

Book	Policy Manual
Section	Chapter 4 - Students
Title	Code of Student Conduct - Administrative Guidelines
Code	4-03 AG
Status	Active
Last Revised	May 7, 2024
Prior Revised Dates	05/05/2020; 05/03/2022

### **CODE OF STUDENT CONDUCT ADMINISTRATIVE GUIDELINES**

The Board, Superintendent, and staff are committed to establishing positive learning environments that ensure that all student have access to a quality education. The District recognizes that a key aspect of maintaining a healthy and safe environment is establishing order and maintaining discipline in our schools. This goal can only be achieved through the cooperative efforts of our school staff, students, parents/guardians, and the community.

The District believes that developing strong relationships with families is the first step in establishing safe and healthy schools. The District desires to work collaboratively with families to establish positive relationships that aid in the development and achievement of all students.

The District is committed to eliminating disparity in school discipline with respect to its underserved populations in reducing the number of referrals, suspensions, and expulsions. The staff will engage in restorative practices that enhance school culture and improve discipline systems to address equity.

#### **ALTERNATIVE MEANS OF CORRECTION**

Each school is responsible for incorporating a Multi-Tier Systems of Support (MTSS) framework into its School Improvement Plan (SIP) to reduce referrals and suspensions through pro-active intervention, positive behavioral support, restorative practices, and other non-punitive approaches to discipline. MTSS includes a Positive Behavioral Interventions and Supports (PBIS) model of evidenced based practices to address student behavior.

Acknowledging that it is not always possible, where appropriate the District encourages alternatives to suspension and the implementation of progressive discipline approaches prior to removing a student from the educational setting. Classroom based strategies include, but are not limited to:

1. Reteach behavioral expectations;
2. Separate students;
3. Assign additional tasks;
4. Communicate with the parent/guardian;
5. Conference with the student and/or parent; and
6. Implement a behavioral contract and/or plan.

Parents/guardians should be notified if there is a pattern of misbehavior which could result in removal from the school environment. Students who exhibit a pattern of misbehavior should be provided more intensive support and interventions. Appropriate school level strategies include, but are not limited to:

1. Conference with parent/guardian and/or student;
2. Implement a case management or counseling plan;
3. Convene an intervention team;
4. Assign after school detention and/or Saturday School;
5. Assign Social Restrictions;
6. In-school suspension; and
7. Short Term Out-of-school suspension.

When applying strategies that remove the student from the educational environment (i.e. full day ISS or OSS) or require attendance outside of normal school day (i.e. ASD or Saturday School) the school shall make a good faith effort to notify the parent prior to imposition of the consequence. For consequences that require immediate implementation (i.e. partial day ISS or conferences), the parent shall be notified as soon as possible and within 24 hours of the event.

**These are not the only rules of conduct which students are expected to follow.** Additional school level rules/consequences 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 these guidelines, school level and transportation rules will be provided annually to all students.

#### **DEFINITIONS (unless specifically defined, the meaning will be the customary use of the word)**

1. **Administration.** School level administrators, including the principal and assistant principals.
2. **Bans from School Property.** Except with prior, written permission of the site principal, students who are suspended or expelled may not enter any property of Union County Public Schools. Failure to abide by this prohibition is trespassing and will be reported to law enforcement.
3. **Code of Student Conduct.** The behavioral guidelines adopted by the District. The Code of Student Conduct is published and made available to students on an annual basis. It is available on the District Website. A hard copy is available, upon request to the principal.
4. **Disciplinary Reassignment.** A full-time educational program that meets the academic requirements of the NC Standard Course of Study and provides the student with the opportunity to make timely progress towards graduation and grade promotion. A disciplinary reassignment may utilize a combination of online courses, direct teacher instruction and other computer based alternatives for instruction. South Providence School is an example of a disciplinary reassignment approved location. A disciplinary reassignment is not a long-term suspension and does not require those procedures. The use of a disciplinary reassignment may occur prior to other forms of removal from the instructional environment.
5. **Elementary Students.** Students in grades Pre-K – 5.
6. **Expulsion.** The indefinite removal of a student from school enrollment for disciplinary purposes. Only the Board of Education can expel a student, over the age of 14, whose continued presence is a clear threat to the safety of staff and other students. An expulsion may be considered for a violation of any of the rules set out below or for other conduct meeting this

definition.

