

# **Forest Hills High School**

## ***Mission Statement***

*Helping each student reach his or her highest potential*

## **Be Accountable**

Welcome back to the 2015-2016 school year. We have been busy preparing all summer to make this year the best ever at Forest Hills. We hope you have had a restful summer and are as excited about the upcoming year as we are.

Our theme for the year is “Be Accountable”. Our goal this year and every year is for each of our students to reach their highest potential. In order for this to happen we all have to be accountable to work as hard as we can all the time. It is always disappointing when any student does not fulfill their potential. Almost always, this is primarily due to a lack of effort. We ask all parents, students, and staff to do their part.

Parents, we indeed need your help with this. Please express to your child your high expectations for their behavior and academic work at school. Students, we need each of you to make these two things your priority: (1) coming to school every day; and (2) doing your absolute best while at school.

If our students are to be ready to compete with students from all over the world in trying to get into colleges and applying for jobs in the workforce, we must ensure that each one has worked his/her hardest throughout high school and achieved the most of their ability. Each year we have students who are disappointed they cannot get into the college or training program of their choice because they do not have the grades, test scores, knowledge, or skills needed.

We are committing to you that we will do our part to prepare students for whatever future they choose. We hope that you will join us in this effort.

**Forest Hills High School  
Bell Schedule  
2013-2014**

<b>Warning Bell</b>	<b>8:14</b>
<b>1<sup>st</sup> Block</b>	<b>8:20-9:45 (85)</b>
<b>I/R</b>	<b>9:50-10:20 (30)</b>
<b>2<sup>nd</sup> Block</b>	<b>10:25-11:50 (85)</b>
<b>3<sup>rd</sup> Block</b>	<b>11:55-1:50 (115)</b>
<b>3-1 Block</b>	<b>12:20-1:50 (90)</b>
<b>3-2 Block</b>	<b>11:55-12:20/12:50-1:50 (85)</b>
<b>3-3 Block</b>	<b>11:55-12:55/1:25-1:50 (85)</b>
<b>3-4 Block</b>	<b>11:55-1:25 (90)</b>
<b>4<sup>th</sup> Block</b>	<b>1:55-3:20 (85)</b>

**Lunch Schedule**

<b>1<sup>st</sup> Lunch (3-1)</b>	<b>11:50-12:15 (25)</b>
<b>2<sup>nd</sup> Lunch (3-2)</b>	<b>12:20-12:45 (25)</b>
<b>3<sup>rd</sup> Lunch (3-3)</b>	<b>12:55-1:20 (25)</b>
<b>4<sup>th</sup> Lunch (3-4)</b>	<b>1:25-1:50 (25)</b>

### **Statement of Non-Discrimination**

Forest Hills High School neither practices nor condones discrimination in any form against students, employees, or applicants on the basis of race, color, sex, national origin, religion, age or disability. For more information regarding sex discrimination or service for persons with disabilities, please contact:

Union County Public Schools  
400 N. Church Street  
Monroe, N. C. 28112  
Phone: 704-296-9898

### **Check In/Check Out**

Students who arrive late to school should sign in at the front office. Students must have parental permission regardless of age to check out in the office. Only those listed in contact information for students are allowed to pick up /sign out students during the school day.

### **Personal Phone Calls**

Students will not be allowed to take personal phone calls from anyone during instructional time. If a parent/guardian needs to reach their child they may leave a message with the front office and it will be delivered during the students' next class change or while the student is at lunch. Emergencies will be handled on a case by case basis.

### **Tardy Policy**

Students should be in their classroom when the bell rings each instructional block. Students who are not in their classroom when the bell rings should be let into the classroom and marked tardy unless they have a valid hall pass from another staff member at FHHS. Being tardy at the beginning of the day will be handled the same as being tardy any other block. If a student returns from lunch late, the teacher will treat it just as any other tardy.

For any block, if a student is more than 15 minutes late, the student will be marked absent. For 2<sup>nd</sup>, 3<sup>rd</sup>, or 4<sup>th</sup> blocks any student who arrives more than five minutes late for class should be marked tardy and a discipline referral should be filed with the student's administrator for cutting. There will be an escalating consequence for every 3<sup>rd</sup> tardy to each class.

### **Early Sign Outs**

Per UCPS and FHHS Policy, any student who signs out 15 minutes prior to the end of a block will be counted absent from that block (1<sup>st</sup> block-9:30, 2<sup>nd</sup> block-11:35, 3<sup>rd</sup> block-1:35, 4<sup>th</sup> block-3:05).

Per FHHS Policy, any student who signs out between the 15 minute mark and of the block will be assessed an early sign out. Early sign-outs will be treated just like tardies.

As always, if you bring back a medical note, dental note, or note proving you were on official government business the absence or early leave will be excused and will not accumulate towards any consequence.

### **Hall Passes**

Students should be in no place other than those designated by teachers or school officials without permission. Students who are not in class during regular class hours must have a hall pass and produce it upon request of a staff member. Students with Early Leave must leave campus as soon as possible following their last class.

### **Bus Transportation**

Students living one or more miles from school are eligible for free bus transportation. Students must be at their designated bus stop fifteen (15) minutes prior to the time of bus arrival. By state law, bus stop locations must be no closer than two-tenths of a mile apart. Students may be required to walk up to one half (1/2) mile. Riding a bus is a privilege, not a right. Therefore, a student may be denied this privilege as a result of misbehavior, in addition to other penalties. UCPS Board Policy and Forest Hills High School discipline guidelines apply to bus riders. Any questions regarding routes, buses, or drivers should be directed to the Transportation Coordinator, Brian Joyner, at 704-296-9074.

### **Athletics**

Forest Hills High School is a member of the Rocky River Conference and the North Carolina High School Athletic Association 2A classification. Other conference schools are Monroe High, Central Academy, Parkwood, Mt. Pleasant, and West Stanly.

Forest Hills currently offers students opportunities to participate in these sports:

Baseball (Boys JV / Varsity)  
Basketball (Boys / Girls JV / Varsity)  
Cheerleading (JV / Varsity) Cross Country (Boys / Girls)  
Football (Boys JV / Varsity) Golf (Boys)  
Soccer (Boys / Girls Varsity) Softball (JV / Varsity)  
Tennis (Boys / Girls Varsity) Track (Boys / Girls)  
Volleyball (Girls JV / Varsity) Wrestling (Varsity)  
Swimming (Boys/Girls Varsity)  
Winter Track (Boys/Girls Varsity)

*JV teams may be added or not fielded based on the number of qualified participants each year.*

**It is a privilege, not a right, to participate in high school athletics.** Team members are subject to removal or suspension from any team at the coach's discretion.

### **Athletic Eligibility Requirements**

1. Scholastic: must pass three (3) subjects during the previous semester and meet local promotion standards.
2. Attendance: must have attended no less than 85% of the previous semester.
3. Age: must not turn 19 on or before October 16.
4. Insurance and Physical: must have school insurance or proof of insurance and a certified physical examination.

## **COUNTY EXTRA-CURRICULAR AND CO-CURRICULAR ACTIVITIES GUIDELINES:**

1. Any student charged with a felony or a Class I misdemeanor will be removed from all current teams and/or activities and will remain ineligible until such time as the courts render the findings in the case or the charge is dismissed. In the case of co-curricular, the student will attend class and complete work related to the class, but cannot represent the school in any manner during an extra-curricular component of the class. If there are mitigating circumstances, the student may request a review of the evidence surrounding the charge by the Superintendent or his designee. The student is ineligible to participate in extra-curricular activities until a final decision is rendered by the Superintendent or his designee. Student athletes found guilty of felonies are barred from participation in interscholastic athletics for the remainder of their high school careers per NCHSAA guidelines. Students involved in other extra-curricular or co-curricular activities who are found guilty of felonies are not eligible to represent the school in such activities for the remainder of their high school careers. Students found guilty of a Class I misdemeanor are not eligible to participate in teams and/or activities for the remainder of the school year.
2. Any student charged with a Class II or III misdemeanor that takes place on school grounds, during a school sponsored event, or in the course of representing the school will be removed from all current teams and/or activities and will remain ineligible until such time as the courts render findings in the case or the charge is dismissed. In the case of co-curricular activities, the student will attend class and complete work related to the class, but cannot represent the school in any manner during an extra-curricular component of the class. If there are mitigating circumstances, the student may request a review of the evidence surrounding the charge by the principal. Students found guilty of a Class II or III misdemeanors are not eligible to participate in teams and/or activities for the remainder of the semester.
3. Mitigating circumstances may include:
  - a. Having no history of disciplinary problems;
  - b. Having a significant amount of time pass since the student's last disciplinary problem;
  - c. Being a passive participant playing a minor role in the offense;
  - d. Reasonably believing the conduct was legal;
  - e. Acting under strong provocation;
  - f. Aiding in the discovery of another offender;
  - g. Making a full and truthful statement admitting guilt at an early stage in the investigation of the offense;
  - h. Displaying an appropriate attitude and giving respectful cooperation during the investigation and discipline process. Mitigating circumstances do NOT exist solely because of demonstrated prowess in a sport or activity or the potential of scholarships or grants in aid.
4. A second unrelated felony or misdemeanor charge will automatically result in removal from all teams and/or activities for the duration of the school year.

