

08-21-2023

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In its effort to provide a rigorous expanded curriculum that will adequately prepare students for future educational and workplace endeavors, the board will support high school students who also wish to enroll in classes taught by a college, university, community college, or other approved entity in accordance with the requirements of this policy, state law, and State Board of Education policy.

A. CAREER AND COLLEGE PROMISE

The Career and College Promise program is designed to offer qualified high school students structured dual enrollment opportunities that provide both entry-level job skills as well as pathways leading to a certificate, diploma, or degree.

The board, in collaboration with local community colleges, may provide for dual enrollment of a qualified high school student in community college courses through (1) a Career and Technical Education Pathway leading to a job credential, certificate, or diploma aligned with one or more high school Career Clusters or (2) a College Transfer Pathway leading to college transfer credits.

The board may also partner with institutions of higher education to establish cooperative innovative high school programs that enable a student to concurrently obtain a high school diploma and (1) begin or complete an associate degree program, (2) master a certificate or vocational program, or (3) earn up to two years of college credit within five years. Students are eligible for these programs beginning in ninth grade.

The board will implement the Career and College Promise program in accordance with a Career and College Promise Partnership Agreement developed as required by State Board of Education Policy CACP-000 and revised annually. The superintendent shall develop any necessary procedures consistent with the partnership agreement, this policy, state law, and State Board policies.

B. OTHER COLLEGE COURSES

The superintendent shall develop procedures and requirements for awarding high school credit toward graduation upon request to students who self-enroll in courses taught by a college, university, community college, or other approved entity. Credit toward graduation will be granted only for courses that are consistent with the policies and standards of the school system and State Board requirements, including the requirements of State Board of Education Policy CCRE-001, which defines "Course for Credit."

The principal must approve the course in advance. Prior to granting approval, the principal shall determine whether the course is eligible for credit toward graduation in accordance with the procedures and requirements developed by the superintendent.

The parent or guardian of the student must give permission for the student to take the course, and the student must complete any forms required by the school system.

Enrollment of a student in a course is the responsibility of the student and the student's parent or guardian. Unless otherwise provided, all special fees and charges and any special transportation needs are the responsibility of the student and the student's parent or guardian.

For a student to receive credit toward high school graduation, the school at which the course is offered must provide such essential information as is generally included in official transcripts of school records. This information must include:

- (1) a description of the content and subject matter covered by the course;
- (2) the number of clock hours of instruction in the course; and
- (3) the student's achievement or performance level in the course.

In addition, a syllabus that includes course goals, course objectives, course activities, and grade requirements must be provided.

The student also must meet any other requirements established by the superintendent.

Legal References: G.S. 115C art. 16 pt. 9; 115C-36, -47; 115D-5(b), -20(4); S.L. 2011-145 sec. 7.1A(a), 7.1A(b), 7.1A(c), 7.1A(k); State Board of Education Policies CACP-000, CCRE-001, GRAD-004

Adopted: 02/15/2016

Revised: 08/21/2023

PREGNANT AND PARENTING STUDENTS AND EMPLOYEES

Policy Code: **4025/7505**

A. STUDENTS

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

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

B. EMPLOYEES

The board prohibits discrimination in employment on the basis of pregnancy, childbirth, or related medical conditions. (See also policy 7232, Discrimination and Harassment in the Workplace.) Pregnant and nursing employees will be provided accommodations as required by law.

1. Reasonable Accommodations for Pregnancy-Related Limitations

In accordance with the Pregnant Workers Fairness Act, qualifying applicants and employees with known limitations related to pregnancy, childbirth, or related medical conditions will be provided reasonable accommodations, unless the accommodation demonstrably would impose an undue hardship on the operation of the school system. No adverse action will be taken against an applicant or employee for requesting or using a reasonable accommodation.

The superintendent shall ensure that appropriate procedures are in place to implement this requirement.

2. Break Time to Express Milk

For one year after the birth of an employee's child, the employee will be provided

PREGNANT AND PARENTING STUDENTS AND EMPLOYEES

Policy Code: **4025/7505**

reasonable break times to express breast milk for the child each time the employee has need to express milk. The principal at each school and the site supervisor at other school system buildings and facilities will designate a place, other than a bathroom, that the employee may use to express milk. Any designated place must be functional as a space for expressing milk, shielded from view, and free from intrusion from others.

Legal References: Consolidated Appropriations Act, P.L. 117-328, div. II - Pregnant Workers Fairness Act; Fair Labor Standards Act, as amended, 29 U.S.C. 201, *et seq.*; Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e *et seq.*, 29 C.F.R. pt. 1604; Title IX of the Education Amendments Act of 1972, 20 U.S.C. 1681 *et seq.*, 34 C.F.R. pt. 106; G.S. 115C-375.5

Adopted: 06/01/2008

Revised: 08/21/2023

All students are expected to demonstrate integrity, civility, responsibility, and self-control. This expectation is directly related to the board's educational objectives for students to learn to be responsible for and accept the consequences of their behavior and for students to respect cultural diversity and ideological differences. Integrity, civility, responsibility, and self-control ~~also are~~ are also critical for establishing and maintaining a safe, orderly, and inviting environment.

A. PROHIBITED BEHAVIOR

In addition to any standards or rules established by the schools, the following behaviors are in violation of the standards of integrity and civility and are specifically prohibited:

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;
3. violating copyright laws, including the unauthorized reproduction, duplication, and/or use of printed or electronic work, computer software, or other copyrighted material;
4. cursing or using vulgar, abusive, or demeaning language toward another person; and
5. playing abusive or dangerous tricks or otherwise subjecting a student or an employee to personal indignity.

B. CONSEQUENCES

The disciplinary consequences for violations of this policy shall be consistent with Section D of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy.

Legal References: 17 U.S.C. 101, 102, 106, 107, 110, 117; G.S. 115C-47, -288, -307, -390.2

Adopted: 07/18/2011

Revised: 08/21/2023

**STUDENT
CODE OF CONDUCT**

**GASTON COUNTY SCHOOLS
2023/2024**

STUDENT CODE OF CONDUCT

The basic purpose of the Student Code of Conduct for schools is to help establish and maintain a safe and orderly environment, which must prevail if learning is to take place. The term “school” as it applies to these guidelines refers to all school buildings, parking areas and properties. These rules are in effect at any function or school sponsored activity and while students are waiting for, riding or leaving the bus. These rules apply to any student whose conduct at any time or place has a direct and immediate effect on maintaining order and discipline in the schools. (See policy 4300 for complete policy)

Principals are authorized to establish individual school rules and regulations, in addition to the rules listed below. School administrators have the responsibility to notify law enforcement officers of certain violations of state or federal laws and to call law enforcement officers to assist in the maintenance of order.

It is the intention of The Gaston County Board of Education to enforce these rules fairly, firmly, without discrimination because of race or sex, and with due respect for the constitutional rights of every student. The Student Code of Conduct is the short form of The Gaston County Board of Education’s policy on student control and conduct, suspension and expulsions which is set forth in the Policy Manual of The Gaston County Board of Education. The Policy Manual may be viewed online at www.gaston.k12.nc.us

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RULE 1: Compliance with Directions of Principals, Teachers and Other School Personnel and With School Rules

Students shall comply with the directives of all school personnel at all times while a student is at school.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 5 days OSS.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension.

RULE 2: Disruption of School

A student shall not, by use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance or any other conduct, intentionally cause the disruption or obstruction of any lawful function of the school or classroom while at school.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 5 days OSS.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension.