7. **Extracurricular/co-curricular activity participation.** In order to participate in extracurricular/co-curricular activities or athletic programs, students must adhere to Board of Education policies, school-level criteria, North Carolina High School Athletic Association rules (where applicable) and law. The District's behavioral expectations extend beyond the classroom and school campus. Therefore, regardless of when and where the charge arises, any student who is charged with or adjudicated/found guilty of a crime (or what would be considered a criminal violation if the student were an adult) may be suspended or completely excluded from participation in extracurricular/ co-curricular activities. Please see the Extra-Curricular Activities and Interscholastic Athletics Guidelines for more information.
8. **Long-term Suspension.** A disciplinary removal in excess of 10 days. If the conduct occurs in the final quarter of the school year the suspension may run through the end of the first semester of the following year.
9. **Multiple Offense designations.** For offenses where different consequences are applied depending upon the number of violations, the offense is of the overall (numbered) rule. Additionally, the number of violations carries through one academic year.
10. **Parent.** Parents, legal guardians, custodians, and caretakers entitled to enroll the student in school.
11. **Parent/Student Conferences.** A meeting between the student, parent and administrator may be required for any length suspension.
12. **Restorative Justice.** Restorative Justice is reactive in nature. It consists of formal and informal responses to wrongdoing. These responses are introduced in an effort to avoid the reoccurrence of the wrongdoing and to begin to rebuild relationships where there has been harm.
13. **Restorative Practices.** Restorative Practices are proactive in nature. They consist of formal and informal processes put in place to create positive school climate. These processes precede any wrongdoing, provide expectation clarity for all involved and have a strong focus on building relationships and a sense of community. The following are some of the opportunities for Restorative Justice that are available within the District, not all programs are available at all school locations:
  - Multi-Tiered Systems of Support (MTSS);
  - Foundations Training;
  - CHAMPS Training/Discipline in the Secondary Classroom: and
  - Social-Emotional Resources.
14. **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, through the use of the district Internet system or school provided technology, through the 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.
15. **School property.** 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), and 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.
16. **Secondary Students.** Students in middle and/or high school.
17. **Short-term suspension.** The disciplinary removal of a student for 10 or fewer days.
18. **Social Restrictions.** Preventing a student from attending a noninstructional school activity, including but not limited to field trips, dances, fundraising events, and promotion and graduation exercises. Students that are assigned an OSS at the time that the trip or activity is scheduled will be prohibited from attending or participating. Students that are assigned or served a long-term suspension at any time during the academic year, will be prohibited from attending or participating. Students that are assigned an OSS or multiple days of ISS during the semester of the trip or activity may be prohibited from attending or participating at the discretion of the principal. **Social restrictions are available for any violation of the Code of Student Conduct or school-based rules contained in this student handbook.** A principal may assign a social restriction instead of another consequence.
19. **Suspension.** Unless otherwise noted any references to a suspension is an out of school suspension.
20. Any references to Superintendent or Principal shall include that person's designee.

#### 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 these guidelines and law will be reported to the School Resource Officer (SRO). If a student is arrested consistent 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:

1. Abusive Language and Gestures
2. Aggressive Behavior
3. Arson/Use of Fire
4. Attendance (Truancy/Skipping/Unauthorized Location)
5. Bullying
6. Chronic Disruptive Behavior
7. Electronic Devices
8. False Alarms
9. Firearms and destructive devices
10. Hazing
11. Illegal/Unauthorized Substances
12. Insubordination
13. Misrepresentation
14. Nuisance Items
15. Persistently Dangerous Students
16. Sexual Behavior/Graphic Materials/Sexual Harassment
17. Student Dress
18. Act of Terror/Bomb Threats
19. Theft/Robbery
20. Trespassing/Breaking and Entering
21. Unauthorized Use of Technology
22. Weapons (not including firearms and explosives)
23. Vandalism

Principals will apply the appropriate rule in light of the conduct of the student. Principals have the discretion to determine if a violation of the rule, considering mitigating factors, is serious enough to warrant suspension and should use good judgment when applying these guidelines.

When considering the appropriate sanction for specific student conduct, the Principal should consider the following:

1. The student's age;
2. The student's mental capacity;
3. The student's intent;
4. The student's disciplinary history;
5. The student's academic history;
6. The potential benefits to the student of alternatives to suspension;
7. How the student's misconduct impacted others, including other students, staff members, and/or school visitors;
8. Whether the student displayed an appropriate attitude and gave respectful cooperation during the investigation and/or after the offense occurred;
9. What other consequence(s) the student may be experiencing outside of school; and
10. What action the student and/or the student's parent(s) have taken since the offense occurred.

Principals will avoid assigning the maximum consequence unless one of the following conditions exists:

1. The conduct resulted in a disruption to the educational environment;
2. The conduct posed a threat to the safety of that student or other persons present;
3. Progressive consequences have already been exhausted or are not appropriate under the circumstances; or
4. In the Principal's professional judgment, no lesser consequence is appropriate.

