

2014-2015

# Student/Parent Handbook



**WAKE COUNTY**  
PUBLIC SCHOOL SYSTEM

Crossroads I  
5626 Dillard Drive  
Cary, NC 27518  
[www.wcpss.net](http://www.wcpss.net)

# **Language Assistance Notification**

## **English**

Attention parents: If you do not speak English or need translation/interpretation services to understand this document or other school processes, please call (919) 852-3303.

## **Spanish**

Atención padres de familia: En caso que usted no hable inglés o necesite servicios de traducción/interpretación para comprender este documento u otros procesos de la escuela, por favor llame al (919) 852-3303.

## **Hindi**

अभिभावक ध्यान दें: यदि आप अंग्रेज़ी नहीं बोलते हैं या इस दस्तावेज़ या विद्यालयीन प्रक्रियाओं को समझने के लिए अनुवाद/व्याख्या सेवाओं की आवश्यकता है, तो कृपया (919) 852-3303 पर कॉल करें.

## **Chinese**

各位家长请注意：如果您说的不是英语，或需要翻译/口译服务来帮助您理解此文档或其他的学校流程，请致电 (919) 852-3303

## **Arabic**

باسم تطاء تكم ت حدث الإن ج ل يزية أوت ودون الحصول على خدمات ت ترجمة/ت ترجمة ناية الوالدين: إن لم يكن  
(919) 852-3303 فورية لفهم هذه الوثيقة أو أي إجراء آخر بالمدرسة، يُرجى الاتصال على الرقم

## **Vietnamese**

Thông báo cho phụ huynh: Nếu quý vị không nói được tiếng Anh hoặc cần dịch vụ biên/phiên dịch để hiểu tài liệu này hoặc các quy trình khác của nhà trường, vui lòng gọi (919) 852-3303.

## **French**

À l'intention des parents: Si vous ne parlez pas anglais ou si vous avez besoin de faire appel au service de traduction /interprétariat pour comprendre ce document ou d'autres processus scolaires, veuillez composer le (919) 852-3303.

## **Korean**

부모님께: 다른 학교과정이나 서류를 이해하는데 있어 영어를 못 하시거나 무료 번역 및 통역서비스가 필요하시면, (919) 852-3303 전화하세요.



## VERIFICATION/AGREEMENT FORM

**Remove, Sign, and Return to the Designated Contact at Your School within 3 days**

**Dear Parents:**

Please read and review this *Wake County Public School System Student/Parent Handbook* and any school handbook with your student. It is important that parents and students understand the expectations and rules for the county and school. Your signatures will indicate that you have reviewed and discussed the handbook(s) together and that you join with the *WCPSS* and your school in our efforts to keep your school safe and orderly. ***If there is a conflict between the rules expressed in this Student/Parent Handbook and your child's school handbook/agenda/planner, the rules expressed in this Student/Parent Handbook shall take precedence. A separate form must be submitted for each student.***

School

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Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_/\_\_/\_\_

Student Signature: \_\_\_\_\_ Grade: \_\_\_\_\_



# NOTES



# Wake County Board of Education

## **District 1 (Northeast Wake)**

Mr. Tom Benton, Vice Chair  
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[tbenton@wcpss.net](mailto:tbenton@wcpss.net)

## **District 2 (Southeast Wake)**

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## **District 3 (North Raleigh)**

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## **District 4 (East Raleigh)**

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## **District 5 (South Central Raleigh)**

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## **District 6 (Central Raleigh)**

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## **District 7 (West Raleigh/Morrisville)**

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## **District 8 (Southern Wake)**

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## **District 9 (Western Wake)**

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SUPERINTENDENT'S OFFICE  
**Dr. James G. Merrill, Superintendent**

CROSSROADS BUILDING 1  
5625 DILLARD DRIVE  
CARY, NORTH CAROLINA 27518

PHONE: 919.431.7550  
FAX: 919.431.7563

**Dear Wake County families,**

Welcome to the 2014-2015 school year! We look forward to celebrating your accomplishments and working together to create a rewarding and successful year.

We are fortunate to have a community that understands the value of high-quality schools and we sincerely appreciate the trust you place in our teachers and staff each day. It is a true team effort that works best when we are all committed to excellence.

We have much to be proud of in our school system. Our graduation rates are near historic highs, student ACT and SAT scores exceed state and national averages, and more than 90 percent of our teachers who are rated on students' academic growth meet or exceed state standards.

We will continue to strengthen our programs in the coming year in several areas. Expect to see improvements in transportation, the start of multiple building projects following last year's successful school bond campaign and a renewed focus on the heart of our mission in the classroom.