RULE 3: Bomb Threats, Communicating a False Bomb Report, or Perpetrating a Bomb Hoax
(See policy 4333 for complete policy)

Students are prohibited from making, aiding and/or abetting in making a bomb threat or perpetrating a bomb hoax against school system 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.

No student may knowingly or willfully cause, encourage or aid another student to make a bomb threat or perpetrate a bomb hoax. Any student who becomes aware that another student or other person intends to use a bomb, make a bomb threat or perpetrate a bomb hoax must notify a teacher or the principal immediately.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to OSS and alternative placement.	Ranging from OSS to alternative placement to long-term suspension. Law enforcement may be contacted if required by law.	Ranging from OSS to alternative placement to long-term suspension. Law enforcement may be contacted if required by law.

RULE 4: Student Threats *(See policy 4331 for complete policy)*

Students shall respect other students, visitors, school employees and other persons by utilizing appropriate language and behaviors at all times. Any action which is insulting, threatening, abusive, harassing, profane, obscene or seriously disrespectful, and which disrupts the learning process for any student or which demeans or degrades another person is specifically prohibited. In addition, students who leave threatening notes or post on the Internet threats to other students, faculty or staff will be considered in violation of this rule.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 5 days OSS.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension.

RULE 5: Gangs *(See policy 4328 for complete policy)*

The Board strives to create a safe, orderly, caring and inviting school environment. Gangs and gang-related activities have proven contrary to that mission and are prohibited within the schools. A gang is any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts, or the purposeful violation of any Gaston County School policy, and having a common name or common identifying sign, colors or symbols. No student shall commit any act that furthers gang or gang-related activities. Additional information on gang activity can be accessed at each school as information on gang-related activities is subject to change. Conduct prohibited by this policy includes:

1. wearing, possessing, using, distributing, displaying or selling any clothing, jewelry, emblems, badges, symbols, signs or other items with the intent to convey membership or affiliation in a gang;
2. communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.) with the intent to convey membership or affiliation in a gang;
3. tagging, or otherwise defacing school or personal property with symbols or slogans intended to convey membership or affiliation in a gang (see policy 4330, Theft, Trespass and Damage to Property);
4. requiring payment of protection, insurance or otherwise intimidating or threatening any person related to gang activity (see policy 4331, Assaults, Threats and Harassment);
5. inciting others to intimidate or to act with physical violence upon any other person related to gang activity;
6. soliciting others for gang membership; and
7. committing any other illegal act or other violation of school system policies in connection with gang-related activity.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 10 days OSS. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.	Ranging from in-school disciplinary action up to and including alternative placement and/or long- term suspension. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.	Ranging from in-school disciplinary action up to and including alternative placement and/or long-term suspension. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.

RULE 6: Bullying *(See policy 4040 for complete policy)*

Students shall not bully or harass other students;

Harassment or bullying behavior is any pattern of gestures or written, electronic or verbal communications, or any physical act or any threatening communication that:

- (1) places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property; or
- (2) creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities or benefits.

Examples of behavior that may constitute bullying or harassment include, but are not limited to, verbal taunts, name-calling and put-downs, epithets, derogatory comments or slurs, lewd propositions, exclusion from peer groups, extortion of money or possessions, implied or stated threats, assault, impeding or blocking movement, offensive touching or any physical interference with normal work or movement, and visual insults, such as derogatory posters or cartoons. Legitimate age-appropriate techniques are not considered harassment or bullying.

Consequences

Up to 5 days of OSS may be waived if the student shows proof of participation in Mediation/ Counseling from a Mediation Agency.

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to and including long-term suspension. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.	Ranging from in-school disciplinary action up to and including alternative placement and/or long-term suspension. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.	Ranging from in-school disciplinary action up to and including alternative placement and/or long-term suspension. Law enforcement may be contacted and may conduct a threat assessment and/or bring criminal charges as may be appropriate.

RULE 7: Student Conspiracy or Plotting to Cause Harm to Other Students or Staff

Students shall be prohibited from conspiring with others or plotting individually regarding harmful acts of violence against other students, faculty or staff. In addition, students are prohibited from violent acts against the property of other students, faculty or staff.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 10 days OSS and/or alternative placement. Law enforcement will be contacted if required by law.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.

RULE 8: Damage or Destruction of School Property

(See policy 4330 and 6440 for complete policy)

A student shall not cause or attempt to cause damage to any school property or private property on school grounds or during a school activity, function or event off school grounds and premises. Parent(s) or legal guardian(s) of any minor are liable for damage caused to school property to the extent of \$5,000. (Reference: N.C.G.S. §115C-523)

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 10 days OSS and/or alternative placement. Law enforcement will be contacted if required by law. Restitution may be required.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law. Restitution may be required.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law. Restitution may be required.

RULE 9: Theft (*See policy 4330 and 6440 for complete policy*)

Students shall not steal, attempt to steal, knowingly be in possession of stolen property, vandalize, intentionally damage, or attempt to damage any school or private property while under school jurisdiction.

Consequences

Elementary School	Middle School	High School
Ranging from in-school disciplinary action up to 10 days OSS and/or alternative placement. Law enforcement will be contacted if required by law. Restitution may be required.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law. Restitution may be required.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law. Restitution may be required.

RULE 10: Physical Abuse of a Student/Fighting (*See policy 4331 for complete policy*)

Students shall not fight or attempt to cause bodily harm to another student. If a student is attempting to involve another student in a fight, the other student should walk away and report it to a teacher, assistant principal or principal. Students who instigate fights or participate in group assaults will be subject to the same consequences as those who are actually involved in fighting. This section does not apply when acting in self defense. Hitting a person back is not self defense; it is retaliation that will be considered fighting.

Consequences

Elementary School	Middle School	High School
Ranging from in-school disciplinary action up to 5 days OSS. Law enforcement may be contacted if required by law.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long term suspension. Law enforcement may be contacted if required by law.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long term suspension. Law enforcement may be contacted if required by law.

RULE 11: Physical Abuse of School Employees or Other Persons *(See policy 4331 for complete policy)*

Students shall not cause or attempt to cause physical or bodily harm to principals, assistant principals, teachers, substitute teachers, student teachers, teacher assistants, coaches, advisors, counselors, media specialists, bus drivers or monitors or other adults at any time while a student is at school.

Consequences

Elementary School	Middle School	High School
Ranging from in-school disciplinary action up to 10 days OSS and/or alternative placement. Law enforcement will be contacted if required by law.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.

Rule 12: Written or Verbal Abuse of School Employees or Other Adults

(See policy 4331 for complete policy)

Students shall not, through written or oral communication, threaten to cause, cause or attempt to cause harm to principals, assistant principals, teachers, substitute teachers, student teachers, teacher assistants, coaches, advisors, counselors, media specialists, bus drivers or monitors or other adults at any time while a student is at school or any school sponsored activities.

Consequence

Elementary School	Middle School	High School
Ranging from in-school disciplinary action up to 10 days OSS and/or alternative placement. Law enforcement will be contacted if required by law.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement will be contacted if required by law.

RULE 13: Weapons and Dangerous Instruments *(See Policy 4333 and 5040 for complete policy)*

The Board will not tolerate the presence of weapons or destructive devices, bombs or terrorist threats, or actions that constitute a clear threat to the safety of students or employees.