When students are suspended for violations of these guidelines these absences may affect academic standing, promotion, and eligibility for co-curricular and extra-curricular activities including athletics. Please refer to Policy 4-01, Attendance, for further information.

For the prohibited behaviors, the following system-wide disciplinary actions shall be taken. In addition to any consequence enumerated below each behavior, students may be assigned social restrictions, may be referred to the school counselor, may be banned from school property, and/or a parent/student conference required:

1. **Abusive Language and Gestures:** Students will not use abusive, profane, or obscene, words, signs, gestures, or other acts toward or about any school employee, adult on campus or other student. This provision includes but is not limited to communication through written assignments and/or electronic technology where a connection to the school exists. The administration will also consider whether the conduct being investigated was an act of bullying.
  - a. **Toward a school staff member or other adult on campus.**
    - **First Offense:**
      - **Elementary:** 0-3 day suspension
      - **Secondary:** 0-10 day suspension
    - **Second and subsequent Offenses:**
      - **Elementary:** 1-5 day suspension
      - **Secondary:** 3-10 day suspension. For secondary students, after the second offense the administration may consider a recommendation for long-term suspension.
  - b. **Toward another student or between students.**
    - **First Offense:** (Elementary and Secondary) 0-3 day suspension
    - **Second and subsequent Offenses:** (Elementary and Secondary) 1-5 day suspension
2. **Aggressive Behavior:** Students will not engage in any form of aggressive behavior (physical or verbal) against any other student, staff member or other adult in the school, except when the behavior is an act of self-defense. All assaults must be reported to the principal.
  - a. **Physical violence directed toward any school employee or other adult in the school.**
    - **Elementary:** 0-10 day suspension
    - **Secondary:** 10 day suspension. For secondary students, the administration may 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(s) by another student(s).
    - **Elementary and Secondary**
      - **First Offense (where there were no serious injuries, multiple aggressors/participants or disruption to the academic day):** 0-10 day suspension
      - **Second and subsequent Offenses (where there were no serious injuries, multiple aggressors/participants or disruption to the academic day):** 1-10 day suspension. For secondary students, after the second offense the administration may consider a recommendation for a long-term suspension.
      - **For assaults which result in serious injury, those involving multiple aggressors or where disruption to the academic day results:** 10 day suspension. For secondary students, the administration may 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, or threats communicated via electronic technology and including threats made outside of school where a connection to the school and/or school work exists) 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. This includes threats and/or retaliation against a student who is a victim or a witness in a student disciplinary matter.
    - **Elementary**
      1. **Threats toward staff members or other adults in the school** - 0-5 day suspension.
      2. **Threats toward students**
        - **First Offense:** 0-5 day suspension
        - **Second and subsequent Offenses:** 1-5 day suspension
    - **Secondary**
      1. **Threats toward staff members or other adults in the school** - 10 day suspension. For secondary students, the administration may consider a recommendation for long-term suspension, depending upon the severity of the threat.
      2. **Threats toward students**
        - **First Offense:** 1-10 day suspension or 1-6 days if on a Condensed Academic Term
        - **Second and subsequent Offenses:** 3-10 day suspension. For secondary students, after the second offense the administration may consider a recommendation for a long-term suspension, depending upon the severity of the threat.
  - d. **Verbal Confrontation/Provocation** includes approaching another person in a confrontational, provocative or bullying manner. This includes attempts to intimidate or instigate another person to fight or commit other acts of physical aggression.

- **Elementary:** 0-5 day suspension
- **Secondary:** 0-10 day suspension. For secondary students, after the second offense the administration may consider a recommendation for a long-term suspension.

e. **Extortion or blackmail** includes threats to take the property of another student through the threat of physical harm.

- **Elementary:** 0-5 day suspension
- **Secondary:** 0-10 day suspension. For secondary students, after the second offense the administration may consider a recommendation for a long-term suspension.

f. **Behavior that incites a serious disruption to the academic environment** includes behavior which encourages other students to join in a potentially volatile situation, or disrupts or has the potential to disrupt the school environment including a failure to disperse at the request of staff.

- **Elementary:** 0-5 day suspension
- **Secondary:** 0-10 day suspension. For secondary students, after the second offense the administration may consider a recommendation for a long-term suspension.

3. **Arson/Use of Fire:** A student will neither set fire nor attempt to set fire to anything on school property or participate with others to damage or destroy school property through the use of fire. This includes but is not limited to striking matches, flicking cigarette lighters or using any instrument capable of producing fire on school property or at a school-sponsored or school-related activity that is on or off school property.

