

# UNION COUNTY PUBLIC SCHOOLS'

## Elementary School

### STUDENT HANDBOOK

#### Table of Contents

TITLE	POLICY	PAGE
Annual Parent Notification	5-8	1
Appeals Policy	4-18	3
Attendance	4-1	4
Checks	na	6
Communicable Diseases	4-12	7
Connect-Ed Messages	na	10
Discipline: Code of Student Conduct	4-3	10
Discrimination/Harassment/Bullying	4-7	19
Food Allergies	4-19	22
Gangs: Prohibition of Gangs and Gang Activities	4-3	23
Healthy Schools and Healthy Youth	4-12	25
Internet Use	5-20	25
Medication	4-6	27
Promotion/Retention	5-12	27
Seclusion and Restraint	4-3	28
Student Records	4-14	30
Tobacco Policy	3-5a	33

School Assignment, BOE Policy 4-13, Testing/Accountability and BOE Policy 5-12 contain important student information, but are not included in this document. The complete [UCPS Board of Education Policy Manual](#) is available on our website.

**\*\*UCPS Board of Education policies are revised regularly. Updated information is available at your school or on the UCPS website.**

Union County Public Schools maintains a comprehensive web-site at [www.ucps.k12.nc.us](http://www.ucps.k12.nc.us). The homepage contains the [Board of Education Policy Manual](#), news, current events and links to each department and school. Parents and students can find curriculum resources, current calendars, lunch menus, school assignment maps and many other items of interest on the site.

**ANNUAL PARENT NOTIFICATION** (BOE Policy 5-8)

Parent(s)/guardian(s) play a critical role in the health and education of their children. Parent(s)/guardian(s) may withhold consent for the items listed in the notification below. A separate form will be sent for parent(s)/guardian(s) to select a sex education curriculum for their child. All of the other items listed below must be addressed in a letter to the school principal if consent is to be withheld. A letter is not necessary if the parent(s)/guardian(s) choose to not withhold consent for the items below.

As part of the annual notification process, parents are notified that consent may be withheld for the following:

- The release of student directory information about his/her child to outside organizations.
- A student's participation in curriculum related to (1) prevention of sexually transmitted diseases, including AIDS, (2) the avoidance of out-of-wedlock pregnancy, (3) abstinence until marriage, or (4) abstinence-based sex education.
- A student's use of guidance programs for individual counseling, small group counseling related to addressing specific problems, or referral to community resources on issues of a private nature, as well as information on where to obtain contraceptives. Administrative guidelines prevent school board employees and school health nurses from discussing abortion with students. Neither parental notification nor parental permission is required for large group sessions, initial consultations intended to identify the student's needs or counseling where child abuse or neglect is suspected.

A parent/legal guardian wishing to withhold consent must do so in writing after receiving notice. Otherwise, consent to the programs or activities are presumed. After the initial notification, the school is not required to provide further notice to the parent as to the manner in which student directory information is used, the curriculum is provided, or the guidance programs are made available.

Written parental permission is required prior to the following activities:

- Medicines administered to students by employees of the school district.
- Any release of student records that are not considered directory information unless the release is allowed or required by law.
- Providing treatment through the school district health services.
- Field trips off campus.

**Guidelines for Counseling of a Pregnant or Sexually Active Student, a Student with a Substance Abuse Problem, and/or a Student with Emotional Problems By School Board Employees and School Health Nurses:**

The student will be asked if he/she has talked with his/her parent(s) about their concerns. A school board employee or a school health nurse who counsels a student about pregnancy, sexual activity, substance abuse, or emotional problems will always encourage the student to confide in their parent/guardian about their concerns.

- If the student agrees, a meeting with the student and his/her parents may be arranged to discuss all options and referral information may be provided as requested by parents.
- If the student does not want the parent to know, the school employee must check the student's cumulative folder for a parent signed consent letter or form. If the parent(s) have signed a letter or form withholding consent, the student will be informed that neither a school board employee nor a school health nurse can assist them in any way without first obtaining their parents' permission. School health nurses may refer the student to a private physician or the Health Department for information, as authorized by state law.
- If a parent has not withheld consent, the student will be informed that they can give a private physician or the Health Department effective consent for medical health services for the prevention, diagnosis, and treatment of sexually transmitted diseases, pregnancy, abuse of controlled substances and/or alcohol, and emotional disturbances.
- If a student fails to obtain prenatal care, the parent(s) will be informed of the student's need for the service.

**TOPICS THAT MAY BE DISCUSSED WITH A MINOR WHOSE PARENTS HAVE NOT WITHHELD CONSENT:**

1. Sexually Transmitted Diseases, including HIV/AIDS and Hepatitis B:

The student may be referred to a private health care provider or to the Union County Health Department for information on how to treat or prevent sexually transmitted diseases, pregnancy, abuse of controlled substances and/or alcohol, and emotional disturbances.

If the student fails to obtain treatment for a Sexually Transmitted Disease, the parent/guardian will be informed of the student's need for treatment and the options available for treatment.

2. Pregnancy Prevention:

Abstinence will always be referred to as the only 100% effective method of birth control. The student may be given information on any method of birth control that includes the following:

- a. rate of effectiveness
- b. advantages and disadvantages
- c. estimated cost

The student may be referred to a private physician or the Union County Health Department for information about birth control.

3. Pregnancy Testing:

The student may be given information on pregnancy testing.

4. Pregnancy:

Abortion will not be discussed with a student by school health nurses or by school board employees.

Any student who is pregnant, or suspects that she is pregnant, is always encouraged to tell her parent(s)/guardian(s) of her pregnancy and to make a decision, with their guidance, about her options concerning the pregnancy. Pregnancy options should be discussed with the student by her parents, primary care provider, obstetrician, or the Health Department's medical staff who deals with maternity matters.

**APPEALS POLICY** (BOE Policy 4-18)

This policy provides parents/guardians/custodians and students procedures for appeals of decisions made by a school official (teacher, administrator, or other support personnel). Parents who have difficulty preparing appeals because of writing or language difficulties shall receive assistance upon request. Such appeals shall be governed by the following procedures:

A. School Level Appeals - Appeals of decisions made at the school level should begin at that level. Such appeals shall be made to the principal within 30 days of the school-based decision-giving rise to the concern. The school administration will respond to such appeals within 10 calendar days of receiving notice of appeal.

B. Superintendent Level Appeals - If the matter is not resolved at the school level, the parent\* and/or student may file an appeal with the Superintendent. Such appeals shall be made in writing and mailed or hand delivered to the Superintendent's office not later than 15 calendar days after the notice of the school's decision. The Superintendent will respond to such appeals in writing, within 10 calendar days of receiving notice of appeal. At the discretion of the Superintendent/designee a panel may be appointed to review short term suspensions (10 days or less; 6 days or less for condensed academic terms). Further information will be provided to the parents/students prior to such review.

C. Board Level Appeals - If the matter is not resolved at the Superintendent's level, the parent\* and/or student may request an appeal to the Board of Education. Such appeals should be made in writing and mailed or hand-delivered to the Superintendent within 15 calendar days of being notified of the Superintendent's decision.

The Board of Education will hear appeals regarding:

1. The discipline of a student that results in an out-of-school suspension for more than 10 school days (more than 6 days for condensed academic terms), or an expulsion.

Appeals of suspensions of more than 10 days (more than 6 days for condensed academic terms) will be heard by a Board Hearing Panel composed of at least two Board Members. Parents\* and/or students may appear before the Board panel to present their cases. Appeals of expulsions will be heard by the full Board in closed session. Parents\* and/or students may appear before the full Board to represent their cases, and may be represented by a licensed attorney at law.

2. School Assignment Decisions

Appeals of school assignments will be considered by the full Board in Closed session. Parents\* and/or students may submit written documentation or sworn affidavits to support their cases, but they will not appear before the Board.