Category I

As required by law, a student who brings or possesses a firearm or destructive device on school property or at a school-sponsored event must be suspended for 365 days, unless the superintendent modifies the required 365-day suspension. For this Category a firearm is (1) a weapon, including a starter gun that will, is designed to or may readily be converted to expel a projectile by the action of an explosive, (2) the frame or receiver of any such weapon or (3) any firearm muffler or firearm silencer {G.S. 115C-390.1(b)(6)}.

A destructive device is an explosive, incendiary or poison gas (1) bomb, (2) grenade, (3) rocket having a propellant charge of more than four ounces, (4) missile having an explosive or incendiary charge of more than one-quarter ounce, (5) mine or (6) similar device {G.S. 115C-390.1(b)(3)}.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Confiscate weapon. 365-day suspension. Law enforcement will be contacted.	Confiscate weapon. 365-day suspension. Law enforcement will be contacted.	Confiscate weapon. 365-day suspension. Law enforcement will be contacted.

Category II

Other weapons that are prohibited on school property or at a school-sponsored event include: Knives, pocket knives, bowie knives, switchblades, dirks, daggers, slingshots, slungshots, leaded canes, blackjacks, metal knuckles, BB guns, air rifles, air pistols, stun guns and other electric shock weapons such as tasers, ice picks, razors and razor blades (except those designed and used solely for personal shaving), 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, box cutters and other types of utility blades and blowguns.

A student shall not possess disabling, chemical irritants (including, but not limited to pepper spray) or laser light.

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Confiscate weapon. Ranging from in-school disciplinary action up to 10 days OSS and/or alternative placement. Law enforcement will be contacted if required by law.	Confiscate weapon. Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long term suspension. Law enforcement will be contacted if required by law.	Confiscate weapon. Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long term suspension. Law enforcement will be contacted if required by law.

Rule 14: Substance Abuse and Drug Paraphernalia*(See policy 4315 and 4325 for complete policy)**(See policy 6130 "Administering Medications" for complete policy)*

No student shall possess, use, distribute, sell, possesses with intent to distribute or sell, or conspire or attempt to distribute or sell, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid, other controlled substance, any alcoholic beverage, malt beverage, fortified wine, or any substance containing cannabidiol (CBD) or tetrahydrocannabinol (THC) regardless of whether it constitutes a controlled substance under state or federal law. Students are also prohibited from possessing, using, selling, delivering, or manufacturing counterfeit (fake) drugs.

**Consequences
Possession/Under the Influence**

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Up to 10 days OSS. Up to five days suspension may be waived if the student shows proof of substance abuse assessment and a scheduled first appointment from a substance abuse agency for counseling. Law enforcement may be contacted if required by law.	Up to 10 days OSS, alternative placement and/or seek long-term suspension. Up to five days suspension may be waived if the student shows proof of substance abuse assessment and a scheduled first appointment from a substance abuse agency for counseling. Law enforcement will be notified for possession of controlled substances in violation of the law.	Up to 10 days OSS, alternative placement and/or seek long-term suspension. Up to five days suspension may be waived if the student shows proof of substance abuse assessment and a scheduled first appointment from a substance abuse agency for counseling. Law enforcement will be notified for possession of controlled substances in violation of the law.

Sell

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 10 days OSS and/or alternative placement. Law enforcement will be contacted if required by law.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement officials will be informed of this violation.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement officials will be informed of this violation.

For the purpose of the Student Code of Conduct the following definitions apply:

1. **Possess:** Having the power or intent to control a prohibited substance and shall include, but is not necessarily limited to the possession of a prohibited substance in a student's automobile, locker, book-bag, pocket book, desk or on a student's person.
2. **Use:** The consumption, injection, inhalation or absorption of a prohibited substance into a student's body by any means.
3. **Under the influence:** The use of any prohibited substance at any time or place when the prohibited substance would influence a student's mood, behavior or learning to any degree while a student is at school as defined in the introduction to the Student Behavior Guidelines.
4. **Sell:** The exchange of a prohibited substance for money, property, or any other benefit or item of value.
5. **Distribute:** To give, share or pass a prohibited substance
6. **Possess with intent to distribute/sell:** Intent to distribute or sell may be determined from the amount of the prohibited substance found, the manner in which it was packaged, the presence of packaging materials such as scales, baggies or other containers or from statement or actions of the student that demonstrate an intent to distribute or sell.
7. **Counterfeit Substance:** Any substance that is described or presented with the intention of deceiving another into believing that it is a substance prohibited under this policy.
8. **Unauthorized Prescription Drug:** Any drug or medication that has not been prescribed for the student
9. **Drug Paraphernalia:** Means all equipment, products and materials of any kind that are used to facilitate, or intended or designed to facilitate, violations of the controlled substance act. (Reference N.C.G.S. §90-113.21)

Rule 15: Tobacco Policy *(See policy code 4320 for complete policy)*

Students are prohibited from the use and/or possession of tobacco products and shall not possess, smoke, dip, chew or otherwise use any tobacco products, including electronic cigarettes and all lighted and smokeless tobacco products at any time while a student is at school.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Confiscation. Ranging from in-school disciplinary action up to 1 day OSS.	Confiscation. Ranging from in-school disciplinary action up to 5 days OSS.	Confiscation. Ranging from in-school disciplinary action up to 10 days OSS.

RULE 16: Dress Code

The appearance of any young person is primarily the responsibility of that individual and his/her parents. Each student is expected to maintain an appearance that is neither distracting to other students nor disruptive to the educational environment or the safe and healthy climate of schools. Students shall not wear:

Headwear - Hats, bandannas, hair picks, combs or other types of headgear or sunglasses in the building.

Clothing - Clothing that displays sexually explicit words or drawings, profanity, alcohol, drug or gang symbols.

No style of clothing or the manner in which it is worn may expose undergarments or create a distraction or disturbance in the educational setting.

The expectations noted above represent the minimum standards established throughout the school system. In addition, items not specifically mentioned may still be deemed inappropriate in a school setting in the judgment of the school administration.

The Board of Education recognizes that local law enforcement agencies may determine that wearing particular gang related attire may present a threat to student safety. The Superintendent will work collaboratively with these agencies to prohibit such dress.

This policy shall be reviewed annually by the Superintendent who will make any proposed recommendations for change to the Gaston County Board of Education.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
In-school disciplinary action.	Ranging from in-school disciplinary action up to 3 days OSS.	Ranging from in-school disciplinary action up to 3 days OSS.

Rule 17: Sexual Harassment *(See policy code 4040 for complete policy)*

Sexual harassment means and includes any unwelcomed sexual advances, requests for sexual favors and any other non-consensual and/or offensive verbal or physical contact of a sexual nature between an employee and a student or between students and includes misconduct by males against females, females against males and between students of the same gender. Sexual harassment is further defined to include two different levels or degrees of misconduct.

Physical - This form of sexual harassment includes touching, fondling and/or grabbing a student in a sexual way without that student's consent or when the student finds such behavior offensive; and

Verbal - This form of sexual harassment includes: teasing, joking and/or making lewd remarks of a sexual nature to a student without that student's consent or when the other student finds such behavior offensive.

Sexually harassing students, employees of GCS and any visitors or other individuals while at school is prohibited. Students are further prohibited from retaliating against an employee or student who has filed a sexual harassment complaint or participated in an investigation, proceeding or hearing regarding said complaint.

Procedures for Reporting and Investigating Sexual Harassment

Any student who believes that he/she has been sexually harassed by a school employee or another student should report such behavior immediately to any school official at his/her school (such as an administrator, teacher or school counselor).

Principal must immediately report assaults that result in serious personal injury to the appropriate law enforcement agency.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
In- school disciplinary action up to 10 days OSS and/or alternative placement. Law enforcement may be contacted if required by law.	In- school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement may be contacted if required by law.	In- school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement may be contacted if required by law.