- **Elementary and Secondary:** 10 day suspension. For secondary students, the administration may consider a recommendation for a long-term suspension.

4. **Attendance:** Students will not leave the assigned area/school grounds without permission or commit other attendance violations (i.e. skipping class and truancy). Students must attend school and every class every day unless there is a lawful absence. Once at school, students will remain on campus and in areas designated by school officials at all times. Violations of this rule include being in an unauthorized location within the school.

- **Elementary and Secondary:** 0-2 day 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. **Bullying:** Students will not bully another person on school property. 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 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. This rule includes hate-motivated behavior (i.e. injuring or intimidating another due to the victim's race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation or mental, physical, developmental, or sensory disability). Students who feel bullied, harassed or intimidated at school by an adult or another student or who witness such conduct should immediately report the conduct to an administrator or school counselor. Anonymous reports can also be made through the UCPS App or through the link on a district issued laptop.

Both the accused and victim will be referred to a school counselor.

- **Elementary and Secondary**

- **First Offense:** 0 to 10 day suspension
- **Second and subsequent Offenses:** 3-10 day suspension. For secondary students, after the second offense the administration may consider a recommendation for long-term suspension.

6. **Chronic Disruptive Behavior:** Students will not engage in behavior which disrupts classroom, school environment, or school activities. This rule does not include situations where the student poses a threat of injury to students or staff which may qualify the student for an alternative disciplinary program, including a disciplinary reassignment.

- **Elementary:** 0-5 day suspension
- **Secondary:** 3-10 day suspension

#### 7. **Electronic Devices:**

a. **Possession and Use of Electronic Devices.** Prohibited uses of a cell phone, or other electronic devices such as a smart phone, are defined to include, but are not limited to phone ringing, talking on phone, taking pictures, browsing, gaming and text messaging. Any smart watches (i.e. Apple watch) or electronic tracking devices (i.e. AngelSense) must have all recording/listening capabilities turned off or disabled except pursuant to an authorized instructional activity. High School students may use cell 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 cell 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 cell phone or other electronic/media devices brought onto school property.

- **Elementary and Secondary**

- **First Offense:** Confiscate item and return to the student at the end of the academic day and notify parent. If use of the electronic device results in violation of other behavioral rule (including but not limited to school based rules) further discipline may be applied.
- **Second and subsequent Offenses:** 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. Additionally, the student may be prohibited from bringing the item to school for the remainder of the school year, except as authorized in writing by the principal.

Failure to obey the request of a school staff member to hand over cell phone or other electronic device, shall be considered insubordination.

b. **Social Media.** Students will not use social media to break another rule of the Code of Student Conduct which interferes with the safety of students or staff, or causes a disruption on school grounds.

- **Elementary and Secondary:** 1-3 day suspension

8. **False Alarms:** In the absence of an emergency, students will not call/dial 911, signal or set off an automatic signal indicating the existence of an emergency. This rule does not include accidental dialing 911.

- **Elementary and Secondary**

- **First Offense:** 1-10 day suspension
- **Second Offense:** 3-10 day suspension. For secondary students, the administration may consider a recommendation for a long-term suspension.

9. **Firearms and explosive/destructive devices:** Students will not bring, possess (regardless of the manner received or the length of time possessed) or use a firearm or other explosive/destructive 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 explosive/destructive devices will be confiscated immediately and turned over to law enforcement.

A firearm includes but is not limited to a starter pistol, gun, rifle, pistol, shotgun, frame, receiver, firearm muffler or silencer (loaded or unloaded) or a destructive device. An explosive/destructive device includes but is 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.

- **Elementary and Secondary: A suspension of 365 days shall be imposed for violations of this rule pursuant to the Gun-Free Schools Act, 20 U.S.C. 7961.** 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 herein (See Rules 9 and 23). 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. 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, provided that the student delivered or reported the firearm or destructive device as soon as practicable to a law enforcement officer or a school employee and had no intent to use it in a harmful or threatening way.*