3. Loss of credit or retention due to number of absences.

Appeals of loss of credit or retention due to number of absences will be considered by the full Board in closed session.

4. Driver's license revocations.

Appeals of driver's license revocations will be heard by the full Board in closed session. Parents\* and/or students may submit written documentation or sworn affidavits to support their case, but they will not appear before the Board.

The Board will not hear appeals regarding the following subjects:

- A student's grade in a course or on a test.
- A decision regarding participation in extra-curricular activities.
- A student's schedule or the teacher assigned to teach that class.
- The classification of a student's absences as lawful or unlawful.
- Participation in commencement or promotion exercises.

In its sole discretion, the Board may choose to hear other appeals.

**ATTENDANCE: ELEMENTARY SCHOOL** (BOE Policy 4-1b)

The Public School Laws of North Carolina require compulsory attendance of all children between the ages of seven and sixteen years (G.S. 115C-378) Every parent\* or person having control of a child between these ages of seven and sixteen years enrolled in the Union County Public Schools is responsible by law to make sure the child attends school on a regular basis while school is in session. Class attendance is essential to high student achievement. With this in mind, all students are expected to be in attendance each day school is in session. **FOLLOWING ANY ABSENCE(S), A STUDENT IS REQUIRED TO PRESENT WRITTEN DOCUMENTATION FROM THE**

PARENT/GUARDIAN/CUSTODIAN STATING THE REASON FOR THE ABSENCE. **ALL ABSENCES WILL BE CODED UNLAWFUL IN THE COMPUTER UNTIL A WRITTEN NOTE IS RECEIVED FROM THE PARENT OR GUARDIAN.** Written documentation must be presented within three school days after the student returns to school; otherwise, the absence(s) will be recorded as unlawful. Lawful absences are excused but not automatically waived. (See Criteria to Waive Absences). Unlawful absences are unexcused. The absence will be coded and recorded accordingly:

CODE 1-LAWFUL -- See listing below

The following are lawful reasons for school absences:

1. Illness or Injury
2. Death in the Immediate Family
3. Medical or Dental Appointments
4. Court or Administrative Proceedings
5. Religious Observances
6. Educational Opportunity - prior approval by Principal
7. Quarantine
8. Military Deployment – for students attending ceremonies related to military deployment of family members

CODE 2-UNLAWFUL -- All absences that are not classified as lawful.

CODE 3—OUT-OF-SCHOOL SUSPENSION (OSS)

Absences include those that are lawful, unlawful, and due to suspension. Students will not be counted absent from school when participating in school sponsored functions. Upon returning from an absence, students will be given two days to make up the work missed for each day absent. When arrangements are not made to make up work, or if the make up work is not completed in time, the student will receive no credit. Students on out-of-school suspension are expected to complete class work as assigned by the school. Students in grades K-5 who are absent 20 days, (lawful, unlawful, or OSS) can be retained.

#### CONSEQUENCES FOR EXCESSIVE ABSENCES

When a student has accumulated six absences for any reason, the principal/designee shall notify the parent/guardian/custodian by mail that the student has accumulated this number of absences, and that the parent/guardian/custodian may need to consult with school personnel pertaining to attendance and possible future consequences. School personnel will be available to assist the student and family in solving any attendance problems. When a student has accumulated ten absences for any reason, the principal/designee shall have a conference with the student and his/her parent/guardian/custodian to discuss the accumulated absences and to develop a plan relative to school attendance for the remainder of the school year.

When a student accumulates three, six, and/or ten unlawful absences in a school year, the principal/designee will follow the recommended procedures as indicated in the compulsory attendance law (General Statute 115C-378). This involves the appropriate notification to the District Attorney's office or to the juvenile intake counselor according to which agency is appropriate.

### RETENTION APPEAL

A parent\* may appeal a decision to retain a student to the school level committee according to the following criteria:

- a. The student has passed all academic requirements for promotion but has failed to meet the attendance requirement.
- b. Some absences were due to "special emergencies." (See number 1)

The school principal and/or the student's parent\* may appeal the decision of the school level attendance committee to a district level attendance committee.

Individual schools are required to develop programs to address the academic needs of students who may be failing due to excessive absenteeism. Participation in such programs will be considered by the school level attendance committee. In addition, principals need to take into consideration special emergencies.<sup>1</sup>

Principals would be able to promote a student who qualified academically, but has accumulated twenty or more absences during the school year if it serves the best interest of the student.

### TARDIES

All tardies/early leave will be addressed on a school-by-school basis. Attendance in school for the full time allotted for classes is essential for student success.

### CHECKS

The district will gladly accept your personal check for fees, lunch and most other payments. However, due to the volume of uncollectible checks that the district receives, Union County Public Schools has contracted with Federal Automated Recovery Systems (FARS) for the electronic collection of checks returned for insufficient funds (NSF). In the event your check is returned, your account will be debited electronically for the face amount and fees allowed by the state of North Carolina (currently \$25.00).

Please include the following on your check:

- Drivers License #
- Full Name

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<sup>1</sup> "Special emergencies" are situations causing a student to be absent which are beyond the student's control.

- Street Address
- Phone Numbers

The electronic check recovery system will be in service effective July 1, 2005. Please note any unpaid checks written prior to this time will be turned over to FARS for collection.

If there are any questions, please send e-mail to [finance@ucps.k12.nc.us](mailto:finance@ucps.k12.nc.us)

### **COMMUNICABLE DISEASES** (BOE Policy 4-12)

The board strives to provide a safe and orderly environment for all students and employees. The Board also strives to maintain a balance between the need to educate all eligible students, to protect students and employees' rights, and to control communicable diseases, including HIV and AIDS.

In accordance with the regulations established by the United States Department of Labor pursuant to the Occupational Safety and Health Bloodborne Pathogens Standard, Union County Public Schools shall have in effect a Bloodborne Pathogens Exposure Control Plan. The Plan, which is designed to eliminate or minimize exposure to infectious body fluids and body secretions, shall include specific precautions that must be taken when dealing with blood and other body fluids. The care, referral, and evaluation of students that are suspected to have a blood or body fluid exposure at school/after school activities will be equal to the care given to employees with the exception that costs related to this care will be the responsibility of the family.

Under certain circumstances, students with communicable diseases may pose a threat to the health and safety of other students and staff. Decisions regarding the educational status of students with communicable diseases will be made on a case-by-case basis in accordance with this policy. Nothing in this policy is intended to grant or confer any school attendance or education rights beyond those existing by law. This policy shall be shared with school staff annually and with new employees as part of any initial orientation. New employees shall sign a statement verifying this policy has been shared with them.

#### A. Definition of Communicable Disease

A communicable disease is defined as an illness due to an infectious agent, or its toxic products, which is transmitted directly or indirectly to a person from an infected person or animal.

#### B. Precautions

In order to prevent the spread of communicable diseases, guidelines for necessary health and safety precautions shall be distributed by the administration and followed by all school district employees. Employees are also required to follow the school system's bloodborne pathogens

exposure control plan that contains universal precautions and specific work practice controls relating to the handling, disposal, and cleanup of blood and other potentially infectious materials. Students should not be involved in the handling, disposal, and cleanup of potentially infectious materials unless the student has been specifically trained in the handling of such materials and is qualified to perform first aid services. Faculty should take reasonable precautions to avoid allowing students to come in contact with these substances.

#### C. Curriculum

The school district will include health, hygiene and safety education in its curriculum. The curriculum will include age-appropriate information concerning safe health practices that will inhibit and prevent the spread of diseases, including HIV and AIDS.

#### D. Reporting and Notice Requirements

In accordance with G.S. 130A-136, school principals will report suspected cases of communicable diseases, to the county health department.

Confidentiality of such reports is protected by law. School principals are presumed by law to be immune from liability for making such reports in good faith. Without releasing any information that would identify the student, the principal also must report suspected cases of communicable diseases, to the superintendent. Additionally, parents\* shall be notified in a timely manner when their child has potentially been exposed to a communicable disease through the exchange of blood with another individual and it shall be suggested that they contact their private physician or the county health department for consultation.