RULE 18: Use of Wireless Communication Devices *(See policy 4318 for complete policy)*

The board recognizes that cellular phones and other wireless communication devices has become an important tool through which parents communicate with their children. Therefore, students are permitted to possess such devices on school property so long as the devices are not activated, used, displayed or visible during the instructional day or as otherwise directed by school rules or school personnel. Wireless communication devices include, but are not limited to, cellular phones, electronic devices with internet capability, paging devices, two-way radios and similar devices. School employees may immediately confiscate any wireless communication devices that are on, used, displayed or visible in violation of this policy. Absent compelling and unusual circumstances, confiscated wireless devices will be returned only to the student's parent.

A student's wireless communication device and its contents, including, but not limited to, text messages and digital photos, may be searched whenever a school official has reason to believe the search will provide evidence that the student has violated or is violating a law, board policy, the Code of Student Conduct or a school rule.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Confiscate device. Ranging from in-school disciplinary action up to 10 days OSS. Law enforcement will be contacted if required by law.	Confiscate device. Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long term suspension. Law enforcement will be contacted if required by law.	Confiscate device. Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long term suspension. Law enforcement will be contacted if required by law.

RULE 19: Repeated School Violations

A student who has violated any rules repeatedly as set forth in the Student Code of Conduct will be subject to disciplinary action.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 10 days OSS and/or alternative placement.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long term suspension. Law enforcement will be contacted if required by law.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long term suspension. Law enforcement will be contacted if required by law.

RULE 20: Responsible Use of School Technology *(See policy 3230 for complete policy)*

Students shall not violate any policies adopted by the Board of Education regarding student Internet and electronic mail usage or the terms of Gaston County Schools Network and Internet Responsible Use Guidelines or individual school policy. Students must not access inappropriate materials on the Internet as may be defined under such Internet policy; should not violate any safety and security rules when using electronic mail, chat rooms, or other forms of electronic communication, as provided under the Internet policy; should not engage in unauthorized access ("hacking") or other unlawful activities on-line while using school system computer equipment or Internet access; and should not engage in unauthorized disclosure, use and/or dissemination of personal and/or identification information of the Technology Policy.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 5 days OSS. Students may be required to pay restitution.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or suspension. Students may be required to pay restitution.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or suspension. Students may be required to pay restitution.

RULE 21: Organizations and Publications

Any "gang" or secret organization or publication is specifically prohibited on any school premises or in connection with any school-related activities. Distribution of ALL printed material must be approved by the principal, including all student publications such as the student newspaper, yearbook and student magazine.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 5 days OSS.	Ranging from in-school disciplinary action up to 10 days OSS, or alternative placement and/or long term suspension.	Ranging from in-school disciplinary action up to 10 days OSS, or alternative placement and/or long term suspension.

RULE 22: Walkouts and Boycotts

Walkouts or boycotts by a student or group of students, or the urging of others to exercise these tactics, when actions do cause or would reasonably and likely cause a material and substantial disruption of the normal and continuing operation of the educational processes within the school shall not be utilized.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in- school disciplinary action up to 10 days OSS. Law enforcement may be contacted.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law Enforcement may be contacted.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law Enforcement may be contacted.

RULE 23: Trespassing *(See policy 4330 for complete policy)*

Students shall not willfully enter or remain in any school structure, conveyance or property without having been authorized by school personnel. No student shall be on the campus of another school other than his/her assigned school without the knowledge and consent of the officials of the school being visited, with the exception of athletic activities and other public events.

Any student suspended or expelled from Gaston County Schools will not be allowed on any property of the Gaston County Schools during the period of suspension without the expressed permission of his/her principal. This includes long term and short term suspension and expulsion. Failure to comply with this provision may lead to further disciplinary action and/or criminal prosecution for trespass.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in-school disciplinary action up to 1 day OSS.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law Enforcement may be contacted.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law Enforcement may be contacted.

RULE 24: Violations of North Carolina Criminal Statutes *(See policy 4300 for complete policy)*

Students shall not violate any criminal statute or local ordinance or commit any act which could result in criminal prosecution or juvenile proceedings not previously covered elsewhere in these rules at any place or time when the student's behavior has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety or individuals in the school environment.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from in- school disciplinary action up to 10 days OSS. Law enforcement may be contacted if required by law.	Ranging from in- school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement may be contacted.	Ranging from in-school disciplinary action up to 10 days OSS, alternative placement and/or long-term suspension. Law enforcement may be contacted.

RULE 25: Integrity and Civility *(See policy 4310 for complete policy)*

All students are expected to demonstrate integrity, civility, responsibility and self-control. This expectation is directly related to the board's educational objectives for students to learn to be responsible for and accept the consequences of their behavior and for students to respect cultural diversity and ideological differences. Integrity, civility, responsibility and self-control also are critical for establishing and maintaining a safe, orderly and inviting environment.

These behaviors are specifically prohibited: cheating, plagiarizing, violating copyright laws, cursing or using vulgar, abusive or demeaning language toward another person, and playing abusive or dangerous tricks or otherwise subjecting a student or an employee to personal indignity.

Consequences

<u>Elementary School</u>	<u>Middle School</u>	<u>High School</u>
Ranging from individual classroom disciplinary action to in-school disciplinary action up to 10 days OSS.	Ranging from individual classroom disciplinary action to in-school disciplinary action, up to 10 days OSS and/or alternative placement.	Ranging from individual classroom disciplinary action to in-school disciplinary action, up to 10 days OSS and/or alternative placement.

Searches and Seizures *(See policy 4306 and 4318 for complete policy)*

To maintain order and discipline in the schools and to protect the safety and welfare of students and school personnel, school authorities may search a student, student lockers, desks, motor vehicles or other school property, and may seize any evidence discovered in the search whereby a student has violated a State law or the policy and/or rules of The Gaston County Board of Education and/or the school attended by the student. Student lockers, desks etc. are school property and may be searched at any time.

A student's wireless communication device and its contents, including, but not limited to, text messages and digital photos, may be searched whenever a school official has reason to believe the search will provide evidence that the student has violated or is violating a law, board policy, the Code of Student Conduct or a school rule.

Random Metal Detection/Automobile Searches

Students may be required to submit to a screening for metal as a condition of entering or continuing attendance at school.

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains the authority to conduct routine patrols of student parking lots and inspection of the exteriors of student automobiles on school property. The interiors of student vehicles may be searched whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside. Such patrols and searches may be conducted without notice, without student consent and without a search warrant.

In addition, random searches of automobiles may be conducted to deter the possession of contraband such as weapons, guns, knives, illegal drugs and alcohol on school property or parking lots owned or leased by the school.

If a search yields evidence that a student has violated a state law or the policy and/or rules of The Gaston County Board of Education and/or the school attended by the student, such evidence shall be seized by school officials and turned over to proper authorities for ultimate disposition.

Recommended Use of Police Canines on School Property

The principal or his/her designee may request a law enforcement agency to use a police canine whenever he/she feels there is reasonable suspicion to conduct a search on school property.

- The principal may honor the request of the sheriff or chief of police to use police canines if the principal feels the request is based on reasonable suspicion.
- The principal may allow police canines to be used anywhere on the school campus, including unoccupied classrooms, athletic facilities and vehicles.
- At no time shall a principal permit the search of a student or employee using a police canine.