5. National and state organization, school clubs, and athletic teams with rules or bylaws that prescribe stricter consequences for student misconduct will supersede the above guidelines.
6. It is expected that all athletic teams will have team rules that address the off campus behavior of students/athletes regarding drugs and alcohol. These rules should outline consistent consequences that limit and/or prohibit participation by students/athletes involved in such activities.
7. Students who are found guilty or who have charges dismissed will be eligible for reinstatement to the team or activity immediately.
8. Students involved in co-curricular activities with a required extra-curricular component, such as band, chorus, vocational clubs, etc., will be given alternative assignments to avoid a negative impact on their academic standing in such classes.
9. Principals are asked to communicate and collaborate in dealing with such situations. This is especially important in charges and arrests involving more than one school. **All schools are expected to follow these guidelines.**
10. Students charged with crimes during the summer months shall be subject to these guidelines beginning the first day of the school year if the charges are still pending at that point.
11. Affected students and their parents will be informed in writing regarding all decisions and actions taken relative to these guidelines.

### **Lost and Found**

Articles found in and around the school should be turned in to the office where the owners may claim their property by identifying it. Articles not claimed will be donated to a charitable cause.

### **Visitors**

Parents are welcome to visit Forest Hills High School. All visitors, however, must report to the main office, sign the visitor's register, and obtain a visitor's badge immediately upon arrival on campus. Students are not to bring guests to school during instructional hours (including lunch). **Visitors are not allowed to bring commercial food items to students during school hours due to child nutrition laws.** This causes a disruption and competes with child nutrition services. Graduates of Forest Hills High School who have made prior arrangements may visit teachers during planning times or may secure transcripts and other records from Guidance. Visitors not complying with this policy will be asked to leave campus.

Teacher-invited presenters or guests must be approved by the administration and register in the office before entering a classroom.

### **Cameras**

Students and visitors are advised that security cameras are in use on the Forest Hills High School campus.

### **Lockers**

Lockers are available to students by request. Students should only use the locker to which they are assigned. Students are responsible for the locker and lock they are assigned. A replacement lock or lost lock will cost \$5.00. Students are also responsible for books and other school materials that are lost from unsecured

lockers. Lockers are the property of Forest Hills High School, and students should expect no privacy rights regarding their use. Lockers are subject to search by school personnel at any time.

### **Fire Drills**

A fire drill will be held each calendar month. When the alarm sounds all personnel should take the roll book and:

1. Know the evacuation route for the occupied room.
2. Move students quickly and quietly out of the building and approximately 500 feet away. Take book bags outside.
3. Always assume that a fire alarm is the real thing.
4. Wait outside until you are instructed to return to the building.
5. Other emergency procedure drills will be practiced throughout the year.

### **Delivery of Flowers and Gifts to Students**

No deliveries are accepted.

### **Student Fines**

All fines from the previous or current year need to be paid to the Bookkeeper. Students are not allowed to graduate until all fines have cleared in the Bookkeeper's office. Beginning July 1, 2005, the following procedures will be in place for any insufficient funds checks returned to Forest Hills high School. The checks will be electronically collected through a collection agency. In addition to the face amount of the check, a \$25.00 service charge will be electronically charged against your account each time the check is presented for payment. On any returned checks marked "Stop Payment" or "Account Closed", the Collection Agency will contact the check writer in order to collect the amount of the check and the state fee of \$25.00. After 60 days, any check deemed uncollectible will be returned to the school and a warrant will be issued through the Union County Sheriff's Office to the person signing the check. In addition to the face amount of the check and the service charge, the check will then be subjected to a cost of court charge.

Students should bring the correct amount of money to school. The office will not make change for students. All checks are to be made payable to Forest Hills High School. **Students must pay all fines with school bookkeeper before a parking permit can be purchased.**

### **Cafeteria**

1. No charging is allowed.
2. Each student is responsible for clearing his/her trash, trays, etc.
3. Any events held in the cafeteria must be approved by the cafeteria manager and school administration ten (10) days in advance. The cafeteria should be left clean and put in order before the next school day.
4. Any disciplinary rules for the school system also apply for behavior in the cafeteria including disruptive behavior and non-compliance. Only students making purchases are allowed in line. Food handled will have to be purchased.
5. Free and reduced forms must be filled out every year and turned in within the 1<sup>st</sup> 10 days of school.

### **Media Center**

The Media Center opens at 7:30am daily and closes at 4:00pm Monday – Thursday, and at 3:30pm on Friday. Students are welcomed in the media center, but need a pass to come in between 8:20 and 3:20. This includes lunch. Students may come in during I/R but must have a pass.

1. The media center will be sufficiently quiet for those who wish to study.
2. No food or drinks are allowed in the media center.
3. The Media Center printer is to be used for class work only.
4. Students must abide by the “Use of Computers/Internet” guidelines as defined in the Student Discipline (Disruptive Behavior- B) section of the handbook.

### **Student Chrome books**

All students will be provided with a Google Chrome book and will have access to all available forms of electronic media and communication, which is in support of education and research and in support of the educational goals and objectives of the Union County Public Schools.

Students are responsible for their ethical and educational use of the technology resources of the Union County Public Schools.

Access to the Union County Public Schools technology resources is a privilege and not a right. Each employee, student, and/or parent will be required to follow the Union County Public Schools Internet Acceptable Use Policy, as well as the Union County Public Schools discipline policies. All Internet browsing will be filtered by UCPS, even when at other sites other than schools.

The Union County School Board approved a \$25 annual user fee, per student, for technology use. This fee will assist in maintaining and expanding services pertinent to our current access model and related devices; this in turn will guarantee your child access to the most robust technology available to enhance their individualized learning.

Please note: \$25 Annual Technology Fee can be waived if the student qualifies for Free Lunch.

### **School Counseling**

The mission of the Forest Hills High School Counseling Department is to provide the resources, support, and advocacy to help *all* students reach their full potential and become educated and productive citizens. Counselors assist students with academic, career, and personal/social development through planning, collaboration, and exploration. School counselors provide academic planning, career and college exploration, classroom guidance and both preventative and responsive individual counseling. The duties and specific



responsibilities of each counselor are explained to students at the beginning of each school year. Appointments with counselors can be made through the Counseling Office secretary, by calling (704) 233-4001, or by email. Assistance is always available in case of emergencies.

### ***Parent Conferences***

Any parent wishing to set up a conference with the teachers of their student should contact the Counseling Office secretary. Counselors will make every effort to be present at parent conferences set up in this manner.

### ***Schedule Changes***

Student schedules are made intentionally and taking in to consideration graduation requirements and past student success. Students are encouraged to be active participants in this process. If a schedule change is desired, they should request a change on one of the pre-designated schedule change days prior to the first day of school. Due to class sizes, teacher allotment, and maximum-allowable teacher-student ratios, not every schedule change request can be honored.

### ***Transcripts***

Seniors should request transcripts from the Counseling Office. Students receive four free transcripts to be sent during the year, and one final transcript sent after graduation at no charge. Any additional transcript requests may incur a small fee.

### ***Grades***

Report cards are distributed each six weeks. The printout contains a number grade for class achievement, a conduct grade for each class, and a listing of the number of days absent in each class period. Progress reports are sent home periodically between report cards.

### ***Driver Education and Driving Eligibility Certificate***

To register for a Driver's Education course, see the Counseling Office secretary. You must be 14 ½ years old to sign up and there is a \$65 fee (subject to increase).

To receive your Driving Eligibility Certificate, you will need to bring your Driver Education completion certificate to the Counseling Office. A parent or legal guardian must be present to obtain the Driving Eligibility certificate.

To receive and keep a driver's license a student must maintain adequate academic progress, which means passing 70% or more of his/her classes. At Forest Hills High School, students must pass three out of four classes each semester or their license will be revoked. After the fall and spring semester, students can have their license returned if they meet the academic requirements. Hardship letters will be sent home before a student's license is revoked. The "Lose Control, Lose Your License" guidelines went into effect on July 1<sup>st</sup>, 2000. This law directs schools to report expulsions, long-term suspensions and assignment to alternative schools for offenses such as sale or possession of alcohol or illegal controlled substances, weapons, or firearms on school property,

or physical assault on any school personnel to the NC Department of Motor Vehicles. The license or permit may be revoked for these students for one year.

### **Medication**

Students who must take medication of any kind during the school hours must obtain a “Request for Medication to be Given During School Hours” form from the office. This form must be completed and signed by a physician and parent. The completed form and the medication are given to the principal or designee for dispensing. Students who do not comply will be subject to consequences as defined in the UCPS Board Policy on student discipline.

### **Family Educational Rights and Privacy Act (FERPA)**

(FERPA) sets out requirements designed to protect the privacy of parents and students. In brief, the law requires a school district to:

- Provide a parent access to their child’s educational records.
- Provide a parent an opportunity to seek correction of records he/she believes to be inaccurate or misleading.
- With some exceptions, obtain the written permission of a parent before disclosing information contained in the student’s education record.

### **Detention**

Afternoon detention is held on Tuesdays and Thursdays from 3:30 p.m. to 4:30 p.m. Students are given one day’s notice to arrange transportation. Students who fail or refuse to report for detention will face further consequences.

### **Saturday School**

Saturday school will be held on Saturdays from 8am – 11am. Students are given a two days’ notice to arrange transportation. The school will not serve breakfast or lunch during Saturday school. Students who fail or refuse to report for Saturday school will face further consequences.