10. **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 these guidelines, hazing may include annoying any student by playing tricks, frightening, scolding, beating or harassing, or subjecting to personal indignity. Per North Carolina General § 14-35 hazing is strictly forbidden on campus and at all off campus school events.
- **Elementary and Secondary:** 0-10 day suspension. For secondary students, after the second offense the administration may consider a recommendation for long-term suspension.
  - Students convicted of the Class 2 misdemeanor for hazing may be recommended for expulsion.
11. **Illegal/Unauthorized Substances:** Students will not possess, use, be under the influence of, sell, deliver, manufacture, or distribute any of the following substances on school property. All substances will be immediately confiscated and reported to and provided to either to law enforcement or a parent, as appropriate.
- narcotic drugs;
  - hallucinogenic drugs;
  - amphetamines;
  - barbiturates;
  - marijuana;
  - synthetic stimulants, such as MDPV and mephedrone (e.g., "bath salts"), and synthetic cannabinoids (e.g., "Spice," "K2");
  - any other controlled substance;
  - any alcoholic beverage, malt beverage, fortified or unfortified wine, or other intoxicating liquor;
  - any chemicals, substances, or products procured or used with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student's mood or behavior;
  - any substance containing cannabidiol (CBD) or tetrahydrocannabinol (THC), regardless of whether it constitutes a controlled substance under state or federal law; or
  - counterfeit (fake) substances.
- a. **Over-the-Counter Medication:** Without proper medical authorization, students shall not transport over-the-counter medication to or from school or have such medication in their possession at any time without meeting conditions prescribed by the Board. All properly approved over-the-counter medication will be provided to the school nurse. Over-the-Counter medications include essential oils. CBD Oil may not be possessed without a prescription from a medical professional and a completed medical authorization form (see Rule 11b below for use, share/distribute, and possession of CBD Oil).
1. **Being under the influence:**
    - **Elementary and Secondary:** 0-5 day suspension
      - Required drug education class (failure to attend may result in additional days of suspension for insubordination)
  2. **Possession:**
    - **Elementary and Secondary:** 0-5 day suspension
    - Drug education class will be assigned to students who also receive an out of school suspension (failure to attend will result in additional days of suspension for insubordination)
  3. **Use at School:**
    - **Elementary and Secondary:** 0-5 day suspension
      - Drug education class will be assigned to students who also receive an out of school suspension (failure to attend will result in additional days of suspension for insubordination)
  4. **Share/Sell/Distribute:**
    - **Elementary and Secondary:** 1-5 day suspension. The administration may make a recommendation for a long-term suspension
      - Required drug education class (failure to attend may result in additional days of suspension for insubordination)
- b. **Prescription Medication:** All prescription medication will be provided to the school nurse and properly stored, unless the student possesses properly approved self-carry documentation. Without proper medical authorization, students shall not transport prescription medication to or from school or have such medication in their possession at any time without meeting conditions prescribed by the Board.
1. **Possession or use of prescription medication without proper authorization:** (Possession and use only; this does NOT include distribution). Upon arrival to school, the student must secure provide the medication immediately to a school staff member. Failing to do so is a violation of this rule.
    - **Elementary and Secondary:**
      - **First Offense** - 0-3 day suspension. Required drug education class (failure to attend may result in additional days of suspension for insubordination)
      - **Second Offense** - 0-5 day suspension. Required drug education class (failure to attend may result in additional days of suspension for insubordination)
  2. **Under the Influence of prescription medication without proper authorization:**
    - **Elementary and Secondary:** 0-5 day suspension
      - Drug education class will be assigned to students who also receive an out of school suspension (failure to attend will result in additional days of suspension for insubordination)
      - Suspension is not warranted when a student comes to campus under the influence when used in compliance with the directions of a valid prescription.
  3. **Share/Sell/Distribute:**
    - **Elementary and Secondary:** 10 day suspension. For secondary students, the administration may consider a recommendation for a long-term suspension.
      - Required drug education class (failure to attend may result in additional days of suspension for insubordination)
- c. **Alcohol** (Includes but is not limited to wine, beer, non-alcoholic beer, and energy drinks containing alcohol):
- **Under the influence, possession or use on school property, as defined above:**