Notification of Law Enforcement Officials

Under North Carolina General Statute §115C-288(g) principals must report immediately to law enforcement agencies the following acts that occur on school grounds that involve:

- *assault resulting in serious personal injury
- *sexual assault
- *sexual offense
- *rape
- *kidnapping
- *taking indecent liberties with a minor
- *assaults involving the use of a weapon
- *Possession of a weapon in violation of the law
- *Possession of a firearm in violation of the law
- *Possession of controlled substance in violation of the law

Appeals Procedures***Long-Term Suspensions (See policy 4353 for complete policy)***

1. Parents will be notified by registered mail or in person of the principal's recommendation to the superintendent to long-term suspend the student.
2. Parents shall, within 72 hours, give written notice of appeal to the Hearing Officer for Gaston County Schools. Appeal form is included in the long-term letter from the school.
3. Upon notification of appeal, the Hearing Officer shall convene an appeals committee to hear the appeal, establish a date and time agreeable to the parent and give notification of the appeals hearing date and time to all parties involved.
4. The appeals hearing committee shall allow the school to present a summary report regarding the nature of the offense(s), provide the results of the school's investigation and outline the penalties the principal has recommended. The student and his/her parents will have access to all the information shared with the appeals committee and will be provided opportunity to present evidence.
5. The central office appeals committee, after hearing all the evidence and witnesses, will make a recommendation of their decision to the Superintendent.
6. The Superintendent will make the final decision concerning the appeal. Parents will be notified by letter of the Superintendent's decision.

365-day Suspension (See policy 4353 for complete policy)

A student must be suspended who brings a weapon or explosive device as outlined in Policy 4333 and {G.S. 115C-390.1(b)(3)} and {G.S. 115C-390.1(b)(6)} on school property or on a school sponsored event unless modified by the Superintendent pursuant to policy 4333.

Expulsion *(See 4353 for complete policy)*

Upon the recommendation of the principal and Superintendent, The Board of Education may expel a student who is fourteen years of age or older if the student's behavior indicates that his or her continued presence in school constitutes a threat to the safety of other students or employees.

The student's conduct need not result in the filing of criminal charges and need not have taken place on school premises or at a school activity in order for expulsion to be considered.

Depending on the circumstances-including the age and maturity of the student, the student's intention in committing the offense and the student's record of conduct – the following conduct may result in expulsion:

1. Theft or attempted theft by a student from another person by using or threatening to use a weapon.
2. The intentional and malicious burning of any structure or personal property, including any vehicle.
3. An attack or threatened attack by a student against another person wherein the student uses a weapon or displays a weapon in a manner found threatening to that person.
4. An attack by a student on any employee, adult volunteer or other student that does not result in serious injury but that is intended to cause or reasonably could cause serious injury.
5. An attack by a student on another person whereby the victim suffers obvious severe or aggravated bodily injury, such as broken bones, loss of teeth, possible internal injuries, laceration requiring stitches, loss of consciousness, or significant bruising or pain; or whereby the victim requires hospitalization or treatment in a hospital emergency room as a result of the attack.
6. Any intentional, highly reckless or negligent act that results in the death of another person.
7. Confining, restraining or removing another person from one place to another, without the victim's consent or the consent of the victim's parent, for the purpose of committing a felony or for the purpose of holding the victim as a hostage, for ransom, or for use as a shield.
8. The possession of a weapon on any school property, including in a vehicle with the intent to use or transmit for another's use or possession in a reckless manner so that harm is reasonable foreseeable.
9. Taking or attempting to take anything of value from the care, custody or control of another person or persons, by force, threat of force, or violence, or by putting the victim in fear.
10. Any unauthorized and unwanted intentional touching, or attempt to touch, by one person of the sex organ of another, including the breasts of the female and genital areas of the male and female.
11. The possession, manufacture, sale or delivery, or any attempted sale or deliver, of a controlled substance in violation of Chapter 90 of the North Carolina General Statutes.
12. Any behavior resulting in a felony conviction on weapons, drug, assault or other charge that implicates the safety of other persons.
13. Any other behavior that demonstrates a clear threat to the safety of others in the school environment.

Counseling *(See policy 3600 & 6020 for complete policy)*

Following violations of the Student Code of Conduct a student shall cooperate with any interventions recommended by the principal with regards to assessment/evaluations and/or counseling concerning his/her conduct which constituted the violation.

Student Parking *(See policy 6370 for complete policy)*

The parking of motor vehicles and other modes of conveyance on school grounds shall comply with the rules and regulations adopted by the individual school. Failure to abide with such rules and regulations may result in the student's loss of the privilege of parking a vehicle on campus. Student parking is a privilege and all students' motor vehicles on campus may be subject to search by school officials as outlined in policy 4306.

Suspension from Participation in Athletics and Extracurricular Activities
(See policy 4395 & 3610 for complete policy)

Participation in athletics is a privilege with which come certain responsibilities. A student may be suspended from participation in athletics or extracurricular activities for conduct either on or off school grounds that constitutes a felony or any crime of moral turpitude including, but not limited to, the illegal possession, sale or use of drugs or alcohol. Conviction of a crime is not mandatory for this suspension to be enforced.

Suspension from Attendance at Athletic/Extracurricular Activities and Bus Privileges

A student who exhibits violent or disruptive behavior during the school day(s) may be banned from attending extracurricular activities and riding the school bus at the discretion of the principal.

Use of Videotape Recorders on School Buses

It is the practice of the Gaston County Schools to utilize videotape recorders on school buses. Utilization of such videotape recorders shall be for the purposes of identifying safety concerns and to substantiate bus conduct violations.

Such videotape recordings may be periodically and regularly reviewed by school officials, are considered confidential, but may be disclosed as part of school disciplinary proceedings or safety programs.

The placing of a student on a school bus shall constitute parental consent to have a child videotaped in such a manner.

Student Records *(See policy 3470 for complete policy)*

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

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

ATTENDANCE*Policy Code:* **3480**

Attendance in school and participation in class are integral parts of academic achievement and the teaching-learning process. Through regular attendance, students develop patterns of behavior essential to professional and personal success in life. Regular attendance by every student is mandatory. The State of North Carolina requires that every child in the State between the ages of 7 (or younger if enrolled) and 16 attend school. Parents and legal guardians are responsible for ensuring that students attend and remain at school daily. In order to be recorded present, a student must be present at least one-half of the school day.

A. ATTENDANCE RECORDS

School officials shall keep accurate records of attendance, including accurate attendance records in each class. Attendance records will be used to enforce the Compulsory Attendance Law of North Carolina.

B. EXCUSED ABSENCES

Following any absence(s), it is required that a written document or e-mail be presented from the parent or guardian stating the reason for the absence. All absences will be coded unexcused in the computer until a written note or e-mail is received from the parent or guardian. **Written documentation must be presented within three school days after the student returns to school; otherwise, the absence(s) will be recorded as unexcused.** In particular situations that may involve court related proceedings, Gaston County social workers are given the authority to review attendance documentation as necessary. Absences will be coded according to the North Carolina Compulsory Attendance Law regulations as printed below. Absences due to extended illnesses may also require a statement from a physician. An absence may be excused for any of the following reasons:

1. personal illness or injury that makes the student physically unable to attend school;
2. isolation ordered by the State Board of Health;
3. death in the immediate family;
4. medical or dental appointment;
5. participation under subpoena as a witness in a court proceeding;
6. a minimum of two days each academic year for observance of an event required or suggested by the religion of the student or the student's parent(s);
7. participation in a valid educational opportunity, such as travel or service as a legislative or Governor's page, with prior approval from the principal;

8. pregnancy and related conditions or parenting, when medically necessary; or
9. visitation with the student's parent or legal guardian, at the discretion of the superintendent or designee, if the parent or legal guardian (a) is an active duty member of the uniformed services as defined by policy 4050, Children of Military Families, and (b) has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting.