### **Parking Rules and Regulations**

Parking a vehicle on campus is considered a privilege for students. Each student who drives must buy his/her own parking tag. Students may **not** share hang tags. The school or school system does not assume any responsibility for damage to private vehicles brought onto campus. Student drivers must have appropriate auto insurance.

All automobiles parked on school property must be registered with the school and must display a current parking tag on the rearview mirror. The colored side of the tag must be facing outward. To purchase a parking tag, students must produce a valid driver’s license, complete registration form, class schedule and the fee. If license vehicle information changes at any point in the year, please contact the office to update your records. Students who are driving for a short period of time (5 days or less) must purchase a temporary permit for \$5.00 (as space permits).

Student vehicles parked on school grounds are subject to search if there is reasonable suspicion to believe that drugs, alcohol, stolen property, or other contraband might be present in the vehicle.

1. Parking tags are **not transferable**. Students who loan, sell, or otherwise allow another student to use their parking tags will be subject to disciplinary actions.
2. Students are not permitted to loiter in the parking lots. Permission must be obtained to return to a parking lot once the school day has begun. If you do not have written permission to be in the parking lot, you are considered out of designated area and are subject to disciplinary action.
3. Once a student has arrived on campus, he/she is considered at school. The only way to leave is to sign out through the office. Parking privileges may be revoked for violation of this policy.
4. Students may not park in any area of campus besides the parking spot assigned to them unless approved by administrators. Violation of this may result in suspension of parking privileges.
5. Students who are persistently late to school may lose their parking privileges as stated in school tardy policy.
6. Reckless driving, including speeding, spinning tires, "off road" parking or driving, etc. will result in loss of parking privileges. First or second offense - privilege will be suspended for 20 school days. Third offense - privileges suspended for remainder of the school year.
7. Students must pay or clear up all student fees and or fines with school bookkeeper before a parking permit can be purchased.
8. If student is in need of an extra hang tag there will be a charge of \$5 per tag.

### **School Discipline**

#### ***Statement of Purpose***

The school is an agent of the public that created it and has a basic responsibility to help parents educate, lead, and when necessary, discipline the child. The ultimate responsibility, however, rests with the parents and if they fail, then with the State.

The school should never be reluctant to insist that the parents accept this responsibility.

As educators, we pledge to parents and students that we will conduct ourselves in a manner that will set a positive example and encourage appropriate student behavior.

All students have the right to be free from fear, harm, and violence while in attendance at school, on buses, and at school-sponsored activities. A student shall not by use of violence, force, noise, threat, intimidation, passive resistance or any other conduct, intentionally cause the substantial and material disruption or obstruction of any lawful mission, process, or function of the school. "School sponsored event or function" includes events in which any UCPS school participated to any extent, whether in or out of the school district.

"School property" includes any school property in the district, and any outside the district where the Board of Education exercises any of its duties. "The

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

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.

Middle and high school principals are encouraged to develop alternative discipline programs which would offer students and parents other methods for correcting behavior problems other than the traditional in-school suspension and out-of-school suspension programs. Alternative discipline programs could be a Saturday School for three hours of academic or physical work on campus, an after school detention for one or two hours, an evening school for three hours emphasizing self-control and/or academic needs or like programs.. All alternative discipline programs must receive prior approval from the Superintendent before being implemented. A student who is suspended from school for one of the offenses as described under “Disruptive Behavior C” may not be readmitted to school before his/her parent/guardian has a conference with a school administrator. Federal laws and court ruling limit the extent to which the penalties required by this policy can be applied to students who are identified as exceptional children and are receiving special education services.

***Disruptive Behavior A (Approved by Site Based Management)***

1. Any act clearly intended to disrupt school. No student shall purposely disrupt the lawful function of the school or its special activities, events, or trips. In the classroom, no student shall impair the teaching/learning process. No student shall engage in behavior which is detrimental to the progress, function or purpose of any school activity or event, or infringe on the rights of other students, faculty, spectators, or public.
2. Dress Code. The administration recognizes that the First Amendment of the Constitution of the United States respects a student’s right to choose his/her style of dress. However, if a student’s dress or appearance is so unusual, inappropriate, or lacking in cleanliness that it disrupts the learning environment; the student may be required to change the offending dress or appearance. Clothing that attracts undue attention to the body’s form or contour is inappropriate for school. Students are responsible, therefore, for exercising good judgment in dress and grooming. The following are guidelines for high school dress, but are not limited to these:
  - Shorts, skirts, dresses, etc. must be fingertip length. No holes are allowed above the knee.
  - Pants with slogans of any sort written across the buttocks (Princess, Baby Girl, Hollister, Hottie, Cutie, etc.) are not allowed.
  - Shirts that show cleavage, exposed stomachs, or bare backs are not allowed.
  - Shoulder straps must be at least 4 fingers or 3” wide.

- No mesh tops, see-through, cut-off shirts, halters, skin-tight clothes, or clothing of any type that exposes the torso, profane words, drug or alcohol advertising, sexual innuendos, or other unacceptable graphics.
  - Students must wear shoes at all times.
  - No hats, bandanas or head covering worn inside buildings.
  - Pants must be worn above the waist. No undergarments can be visible.
  - No gang-related clothing, jewelry, bandanas or other paraphernalia.
  - No sunglasses worn inside unless medically needed.
3. Out of specified area without permission. No student shall be in any place other than those designated by teachers or school officials without permission. Students arriving on late buses will not be considered tardy. Once on school grounds, students may only leave during the school day by checking out in the office with parent permission. Students are not allowed in the parking lot without permission from the office during the school day.
  4. Out of class or out of school for any part of the day without permission. No student shall be out of class or miss any part of the school day that violates local school policy on attendance (skipping). **State regulations do not allow parents to give students permission to miss any school time for unlawful reasons.**
  5. Violation of classroom policies. Students shall follow any rules and regulations not addressed in this policy which are established by the administration or the classroom teacher.
  6. Intimate behavior. Students shall not engage in behavior such as kissing, hugging, bodies pressed together, or other actions which may be considered inappropriate for the public school setting.

## **Disruptive Behavior B**

1. Reckless or belligerent behavior which might result in injury or bodily harm.  
No student shall engage in any behavior which is so careless, reckless, or belligerent it could, if continued, result in bodily harm or injury to oneself or others. Under some circumstances, these behaviors could lead to out of school suspension
2. Any major act clearly intended to disrupt school. No student shall purposely disrupt the lawful function of the school or its special activities, events, trips, or performances or infringe on the rights of other students, faculty, spectators, or the public. In the classroom, no student shall impair the teaching/learning process.
3. Non-compliance. Students will comply with all directions of teachers, substitute teachers, teacher aides, student teachers, and any other authorized school personnel during any period in which they are subject to school authority. Under some circumstances, non-compliance may constitute grounds for out-of-school suspension to be determined by the administration.
4. Cheating/plagiarism. Students will refrain from copying, using, or otherwise claiming work of others to be their own. Students shall not cheat on test/examinations, copy the work of another, or complete any type of academic assignment in a dishonest or deceptive manner. Students will be given a grade of zero (0) on the work for the first offense, and a parent

conference will be initiated by the teacher. A discipline referral to the administration will occur for subsequent offenses.

5. Bus misbehavior. Students shall not display any type of behavior which interferes with the safe and efficient operation of the school bus. Students may be denied the privilege of riding a bus to school. (Refer to “Bus Transportation”.)
6. Gambling. Students shall not participate in any form of gambling or games of chance/skill for money and/or other items of value.
7. Forgery. Students shall not provide school personnel or parents/guardians with false information by making changes in written paper or other genuine documents or use school documents inappropriately including signing another persons name or initials.
8. Use of profanity. Profane or vulgar language is not consistent with an academic environment and will not be tolerated. Certain words, expressions, or phrases are considered offensive enough to result in out-of-school suspension.
9. Use of computers/internet. The use of computers at school is a privilege and should be used for educational purposes. The misuse of computers/internet will result in disciplinary action that could include suspension. Examples include, but are not limited to:
  - a. Inappropriate use of the internet.
  - b. Sending messages across the network.
  - c. Any tampering with any hardware or software.
10. Students are not allowed to sell items on school grounds for personal profit without the direct consent of the Principal. Failure to get approval is a Level B consequence. Further disciplinary action may result depending on the nature of the items.
11. Violation of school policy not specifically addressed. The faculty, administration, and staff of Forest Hills High School have the responsibility to provide a safe and orderly learning environment. Students are subject to disciplinary behavior which detracts from the safe and orderly environment even if not specifically mentioned in these guidelines.

**\*The administration reserve the right to modify or amend the policies contained herein as it deems appropriate to fulfill this responsibility.**

### **Disruptive Behavior C**

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

The Union County 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, recognizing bullying, and conflict resolution, etc. Furthermore, schools shall develop intervention strategies to prevent bullying.

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.

The school has a basic responsibility to educate all students. The ultimate responsibility, however, rests with the parents. The school and the parents should work together to support the students in any disciplinary incident.

As educators we pledge to parents and students that we will conduct ourselves in a manner that will set a positive example and encourage appropriate student behavior.

All students have a right to be free from fear, harm, and violence while in attendance at school, on buses, and at school sponsored activities. A student shall not by use of violence, force, noise, threat, intimidation, passive resistance, or any other conduct intentionally cause the substantial and material disruption or obstruction of any lawful mission, process, or function of the school.