The local health director is responsible for determining which school personnel will be informed of the identity of a student with AIDS or HIV infection or other communicable diseases required to be reported. Any employee who is informed or becomes aware of the student's condition shall respect and maintain that student's right of privacy and the confidentiality of his/her records and may not share that information unless specifically permitted to do so by the health director, the student's parents or by other applicable state or federal laws or regulations. Any documents related to a student's HIV or AIDS infection shall be retained in a locked cabinet and shall be released or shared only as necessary to comply with this policy. Employees who have such information will sign a statement indicating their pledge to maintain confidentiality.

Employees who are informed of the student's condition shall also be provided with appropriate information concerning necessary precautions and made aware of the strict confidentiality requirements. Release of this confidential information or records, except as permitted by law, constitutes a misdemeanor and may subject the employee to further discipline.

In order to address the needs of the student within the school environment, school employees are required to notify the principal if they are aware or become aware of any student suffering from a communicable disease. Parents shall be encouraged to notify the principal as well.

Students who are immunodeficient, whether due to AIDS or other causes, face increased risk of severe complications from exposure to communicable diseases that appear in the school setting. Accordingly, students and their parents are encouraged to inform the principal in the event a student suffers from any such immunodeficiency. If notified that a student suffers from such immunodeficiency, the principal should request that the notifying party provide information about what types of exposure might put the student at risk and what reasonable practices can be taken in the school setting to minimize risk to the student. Whenever possible, the principal of a school should notify the parents (or the student himself where appropriate) of an infected or immunodeficient student about the presence of chicken pox, influenza, meningococcus, measles or tuberculosis or other contagious disease occurring in the school that may represent a serious threat to the student's health. Students who are removed from school as a result of such conditions will be provided instruction in an appropriate alternative educational setting.

#### E. Education/School Attendance for Students with AIDS/HIV Infection

Students with AIDS and HIV infection will be permitted to attend school without special restrictions except in accordance with 15A N.C.A.C. 19A.0202 and this subsection.

When the local health director notifies the superintendent that a student with AIDS or HIV infection may pose a significant risk for transmission, the superintendent, in consultation with the local health director, shall appoint an interdisciplinary committee in accordance with state health regulations and procedures established by the superintendent. The committee is to consult with the local health director regarding the risk of transmission and advise the superintendent regarding the placement of the student. The committee shall include appropriate school system personnel, medical personnel and the student's parent and may include legal counsel. The parent may request additional participants as necessary to appropriately evaluate the risk. The health director shall be responsible for determining whether to add additional members that may be requested by the parents. The superintendent is also to inform the Board whenever a committee has been formed and will advise the Board of the professional composition of the committee.

The interdisciplinary committee will review each case individually in consultation with the local health director to determine (1) the degree to which the student's conduct or presence in school exposes others to

possible transmission or other harm, and (2) what risk the school environment may pose to the infected student. If the local health director concludes that a significant risk of transmission exists in the student's current placement, the committee must determine whether an appropriate adjustment can be made to the student's school program to eliminate this risk. If that is not possible, the student shall be provided instruction in an appropriate alternative educational setting, which incorporates protective measures required by the local health director. If the administrative or instructional personnel on the committee determine that the student has limited strength, vitality or alertness due to a chronic or acute health problem that adversely affects the student's educational performance, they must refer the student for possible identification and placement as a student with special needs.

All deliberations of the interdisciplinary committee will be kept strictly confidential and shared only as allowed by law.

#### **CONNECT-ED MESSAGES (School Closings, announcements, etc.)**

Connect-ED is a telephone messaging system that will enable us to personally communicate with parents about emergency situations, school events, school closings and important issues facing your school and our school district. It will allow us the ability to send personalized telephone messages to your family's home, work or cell phones. Essentially, a school principal can make one phone call that reaches all the families associated with his or her school within minutes. Furthermore, the Superintendent can make one phone call that reaches everyone in the entire school district within minutes. It is important that your school has your current phone number so that your child does not miss any important information. **Early Dismissal and school closings will be announced with a Connect-Ed message as well as posted on the website and Radio/TV stations.**

#### **DISCIPLINE POLICY**

##### **CODE OF STUDENT CONDUCT (BOE Policy 4-3)**

The purpose of the Union County Public School System is to provide education for all students enrolled. The Union County Public Schools Board of Education believes that self-discipline is the key element in a positive school climate. In order to foster and nurture self discipline among students, schools shall implement programs, practices, and procedures designed to encourage and recognize positive and responsible student behavior. Such programs can be a part of or logical extensions of the schools' character education curriculum. In addition, schools shall provide regular staff development opportunities on such topics as positive discipline, recognition of bullying, conflict resolution, etc. Furthermore, schools shall develop intervention strategies to prevent bullying.

These proactive measures on the part of schools will provide a balanced approach to the Union County Public Schools' goal of expecting, encouraging, and enforcing acceptable student behavior in all schools, and further serve to promote the school district's core value of design in quality and prevention.

Proper procedural due process shall be followed. A student shall be given an opportunity to seek clarifying information of an incident that may lead to disciplinary action, or contest the appropriateness of a disciplinary action.

**Ignorance of these policies does not excuse inappropriate behavior.**

The welfare of the individual student and of the larger school community is best served when all disciplinary actions and procedures support a positive educational environment.

Each school will establish and enforce reasonable regulations for student behavior. Students shall receive a handbook containing Attendance Policy and Code of Student Conduct (formerly Student Discipline) at the beginning of each school year. Additional copies may be obtained upon request. Copies of handbooks shall be available in the library, the school office, school counselor's office, and other locations as directed by the principal.

**STUDENTS ARE RESPONSIBLE FOR KNOWING THE OFFENSES AND DISCIPLINE/CONSEQUENCES SET IN THE POLICIES.**

Each student is required to return documentation (provided by school) verifying parents have received and read the Union County Public Schools Code of Student Conduct (formerly Student Discipline). Failure to comply will result in disciplinary action to be determined by the school.

Any student or parent who disagrees with disciplinary action shall have the right to an informal conference with the principal or his/her designee. After exhausting this remedy, the student or parent shall have the right to make a formal protest in writing or in person to the Superintendent of schools. (See policy 4-18 for the appeals process.) Appeals from the decision of the Superintendent shall be in writing or in person to the Union County Board of Education.

1. Penalties for violation of the Code of Student Conduct include:

A. Short Term Suspension is any out of school suspension of 10 days or fewer (6 days for condensed academic terms). The principal/designee shall have authority to suspend for a period of 10 days or fewer (6 days for Condensed Academic Terms) any student who willfully violates policies of conduct established by the Board of Education. A student suspended short term shall be provided an opportunity to take any quarterly, semester, or grading period examinations missed during the suspension period.

B. Long Term Suspension is any out of school suspension more than 10 days (6 days for Condensed Academic Terms) and/or for the remainder of the semester or school year. The Superintendent/designee, upon recommendation of the principal, may

suspend a student for periods in excess of 10 days (6 days for Condensed Academic Terms) up to the remainder of the semester or school year, but not exceeding the time remaining in the school year. Students and parents should note that, generally, long term suspensions are for the balance of a semester or school year. In cases where there are fewer than 10 days (6 days for Condensed Academic Terms) left in the semester or school year, the long-term suspension can be fewer than 10 days (6 days for Condensed Academic Terms). The student or his parents may appeal the decision of the Superintendent/designee to the local Board of Education.

C. Expulsion is permanent removal from the school system. The Board of Education may, upon recommendation of the principal and Superintendent, expel any student 14 years of age or older whose continued presence in school constitutes a clear threat to the safety and health of other students or employees. At anytime after July 1, that is at least 6 months after the Board decision to expel a student, a student may request that the Board reconsider that decision.