In the case of excused absences, short-term out-of-school suspensions, and absences under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school) the student will be permitted to make up his or her work. (See also policy 4351, Short-Term Suspension.) The teacher will determine when work is to be made up. The student is responsible for finding out what assignments are due and completing them within the specified time period.

C. SCHOOL-RELATED ACTIVITIES

All classroom activities are important and difficult, if not impossible, to replace if missed. Principals shall ensure that classes missed by students due to school-related activities are kept to an absolute minimum. The following school-related activities will not be counted as absences from either class or school:

1. field trips sponsored by the school;
2. job shadows and other work-based learning opportunities, as described in G.S. 115C-47(34a);
3. school-initiated and -scheduled activities;
4. athletic events that require early dismissal from school;
5. Career and Technical Education student organization activities approved in advance by the principal; and
6. in-school suspensions.

Assignments missed for these reasons are eligible for make up by the student. The teacher will determine when work is to be made up. The student is responsible for finding out what assignments are due and completing them within the specified time period.

D. EXCESSIVE ABSENCES

Class attendance and participation are critical elements of the educational process and may be taken into account in assessing academic achievement. Students are expected to be at school on time and to be present at the scheduled starting time for each class.

When a student reaches ten (10) or more cumulative absences, a letter may be sent requiring a doctor's note to excuse future absences. Students with excused absences due to documented chronic health problems are exempt from this policy.

In addition, for students experiencing homelessness (see policy 4175, Homeless Students), school officials must consider issues related to the student's homelessness, such as a change of caregivers or nighttime residence, before taking disciplinary action or imposing other barriers to school attendance based on excessive absences or tardies.

Excessive absences may impact eligibility for participation in interscholastic athletics, extracurricular activities and student organizations. (See policy 3610)

K-8 Elementary and Middle School students:

For K-8 students, only 12 absences, including excused and unexcused absences, are permitted each school year. The principal of each school will review information on students who have exceeded 12 absences and will consider the possibility of retention based on absences.

9-12 High School students:

Each day school is in session for students; classroom teachers will report student attendance for each class period and maintain accurate student attendance records for report cards. At the eleventh absence (excused or unexcused) per semester from a class, students who are passing the class must file for an appeal in order to be eligible to earn credit for the class. The appeal will be requested to the designated official at each high school (appointed by the principal). The appeal may be requested by the student or parent, classroom teacher, advisory teacher, counselor or other staff member. The deadline for an appeal request is the 75th school day of each semester (unless the eleventh absence falls after this day). Each high school principal will appoint an attendance appeal committee(s) as deemed appropriate. Guidelines from the school system will be provided to the principals and these committees. The committee(s) will meet to conduct student attendance appeals during a period between the 76th school day of each semester and the last teacher workday of each semester. In the event the student appeal is granted, the student will receive the final grade earned in the course. Should the appeal be rejected, the student will receive a failing final grade and receive no credit for the course. In order to facilitate acceptable course attendance, the following interventions and communications should be implemented.

- By the third absence in a course where no contact has been received from the parent/guardian, the school official will contact the parent/guardian using telephone, email, letter or automated telephone message. The school official will remind the parent/guardian of the number of absences and the Gaston County Board of Education Policy on high school student attendance.
- After not more than six absences in a course, the parent/guardian will be contacted using telephone, email, letter or automated telephone message. The school official will remind the parent/guardian of the number of absences, the Policy on high school student attendance and specifics regarding the appeal process. After not more than six absences from a course, the classroom teacher will notify the school's Student Services Management Team (SSMT) or Multi-Tiered Student Support Team (MTSS).
- Upon notification from the classroom teacher, the SSMT or MTSS team will evaluate the overall academic and attendance information of the student and if deemed appropriate, consult with the school social worker and/or other support personnel for possible additional interventions, recommendations or consequences for the student/parent/guardian.
- On the tenth absence in a course, the parent/guardian will be contacted by using telephone, email, letter or automated telephone message. The school official will remind the parent/guardian of the number of absences, the Policy on high school student attendance and that an appeal must be initiated upon the eleventh absence from a course if the student is passing the course.
- On the eleventh absence, the classroom teacher or other school personnel, student or parent can give/request the Gaston County School's student attendance appeal request form.

Driver Education and Student Attendance

Students will be allowed to enroll in driver education only if they meet a minimum of 94% attendance in the year (if in middle school) or 94% attendance the semester (if in high school) before enrolling in driver education. Students must have been in attendance 168 days of the 180 day school year (for middle school) or 84 days of the 90 day semester (for high school) in the year or semester before enrollment in driver education with Gaston County Schools (medical exceptions considered).

Dropout Prevention/Driver's License Legislation

North Carolina has legislation reflecting a coordinated statewide effort to motivate and encourage students to complete their high school education. The law provides for the revocation of the student's driving permit or license if the student does not maintain adequate academic progress or drops out of school. Adequate academic progress is defined as passing five (5) subjects under a traditional schedule (6 or 7 period day) or 3 out of 4 classes in a block schedule school.

This law applies to all North Carolina students under the age of 18 who are eligible for a driving permit or license. Previously a student had to present a birth certificate, social security card and Driver Education Completion Certificate to the Department of Motor Vehicles in order to obtain a permit or license. A student is now required to present a Driving Eligibility Certificate, issued by the school and good for 30 days, to the Department of Motor Vehicles to obtain a permit or license.

The Driving Eligibility Certificate will only be issued to students making adequate academic progress. Students who do not meet the academic progress requirements will be reported to the Department of Motor Vehicles and their permit or license will be revoked. There is a provision for a request for a review of the student's situation based on hardship considerations. Students may regain academic eligibility at the end of each semester.

Lose Control, Lose Your License Legislation

Students given an expulsion/suspension for more than 10 (ten) consecutive days for one of the three reasons listed below are subject to having their permit/license suspended for up to one calendar year.

- The possession or sale of an alcoholic beverage or an illegal controlled substance on school property.
- The possession or use on school property of a weapon or firearm that resulted in disciplinary action under G.S. §115C-391(d1) or that could have resulted in that disciplinary action if the conduct had occurred in a public school.
- The physical assault on a teacher or other personnel on school property.

Students who are at least 14 years old or who are rising 8th graders are subject to this law. The law applies to all students, even to those exempted under Dropout Prevention/Driver's License Legislation. Unlike the Dropout Prevention/Driver's License Legislation law that ends when a student turns 18 years old, the "Lose Control" law does not stop at age 18 nor does it stop when the student graduates.

Students who may lose their permit/license under this legislation may be eligible to regain the permit/license after a six-month period by displaying exemplary behavior in an alternative education setting or having successfully completed a school district approved drug or alcohol treatment counseling program.

Legal References: G.S. 115C-47, -84.2, -288(a), -375.5, -378 to -383, -390.2(d), -390.5, -407.5; 16 N.C.A.C. 6E .0102, .0103; State Board of Education Policies TCS-L-000, -002, -003

Adopted: 07/16/2001

Revised: 06/02/2008, 04/20/2009, 04/20/2009, 04/18/2011, 06/18/2012, 06/18/2013, 05/18/2015, 08/22/2016, 07/09/2018, 07/09/2019, 07/02/2020, 08/21/2023

The news media can be an important means of communicating information about the school system to the community. Consistent with policy 2220, Official School Spokesperson, the board chair and superintendent and their designees are authorized to provide information to the news media on behalf of the school system.