- **Elementary and Secondary:**
    - **First Offense** – 3-10 day suspension
      - Required drug/alcohol education class (failure to attend may result in additional days of suspension for insubordination)
    - **Second and subsequent Offenses** - 10 day suspension. For secondary students, after the second offense the administration may consider a recommendation for a long-term suspension.
      - Required drug/alcohol education class (failure to attend may result in additional days of suspension for insubordination)
  - **Share/Sell/Distribute:**
    - **Elementary and Secondary:** 10 day suspension. For secondary students, the administration may consider a recommendation for a long-term suspension.
      - Required drug/alcohol education class (failure to attend may result in additional days of suspension for insubordination)
- d. **Tobacco Products:** Students will not possess, use, sell or distribute tobacco products or vape pens on school property (as defined above). For rolling papers, see drug paraphernalia below. All tobacco products, including but not limited to cigars, cigarettes, vape pens, snuff, chew packets, and all lighted and smokeless tobacco and/or nicotine products are prohibited and will be confiscated. Nontobacco and aromatic smoking products, including but not limited to clove cigarettes, herbal cigarettes, and bidis, and electronic cigarettes, electronic cigarette liquid (e-juice) and smokeless nicotine products are also prohibited under this rule. If the preponderance of the evidence is that the vape pen contains an oil including THC Rule 11e below will apply.
- **Possession**
    - **Elementary and Secondary:**
      - **First Offense:** 1–6 day suspension and required Tobacco Education class. Failure to complete tobacco education class will result in additional days of suspension for insubordination.
      - **Second and subsequent Offenses:** 3-6 day suspension and required Tobacco Education class. Failure to complete tobacco education class will result in additional days of suspension for insubordination.
  - **Use**
    - **Secondary:**
      - **First Offense:** 1-10 day suspension and required Tobacco Education class. Failure to complete tobacco education class will result in additional days of suspension for insubordination. If the preponderance of the evidence is that the electronic cigarette contains an oil including THC Rule 11e below will apply.
      - **Second and subsequent offenses:** 5-10 day suspension and required Tobacco Education class. Failure to complete tobacco education class will result in additional days of suspension for insubordination. Failure to complete tobacco education class will result in additional days of suspension for insubordination. If the preponderance of the evidence is that the vape pen contains an oil including THC Rule 11e below will apply.
  - **Sell/Distribute** Of electronic cigarettes (including but not limited to vape pens and devices such as Juuls)
    - **First offense:** 3-10 day suspension and required Tobacco Education class. Failure to complete tobacco education class will result in additional days of suspension for insubordination. If the preponderance of the evidence is that the electronic cigarette contains an oil including THC Rule 11e below will apply.
    - **Second and subsequent offenses:** 10 day suspension and required Tobacco Education Class. Failure to complete tobacco education class will result in additional days of suspension for insubordination. If the preponderance of the evidence is that the vape pen contains an oil including THC Rule 11e below will apply.
- e. **Illegal Drugs, Counterfeit or Synthetic Drugs:** Including THC, vape pens which contain an oil including THC, huffing materials (including the misuse of inhalants), Drug Paraphernalia (including but not limited to rolling papers, bongs, pipes and scales), and the 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.
- **Under the Influence, Use or Possession of Illegal Drugs, Counterfeit or Synthetic Drugs, Huffing materials/inhalants, or other Chemical/material (organic or otherwise)**
    - **Elementary:** 0-10 day suspension
    - **Secondary:**
      - **First Offense** – 5-10 day suspension
        - Required drug/alcohol education class (failure to attend may result in additional days of suspension for insubordination)
      - **Second and subsequent Offenses** - 10 day suspension. For secondary students, after the second offense the administration may make a recommendation for long-term suspension.
        - Required drug/alcohol education class (failure to attend may result in additional days of suspension for insubordination)
  - **Possession of drug paraphernalia**
    - **Elementary:** 0-10 day suspension
    - **Secondary:**
      - **First Offense** - 5-10 day suspension
        - Required drug/alcohol education class (failure to attend may result in additional days of suspension for insubordination)
      - **Second and subsequent Offenses** - 10 day suspension. For secondary students, after the second offense the administration may make a recommendation for long-term suspension.
        - Required drug/alcohol education class (failure to attend may result in additional days of suspension for insubordination)
  - **Share/Sell/Distribute** (Actual or Attempt) or possession with intent to distribute of Illegal Drugs, Counterfeit or Synthetic Drugs, Huffing materials/inhalants, or other Chemical/material (organic or otherwise) including the possession of a large quantity or of more than one individually wrapped package which will be considered evidence that the student intended to sell or distribute the substance.
    - **Elementary and Secondary:** 10 day suspension. For secondary students, the administration may make a recommendation for long-term suspension.
      - Required drug/alcohol education class (failure to attend may result in additional days of suspension for insubordination)

- **Share/Sell/Distribute (Actual or Attempt) of drug paraphernalia.**

- **Elementary and Secondary:** 2-5 day suspension
  - Required drug/alcohol education class (failure to attend may result in additional days of suspension for insubordination)

12. **Insubordination:** A student will obey the lawful direction of any authorized staff member or adult while in school, participating in a school activity, or on school property. All students are expected to behave in a respectful manner. This includes but is not limited to, complying with the direction or instruction of a staff member, not walking away from a staff member while being spoken to, and speaking to staff in an appropriate manner.

- Please see school level rules for the consequence.