2. Any student facing possible suspension or expulsion from a Union County Public School is guaranteed procedural due process. The basic elements of procedural due process are:

A. The student is expected to know the rules of conduct as written in the Board Policies and Student Handbooks.

B. The student shall be informed of the specific behavior(s) that may result in disciplinary action. (Notice)

C. The student shall have an opportunity to express his/her views and give a rebuttal regarding the specific behavior(s). (Hearing and Appeal)

D. Decisions shall be made based upon the evidence relative to the specific behavior(s).

3. Definitions include:

A. Parent also means guardian or custodian.

B. School property includes all school campuses, school offices, school vehicles, and any school property owned by the School Board. It also includes any property inside the district, and outside the district where the Board of Education exercises any of its duties.

C. School sponsored event or function includes events in which any Union County School participates to any extent, whether in or out of the school district.

D. The district is all of Union County and any property outside the county where the Board of Education exercises any of its duties.

4. Corporal Punishment

The Board of Education prohibits corporal punishment, believing that other consequences are more appropriate and effective for teaching self control. No principal, assistant principal, teacher, substitute teacher, any other school system employee, or volunteer may use corporal punishment to discipline any student. Corporal punishment is defined as the physical use of a hand, paddle, or other instrument to administer corrective discipline such as paddling, spanking, or otherwise striking a child.

School personnel may use reasonable force in the exercise of lawful authority to restrain or correct pupils and maintain order to prevent immediate threats of harm to person or property:

- (1) To quell a disturbance threatening injury to others;
- (2) To obtain possession of weapons or other dangerous objects on the person, or within the control, of a student;
- (3) For self-defense;
- (4) For the protection of persons or property; or
- (5) To maintain order on school property, in the classroom, or at a school related activity on or off school property.

#### 5. Seclusion, Isolation, Restraint, and Training in Management of Student Behavior

The Board hereby adopts the Deborah Greenblatt Act (NCGS 115C-391.1) effective at the beginning of the 2006-2007 school year as policy. The Superintendent of Schools is directed to provide the necessary notices and copies of NCGS 115C-391.1 to all school personnel and to parents and guardians at the beginning of each school year. The Superintendent shall make known rules and guidelines to direct school personnel in the permissible use of seclusions and restraints and to provide for notices to parents and guardians of the specified incidents where prohibited procedures have been used.

#### CODE OF STUDENT CONDUCT- ELEMENTARY SCHOOLS (BOE Policy 4-3)

Principals should use good judgment when applying these policies. Principals will have the discretion to determine if a violation of the rule, given the age and size of the student, is serious enough to warrant out-of-school suspension. When students are suspended for violation of this policy, these absences may affect academic standing and promotion. Please refer to the attendance policies #4-1(a) for further information.

In the event a student of Union County Public Schools becomes the victim of violence while on school property during the school day or while attending school sponsored events outside the school day or while attending a school sponsored event not held on school property, the parents of the victim will be notified as soon as possible. The parents\* will be informed of the nature of the violence, the physical condition of the student, where the student is located and the care being given the student. In addition to the system-wide corrective action, principals have the discretion to notify legal authorities when appropriate.

For these prohibited behaviors, the following system-wide corrective actions shall be taken:

1. Any assault, attack, or attempt to cause physical injury directed toward another student by two or more students.
  - a. First Offense: 0-5 days suspension for the instigators; legal action may be initiated by the victim; referral to school counselor; parent conference with the principal is required prior to student's return to school.

- b. Second offense: 1-10 days suspension for the instigators; legal action may be initiated by the victim; scheduled counseling sessions with school counselor after the instructional day; refer to school social worker for appropriate action and follow-up. Parent conference with the principal is required prior to student's return to school.

\*Guardians and custodians are also considered parents for purposes of this policy

- 2. Any threat, fight or attempt to cause physical harm to a student or students by another student or students. Extortion or blackmail of another student under threat of physical harm is included.
  - a. First Offense: Principal discretion could include 0-3 days suspension; parent conference required with the principal
  - b. Second Offense: Automatic 1-5 days suspension; conference with school counselor by student; parent conference with the principal prior to student return to school
  - c. Third Offense: Automatic 5-10 days suspension; behavior contract drafted by student, parent, counselor, and principal; parent conference with principal prior to student's return to school
  - d. Legal authorities will be notified as deemed necessary by the principal
- 3. Physical violence directed toward any school employee.
  - a. First Offense: Remove from class, call parent, send student home for 0-3 days suspension; referral to school counselor (parent and student); parent conference with principal prior to student's return to school
  - b. Second Offense: 2-5 days suspension; require counseling by outside agency for parent and student; parent conference with principal prior to student's return to school
  - c. Third Offense: 5-10 days suspension; appropriate legal action by victim and/or principal/superintendent/Board of Education
- 4. Any physical (including threatening gestures) verbal or written threat, directed toward any school employee.
  - a. First Offense: Remove from class, call parent, send student home for 0-3 days suspension; referral to school counselor (parent and student); parent conference with principal prior to student's return to school; appropriate legal action may be initiated by victim and/or principal/Superintendent/Board of Education
  - b. Second Offense: 2-5 days suspension; require counseling by outside agency for parent and student; parent conference with principal prior to student's return to school; appropriate legal action may be initiated by victim and/or principal/superintendent/Board of Education
  - c. Third Offense: 5-10 days suspension; appropriate legal action may be initiated by victim and/or principal/superintendent/Board of Education.

5. Theft of property of the school, employees, students, or others.
  - a. First Offense: Required parent and student conference with school personnel; restitution by student to victim; principal's discretion could result in a 0-3 days suspension
  - b. Second Offense: Parent and student conference with school counselor required; restitution by student to victim; 0-5 days suspension
  
6. Possession or use of a weapon (fire crackers or smoke making devices, loaded cane, sword cane, pellet gun, knife<sup>1</sup>, razor, ice pick, dirk, dagger, machete, blackjack, metallic knuckles, numb-chucks, defensive sprays, or instruments of like kind). Also included are other instruments that are capable of being used to inflict bodily injury and the circumstances indicate a probability that injury is intended. Also included is ammunition (shotgun shells, bullets, etc.)
  - a. Possession
    - (1) Confiscate weapon immediately, not to be returned
    - (2) 0-10 days out of school suspension
    - (3) Notify legal authorities for appropriate action
    - (4) Conference with parents
  - b. Use of Weapon
    - (1) Confiscate weapon immediately, not to be returned
    - (2) Notify legal authorities for appropriate action
    - (3) Notify parent
    - (4) Recommendation for suspension for the remainder of the school year
  
7. Bringing a firearm, possessing a firearm, or using a firearm (gun, rifle, pistol, shotgun) or powerful explosive on a school campus or at a school event wherever held as defined by G.S. 14-269.2b.
  - (1) Confiscate weapon immediately, not to be returned
  - (2) Notify legal authorities for appropriate action
  - (3) Conference with parent and contact school counselor
  - (4) 365 calendar days out of school suspension\* as per North Carolina law
  
8. Arson or vandalism, resulting in loss or damages.
  - a. 0-10 days suspension
  - b. Notify legal authorities for appropriate action
  - c. Legal action may be initiated

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<sup>1</sup> When blade is 2 ½ inches or longer student will be charged.