The superintendent or the official school spokesperson shall establish an effective working relationship with bonafide members of the news media. The news media should be notified whenever necessary to relay information to the public, such as when there are emergency school closings. The superintendent or the official school spokesperson also is expected to identify opportunities to educate the news media regarding the goals of the board and school system, especially as they relate to student success and the educational program. The superintendent or the official school spokesperson also should inform the news media of the results of the school system's efforts to improve student achievement.

The school system will respond to the news media requests for public records in compliance with policy 5070/7350, Public Records – Retention, Release, and Disposition.

Policy 5020, Visitors to the Schools, applies to news media. News media are expected to cooperate with school system officials in their efforts to provide a safe and orderly learning environment in which disruptions to instructional time are minimized. The principal or superintendent or their designees may require news media to leave or prevent news media from entering school grounds if the news media's presence interferes with these efforts.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 115C-47, -109.3, -319 to -321, -402; 132-1 to -9

Adopted: 07/16/2001

Revised: 07/21/2008, 08/21/2023

Safety is of paramount concern in the transportation of students and others. Consistent with the board's safety goals, all drivers involved in transporting students or operating any vehicle in the course of carrying out their employment duties must comply with the following board requirements, as applicable.

A. SCHOOL BUS AND ACTIVITY BUS DRIVERS

School bus and activity bus drivers must:

1. possess required licenses and all other qualifications required by law;
2. undergo and follow all training required by law governing school bus and activity bus passenger safety and comply with the safety practices set out in policy 6310, Safety and Student Transportation Services;
3. not operate a school or activity bus on a public street, highway, or public vehicular area while using a mobile telephone or related technology while the bus is in motion, unless such use is for the sole purpose of communicating in an emergency situation;
4. use the North Carolina crossing signals required by the State Board of Education to communicate to students when it is safe to cross the street to board the bus and when it is safe to cross the street after exiting the bus;
5. report to the principal any misconduct that is in violation of any of the student behavior policies in the 4300 series or school rules;
6. use reasonable judgment in the operation of the buses;
7. make reasonable efforts to maintain good order of the students being transported;
8. not permit any person to ride who is not assigned to the bus or has not received express permission of the principal or other designated official;
9. promptly report to the principal or other designated official any defect or other concern regarding the safety of the school bus, activity bus, or other vehicle operated by the school system;
10. report to the principal or other designated official by the next workday any moving violation citations received while operating any motor vehicle, whether on or off duty;
11. promptly report to the principal or other designated official all accidents that

occurred while driving a school vehicle; and

12. comply with the requirements of policy 6335/7270, Drug and Alcohol Testing of Commercial Motor Vehicle Operators.

B. OTHER DRIVERS

Other drivers who transport students, including volunteer drivers, and drivers who operate a vehicle for other purposes in the course of carrying out their employment duties, must:

1. possess required licenses and all other qualifications required by law;
2. report to the principal by the next working day any moving violation citations received while operating any motor vehicle, whether on or off duty; and
3. carry insurance if operating a privately owned vehicle.

If the board requires a school social worker to increase his or her private automobile liability coverage and/or to add a business use rider in order to transport students in his or her private vehicle, the social worker will be reimbursed for the additional premium charged and/or for the increased liability limits of the added rider.

The superintendent or designee shall make copies of this policy and other related policies available to drivers.

Legal References: G.S. 20-7(f)(2), -137.4, -218; 115C-47(25a), -241, -242, -244 to -246, -248, -251, -317.1; 16 N.C.A.C. 6B .0111; State Board of Education Policy TRAN-010; *North Carolina School Bus Driver Handout*, Department of Transportation, Division of Motor Vehicles, available at <https://www.ncdot.gov/dmv/license-id/driver-licenses/new-drivers/Documents/school-bus-handbook.pdf>

Adopted: 07/16/2001

Revised: 06/19/2006, 02/15/2016, 08/21/2023

INSURANCE FOR STUDENT TRANSPORTATION SERVICES

Policy Code:

6380

No school bus, activity bus, or other school-owned vehicle will be operated without bodily injury and property damage protection provided through the provisions of the State Tort Claims Act through locally purchased liability coverage. School buses will not be used for any purpose or in any circumstance not covered by the State Tort Claims Act unless liability coverage has been purchased to cover such purpose or circumstance. Only activity buses and other vehicles meeting federal safety standards may be used for approved school-related activities. The superintendent or designee and principals shall monitor compliance with this policy.

Legal References: 49 U.S.C. 30125, 30165; G.S. 115C-42, -47(25), -239, -242, -257, -258, -259; G.S. 143 art. 31; Memorandum to All Superintendents from Eddie M. Speas, Jr., Special Deputy Attorney General, January 14, 1988, available at <https://www.ncsba.org/wp-content/uploads/2017/03/AG-Memo-1988.pdf>

Adopted: 07/16/2001

Revised: 08/21/2023

The purpose of voluntary shared leave is to enable employees and other authorized individuals to donate earned leave to a fellow employee or other authorized individual who has exhausted all earned leave and continues to be absent due to serious medical conditions.

Donations made pursuant to this policy are voluntary. No employee should feel pressured or coerced to participate. The donating employee may not receive compensation in any form for the donation of leave. Any employee found guilty of giving or receiving compensation may be subject to dismissal as outlined in applicable state law.

Administrative procedures in conformance with State Board of Education policies will be developed and made available in the human resources office.

Legal References: G.S. 115C-12.2, -47, -325 (applicable to career status teachers), -325.1 *et seq.* (applicable to non-career status teachers), -336; 16 N.C.A.C. 6C .0402; *North Carolina Public Schools Benefits and Employment Policy Manual* (N.C. Dept. of Public Instruction, current version), available at <https://www.dpi.nc.gov/districts-schools/districts-schools-support/district-human-capital/employee-policy>

Adopted: 07/16/2001

Revised: 10/20/2014, 08/21/2023

The board recognizes that an effective staff is critical to the smooth operation of the school system and to creating a learning environment in which students can succeed. The board further believes that students will not excel in performance unless those who most directly affect students, including school administrators, teachers, and other licensed professionals, excel in their performance. It is the intent of the board to employ only those licensed employees who continuously exhibit a pattern of behavior that exemplifies excellent performance.

The board places a high priority on securing the most competent personnel available and, once they are employed, in assisting them in their professional growth and development throughout their careers. An effective evaluation program that clearly describes an employee's performance is a critical aspect of professional growth and assistance. Further, performance evaluation data is an important factor for consideration in decisions regarding continued employment. The superintendent must be able to substantiate any recommendation for continued employment with evaluation data, among other factors.

The superintendent is directed to develop and implement an effective evaluation system for licensed personnel that is consistent with State Board of Education policies. School administrators who are responsible for conducting evaluations shall comply with all state requirements with regard to the type and frequency of evaluation, including as applicable, the processes for evaluating licensed employees in schools designated as low performing. The principal, or an assistant principal in the limited circumstances authorized by law, shall evaluate teachers and may incorporate any guidelines or strategies developed by the State Board to assist in the evaluations. The principal shall provide teachers' access to EVAAS data as required by law and shall notify teachers at least annually when the data is updated to reflect teacher performance from the previous school year. The superintendent or designee shall evaluate principals and assistant principals.