Principals should use good judgment when applying these policies. Principals will have the discretion to determine if a violation of the rule, considering mitigating factors, is serious enough to warrant suspension. Administrators shall consider the student's intent, disciplinary and academic history, potential benefits of alternatives to suspension and any other mitigating or aggravating factor when considering a recommendation for long-term suspension. When students are suspended for violations of this policy, these absences may affect academic standing and promotion. Please refer to the attendance policies (#4-1(b) and #4-1(c) 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.

Middle School and High School Principals are encouraged to develop alternative discipline programs which would offer students and parents another method for correcting behavior problems other than the traditional in-school suspension and suspension programs. Alternative discipline programs could be a Saturday School for three hours of academic or physical work on campus, an after-school detention program for two hours, an evening school for three hours emphasizing self-control and/or academic needs or like programs.

**Students assigned to South Providence School will be provided, at the**

**intake meeting, a copy of the behavior rules and level system specific to that school.** All alternative discipline programs must receive approval from the Superintendent before being implemented.

A student who is suspended from school for any of the following offenses may be required to participate in a conference with his/her parent/guardian and the school administrator. Federal laws and court rulings may limit the extent to which the penalties required by this policy can be applied to students who are identified as exceptional children and are receiving special education services.

Furthermore, these are not the only rules of conduct which students are expected to follow. Additional school level rules will be set by the school site (including but not limited to dress code, honor code and insubordination). There will also be rules for riding the bus. A copy of this policy, school level and transportation rules will be provided annually to all students.

### **DEFINITIONS**

1. Bans from School Property. Students who are suspended or expelled are not entitled, except with the express permission of the site principal, to enter any property of Union County Public Schools. Failure to abide by such restriction will be considered trespassing and will be reported to law enforcement.
2. Condensed Academic Term is a Block Schedule.
3. Disciplinary Reassignment is when a student is reassigned to another full-time educational program which provides the standard course of study and allows for the student to make timely progress toward promotion is not a long-term suspension and does not require those procedures.
4. Long-term Suspension is an out of school suspension in excess of 6 days for high schools on condensed academic terms and 10 days for middle schools and traditional schedule high schools up to 90 school days or the end of the current school year, whichever comes first, unless the conduct occurs in the final quarter of the school year in which case the suspension shall run through the end of the first semester of the following year.
5. Multiple Offense designations. For offenses where different consequences are applied depending upon the number of violations, the offense is of the overall (numbered not lettered) rule. For example, violations under the Illegal/Unauthorized Substances rule, number 12, will be considered, not under the individual types of substance. Additionally, the number of violations carries throughout one academic year. The nature of the violation may be considered by the principal when assigning discipline.
6. Parent includes legal guardians, custodians, custodians and caretakers entitled to enroll the student in school.



7. Parent Conferences: A meeting between the student, parent and administrator may be required for any length suspension but is mandatory for all 365 day school suspensions.
8. School Authority: The school has the authority to address any act that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, use of the district Internet system or school provided technology, use of a personal digital device on campus, or off-campus activities that cause or are reasonably expected to cause a direct and immediate impact on the orderly and effective operations of the school or the safety of individuals.
9. School property is the physical premises of all school campuses, bus stops, all vehicles under the control of the district (including but not limited to Yellow School and Activity Buses), school sponsored curricular and extra-curricular activities, regardless of where they occur. The administration may also impose consequences for conduct which occurs off campus if it has a direct and immediate effect on maintaining order and discipline in the schools.
10. Suspension: Unless otherwise noted references to suspension are out of school suspension.

## **REPORTS TO OUTSIDE AUTHORITIES**

1. Law Enforcement – Under North Carolina Law, principals are required to report to law enforcement when s/he has personal knowledge or actual notice that one of the following acts has occurred on school property: “assault resulting in serious personal injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a weapon in violation of the law, or possession of a controlled substance in violation of the law.” Additionally, any conduct which may be both a violation of this policy and law will be reported to the School Resource Officer. If a student is arrested in compliance with this provision, school officials will notify the parent of the location where their child is taken by law enforcement officials.
2. Department of Motor Vehicles (DMV) – Under North Carolina Law, students who receive a long-term suspension for engaging in any of the following conduct will be reported to the DMV: possessing or selling alcoholic beverages or an illegal controlled substance on school property, bringing, possessing, or using on school property any weapon or firearm, and physically assaulting a teacher or other school personnel on school property.

## **PROHIBITED BEHAVIORS:**

NC Department of Public Instruction (DPI)/PowerSchool Codes are listed in italics. For “RO” or “PD” Codes please see the Reportable Offenses/Crimes Definitions.

### List of Prohibited Behaviors:

1. Abusive Language and Gestures
2. Aggressive Behavior
3. Arson
4. Attendance
5. Bomb Threats
6. Bullying
7. Chronic Disruptive Behavior
8. Electronic Devices
9. False Alarms
10. Firearms and destructive devices
11. Hazing
12. Illegal/Unauthorized Substances
13. Nuisance Items
14. Persistently Dangerous Students
15. Sexual Behavior
16. Terroristic Threats
17. Theft or Vandalism
18. Weapons

For these prohibited behaviors, the following system-wide disciplinary actions shall be taken (in addition to any consequence enumerated below each behavior, students will be referred to the school counselor for possible counseling and may be banned from school property and/or a parent conference required, as described in the Definitions Section above):

1. Abusive Language and Gestures: Students will not use insulting, abusive, profane, obscene, words, signs, gestures, and other acts toward or about any school employee, adult on campus or other student. The discipline to be applied may be dependent upon the severity of offense. This provision includes but is not limited to written assignments and/or electronic technology where a connection to the school exists. *UB: Bullying, UB: Harassment – Racial, UB – Harassment – Disability, UB: Inappropriate Language/Disrespect, UB: Cyber-bullying, UB: Harassment – Sexual Orientation, UB: Harassment – Religious Affiliation*
  - a. Toward a school staff member or other adult on campus.
    - First Offense: 1-10 days suspension, 1-6 days for Condensed Academic Terms.

- Second Offense: 5-10 days suspension or 3-6 days for Condensed Academic Terms with possible recommendation for long-term suspension.
- b. Toward another student or between students.
- First Offense: 0–3 days out of school suspension
  - Second Offense: 1-5 days suspension, 1-4 days for Condensed Academic Terms.
2. Aggressive Behavior: Students will not engage in any form of aggressive behavior toward any other student, staff member or other adult in the school. Any assault on a school employee that results in injury must be reported to the principal.
- a. Physical violence directed toward any school employee or other adult in the school. *RO: Assault on School Personnel with no serious injury, PD: Assault Resulting in Serious Injury*
- 10 day suspension or 6 days if on a Condensed Academic Term. The administration shall consider a recommendation for a long-term suspension. Upon returning from a long-term suspension, the student shall not be returned to the teacher’s class unless the teacher consents.
- b. Physical Violence directed toward a student. Violations include but are not limited to any assault, fight, or attempt to cause physical harm to a student or students by another student or students. *UB: Assault-Student, PD: Physical Attack with a firearm, PD: Assault Resulting in Serious Injury, UB: Violent Assault Not Resulting in Serious Injury, PD: Assault involving the use of a weapon, UB: Fighting*
- First Offense (where there were no serious injuries, multiple aggressors/participants or serious disruption to the academic day): 0-10 days suspension or 0-6 days if on a Condensed Academic Term (the exact number of days will be based upon severity of physical violence and compliance with school staff).
  - Second Offense (where there were no serious injuries, multiple aggressors/participants or serious disruption to the academic day): 5-10 days suspension or 3-6 days if on a Condensed Academic Term)
  - Third Offense (where there were no serious injuries, multiple aggressors/participants or serious disruption to the academic day): 10 day suspension or 6 days if on a

Condensed Academic Term. The administration shall consider a recommendation for a long-term suspension.

- For assaults which result in serious injury, those involving multiple aggressors or where serious disruption to the academic day results: 10 days suspension, 6 days for Condensed Academic Terms. The administration shall consider a recommendation for a long-term suspension.
- c. Threats about or directed toward any other student, staff member or other adult in the school: Any physical, verbal, or written threat (including but not limited to threatening gestures, threats communicated via electronic technology where a connection to the school exists and/or school assignments) directed toward or about any student, staff member or other adult which threatens force, violence, or disruption, or any sign or act which constitutes a threat of force, violence, or disruption. *UB: Communicating Threats, UB – Aggressive Behavior, UB: Bullying, UB: Harassment – Verbal, PD: Threat of physical attack with a weapon, PD: Threat of physical attack without a weapon, PD: Threat of physical attack with a firearm*
1. Threats toward staff members or other adults in the school - 10 day suspension or 6 days if on a Condensed Academic Term with recommendation for long-term suspension dependent upon severity of threat.
  2. Threats toward students
    - First Offense: 3-10 days suspension or 2-6 days if on a Condensed Academic Term (the exact number of days will be based upon severity of the threat and compliance with school staff).
    - Second Offense 10 day suspension or 6 days if on a Condensed Academic Term
    - Third Offense: 10 day suspension or 6 days if on a Condensed Academic Term. The administration shall consider a recommendation for a long-term suspension.
- d. Extortion or blackmail includes threats to take property of another student under threat of physical harm. *UB: Aggressive Behavior, PD: Threat of physical attack with a weapon, PD: Threat of physical attack without a weapon, PD: Threat of physical attack with a firearm*
- 1-10 days suspension or 1-6 days if on a Condensed Academic Term with possible recommendation for long-term suspension. The exact length of the suspension will be based upon nature of extortion or blackmail.

