. DESTRUCTION OF STUDENT RECORDS

School officials shall only destroy student records in accordance with state and federal law and the *Records Retention and Disposition Schedule for Local Education Agencies*. After notifying parents, school officials may destroy student records when the records are no longer needed to provide educational services to the student or to protect the safety of the student or others. School officials must destroy student records if the parent or eligible student requests their destruction and if such records are no longer needed to provide educational services to the student or to protect the safety of the student or others. School officials shall not destroy student records if there is an outstanding request to inspect the particular records.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, h, 34 C.F.R. pt. 99; Individuals with Disabilities Education Act, 20 U.S.C. §1411 *et. seq.*; G.S. 7B-302, -3100; 14-208.29; 115C-47(26), -109.3, -402, -403, -407.5

Cross References: Parental Involvement (policy 1310/4002), Student and Parent Grievance Procedure (policy 1740/4010), Special Education Programs/Rights of Students with Disabilities (policy 3520), Children of Military Families (policy 4050), North Carolina Address Confidentiality Program (policy 4250/5075/7316), Disciplinary Action for Exceptional Children/Disabled Students (policy 4307), Student Discipline Records (policy 4345), Confidentiality of Personal Identifying Information (4705/7825), Surveys of Students (policy 4720), Public Records – Retention, Release and Disposition (policy 5070/7350)

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