All licensed personnel must be evaluated at least annually using state-approved evaluation instruments in conformance with the processes established by the State Board in the North Carolina Educator Evaluation System for that class of personnel. Teachers with fewer than three consecutive years of experience will be evaluated annually in accordance with state law and the comprehensive evaluation cycle established in State Board Policy EVAL-004. For teachers with three or more years of experience, the abbreviated evaluation process established in State Board Policy EVAL-004 satisfies the annual evaluation requirement; however, a teacher receiving an abbreviated evaluation may request that the evaluator conduct a formal observation. In addition, in any given year, the principal may elect to use the comprehensive or standard evaluation processes set forth in State Board Policy EVAL-004 or require additional formal or informal observations to evaluate a teacher with three or more years of experience. The principal also may supplement the State Board evaluation processes for other categories of licensed personnel by requiring additional observations or other evaluation measures. The annual evaluation of principals and assistant principals must include a mid-year review.

The evaluation system must incorporate the following directives.

1. Evaluators must clearly identify exemplary performance as well as deficiencies in performance.
2. Evaluators are encouraged to use supplementary means of assessing and documenting performance in addition to the state performance standards, assessment rubrics, and evaluation instruments, including, but not limited to, additional formal observations, informal observations, conferences, reviews of lesson plans and grade books, interactions with the employee, plans of growth or improvement, and any other accurate indicators of performance.
3. Student performance and growth data will be considered as a part of the evaluation of licensed personnel, as provided in the assessment rubric for the class of employees under evaluation. For teachers, such data shall include student performance as measured by the statewide growth model for educator effectiveness or as otherwise authorized by the State Board of Education and approved by the local board.
4. Peer observations of teachers with fewer than three consecutive years of experience must be conducted as required by law using the evaluation instrument and process established by the State Board and must be considered by the school administrator in evaluating teacher performance.
5. Supervisors and principals should facilitate open communication with employees about performance expectations.
6. An employee who is unclear about how performance is being assessed or who desires additional evaluation opportunities should address these issues with his or her immediate supervisor.
7. Evaluators will be held accountable for following the evaluation system and all applicable state guidelines on the evaluation of employees.
8. Evaluation data will be submitted to the central office personnel file in accordance with state law and policy 7730, Personnel Files.
9. Evaluation data will be used in making decisions related to contract renewal (see policy 7411, Teacher Contracts, policy 7420, School Administrator Contracts, and policy 7845, Non-Career Status Teachers: Nonrenewal). Evaluation data also may be used in making other employment decisions, including those related to reassignments or transfers (see policy 7440, Assignments/Reassignments/Transfers), professional and staff development (see policy 7701, Professional and Staff Development), suspension, demotion, or dismissal (see policy 7840, Professional Employees: Demotion and Dismissal), and reduction in force (see policy 7820, Reduction in Force: Teachers and School Administrators). Employment decisions may be made by the board and administrators for reasons that were not addressed through the evaluation system, so long as there is a legally sufficient basis for the decisions.

10. The superintendent and all evaluators are encouraged to develop ways to recognize distinguished performance and to capitalize on the abilities of such exemplary employees in helping other employees. The superintendent and evaluators are encouraged to involve employees in developing these processes.

The superintendent shall develop any other necessary procedures and shall provide training, as necessary, to carry out the board's directives and to meet state requirements.

Legal References: G.S. 115C-47(18), -286.1, -325, -333, -333.1, -333.2; State Board of Education Policies EVAL-004 through -006, EVAL-022, EVAL-025 through -031

Adopted: 07/16/2001

Revised: 01/17/2012, 12/16/2013, 05/18/2015, 05/15/2017, 12/18/2022, 08/21/2023

The board believes a strong relationship exists between the quality of education provided to students and the competency and training of all personnel employed by the school system. The board places a high priority on securing the most competent personnel available and, once they are employed, providing them with opportunities for professional growth and development throughout their careers. The goal of professional and staff development programs and opportunities for licensed professional employees and support staff is to improve the instructional program and create a safe learning environment for all students by improving and expanding the skills of the professional staff and support personnel.

A. PROFESSIONAL AND STAFF DEVELOPMENT

The superintendent shall provide ongoing development opportunities for licensed and support staff and shall require participation by such personnel as appropriate. The superintendent shall seek input from employees when developing system-wide programs. The principal shall seek input from school personnel when planning professional and staff development programs for his or her school.

Professional and staff development shall include all topics required by law or board policy, including but not limited to: (1) the effective delivery of the required curriculum as required by G.S. 115C-81.45(d), -81.20(f), and -81.57(c); (2) a program of technology-related professional development as required by policy 3220, Technology in the Educational Program; and (3) a mental health training program, which includes all components required by G.S. 115C-375.20, G.S. 115C-376.5(d), and State Board of Education Policy SHLT-003 (see policies 4240, Child Abuse and Related Threats to Child Safety, and 6120, Student Health Services).

B. SELF-IMPROVEMENT

Licensed employees are expected to engage in self-directed activities to improve their professional skills. These employees are encouraged to seek information and training through professional development programs as well as other opportunities in order to meet this responsibility.

C. PLANS FOR GROWTH AND IMPROVEMENT

Supervisors and principals also may require licensed employees to enter into plans, including mandatory improvement plans established by state law and individual, monitored and/or directed growth plans established by the State Board of Education, for professional growth and improving performance. (See policy 7810, Plans for Growth and Improvement of Licensed Employees.) A performance improvement plan could involve participation in a professional development program or encompass a variety of strategies that are related to professional growth or improving performance.

D. PAYMENT OF COSTS

The school system will consider paying reasonable costs, within budget limits, for any courses, workshops, seminars, conferences, in-service training sessions, or other sessions an employee is required to attend by the local administration. The employee must seek prior approval for payments.

The school system will not bear the responsibility of the cost of training taken solely for the purposes of licensure renewal.

Legal References: Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 *et seq.*, 34 C.F.R. pt. 106; G.S. 115C-81.20(f), -81.45(d), -81.57(c), -333, -333.1, -375.20, -376.5(d); State Board of Education Policies EVAL-004, SHLT-003

Adopted: 12/17/2012

Revised: 07/20/2020, 06/21/2021, 08/21/2023

The Board attaches a high priority to securing the most competent personnel available and, once they are employed, in assisting them in their growth and development throughout their careers. Regular evaluation of non-licensed employees is encouraged. The following board directives apply to the evaluation of non-licensed employees.

1. Exemplary performance as well as deficiencies in performance should be clearly identified.
2. Supervisors and principals should facilitate open communication with employees about performance expectations.
3. An employee who is unclear about how performance is being assessed or desires additional evaluation opportunities should address these issues with the immediate supervisor.
4. Evaluation data will be submitted to the central office personnel file in accordance with state law and policy 7820, Personnel Files.
5. Evaluation data may be used in making employment decisions, including decisions related to promotions, reassignments, or transfers (see policy 7440, Assignment/Reassignments/Transfers), suspensions or dismissals (see policy 7850, Classified Personnel: Suspension and Dismissal), and reductions in force (see policy 7830, Classified Personnel Reduction); however, employment decisions do not require the consideration of evaluation data and may be made by the board and administrators on any basis that is not discriminatory or otherwise unlawful.
6. The Superintendent and all evaluators are encouraged to develop ways to recognize exemplary employees and to capitalize on the abilities of exemplary employees in helping other employees.

The Superintendent will develop any other necessary procedures and will provide training, as necessary, to carry out the Board directives.

Adopted: 07/16/2001

Revised: 08/15/2022, 08/21/2023