- d. Conference with parents
  - e. Required counseling for the student
  - f. Restitution
9. Possession, use, being under the influence, sale or exchange of alcohol (including wines, beer, and non-alcoholic beer), illegal drugs, or counterfeit drugs on school property or buses, or at any school function wherever held. Drug paraphernalia is included.
- a. 0-10 days suspension (Student must attend a Drug Education class coordinated by the school system)
  - b. Notify legal authorities for appropriate action
  - c. Conference with parents
  - d. Require substance abuse counseling for parent and student
10. Use of insulting, abusive, profane, obscene words, signs, gestures, and other acts toward any school employee or adult on school property or at school function.
- a. First Offense: 0-3 days suspension; parent conference with principal
  - b. Second Offense: Automatic 2-5 days suspension; scheduled counseling with a school counselor; draft behavior contract; parent conference with principal
  - c. Third Offense: Automatic 5-10 days suspension; required outside counseling; parent conference with principal
- \*All 365 calendar day suspensions require a conference with the principal, parents, and student prior to return to school.
11. Use of insulting abusive, profane, obscene words, signs, gestures, hazing or other acts toward any student.
- a. First Offense: Discretionary action by the principal, conversation with parent
  - b. Second Offense: Automatic 1-3 days suspension; parent conference with principal
12. Bullying – Bullying is a form of harassment. Bullying means the repeated intimidation of others by the real or threatened infliction of physical, verbal, written, electronically transmitted or emotional abuse or through attacks on the property of another. Bullying may include, but is not limited to, verbal taunts, name-calling and put-downs, extortion of money or possessions, implied or stated threats, and exclusion from peer groups.
- a. First Offense: Discretionary action by the principal, referral to school counselor, conversation with parent
  - b. Second Offense: Automatic 1-3 days of out-of-school suspension, referral to school counselor, contact parent

- c. Third Offense: Automatic 2-5 days of out-of-school suspension, referral to school counselor, contact parent
  
- 13. Possession or use of tobacco products on school property, when being transported to and from school, participating in school-sponsored events, or while being supervised by a school staff member.
  - a. Confiscate items and notify parents (Student must attend a class on the effects of using tobacco products that is coordinated by the school system.)
  - b. Require counseling for parent and student
  - c. Notify legal authorities for appropriate action
  
- 14. Possession of nuisance items (including but not limited) to include laser pointers, beepers, two-way radios, matches, cigarette lighters or other like items are prohibited on campus, buses, and/or school events that are extensions of the classroom. No skateboards are allowed on campus at any time.
  - a. First Offense: Confiscate item(s) and return only to parents. Discretionary action by principal which may include out-of-school suspension – dependent upon specific circumstances, referral to school counselors, parent conference
  - b. Second Offense: 1-3 days out-of-school suspension
  - c. Third Offense: 2-5 days out-of-school suspension
  
- 15. Use of Cellular Phones, CD players, IPODS, MP3 players, and DVD players is prohibited on campus during the instructional day (Instructional day is defined as the time class begins until final dismissal at the end of the day). Cell phones must be off and out of sight (in book bag, pocket, or purse) at all times. Use of a cell phone is defined as phone ringing, talking on phone, taking pictures, and text messaging. School is not responsible for loss or damage of any of the above named items.
  - a. First Offense: Confiscate items and return only to parents. If use of cell phone results in violation of other policies further discipline may be applied.
  - b. Second Offense: Parent conference required; may include 1 day in-school suspension, after school detention, or Saturday School.
  - c. Third Offense: Parent conference required; may include 1 day in-school suspension, after school detention, or Saturday School and cannot bring item to school for the remainder of the school year.
  
- 16. Indecent exposure or any type of sexual activity on campus, on buses, or any school sponsored event.
  - a. First Offense: 0-3 days suspension; parent conference with principal and principal discretion for more severe action; school counseling

- b. Second Offense: Automatic 1-5 days suspension; require private counseling for parents and student; parent conference with principal
17. Sexual harassment is banned on school campus, buses, and at school events (includes school staff and students). Examples of sexual harassment include, but are not limited to:
- Any “unwelcome” contact with another’s body (Two or more students engaged in this type of behavior against another student will receive consequences as prescribed below in b.)
  - Any suggestive comments, propositions, or gestures
  - Any sexually provocative commentaries about the body
  - Any suggestive writing, artworks, or notes
  - Any slurs or innuendoes
  - Possession of pornographic material
- a. First Offense: 0-3 days suspension; required counseling with school counselor; parent conference with principal. Principal discretion for more severe action
- b. Second Offense: Automatic 1-5 days suspension; require private counseling for parent and student; parent conference with principal
18. Sexual Offense or assault (or any act that would qualify as such if child was of appropriate age).
- a. Social Services and legal authority shall be notified
  - b. 1-10 days of out-of-school suspension
  - c. Required counseling
  - d. School placement will be reconsidered once a case has been adjudicated (Possible homebound instruction)
19. Any behavior that is a continuous disruption to the learning process of the school and has been previously brought to the parent’s attention:
- a. First Offense: Parent contact; discretionary action by the principal
  - b. Second Offense: Parent shadowing and/or 1-3 days suspension; parent conference with the principal
  - c. Third Offense: Automatic 2-5 days suspension
20. Leaving the school grounds without permission:
- a. First Offense: 0-3 days suspension; parent conference with principal and principal discretion for further action
  - b. Second Offense: Automatic 1-5 days suspension; parent conference with principal and counselor

21. Causing a false fire alarm to occur or calling in a false bomb threat, or threatening an act of terror, or perpetrating a threat of harm by a false terrorist act of any type on educational property, at a school-sponsored event, or at an extra-curricular event.
  - a. Bomb Threat
    1. Up to 365 calendar days of school suspension as per North Carolina law
    2. Notify legal authorities
    3. Conference with principal, parents, and student prior to return to school
  - b. False Act of Terror or Threatens a False Act of Terror
    1. Up to 365 calendar days of school suspension as per North Carolina law
    2. Notify legal authorities
    3. Conference with principal, parents, and student prior to return to school
  - c. False Fire Alarm
    1. 1-10 days out-of-school suspension
    2. Contact law enforcement
    3. Conference with principal, parents, and student prior to return to school.

**DISCRIMINATION/HARASSMENT/BULLYING** (BOE Policy 4-7)

The Board believes that all employees and students should be free of unlawful discrimination, including harassment and bullying, as a part of a safe, orderly and inviting working and learning environment. It commits itself to non-discrimination in all its educational and employment activities. The Board expressly prohibits unlawful discrimination, harassment, or bullying however motivated, directed toward any person or group, including, but not limited to members of a socially distinct group or category, race, sex, religion, age, national origin, pregnancy, or disability.

*The Board also prohibits retaliation against an employee or student who has exercised any rights made available through state or federal law, including prohibiting retaliation for reporting violations of this policy.*

*Any violation of this policy is considered a serious violation and appropriate action will be taken in response to a violation.*

- A. Application of Policy  
All persons, agencies, vendors, contractors and other persons, and organizations doing business with or performing services for the school district must comply

with all applicable state and federal laws and regulations regarding non-discrimination. Visitors also are expected to comply with applicable laws, including the prohibition against harassment and bullying of students and employees.

This policy will apply in the following circumstances:

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

B. Definitions

For the purposes of this policy, the following definitions will apply

1. Unlawful discrimination means any act that unreasonably and unfavorably differentiates treatment of others based solely on their membership in a socially distinct group or category, including, but not limited to race, ethnicity, sex, religion, age, or disability. Unlawful discrimination may be intentional or unintentional.
2. Harassment can be a type of unlawful discrimination. Harassment is unwanted, unwelcomed, and uninvited behavior that demeans, threatens, or offends the victim. The hostile environment can be created through pervasive or persistent misbehavior or a single incident, if sufficiently severe. Harassing behavior may include, but is not limited to epithets, derogatory comments or slurs and lewd propositions, 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 teaching techniques are not considered harassing behavior.
3. Bullying is a form of harassment. Bullying means the repeated intimidation of others by the real or threatened infliction of physical, verbal, written, electronically transmitted or emotional abuse or through attacks on the property of another. Bullying may include, but is not limited to, verbal taunts, name-calling and put-downs, extortion of money or possessions, implied or stated threats, and exclusion from peer groups.

C. Unlawful Discrimination, Harassment or Bullying Complaint Procedures  
Students and parents are encouraged to submit any complaints of unlawful discrimination, harassment, or bullying other than sexual harassment, through the Appeals Policy (4-18). The complaint procedure for sexual harassment is

established in Policy (4-7b), Sexual Harassment Complaint Procedure for Students.