- e. Behavior that incites to riot (defined as behavior which encourages other students to join in to a potentially volatile situation, or disrupts or has the potential to disrupt the school environment). *UB: Disorderly Conduct, UB: Disruptive Behavior, UB: Aggressive Behavior*
- Up to a 10 day suspension or up to 6 days if on a Condensed Academic Term with possible recommendation for long-term suspension depending upon the severity of the conduct.
3. Arson: Students will not start, attempt to start or further a fire on school property, including but not limited to the burning of school property. The student and/or parents will be responsible for paying restitution. *RO: Burning of a School Building, UB: Unlawfully setting a fire*
- 10 day suspension or 6 days if on a Condensed Academic Term with possible recommendation for long-term suspension.
  - Students and/or parents will be responsible for restitution to the school system. Students may be required to perform after-school community service work on behalf of school upon return from suspension. The principal will refer to school counselor and contact parent.
4. Attendance: Students will not leave the assigned area/school grounds without permission and other attendance violations (i.e. skipping class and truancy). Students must attend school and once at school will remain on campus and in areas designated by school officials at all times. Student will be referred to a counselor. *UB: Excessive Tardiness, UB: Leaving School without permission, UB: Leaving Class without permission, UB: Truancy, UB: Skipping School, UB: Skipping Class, UB: Cutting Class, UB: Late to Class*
- 0-2 days suspension and principal discretion which may include additional consequences should the conduct violate other rules in this policy or the bus or school level rules. No more than 2 days of suspension can be assigned to a student for an attendance violation.
5. Bomb Threats: Students will not make notification (false or otherwise) indicating the presence of a bomb or explosive or threatening an act of terrorism (false or otherwise), in any format, written or verbal, on school property as defined above. *RO: Bomb Threat*

Bomb Threats (false or otherwise): Making, aiding, and/or abetting in making a bomb threat or perpetrating a bomb hoax

against school district property by making a false report that a device designed to cause damage or destruction by explosion, blasting, or burning is located on school property or at a school-sponsored or school-related activity or

Concealing, placing, or displaying a device on school property or at a school- sponsored or school-related activity with the intent to cause others to believe the device is a bomb or

Communication, by any means, knowing or having reason to know it is false, that such a device or components are present or one who intending to perpetrate a hoax brings any such artifacts onto school property or to a school sponsored event.

- 10 day suspension or 6 days if on a Condensed Academic Term. The administration shall consider a recommendation for a long-term suspension.

6. Bullying: Students will not bully another person on school property as defined above. Bullying is a form of harassment. Under North Carolina Law, bullying is “any pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication, that takes place on school property”, as defined above, “reasonably perceived as being motivated by any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics”. Bullying may include, but is not limited to, cyber bullying, verbal taunts, name-calling and put-downs, extortion of money or possessions, implied or stated threats and may be directed at the same or different individuals. Both the perpetrator and victim will be referred to a school counselor. *UB: Bullying, UB: Harassment – Racial, UB – Harassment – Disability, UB: Inappropriate Language/Disrespect, UB: Cyber-bullying, UB: Harassment – Sexual Orientation, UB: Harassment – Religious Affiliation*

- First Offense: 0 to 10 days suspension or 0-6 for Condensed Academic Terms at the discretion of the principal dependent upon the severity of the incident.
- Second Offense: 3-10 days of suspension, or 2-6 days for Condensed Academic Terms.
- Third Offense: 10 days of suspension, or 6 days for Condensed Academic Terms with recommendation for long-term suspension.

Cyber Bullying: Under North Carolina Law, students may not use a computer or computer network to harass or bully a school employee. Examples of prohibited conduct are:

- a. Building a fake profile or Web site regarding a school employee.
- b. Posting or encouraging others to post on the Internet private, personal, or sexual information or disseminating unauthorized data pertaining to a school employee.
- c. Posting a real or doctored image of the school employee on the Internet.
- d. Accessing, altering, or erasing any computer network, computer data, computer program, or computer software, including breaking into a password-protected account or stealing or otherwise accessing passwords.
- e. Using a computer system for repeated, continuing, or sustained electronic communications, including electronic mail or other transmissions, to a school employee.
- f. Make any statement, whether true or false, intending to immediately provoke, and that is likely to provoke, any third party to stalk or harass a school employee.
- g. Signing up a school employee for a pornographic Internet site or for electronic mailing lists or to receive junk electronic messages and instant messages, with the intent to intimidate or torment the school employee.

A student who is convicted of cyber bullying will be transferred to another school unless there is no other appropriate school within the school system. In that circumstance, the student will be transferred to a different class or assigned to a teacher who was not involved as a victim of the cyber bullying.

7. **Chronic Disruptive Behavior:** Students will not engage in behavior which disrupts classroom and/or school activities. This rule does not address situations where the student poses a threat of injury to students or staff which may qualify the student for an alternative disciplinary program. The use of an alternative disciplinary program will occur at the discretion of the principal when he/she believes a student may respond to a behavior change program that involves the student's parent(s). The student shall be referred to a school counselor. *UB: Disruptive Behavior, UB: Repeat Offender*

The School Board encourages principals to consider providing an alternative disciplinary program to the traditional long-term suspension disciplinary actions under the following conditions:

- a. The principal and the student's teachers agree the student has potential for success in school; and
- b. The student's parent(s) agree to take an active role in the alternative program and to provide full support to the student and the school during the implementation of the alternative program.

The student must take full advantage of the alternative program and demonstrate by his/her actions that, first, he/she is cooperating fully during the implementation of the program, and secondly, he/she is changing his/her behavior so that further disruptions do not occur.

When the principal, the student's teachers, and the student's parent(s) agree to allow an alternative disciplinary program to be implemented, the following events will occur:

- a. The principal will meet with the student and parent(s) to explain that a long-term suspension recommendation will occur unless an agreement can be reached to participate in an alternative disciplinary program. The principal will refer to school counselor.
  - b. Upon agreement by the principal, parent(s), and student, the long-term suspension recommendation will be held in abeyance.
  - c. The principal and teachers of the student will provide the student and parent(s) a written alternative disciplinary program with milestones that must be met by the student.
  - d. Upon completion of the alternative disciplinary program the long-term suspension recommendation will become null and void.
  - e. Should the student not meet the requirements of the alternative disciplinary program, or the parent(s) fail to meet their obligation, the long-term suspension recommendation will go forward.
  - f. A student will be offered an alternative disciplinary program only once. Failing to meet the alternative disciplinary program requirements and/or continuing chronic misbehavior will result in a long-term suspension.
8. **Electronic Devices:**
- Middle School:** Students will not possess cellular phones or electronic/media devices except pursuant to an authorized purpose or as an instructional tool under the guidance and direction of a staff member during a school activity, from the first bell of the day through the last dismissal bell. Except as identified above, cell phones must be turned off and out of sight (in book bag, pocket, or purse) at all times. Use of a cell phone is defined to include, but is not limited to phone ringing, talking on phone, taking pictures, browsing, gaming and text messaging.

**High School:** Students will not use cellular phones or electronic/media devices during instructional time except pursuant to an authorized purpose or as an instructional tool under the guidance and direction of a staff member during a school activity. Students may use cellular phones or electronic/media devices during non-instructional times, including class change and lunch, so long as the use is not disruptive to the school



environment and the cellular phone or electronic/media device is used in a safe and responsible manner.

The District is not responsible for theft, loss or damage to any electronic devices brought onto school property. *UB: Cell Phone Use, UB: Inappropriate Item on School Property*

- First Offense: Confiscate item and return to the student at the end of the academic day. If use of the electronic device results in violation of other policies (including but not limited to school based rules) further discipline may be applied.
- Second Offense: Confiscate item and return only to parents. Parent conference required and may include 1 day of in-school suspension, after school detention, or Saturday School.
- Third Offense: Confiscate item and return only to parents. Parent conference required and may include 1 day of in-school suspension, after school detention, or Saturday School and cannot bring item to school for remainder of the school year, except as authorized in writing by the school principal.

Failure to obey the request of a school staff member to hand over an electronic device, including but not limited to a cell phone, shall be considered insubordination and consequences will be imposed pursuant to the school level rules.

9. False Alarms: In the absence of an emergency, students will not call 911, signal or set off an automatic signal indicating the existence of an emergency, this does not include accidental dialing of 911 so long as no disruption occurs. *UB: False Alarm*

- First Offense: 10 day suspension or 6 days if on a Condensed Academic Term
- Second Offense: Contact law enforcement – 10 day suspension or 6 days if on a Condensed Academic Term. The administration shall consider a recommendation for a long-term suspension.