Most importantly, we are here to provide the best education we can for your child. This handbook provides information about the guidelines and procedures adopted by the Wake County Board of Education designed to help all of us in that effort.

Please review the information in the following pages and make sure your children are aware that they are responsible for adhering to the rules, procedures and expectations identified in this handbook.

Together, we can make this a great year for your child.

Sincerely,

A handwritten signature in black ink that reads 'James G. Merrill'. The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Dr. James G. Merrill  
Superintendent

Wake County Public School System

# INTRODUCTION

This handbook was produced as a resource for students and parents to explain the policies, rules, and regulations governing all students in the Wake County Public School System. Numbers that appear in some portions of the handbook refer to specific Board of Education policies. In some instances the entire policy is cited; at other times, only the most relevant portion is included. Your school may provide additional rules and regulations.

Parents must help school personnel to effectively communicate information from this handbook to students. Parents help by requiring students to be in school every day they are physically able to be in attendance, providing information such as correct addresses and phone numbers, attending scheduled conferences with school staff, sending the necessary absence or tardy notes, and learning about the school, its mission, its plan for improvement, and its activities. Parents are encouraged to meet with school staff; however, conferences with teachers should be scheduled in advance to avoid interruption of instructional time.

Parents will find the school counselor of assistance to them and their children. The counselor may involve the parent, student, and teachers in conferences to help the student. Parents may spend one or more sessions with the counselor before determining the need for further referrals to local community agencies for additional assistance. To meet with your counselor, please call the counselor's office and ask for an appointment for a conference.

Please take time to become familiar with the contents of this handbook. The information included is important and knowing it will make the school year easier for the students. If you have questions about information in this handbook, call your school principal. If further assistance is needed, the principal will direct you to the appropriate Wake County Public School System central office staff. You may also visit the Wake County Public School System website at [www.wcpss.net](http://www.wcpss.net).

***While every effort was made to ensure the accuracy and completeness of the policies and rules and regulations within the Wake County Public School System's Student/Parent Handbook, the Wake County Public School System and Board of Education will not be responsible for any errors or omissions which may occur in this document. Please notify [studentdueprocess@wcpss.net](mailto:studentdueprocess@wcpss.net) if you find any irregularities in the policies within this document. The Office of Student Due Process will review the information and investigate the irregularities. Go to [www.wcpss.net](http://www.wcpss.net) for the most current listing of all board policies.***

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*Note: The Wake County Public School System has a policy prohibiting discrimination against students or employees in programs, employment or assignments because of race, color, religion, disability or national origin.*

# I. GENERAL INFORMATION

## RELEASE OF INFORMATION

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### Release of Directory Information

Directory information will be made public without permission unless a parent annually requests to the school that such information not be released. Directory information includes the student's name, grade, school currently or most recently attended, dates of attendance, date of graduation, awards received, participation in officially recognized activities and sports.

**Any parent, guardian, or eligible student who does not wish for the Wake County Public School System to release directory information must notify the school in writing each year within twenty (20) school days of receipt of this notice.**

### Release of Information to Military Recruiters and Institutions of Higher Education

Federal law requires schools to provide military recruiters and institutions of higher education, upon request, with three directory information categories unless parents have advised the school that they do not want their student's information disclosed without their prior written consent. The three categories are: name, address and telephone listing.

**Any parent, guardian, or eligible student who does not wish for the Wake County Public School System to release directory information to military recruiters and institutions of higher education must notify the school in writing each year within twenty (20) school days of receipt of this notice.**

### Authorization for Release of Disciplinary Record

Many colleges/universities and businesses are requesting information from applicants regarding their prior suspension history. If the application requires the student's suspension history, the "Authorization for Release of Disciplinary Record" form must be completed and submitted to the Student Due Process Office. The student must also: (1) inform the colleges/universities or businesses that requests for verification must be submitted to the Student Due Process Office, not the high school, and (2) provide them with the Student Due Process fax number (919-431-7319) and address (5625 Dillard Drive, Cary NC 27518). The "Authorization for Release of Disciplinary Record" form is available through the school Guidance Department or online at [www.wcpss.net](http://www.wcpss.net).

**Compulsory Attendance Law** *For information about WCPSS attendance requirements, see policy 6000.*

North Carolina education law G.S. 115C-378 requires every parent, guardian or custodian in North Carolina having charge or control of a school aged student shall cause the student to attend school continuously for a period equal to the time which the assigned public school is in session. No person shall entice, encourage or counsel any child to be unlawfully absent from school. The parent, guardian, or custodian shall notify the school of the reason for each known absence in accordance with school board policy 6000.