D. Non-Retaliation

The Board prohibits reprisal or retaliation against any person who reports an act of unlawful discrimination, harassment, or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the Superintendent or his/her designee, after consideration of the nature and circumstances of the act, in accordance with applicable federal, state or local laws, policies and regulations.

E. Training and Programs

The Superintendent shall designate an employee(s) to participate in training by the Department of Public Instruction pertaining to anti-discrimination, anti-harassment, and anti-bullying. The designee will provide leadership and training in the school district regarding this policy and state requirements.

As funds are available, the board will provide additional training for students and staff regarding the Board's policy on unlawful discrimination, harassment, and bullying and will create programs to address these issues. The Superintendent will ensure that any training or programs provided will include identifying groups that may be the target of unlawful discrimination, harassment or bullying; identifying places at which such behavior may occur including within school buildings, at school bus stops, via the Internet, etc; and providing clear examples of behavior that constitutes unlawful discrimination, harassment, or bullying.

F. Notice

The Superintendent is responsible for providing effective notice to students, parents, and employees of the procedures for reporting and investigating complaints of unlawful discrimination, including sexual harassment and bullying. The school district will investigate complaints of unlawful discrimination and harassment and will take reasonable steps to eliminate the unlawful discrimination or harassment.

G. Coordinators

The Superintendent or his/her designee will publish the names, addresses, and phone numbers of the "Title IX Coordinator" (for sex discrimination), "Section 504 Coordinator" (for unlawful discrimination on the basis of disability), and the "ADA Coordinator" (also for unlawful discrimination on the basis of disability) in a manner intended to ensure that employees, applicants, students, parents, and other individuals who participate in school district's program are aware of the coordinators. The purpose of the coordinator positions is to provide additional protection of non-discrimination rights. The coordinator must either (1) implement a resolution to unlawful discrimination, harassment, or bullying complaint, to the extent a resolution can be reached and the coordinator has the

authority to implement corrective action or (2) notify the Superintendent that intervention by other school officials is required to resolve the situation.

H. Records and Reporting

The Superintendent or his/ her designee shall maintain confidential records of complaints or reports of unlawful discrimination which identify the names of any individuals accused of unlawful discrimination and the resolution of such reports or complaints. The Superintendent also shall maintain records of training, corrective actions, and/or other steps taken by the district to help provide an environment free of unlawful discrimination, harassment, and bullying.

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

I. Diversity Programs

The Board is committed to promoting the worth and dignity of all individuals regardless of race, color, religion, national origin, sex, pregnancy, age, or disability. The Board directs the Superintendent to establish training and other programs to help eliminate unlawful discrimination, harassment, and bullying and to foster an environment of understanding and respect for all individuals.

J. Evaluation

The Superintendent is required to evaluate the effectiveness of efforts to correct or prevent unlawful discrimination, harassment, and bullying and will share these evaluations periodically with the Board.

**FOOD ALLERGIES** (BOE Policy 4-19)

The Union County Board of Education recognizes the increasing frequency and intensity of allergic reactions to foods by certain students and the impact these reactions may have on all children in the educational environment. While it is not possible for the district to eliminate totally the risk of exposure of students with life threatening allergies to certain foods, the Union County Public Schools (UCPS) will:

Make reasonable efforts to promote and protect the health of children in school by providing food choices that are safe as well as nutritious; and  
Provide environments that reduce the risk of ingestion or contact with foods that trigger allergic reactions for students with known life-threatening food allergies.

The Superintendent will adopt administrative guidelines for how the district will develop appropriate accommodations for students with life-threatening allergies to foods.

## **GANGS: PROHIBITION OF GANGS AND GANG ACTIVITIES** (BOE Policy 4-3)

### Introduction

One of the goals of the Union County Public Schools is to provide a safe, orderly, and caring learning environment for all students and staff. The Union County Public Schools have determined that gangs and gang-related activities materially and substantially interfere with the requirements of appropriate discipline in the operation of schools. Therefore, principals shall work with the school's Site-based Management Team to develop prevention and intervention strategies to discourage gangs and gang-related activities. Such strategies and interventions may include support groups, counseling programs, and extra-curricular activities, or other initiatives, as deemed appropriate by the Site-based Team.

- No student shall commit any act that furthers gangs or gang-related activities.

### Definitions

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 and/or violations of school policy and having a common name and/or common identifying signs, colors, or symbols.

### Conduct prohibited by this policy includes:

1. Wearing, possessing, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs or other items which indicate a student's membership or affiliation with a gang.
  - If the principal determines on reasonable suspicion that any of the items indicated above are gang-related, the principal can ban the wearing or display of such items after giving verbal and written notice to students.
2. Communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.), to convey membership or affiliation in a gang;
3. Defacing school or personal property with gang-related graffiti, symbols or slogans;
4. Extortion or requiring payment of anything of value for "protection", "insurance", or threats, intimidation or other gang-related activities involving any persons(s).
5. Inciting other students to intimidate or to act with physical violence upon any other person related to gang activity;
6. Soliciting others for gang membership; or
7. Committing any other illegal act or other violation of school district policies that relates to gang activity.

### Notice of Prohibited Activity

- Schools  
The Superintendent or his/her designee shall consult with law enforcement officials to obtain information about gang-related activities, including but not limited to: gang names, gang leaders, gang symbols and gang behaviors. This information shall be shared with principals. Principals shall notify faculty and students of the gangs, their symbols and behaviors prohibited by this policy.
- Business Community  
The Superintendent or designee will notify the local Chamber of Commerce if certain garments are determined to be gang related.
- Parents and Community  
Principals will provide information to parents and the school community relative to gang activities.

### Guidelines for Discipline

A student will receive a warning the first time he/she violates this policy, unless the student also violates another provision of the Student Code of Conduct at the same time. Parent notification is required. School based interventions will be initiated at this time.

For a second violation of this policy, students will be suspended out of school for 3 – 5 days (2 – 3 days for Condensed Academic Terms) dependent upon the nature and severity of the violation. Parent notification is required with a warning that a third such violation will result in recommendation for long-term suspension.

For a third violation of this policy, students will be suspended out of school for 10 days (6 days for Condensed Academic Terms) with recommendation for long-term suspension.

If gang-related activity is associated with another act of misconduct, evidence of gang activity shall be considered an aggravating factor and may result in a recommendation for long-term suspension, even for first offenses. In addition, law enforcement will be notified.

### Training for Staff

Union County Public Schools staff will receive training on how to recognize gangs, their symbols and activities at least annually or more often, as deemed appropriate by the Superintendent.

**“HEALTHY SCHOOLS AND HEALTHY YOUTH:”** Information to promote healthy schools and healthy youth per BOE Policy 4-12

**Influenza:**

What is it? Influenza is a contagious respiratory illness caused by influenza viruses and can be easily spread to others. Infection with flu viruses can result in illness ranging from mild to severe and to life-threatening complications.

What are the symptoms? Symptoms include fever (usually high), headache, extreme tiredness, dry cough, sore throat, runny or stuffy nose and muscle aches. Other symptoms such as nausea and vomiting, and diarrhea are much more common in children than adults.

How is it spread? Flu is spread when a person with the flu coughs, sneezes or speaks and sends the flu virus into the air. The virus enters the nose, throat or lungs of a person and multiplies.

Vaccine Information: The best way to prevent the flu is to get a flu shot. Vaccine against flu is available every year beginning in October through private physicians as well as the Union County Health Department.

**Meningococcal Meningitis:**

What is it? Meningococcal Meningitis is a form of bacteria meningitis. People sometimes refer to it as spinal meningitis. It is rare but potentially fatal bacterial infection that can cause severe swelling of the fluid around the brain and spinal cord, or a serious blood infection.

What are the symptoms? Symptoms can progress rapidly and may resemble the flu. They can include fever, severe headache, stiff neck, nausea, vomiting, confusion, sleepiness and sensitivity to light. Some people may develop a rash mainly on their arms and legs. Children with these symptoms should be checked by a doctor right away.