10. Firearms and destructive devices: Students will not bring, possess (regardless of the manner received or the length of time possessed) or use a firearm, (including but not limited to a starter pistol, gun, rifle, pistol, shotgun, frame, receiver, firearm muffler or silencer), loaded or unloaded or destructive device (including but not limited to an explosive, incendiary, poison gas, bomb, grenade, rocket with a propellant charge of more than 4 ounces, a missile with a charge of more than ¼ ounce, mine or similar device) on a school campus or at a school event wherever held as defined by North Carolina General Statutes § 14-269.2b. All firearms and explosives will be confiscated immediately and turned over to law enforcement. *RO: Possession of a Firearm, PD: Robbery with a firearm or*

*powerful explosive, PD: Threat of physical attack with a firearm, PD: Physical attack with a firearm*

- A suspension of 365 days shall be imposed for violations of this rule. Upon recommendation of the Superintendent, the Board of Education may modify this consequence after a review of the facts and circumstances surrounding the incident and considering alternative educational options for the student.

**No student may knowingly or willfully cause, encourage or aid any other student to possess, handle or use any of the weapons or weapon-like items listed above (under rule 18). A student who finds a weapon or weapon-like item, who witnesses another student or other person with such items, or becomes aware that another student or other person intends to possess, handle or use such items, must notify a teacher or principal immediately. Failure to do so may result in disciplinary action up to and including a maximum of 10 day suspension or 6 days if on a Condensed Academic Term. The Superintendent and Board shall not impose a 365 day suspension if it is determined that the student took possession of, received or found the firearm or destructive device on campus and had no intent to use it in a harmful or threatening way.**

11. Hazing: Students will not engage in hazing which is defined as “to subject another student to physical injury as part of an initiation, or as a prerequisite to membership, into any organized school group including any society, athletic team, fraternity or sorority, or other similar group.” For purposes of this policy, hazing may include annoying any student by playing abusive or ridiculous tricks upon him/her, to frighten, scold, beat or harass him/her, or subject him/her to personal indignity. Per North Carolina General § 14-35 hazing is strictly forbidden on campus and at all off campus school events.
  - Up to 10 days suspension, 6 days for Condensed Academic Terms and possible recommendation for long-term suspension dependent upon severity and circumstances surrounding the incident.
  - Students convicted of Class 2 misdemeanor hazing may be recommended for expulsion from Union County Public Schools.
12. Illegal/Unauthorized Substance: Students will not possess, use, be under the influence of or distribute any of the following substances on school property or buses, in a private vehicle in a school parking lot, or at any school function wherever held, as defined above. All substances will be immediately confiscated and provided either to law enforcement or a parent, as appropriate.
  - a. **Over-the-Counter Medication:** outside of the routine, normal usage of medication or without proper authorization.  
*UB: Inappropriate item on School Property*

1. Coming on campus under the influence:
  - 0-3 day suspension or 0-2 days if on a Condensed Academic Term.
  - Required drug counseling class if student is suspended
2. Possession:
  - 0-5 day suspension or 0-3 days if on a Condensed Academic Term.
  - Required drug counseling class if student is suspended
3. Use at School:
  - 0-5 day suspension or 0-3 days if on a Condensed Academic Term.
  - Required drug counseling class if student is suspended
4. Distribution:
  - 5 day suspension or 3 days if on a Condensed Academic Term through long-term suspension for remainder of semester (high schools on block schedule) or remainder of semester or 45 school days whichever is longer (middle schools and traditional schedule high schools)
  - Required drug counseling class

b. **Prescription Medication** (Students with legal drugs **prescribed for them** in their possession must follow school guidelines to avoid consequences under this policy.) *UB: Inappropriate item on School Property, RO: Possession of Controlled Substance – Other, Possession of Controlled Substance - Ritalin*

1. Medication prescribed for the student
  - a. Possession or use of prescription drugs prescribed for the individual in possession of the drug: (Possession only; this does NOT include distribution). Student must secure the medication in school office in locked cabinet per UCPS BOE Policy 4-6. *RO: Possession of Controlled Substance – Other, RO: Possession of Controlled Substance – Ritalin*
    - First Offense – 0-3 day suspension or 0-2 days if on a Condensed Academic Term. Required drug counseling class if student is suspended
    - Second Offense - 0-5 day suspension or 0-3 days if on a Condensed Academic Term. Required drug counseling class if student is suspended

2. Medication prescribed or another person.
  - a. Under the influence
    - 0 - 5 day suspension or 0- 3 days if on a Condensed Academic Term. Required drug counseling class if student is suspended
    - Suspension is not warranted when a student comes to campus under the influence when used in compliance with prescription directions of prescription drugs prescribed for user.
  - b. Possession or use: *RO - Possession of Another Person's Prescription Drug, RO: Possession of Controlled Substance – Other, RO: Possession of Controlled Substance – Ritalin*
    - First Offense- 6–10 days suspension or 4-6 days if on a Condensed Academic Term. Required drug counseling class
    - Second Offense- 10 day suspension or 6 days if on a Condensed Academic Term **and** long-term suspension recommendation at principal discretion. Required drug counseling class
3. Distribution by the student for whom the medication was prescribed OR by a student for whom the medication was not prescribed: *RO: Distribution of a Prescription Drug, RO: Sale of Controlled Substance in violation of law – Other, RO: Sale of Controlled Substance in violation of law - Ritalin*
  - 10 day suspension or 6 days if on a Condensed Academic Term. The administration shall consider a recommendation for a long- term suspension.
  - Required drug counseling class
- c. **Alcohol** (Includes wines, beer, non-alcoholic beer, and energy drinks containing alcohol) *RO: Alcohol Possession, RO: Use of Alcoholic Beverages*
  1. Under the influence, possession or use on school property, as defined above:
    - First Offense - 10 day suspension or 6 days if on a Condensed Academic Term. Required drug/alcohol counseling class
    - Second Offense - 10 day suspension or 6 days if on a Condensed Academic Term. The administration shall consider a recommendation for a long-term suspension. Required drug/alcohol counseling class

2. Distribution

- First Offense - 10 day suspension or 6 days if on a Condensed Academic Term. The administration shall consider a recommendation for a long-term suspension. Required drug/alcohol counseling class

d. **Tobacco Products:** Students will not possess, use, sell or distribute tobacco products on school property (as defined above). For rolling papers, see drug paraphernalia. All tobacco products, including electronic cigarettes and all lighted and smokeless tobacco and/or nicotine products are prohibited and will be confiscated. *UB: Possession of Tobacco, UB: Use of Tobacco*

- First Offense: 1 day suspension and 1 hour Tobacco Education required. Failure to complete tobacco education class will result in 1 additional day of suspension.
- Second Offense: 3 days suspension reduced to 2 days upon completion of Alternative to Suspension (ATS) program or 2 days suspension reduced to 1 day contingent upon completion of Alternative to Suspension (ATS) program for Condensed Academic Terms.
- Third Offense: 3 days suspension with Cessation Class recommended, or 2 days suspension with Cessation Class recommended for Condensed Academic Terms.
- Fourth Offense: 5 days suspension, or 3 days for Condensed Academic Terms.
- Fifth Offense: Recommendation for long-term suspension or placement by principal in the Alternative Disciplinary Program.

e. **Illegal Drugs, Counterfeit or Synthetic Drugs, Huffing (or misuse of inhalants), and/or Drug Paraphernalia** (including but not limited to rolling papers and scales) and misuse of chemical/material (organic or otherwise) that causes or is purported to cause a hallucinogenic/mind altering effect or might bring about a state of exhilaration, euphoria or of otherwise altering student's mood or behavior.

1. Under the Influence, Use or Possession *RO: Use of a Controlled Substance, RO: Use of Narcotics, RO: Use of Counterfeit items, RO: Possession of Counterfeit Items, RO: Possession of Controlled Substance – Other, RO: Possession of Controlled*

*Substance – Cocaine, RO: Possession of a Controlled Substance*  
*- Marijuana, RO: Possession of chemical or drug paraphernalia*

- First Offense - 10 day suspension or 6 days if on a Condensed Academic Term. Required drug/alcohol counseling class
  - Second Offense - 10 day suspension or 6 days if on a Condensed Academic Term with recommendation for long-term suspension. Required drug/alcohol counseling class
2. Distribution/Sale (Actual or Attempt) or possession with intent to distribute (possession of a large quantity or of more than one individually wrapped package will be considered evidence that the student intended to sell or distribute the substance).
- 10 day suspension or 6 days if on a Condensed Academic Term with recommendation for long-term suspension
  - Required drug/alcohol counseling class
- Distribution/Sale (Actual or Attempt) of drug paraphernalia.
- 5 - 10 day suspension or 3 - 6 days if on a Condensed Academic Term with recommendation for long-term suspension
  - Required drug/alcohol counseling class

**NOTE: No student will be readmitted to the regular school program until the student has completed the required drug counseling or tobacco education class.**

- f. **Mercury and other dangerous chemicals.** In the case of mercury or like substances abuse, parents will be responsible for the cost of any clean-up, repair or damage.
1. First Offense: Confiscate item and return only to parents. Discretionary action by principal which may include suspension—dependent upon specific circumstances.
  2. Second Offense: 1-10 day suspension or 1-6 days if on a Condensed Academic Term.
  3. Third Offense: 5-10 day suspension or 3-6 days if on a Condensed Academic Term with possible recommendation for long-term suspension.
13. Nuisance Items: Students will not possess or use nuisance items including but not limited to: laser pointers, matches, cigarette lighters, empty shells, or other like items. These are prohibited on campus, buses,

and/or school events that are extensions of the classroom. Nuisance items kept in locked private vehicles are exempt. No skateboards are allowed on campus at any time. All nuisance items will be immediately confiscated and returned to the parent where appropriate. School is not responsible for loss or damage of any of the above named items. Any nuisance item that results in property damage to the school system or individual will require restitution by the parents of the perpetrator. The District is not responsible for theft, loss or damage to any nuisance items brought onto school property. *UB: Inappropriate Item on School Property*