13. **Misrepresentation:** A student will be honest and submit his/her own work.

a. Cheating: Violating rules of honesty and Honor Codes, including but not limited to:

1. cheating including the actual giving or receiving of any unauthorized assistance or the actual giving or receiving of an unfair advantage on any form of academic work;
2. plagiarizing, including copying the language, structure, idea, and/or thought of another person or of a work produced by artificial intelligence and representing it as one's own original work;

b. Altering Report Cards or notes: Tampering with report cards, official passes, notes or other school documents in any manner, including changing grades or forging names to excuses is prohibited.

c. False information: Making false statements, written or oral, to anyone in authority is prohibited.

- Please see school level rules for the consequence.

14. **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 on school property as defined above. 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. 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.

- **Elementary and Secondary:**

- **First Offense:** Confiscate item and return only to parents.
- **Second and subsequent Offenses:** 1-5 day suspension

15. **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 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 act may be so severe as to fall within this rule. This rule also applies to students who are registered sex offenders (who will be constantly supervised while on school property, if allowed to attend any educational program).

- Violation of this section may result in a disciplinary reassignment, long-term suspension, 365-day suspension, or expulsion dependent upon the severity of the offense.

16. **Sexual Behavior/Graphic Materials:** 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.

- **Elementary:**

- **First Offense:** 0-3 day suspension
- **Second and subsequent Offenses:** 1-5 day suspension

- **Secondary:**

- **First Offense:** 1-5 day suspension
- **Second and subsequent Offenses:** 5-10 day suspension. For secondary students, after the second offense the administration may consider a recommendation for a long-term suspension.

b. **Consensual Sexual Activity:** Students will not engage in consensual sexual activity on school property. Consensual means all parties are willing participants in the activity.

- **Elementary and Secondary:**

- **First Offense:** 3-10 day suspension
- **Second and subsequent Offenses:** 5-10 day suspension. For secondary students, after the second offense the administration may consider a recommendation for a long-term suspension.

c. **Sexual Assault/Battery:** Students will not engage or attempt to engage in sexual activity with another person by force, threat or fear.

- **Elementary and Secondary:** 5-10 day suspension,. For secondary students, the administration may make a recommendation for long-term suspension. The principal will refer to school counselor and contact parent.

d. **Possession of Pornographic, Profane and/or Violent Material:** Students will not possess or access any pornographic, profane, sexually explicit or graphically violent materials, including but not limited to pictures, magazines, drawings, websites, email or text messages, images, or sexually explicit or graphically violent materials (including documents or instructions concerning the creations and/or use of a weapon).

- **Elementary:** 0-3 day suspension

- **Secondary:**

- **First Offense:** 3-5 day suspension
- **Second and subsequent Offenses:** 10 day suspension. For secondary students, after the second offense the administration may consider a recommendation for a long-term suspension.

**Sexual Harassment:** Students will not engage in behavior which sexually harasses another person on school property. Sexual harassment prohibited under Title IX and by this policy is conduct on the basis of sex occurring in a school system education program or activity that satisfies one or more of the following:

- an employee of the school system conditioning the provision of an aid, benefit, or service of the school system on an individual's participation in unwelcome sexual conduct;
- unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school system's education program or activities. This determination requires consideration of all the facts and circumstances, including, but not limited to, the ages and disability statuses of the harasser and the victim and the number of individuals involved and their authority;
- "Sexual assault" as defined in [20 U.S.C. 1092\(f\)\(6\)\(A\)\(v\)](#), "dating violence" as defined in [34 U.S.C. 12291\(a\)\(10\)](#), "domestic violence" as defined in [34 U.S.C. 12291\(a\)\(8\)](#), or "stalking" as defined in [34 U.S.C. 12291\(a\)\(30\)](#). See also Policy 4-7a Sexual Harassment (Students).



- **Elementary and Secondary:**

- **First Offense:** 3-5 day suspension and counseling at the school level.
- **Second and subsequent Offenses, 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 day suspension. For secondary students, the administration may consider a recommendation for a long-term suspension.

*The UCPS Title IX Coordinator and law enforcement shall be notified.*

**17. Student Dress:** A student will maintain personal attire that does not violate a reasonable, nondiscriminatory dress code adopted and publicized by the school; is not substantially disruptive; is not provocative or obscene; or does not endanger the health or safety of the student or others. This includes student clothing that materially and substantially disrupts classes or school activities, including but not limited to gang-related articles of clothing. Please see the dress code at your school.

- Please see school level rule for consequences.