How is it spread? The disease is spread from person to person through the air or by contact with saliva, usually through close, personal contact with an infected person. The disease can be spread through coughing, sneezing, or shared items like a drinking glass.

Vaccine Information: A vaccine against the most common types of the disease is available through private physicians as well as the Union County Health Department.

Additional information regarding these and other important health-related issues is available at the NC Department of Health and Human Services website at [www.immunizenc.com](http://www.immunizenc.com), the Centers for Disease Control at [www.cdc.gov](http://www.cdc.gov) and the Network for Immunization Information at [www.immunizationinfo.org](http://www.immunizationinfo.org). If you do not have access to a computer, you may obtain this information from your child's school.

**INTERNET USE** (BOE Policy 5.20)

**I. ACCESS TO INFORMATION SYSTEMS/ACCEPTABLE USE**

The Union County Board of Education recognizes that telecommunications and other new technologies change the ways that information may be accessed, communicated and

transferred by members of society. These changes will alter instruction and student learning. The Board generally supports access by students to rich information resources along with the development by staff of appropriate skills to analyze and evaluate such resources. Electronic information research skills are now fundamental to preparation of citizens and future employees in the Information Age. To enhance student learning and teaching, electronic resources will be used:

- To support the Union County Public Schools Curriculum and the North Carolina Standard Course of Study
- To provide additional information opportunities focusing on information retrieval, searching strategies, research skills and critical thinking
- To promote lifelong learning.

Students are responsible for appropriate behavior on school computers just as they are in a classroom or school hallway. Electronic communication in schools is public in nature. General school rules for behavior and communications apply as outlined in Board Policy. Computer resources are provided for students to conduct research and communicate with others. Access to computers and electronic resources will be provided to students who agree to act in a considerate and responsible manner.

Students will be allowed to use telecommunications and electronic information resources for academic purposes unless parents indicate in writing that they do not wish their children to have such access. Ultimately, parents and guardians are responsible for setting and conveying the standards that their children should follow when using information sources at home or at school.

Union County Public Schools are committed to the safety of children while using Internet resources. To this end, schools will engage the use of filtering software designed to prevent access to pornography, obscene content, and other materials that may be harmful to minors. During school, teachers will guide students toward appropriate materials. It is impossible to control all resources and the determined user may find controversial materials, racially insensitive content or information that may even be offensive to some. Although the school system provides software that blocks access to inappropriate content on the Internet, new sites appear daily.

Benefits to students of access to information resources, the practice of electronic research skills, and opportunities for collaboration far exceed the disadvantages of possibly accessing controversial materials. The system does not condone the use of such materials and takes all reasonable precautions to limit access to them by using software programs which may block them, by providing adult supervision, and by training students to use the service responsibly. Computer storage areas may be treated as school lockers. Administrators may review files and communications to maintain system integrity and insure that users are acting responsibly.

Users shall not expect that files stored on school equipment will be private. Students and parents must be aware that access to electronic resources will be withdrawn from users who do not respect the rights of others or who do not follow the rules and regulations established by the Union County Public School System and the individual

schools. Individuals who use the school's electronic resources to communicate information that is protected by law, such as student or staff confidential personnel or disciplinary information, copyrighted or protected material, may forfeit all rights to further use and be subject to disciplinary as well as legal action. Students gaining access to unauthorized files will be subject to disciplinary action up to suspension and/or legal action.

## **MEDICATION** (BOE Policy 4.6)

### **Administration of Medication**

Union County Public Schools uses strict guidelines for administering medicines. Only designated staff members will be allowed to administer medicine to students who have appropriate documentation in the school office.

1. Medicine will be locked in a secure cabinet.
2. There will be an accurate, written record for each student's medication that is to be given during regular school hours.
  - a. A Medication Consent Form signed by the doctor and the parent/guardian for long term prescriptions
  - b. A Medication Consent Form or Note signed by the parent\* for short term prescriptions -10 days or less. Must be in original prescription bottle.
  - c. The Medication Consent Form must list the student's name, name of medication, dosage to be given, route of administration, time to be given, and doctor's name.
3. Prescription medications will be given at school only if they are sent in the original container with the prescription label attached.
4. Administration of over-the-counter medications at school is discouraged. If OTC medications (analgesics, cough syrup, topical creams, etc.) must be given at school, they will be given only if they are accompanied by a note from the parent/guardian giving specific instructions including - Time, Dosage, Reason for administration, and a Note signed by the parent\*.
5. The school will assume no responsibility for students who self medicate.
6. The school will administer only two doses of medicine a day. When a medication requires three (3) daily doses, one dose must be given at home.

## **PROMOTION/RETENTION**

### **Elementary School Gateways**

The North Carolina Legislature's passage of Student Accountability Standards has direct impact n all NC public school students. Implementation of the ABC's of Public Education began in 1996. Since then, it has insured that clear standards are in place for student performance. These standards mean that NC public school students are required

to meet statewide standards for promotion and retention. These standards, also called gateways, insure that students are working at grade level in reading, writing, and mathematics before being promoted to the next grade. For students who do not meet the gateway requirements, the student accountability standards include procedures for retesting and review.

At Union County Public Schools, we believe that all students should work towards performing at grade-level or above. We will follow the guidelines given to us by the state regarding promotion and retention policies. Summer school may be required for students who do not perform at grade-level on End-of-Grade Tests.

#### Grade 3 - Gateway 1

Students must: Meet local promotion requirements and demonstrate grade-level proficiency by scoring at Level III or above on state End-of-Grade tests in reading and math.

#### Grade 4

Students must: Meet local promotion standards, demonstrate grade-level proficiency by scoring at level III or above on End of Grade tests in reading and math. They must also score a level III or above on the NC State Writing Test.

#### Grade 5 - Gateway 2

Students must: Meet local promotion requirements and demonstrate grade-level proficiency by scoring at Level III or above on state End-of-Grade tests in reading, math and science. Also, fifth grade students must demonstrate adequate progress in writing.

### **SECLUSION AND RESTRAINT** (BOE Policy 4-3)

**SECTION 1.** This is the "Deborah Greenblatt Act".

**SECTION 2.** Adds a new section, N.C.G.S. 115C-391.1, "**Permissible Use of Seclusion and Restraint**". The section states that the policy of the State of North Carolina is to promote safety and prevent harm to students, staff and visitors; treat all public school students with dignity and respect in the delivery of discipline, control the use of physical restraints or seclusion, and use reasonable force as permitted by law. It is to provide school staff with clear guidelines of what constitutes the use of reasonable force in North Carolina public schools, improve student achievement, attendance, promotion and graduation rates by deploying positive behavioral interventions to address student behavior in a positive and safe manner, and to promote the retention of valuable teachers and other school personnel by providing appropriate training in prescribed procedures. The new statute has a lengthy definition section, including "aversive procedure", "isolation", "mechanical restraint", "seclusion", "time-out", and "physical restraint".

**Physical restraint** of students by school personnel is considered reasonable use of force when used:

- a. To obtain possession of a weapon or other dangerous object.
- b. As reasonably needed to maintain order or prevent or break up a fight.
- c. As reasonably needed for self-defense.
- d. As reasonably needed to ensure the safety of any student, school employee, volunteer, or others, to teach a skill, calm or comfort a student, or to prevent self-injurious behavior.
- e. To escort a student safely from one area to another.
- f. If used as provided in a student's IEP or Section 504 plan.
- g. As reasonably needed to prevent imminent destruction to school or other person's property.

Except for the above a. - g. circumstances, physical restraint is not considered reasonable use of force and it is prohibited.

Physical restraint is not considered reasonable use of force when used solely as a disciplinary consequence. This does not apply to use of force by law enforcement officers in lawful exercise of their duties.