- First Offense: Confiscate item and return only to parents. Discretionary action by principal which may include suspension—dependent upon specific circumstances.
  - Second Offense: 1-10 days suspension, 1-6 days for Condensed Academic Terms.
  - Third Offense: 5-10 days or 3-6 days for Condensed Academic Terms with possible recommendation for long-term suspension.
14. Persistently Dangerous Students: Students, over the age of 14, will not engage in behavior that constitutes a clear threat to the safety of other students or employees as defined in North Carolina Law. Examples of conduct which would fall under this rule include, but are not limited to, multiple rule violations for assault, the sale or distribution of illegal drugs, gang related activities, possession of weapons and inappropriate sexual behavior. A single severe behavior may fall under this category. This also includes students who are registered sex offenders (who will be constantly supervised, if allowed to attend any educational program). Violation of this section may result in long-term suspension, 365-day suspension, or expulsion dependent upon the severity of the offense.
15. Sexual Behavior: Students will not engage in any sexual activity or possess sexually graphic or violent materials on school property as defined above.
- a. Indecent Exposure: Students will not expose private body parts on school property. *UB: Harassment - Sexual*
    - First Offense: 5 days suspension, or 3 days suspension for Condensed Academic Terms and parent contact.
    - Second Offense: 10 days suspension, or 6 days for Condensed Academic Terms.
    - Third Offense: The administration shall consider a recommendation for a long-term suspension.
  - b. Consensual Sexual Activity: consensual means all parties are willing participants in the activity. *UB: Mutual Sexual Contact between two students, UB: Excessive Display of Affection*

- First Offense: 10 days suspension or 6 days for Condensed Academic Terms.
  - Second Offense: The administration shall consider a recommendation for a long-term suspension.
- c. Sexual Harassment: includes but is not limited to the following conduct committed against another student, a staff member or any adult in the school:
1. Any “unwelcome” contact of a sexual nature with another’s body
  2. Any suggestive comments, propositions or gestures.
  3. Any sexually provocative commentaries about the body.
  4. Any suggestive writings, artworks, or notes.
  5. Any slurs or innuendos.

*UB: Harassment - Sexual*

- First Offense: 3-5 days suspension and seek counseling at the school level, 2-3 days for Condensed Academic Terms (Block Schedule)
- Second Offense or when two or more students are engaged in this type of behavior against another person or when one student engages in this type of behavior against multiple persons: 10 days suspension, 6 days for Condensed Academic Terms (Block Schedule).
- Third Offense: The administration shall consider a recommendation for a long-term suspension.

The UCPS Title IX Coordinator, the Department of Social Services and law enforcement shall be notified.

- d. Offensive Touching: Students will not engage in unwanted touching of an offensive or sexual nature. *UB: Harassment – Sexual (not including touching of a sexual organ, anus, breast, groin or buttocks) PD: Sexual Assault (including touching of a sexual organ, anus, breast, groin or buttocks)*
- 10 days suspension, or 6 days for Condensed Academic Terms and a recommendation for long-term suspension depending upon the severity of the offense. The principal will refer to school counselor and contact parent. If charges or a petition is initiated, homebound instruction may be provided to the student(s) until adjudication of the charge against them.
- e. Sexual Battery: Students will not engage or attempt to engage in sexual activity with another person by force, threat or fear. *PD: Rape, PD: Sexual Assault, PD: Sexual Offense*
- 10 days suspension, or 6 days for Condensed Academic Terms and a recommendation for long-term suspension depending upon the severity of the offense. The



principal will refer to school counselor and contact parent. If charges or a petition is initiated, homebound instruction may be provided to the student(s) until adjudication of the charge against them.

- f. Possession of Pornographic, Profane and/or Violent Material (included but is not limited to print materials, drawings, photographs, email or text message attachments, or on an electronic device): Students will not possess pornographic, profane, sexually explicit or graphically violent materials. *UB: Inappropriate Items on School Property, UB: Harassment - Sexual*
- First Offense: 3-5 days suspension, or 2-3 days for Condensed Academic Terms.
  - Second Offense: 10 days suspension, 6 days for Condensed Academic Terms.
  - Third Offense: The administration shall consider a recommendation for a long-term suspension.

16. Terrorist Threats: Students will not make, aide, conspire, and/or abet in making a terrorist threat or perpetrating a terrorist hoax against school district property by making a false report that a device, substance, or material designed to cause harmful or life-threatening illness or injury to another person is located on school property or at a school-sponsored or school-related activity, or possessing, bringing onto school property, concealing, placing, disseminating, or displaying (or threatening any of the above) a device, machine, instrument, artifact, letter, package, material, or substance on school property or at a school-sponsored or school-related activity with the intent to cause others to believe the device is a substance or material capable of causing harmful or life-threatening illness or injury to another person; or

Students will not threaten to commit on school property or at a school-sponsored or school-related activity an act of terror that is likely to cause death, with the intent to cause a significant disruption to the instructional day or school-sponsored activity which actually causes such disruption; or

Students will not make a false report that there is about to occur or is occurring on school property or at a school-sponsored or school-related activity an act of terror that is likely to cause serious injury or death, with the intent to cause a significant disruption to the instructional day or school-sponsored activity or which actually causes such disruption.

Conspire to commit any of the above-described acts.

10 day suspension or 6 days if on a Condensed Academic Term. The administration shall consider a recommendation for a long-term suspension.

No student may knowingly or willfully cause, encourage, or aid another student to make or engage in any of the activities defined under Rules 9 or 5 (False Alarm and Bomb Threats). Any student who becomes aware that another student or other person intends to violate either of these rules must notify a teacher or principal immediately. Failure to do so may result in disciplinary action up to and including a maximum of 10 days of suspension (6 days for Condensed Academic Terms).

17. Theft or Vandalism: Students will not steal or vandalize the property of the school, school employees, students or any other person resulting in loss or damage – Student and/or parents will be responsible for restitution or return of the property in good condition to the school system or victim. *UB: Property Damage, UB: Theft, UB: Inappropriate items on school property (stolen goods)*
  - 1-10 day suspension or 1-6 days if on a Condensed Academic Term through long-term suspension, depending upon the value or importance of the property taken or vandalized, or the number of thefts involved. The principal will refer to school counselor and contact parent.
18. Weapons (not including firearms and explosives): Students will not possess, handle, use, or transmit, whether concealed or open, any weapon, or any instrument that reasonably looks like a weapon or could be used as a weapon. All weapons will be confiscated immediately and turned over to law enforcement. *RO: Possession of a Weapon (not all weapons listed below qualify for this code)*. Weapons include all of the following:

Knife, including a pocket knife, bowie knife, switchblade, dirk, dagger or machete; slingshot; leaded cane; blackjack; metal knuckles or nunchucks; BB gun; air rifle or air pistol; stun gun or other electric shock weapon (i.e. taser); ice pick; defensive sprays; razor or razor blade (except solely for personal shaving); compound bow or other archery equipment, not used for instructional purposes and under the supervision of school staff; fireworks; and any sharp pointed or edged instrument except unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance.

Examples of other objects that could be considered weapons are box cutters and other types of utility blades and blowguns. 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 LIVE ammunition (shotgun shells, bullets, etc.)

This section does not apply to students who are members of the Reserve Officer Training Corps and who are required to carry arms or weapons in the discharge of their official class duties; nor does this apply to weapons used in school-approved instruction or ceremonies.

- a. Possession: Regardless of the manner in which received and the length of time the weapon is possessed: 3-10 days suspension or 2-6 days if on a Condensed Academic Term.
- b. Use of weapon and/or proven intent: The administration shall make a recommendation for long-term suspension or

### **DPI Definitions**

Codes:

- PD – A dangerous crime in which the victim must be offered a transfer to another school in the district (if the student's grade level is available).
- RO – A crime that, along with the PD crimes, is used in calculations of the school and school district's crime rates that are displayed on the School Report Card.
- UB – Unacceptable behavior.

### **Crimes:**

1. **Assault Resulting in Serious Personal Injury:** An intentional offer or attempt by force or violence to do injury to the person of another that causes reasonable apprehension of immediate bodily harm resulting in one of the following: (1) substantial risk of death, (2) serious permanent disfigurement, (3) a coma, (4) a permanent or protracted condition that causes extreme pain, (5) permanent or protracted loss or impairment of the function of any bodily member or organ, or (6) that results in prolonged hospitalization. • If an offender used a weapon in an assault resulting in serious injury, report both Assault Resulting in Serious Injury and Assault Involving Use of a Weapon.
2. **Assault Involving Use of a Weapon:** An intentional offer or attempt by force or violence to do injury to the person of another that causes reasonable apprehension of immediate bodily harm through the use of one of the following: (1) any gun, rifle, pistol, or other firearm, (2) BB gun, (3) stun gun, (4) air rifle, (5) air pistol, (6) bowie knife, (7) dirk, (8) dagger, (9) slingshot, (10) leaded cane, (11) switchblade knife, (12) blackjack, (13) metallic knuckles, (14) razors and razor blades, (15) fireworks, or (16) any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance. • If a firearm or other weapon is used in the commission of any offense, the type of weapon must be identified in the Weapon Used/Possessed column of the Date Collection Form.