**18. Act of Terror/Bomb Threats:** Students will not engage in any of the following:

- 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 as defined above, 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 as defined above 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 regardless of whether the student intends to or has the means to carry out the threat;
- threaten to commit on school property as defined above 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 (this includes but is not limited to making a bomb threat); or
- make a report, knowing or having reason to know the report is false, that there is about to occur or is occurring on school property as defined above 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 (this includes but is not limited to making a bomb threat);
- perpetrate a bomb hoax by concealing, placing, or displaying any device on school system property or at a school system event, so as to cause any person reasonably to believe the same to be a bomb or similar device intended to cause injury to persons or property; or
- threaten to commit an act of mass violence on school property or at a school system event, regardless of whether the student intends to or has the means to carry out the threat;
- make a report, knowing or having reason to know the report is false, that an act of mass violence is going to occur on school property or at a school system event;
- make a report, knowing or having reason to know the report is false, that a device, substance, or material designed to cause harmful or life threatening injury to another person is located on school system property or at a school system event;
- conceal, place, disseminate, or display on school system property or at a school system event any device, substance, or material, so as to cause a reasonable person to believe the same to be a weapon of mass destruction or to be intended to cause harmful or life-threatening illness or injury to another person;
- committing any of the above actions while on school property or at a school sponsored event, even if the threatened location is not school property; or
- Conspire to commit any of the above-described acts.

- **Elementary and Secondary:** 10 day suspension. For secondary students, the administration may 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 8 or 19 (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 administrator immediately.

- Failure to do so may result in disciplinary action up to and including a maximum of 10 days of suspension

**19. Theft/Robbery:** Students will not steal the property of the school, school employees, students or any other person. Theft is the taking of someone else's property and robbery requires the use of force or threat of violence. Theft will include the purchase of products from the school or school employees through the use of counterfeit funds.

- **Elementary:** 0-5 day suspension for theft and 3-10 for robbery
- **Secondary:** 0-10 day suspension for theft and 5-10 days for robbery. For secondary students, after the second offense of theft or the first offense of robbery where violence is involved the administration may make a recommendation for a long-term suspension.

**20. Trespassing/Breaking and Entering:** A student will not enter school property or a school facility without proper authority. This rule includes entering any school during a period of suspension.

- **Elementary:** 0-5 day suspension
- **Secondary:** 0-10 day suspension. For secondary students, after the second offense the administration may make a recommendation for a long-term suspension.

**21. Unauthorized Use of Technology:** A student shall refrain from the inappropriate use of district owned technology or from using the district provided electronic communications and wireless connection network without proper authority. This includes authorized use of sign on/log in codes and unauthorized attempts to contact any district computer site from any computer. Violations of other rules through the unauthorized use of technology will be considered under both rules. Repeated violations of this rule may result in technology privileges being limited or removed.

- **Elementary:** 0-5 day suspension
- **Secondary:** 0-10 day suspension

**22. Weapons (not including firearms and destructive devices/explosives):** Students will not possess, handle, use, or transmit, whether concealed or open, any weapon, or any instrument that reasonably looks like a weapon (including toys) or could be used as a weapon and any object thrown from a bus. All weapons will be confiscated immediately and turned over to law enforcement. Weapons include all of the following:

Knife, including a pocket knife, bowie knife, box cutters and other types of utility blades, switchblade, dirk, dagger or machete; slingshot; leaded cane; blackjack; metal knuckles or nun-chucks; BB gun; air rifle or air pistol; blowgun, stun gun or other electric shock weapon (i.e. taser); ice pick; defensive sprays; razor or razor blade (except solely for personal shaving); mace, pepper spray, and other personal defense spray, nuclear, biological, or chemical weapons of mass destruction as defined in [G.S. 14-288.21\(c\)](#); compound bow or other archery equipment; live ammunition (shotgun shells, bullets, etc.), 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.

*This section does not apply to students who are members of the Reserve Officer Training Corps (ROTC) 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.*

*The school administration will consider if the student delivered or reported the firearm or destructive device/explosive as soon as practicable to a law enforcement officer or a school employee as a mitigating factor.*

- **Possession:**



- **Elementary:** Regardless of the manner in which received and the length of time the weapon is possessed: 0-10 day suspension
- **Secondary:** Regardless of the manner in which received and the length of time the weapon is possessed: 3-10 day suspension

- **Use of weapon:**

- **Elementary and Secondary:** 5-10 day suspension. For secondary students, the administration may consider a recommendation for a long-term suspension.

23. **Vandalism:** Students will not vandalize property owned by the school system, school staff or other students.

- **Elementary:** 0-5 day suspension
- **Secondary:** 0-10 day suspension. For secondary students, after the second offense the administration may make a recommendation for a long-term suspension.