**Mechanical restraint** is permissible only:

- a. When used as an assistive technology device included in the student's IEP or Section 504 plan or as otherwise prescribed by a medical or related service provider.
- b. When using seat belts or other safety restraints to secure students during transportation.
- c. As reasonably needed to obtain possession of a weapon or other dangerous object.
- d. As needed for self-defense
- e. As reasonably needed to ensure the safety of any student, school employee, volunteer, or other persons.

Except as set forth in a. - e. above, mechanical restraint, including tying, taping, or strapping down the student, shall not be considered reasonable use of force and is prohibited.

This does not prevent the use of mechanical restraint devices such as handcuffs by law enforcement officers.

**Seclusion** of students by school personnel can be used only:

- a. As needed to respond to a person in control of a weapon or other dangerous object.
- b. As reasonably needed to maintain order or prevent or break up a fight.
- c. As reasonably needed for self-defense.
- d. As reasonably needed when a student's behavior poses a threat or imminent physical harm to self or others.
- e. When used as specified in the students IEP, Section 504 plan, of behavior intervention plan; and

1. When seclusion is necessary, the student needs to be monitored by an adult in close proximity who can see and hear the student at all times.
2. The student is released from seclusion upon cessation of the behaviors that led to the seclusion.
3. The space in which the student is confined has been approved for such use by the local education agency.
4. The space is appropriately lighted, ventilated, and heated or cooled and the space free of objects that unreasonably expose the students or others to harm.

Except for the circumstances set out in a. - e. above, use of seclusion is not considered reasonable force and the use is not permitted. Seclusion is not considered a reasonable use of force when used solely as a disciplinary consequence.

The statute provides a "whistle-blower" section which prohibits discharge, threatening, or other retaliation against an employee of the Board because the employee made the report, unless they knew or should have known that the report was false. The statute does not create a private cause of action against any local Board of Education, agents, or employees of the Board, or institutions of teacher education or their agents or employees, nor does it create a criminal offense.

### **STUDENT RECORDS** (BOE Policy 4-14)

All student records will 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/designee is responsible for providing parents\* or eligible students (those at least 18 years old or married) 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. The school district does not have to individually notify parents or eligible students of their rights, but must provide the notice in a reasonable manner 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. Review, Release of Records to Parent, Guardian or Eligible Student**

A parent\* or eligible student, will be allowed access to the student's records upon proper request. A formal review of a student's complete records will be conducted only in the presence of the principal/designee. School personnel will 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's 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 required by FERPA and G.S. 115C-114.

### C. Release of Records to Others

Student's records will be released promptly when a student transfers to another school and in other circumstances specifically permitted by law. Student's official record will also include notice of any suspension for a period of more than 10 days

(6 days for Condensed Academic Terms) or of any expulsion under General Statute 115C-391 and the conduct for which the student was suspended or expelled. Written permission by a parent\* or eligible student is required for the release of a student's records in any other circumstance.

Directory information on students may be utilized by the school district, individual schools or organizations, after providing proper notice and the opportunity to object to the parent, or eligible student. The following information is considered to be directory information:

1. student's name;
2. address;
3. telephone listing;
4. date and place of birth;
5. participation in officially recognized activities and sports;
6. weight and height of members of athletic team;
7. dates of attendance; and
8. diplomas, certification and awards received.

The board strongly discourages the release of directory information to any outside organizations which have requested the information for their own purposes, including commercial organizations. Decisions to provide directory information to outside organizations must be approved by the superintendent/designee. If information is to be provided to outside organizations, parents, guardians and eligible students should be notified of this potential use. The school district is not to discriminate between requests for directory information from organizations that are similar in purpose. If directory information is made available to persons or organizations which make students aware of occupational or educational options, the school district will provide access on the same basis to recruiters of the military forces of the State or United States for the purpose of informing students of educational and career opportunities available in the military.

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

Records cannot be withheld from a valid request by a parent, eligible student or school for any reason, including in order to collect fines assessed to the parent or student.

#### D. Procedures to Expunge a Discipline Record

To have a suspension of greater than ten days (6 days for condensed academic terms) or an expulsion expunged from a student's official record, one of the following persons must submit a written request to the Superintendent or his/her designee:

1. The student's parent, legal guardian, or custodian; or
2. The student, if the student is at least 16 years old or is emancipated.

The Superintendent/ designee shall expunge from the record the notice of suspension or expulsion if the following criteria are met:

1. The student either graduates from high school or is not expelled or suspended again during the two year period commencing on the date of the student's return to school after the expulsion or suspension.
2. The Superintendent/ designee determines that the maintenance of the record is no longer needed to maintain safe and orderly schools.
3. The Superintendent/ designee determines that the maintenance of the record is no longer needed to adequately serve the child.

In the absence of a request as outlined above, the Superintendent may expunge from a student's official record any notice of suspension or expulsion provided all of the above criteria are met.

#### E. Surveys

No student will be required, as a part of any applicable program, to submit to a third party survey (non-Department of Education funded), analysis or evaluation that reveals information concerning:

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

Parents will be informed by the school no fewer than ten-10 days in advance of any survey instrument being distributed to students. Such notification will include information regarding students' rights in not answering questions related to the eight-(8) above items and safeguards to protect student privacy should the survey instrument include any of those items. Collection, disclosure, or use of directory information of students and/or parents will not be for purposes of marketing or selling beyond the school community (i.e. PTSA, Booster Clubs, Student Council, etc.).

Parents may inspect, upon request, any survey instrument created by a third party before the survey is administered or distributed to students. Parents may opt for their students not to participate in such surveys. Parents may also inspect such survey instruments after they are administered.

\*\*The complete **Family Educational Rights and Privacy Act (FERPA)** can be found at 20 U.S.C. 1232g, h, 34 C.F.R., pt.99.

### **TOBACCO POLICY** (BOE Policy 3-5a)

The use of tobacco products is a health, safety, and environmental hazard for students, employees, visitors, and school facilities. In order to promote positive role models in schools and provide a healthy learning and working environment, the Board adopts the following policy.

No one is permitted to use any tobacco product at any time including non-school hours - in any building, property, or vehicle owned, leased, rented or contracted by the school district; on school grounds, athletic grounds, or parking lots; or at any school-sponsored event off campus. Signs will be posted on all school campuses forbidding the use of tobacco products at any time, by any person, on school grounds.

Tobacco products may be displayed for a legitimate instructional or pedagogical purpose. The activity may not include smoking, chewing or otherwise ingesting the tobacco product.

### **SCHOOL TOBACCO EDUCATION PROGRAM (3-5a Addendum)**

#### **Tobacco Education Program**

The one-hour Tobacco Education Program is part of a comprehensive approach to preventing and reducing tobacco use in our school system. It helps make students aware that smoking or chewing tobacco has dire consequences and that tobacco use is the leading preventable cause of death in our country.

#### **Alternative to Suspension (ATS)**

Alternative to Suspension (ATS) is a four-session education program for students who have violated the school tobacco policy. Typically, sessions are conducted after school. This program covers:

- Tobacco use and decision making
- Effects of tobacco use
- Experimentation and addiction
- Thinking about quitting

ATS helps schools send a clear message to a student that says:

1. Smoking at school is against school rules, state and federal law, and is unacceptable behavior;

2. Exposing others to tobacco smoke at school is unacceptable behavior; and
3. Tobacco use at school violates the federal Pro-Children Act of 1994. These behaviors carry consequences.

Teen Smoking Cessation Not On Tobacco (N-O-T) - Developed by The American Lung Association

Not on Tobacco (N-O-T) is a ten-session school-based adolescent smoking cessation program. It offers a "total health approach" by focusing on overall health and improving life management skills. Objectives of the program are to help adolescents:

- Quit smoking
- Reduce the number of cigarettes used by young people who are unable to quit
- Increase healthy lifestyle behaviors in physical activity and nutrition
- Enhance their sense of self-control
- Improve life skills such as stress management, decision making, coping, and interpersonal skills.