3. **Assault on School Officials, Employees, and Volunteers:** An intentional offer or attempt by force or violence to do injury to a school official, employee, or volunteer that causes reasonable apprehension of immediate bodily harm while the school official, employee, or volunteer is discharging or attempting to discharge his/her duties. The “duties” of a school official, employee, or volunteer include the following: (1) all activities on school property, (2) all activities during a school authorized event or the accompanying of students to or from that event, and (3) all activities relating to the operation of school transportation. An “employee” includes (1) one who is employed by a local board of education, (2) one who is employed by a charter school, (3) one who is employed by a nonpublic school that operates under Part 1 or Part 2 of Article 39 of Chapter 115C of the General Statutes, or (4) an independent contractor if the independent contractor or employee of the independent contractor carries out duties customarily performed by employees of the school. A “volunteer” is one who volunteers his/her services or presence at any school activity and is under the supervision of an employee. • This offense includes assaults on school personnel that do not involve the use of a weapon and do not result in apparent serious injury.
4. **Making Bomb Threats or Engaging in Bomb Hoaxes:** A person who, with intent to perpetrate a hoax, conceals, places, or displays in or at a public building any device, machine, instrument, or artifact, so as to cause any person reasonably to believe the same to be a bomb or other device capable of causing injury to persons or property. A “public building” encompasses all educational property, as defined in G.S. 14-269.2, including: (1) any school building or bus, and (2) school campus, grounds, recreational area, athletic field, or other property owned, used, or operated, by any board of education or school board of trustees or directors for the administration of any school. “Public buildings” also include: (1) hospitals, and (2) buildings that house only State, federal, or local government offices, or the offices of the State, federal, or local government located in a building that is not exclusively occupied by the State, federal, or local government. • This offense includes when a person communicates a bomb threat by any means.
5. **Willfully Burning a School Building:** A person who wantonly and willfully sets fire to, burns, causes to be burned, or aids, counsels, or procures the burning of any schoolhouse or building owned, leased, or used by any public school, private school, college, or educational institution.
6. **Homicide:** A murder which is perpetrated by one of the following means: (1) nuclear, biological, or chemical weapon of mass destruction, (2) poison, (3) lying in wait, (4) imprisonment, (5) starving, (6) torture, (7) any other kind of willful, deliberate, and premeditated murder, (8) during the perpetration or attempted

perpetration of an arson, rape, sex offense, robbery, kidnapping, burglary, or other felony committed or attempted with the use of a deadly weapon, (9) the unlawful distribution and ingestion by someone of opium or any other synthetic or natural salt, compound, derivative, or preparation of opium, cocaine, or methamphetamine resulting in death, or (10) all other types of murder.

7. **Kidnapping:** A person who unlawfully confines, restrains, or removes from one place to another, any other person 16 years of age or over without the consent of such person, or any other person under the age of 16 years old without the consent of a parent or legal guardian of such person, shall be guilty of kidnapping if such confinement, restraint, or removal is for the purposes of one of the following: (1) holding such other person for a ransom, as a hostage, or using such other person as a shield, (2) facilitating the commission of any felony or facilitating the flight of any person following the commission of a felony, (3) doing serious bodily harm to or terrorizing the person so confined, restrained, or removed by any other person, (4) holding such other person in involuntary servitude, (5) trafficking another person with the intent that the person be held in involuntary servitude or sexual servitude, or (6) subjecting or maintaining such other person for sexual servitude.
8. **Unlawful, underage sales, purchase, provision, possession, or consumption of alcoholic beverages:** It shall be unlawful for a person younger than 21 years of age to possess, sell, give, or purchase any alcoholic beverages. It is also unlawful for any person to aid and abet a person under the age of 21 years old in his/her attempt to obtain an alcoholic beverage. An "alcoholic beverage" includes the following: (1) malt beverage, (2) fortified wine, (3) unfortified wine, (4) spirituous liquor, (5) mixed beverages, or (6) beer.
9. **Possession of Controlled Substance in Violation of Law:** It is unlawful for a person to possess or have in his/her immediate control any of the following: Marijuana, Heroin, LSD, Methamphetamine, Cocaine, or any other drug listed in Schedules I - VI of the North Carolina Controlled Substances Act. (G.S. §90-89 through 90-94.) • The unauthorized possession of a prescription drug is included under this offense. • The principal should confer with law enforcement personnel if there is doubt as to whether or not a certain drug is considered a controlled substance.
10. **Possession of a Firearm:** It is unlawful for any person to possess or carry, whether openly or concealed any gun, rifle, pistol, or other firearm of any kind on educational property or to a curricular or extracurricular activity sponsored by a school. This offense does not apply to a BB gun, stun gun, air rifle, or air pistol. • Persons authorized to carry weapons on school property are law enforcement

officers, firefighters and emergency service personnel when discharging their official duties.

11. **Possession of a Weapon:** It is unlawful for any person to possess or carry, whether openly or concealed, any of the following weapons on campus or other educational property: (1) any BB gun, (2) stun gun, (3) air rifle, (4) air pistol, (5) bowie knife, (6) dirk, (7) dagger, (8) slingshot, (9) leaded cane, (10) switchblade knife, (11) blackjack, (12) metallic knuckles, (13) razors and razor blades, (14) fireworks, or (15) any sharp-pointed or edged instrument, except instructional supplies, unaltered nail files, clips, and tools used solely for preparation of food, instruction, maintenance. "Educational Property" refers to any school building or bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by any board of education or school board of trustees, or directors for the administration of any school. • Persons authorized to carry weapons on school property are individuals carrying a concealed handgun with a permit as authorized by Chapter 14, Article 54B of the NC General Statutes as amended by Session Law 2013-369, and law enforcement officers, firefighters, and emergency service personnel when discharging their official duties.
12. **Rape:** A person is guilty of rape if that person engages in vaginal intercourse with another person by force and against the will of the other person, or if the person being assaulted is mentally disabled, mentally incapacitated, or physically helpless and the person performing the act knows or should reasonably know that the other person is mentally disabled, mentally incapacitated, or physically helpless. Statutory rape is vaginal intercourse committed on a child under the age of 16 by a person who is at least 12 years old and at least 4 years older than the victim, regardless of whether the victim consented.
13. **Robbery With a Dangerous Weapon:** Any person or persons who, having in possession or with the use or threatened use of any firearms or other dangerous weapon, implement or means, 31 whereby the life of a person is endangered or threatened, unlawfully takes or attempts to take personal property from another or from any place of business, residence, or banking institution or any other place where there is a person or persons in attendance, at any time, either day or night, or who aids or abets any such person or persons in the commission of such crime.
14. **Sexual Assault (not involving rape or sexual offense):** A person is guilty of sexual battery if he/she, for the purpose of sexual arousal, sexual gratification, or sexual abuse, engages in sexual contact with another person by force and against the will of the other person, or if the person being assaulted is mentally disabled, mentally incapacitated,

or physically helpless and the person performing the act knows or should reasonably know that the other person is mentally disabled, mentally incapacitated, or physically helpless. NCGS 14-27.1 defines "sexual contact" as touching the sexual organ, anus, breast, groin or buttocks of any person or a person touching another person with their own sexual organ, anus, breast, groin, or buttocks. • The difference between a sexual assault and a sexual offense is that the sexual assault involves forcible and intentional touching without penetration, and a sexual offense involves penetration of a sex organ or anus by any object, or touching another's mouth or anus by the male sex organ.

15. **Sexual Offense:** First-degree sexual offense: A person is guilty of a sexual offense in the first degree if the person engages in a sexual act with (1) a victim who is a child under the age of 13 years and the defendant is at least 12 years old and is at least four years older than the victim, or (2) with another person by force and against the will of the other person, and (a) employs or displays a dangerous or deadly weapon or an article which the person reasonably believes to be a dangerous or deadly weapon, (b) inflicts serious personal injury upon the victim or another person, or (c) the person commits the offense aided and abetted by one or more other persons. Sexual offense with a child (adult offender): A person is guilty of sexual offense with a child if the person is at least 18 years of age and engages in a sexual act with a victim who is a child and under the age of 13 years. Second-degree sexual offense: A person is guilty of a sexual offense in the second degree if the person engages in a sexual act with another person (1) by force and against the will of the other person, or (2) who is mentally disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know that the other person is mentally disabled, mentally incapacitated, or physically helpless. Statutory rape or sexual offense of person who is 13, 14, or 15 years old: A person is guilty if he/she engages in vaginal intercourse or a sexual act with another person who is 13, 14, or 15 years old and the person committing the act is at least six years older than the person, except when the person committing the act is lawfully married to the other person.
16. **Taking Indecent Liberties With A Minor:** A person is guilty of taking indecent liberties with a child if, being 16 years of age or more and at least five years older than the child in question, he/she either: (1) willfully takes or attempts to take any immoral, improper, or indecent liberties with any child of either sex under the age of 16 years for the purpose of arousing or gratifying sexual desire, or (2) willfully commits or attempts to commit any lewd or lascivious act upon or with the body or any part or member of the body of any child of either sex under the age of 16 years. A "lewd and lascivious act" is defined as an act that is obscene, lustful, or indecent, or tending to deprave the morals with respect to sexual relations.