## SCHOOL ADMISSIONS

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### Address Based School Assignments

1. Parents or legal custodians wishing to enroll a child in school must pre-enroll at the base school for their address. Necessary documents for pre-enrollment include:
  - Proof of address in the form of a recently dated current electric, gas, or water bill, a newly signed lease agreement; or a signed purchase agreement with a closing date within 45 days or closing statement in the name of the parent(s) or court appointed custodian (Telephone, cable television bills or a driver's license do not qualify as proof of residence.)
  - A certified copy of the child's birth certificate
  - A copy of the most recent report card or school transcript (if available)
  - A copy of the student's immunization record
2. For every domicile address in Wake County, school schools are established by the Board of Education.
3. Each year the district will hold application periods for magnet schools, early colleges, leadership academies, CTE High School and calendar option schools, and transfer requests. The dates for each application period are posted on our website.

### School Transfers

Procedures for requesting a transfer of school assignment are found in board policy 6203. Within ten days after receipt of school assignment, the parent of any student may apply for a transfer of the student to any school serving his/her grade level. The written transfer request should explain the reason(s) for the transfer request and indicate up to three choices for schools. The Administrative staff will review the request for transfer and approve or deny the request. Building and classroom capacity, as well as the reasons submitted by the parent are considered by staff when evaluating a request for transfer. Students approved for transfers must remain at the school to which they have been transferred for the school year. If staff denies an application for transfer, and the application was submitted within ten days of the original receipt of assignment, the applicant may, within five days after receipt of notification of staff's decision, request an appeal of the decision to the Board of Education. In a private meeting with a panel appointed by the Board of Education, parents have two minutes to explain the reasons for their appeal. The board subsequently votes on whether or not to approve the request, and a letter with the result of the board's decision is mailed to the applicant. This decision is final.

### McKinney-Vento Homeless Assistance Act

The McKinney-Vento Homeless Assistance Act (Subtitled B-Education for Homeless Children and Youth), reauthorized in January 2002, ensures educational rights and protections for children and youth experiencing homelessness. The McKinney Vento Act protects the educational rights of students experiencing homelessness. It provides grants and legal protections so children and youth in homeless situations can enroll in, attend, and succeed in school and preschool programs.

## SCHOOL BUS TRANSPORTATION GUIDELINES

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### Bus Routes

- School bus routes are determined by the Transportation Department.
- Bus must follow route as designated unless the operations manager recommends a change.
- Bus routes should follow state maintained highways unless road conditions or other factors make this inadvisable.
- Bus stops should be at least 0.2 mile apart unless safety requires closer stops.

### Bus Assignments

- A local board of education that operates a school bus transportation system need not provide transportation for any child who lives within 1.5 miles of the school where he is enrolled.
- Transportation Routing Specialist is responsible for assigning students to specific buses.
- Elementary pupils should be assigned to stops not more than 0.3 miles from their homes.
- Middle and high school pupils should be assigned to stops not more than 0.5 miles from their homes.
- Students may not ride any bus except the one they are assigned and students may only enter and exit the bus at their assigned stop.
- Local boards may permit students to be transported to before and after school care providers if the parent so requests and if the decision conforms with Board Policy 7125 R&P, paragraph D. Parents must request this service.

### Supervision and Safety

- Under the direction of the transportation operation manager and/or principal, a school bus driver has complete authority over and responsibility for maintaining order and good conduct on the bus.
- All misconduct on the bus or disregard of the driver's instructions should be reported promptly to the principal.
- Principals may take any disciplinary action that they are authorized to take as if the misconduct had occurred on school grounds.
- Principal may suspend a student's privilege of riding the bus if the student's behavior warrants such action.
- All concerns about school buses should be referred to the operations manager and/or area manager.
- Notification to parents of bus accidents will be reported by the school's administrators.

## CHILD NUTRITION SERVICES

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Every child needs nourishment during the school day. Many students do not eat a balanced breakfast in the morning, and may be hungry when they arrive at school. Also, many students would not receive a meal or a nutritionally balanced meal if they had to bring their own lunches. Research has shown that children with empty stomachs are lethargic, irritable, and unable to participate fully in learning experiences. Good nutrition is critical to student achievement. Meals are provided at school to enable all students to achieve their highest potential. All elementary and middle schools offer both breakfast and lunch to all students every day and all high schools offer lunch to all students every day. High schools offer breakfast when there is sufficient interest.

**Returned Checks** - If your check is returned, it may be re-presented electronically. Also, in presenting a check for payment, you authorize service charges and processing fees to be debited from the same account should the check be dishonored. These fees, as permitted by state law, may be debited as an electronic funds transfer. Each dishonored item is subject to the applicable NC state returned check fee of \$25.00.

**Check Writers with returned check inquiries should contact our Processing Center:** Phone: 800-208-2964 Fax: 727-499-7003

**Wake County Public School System makes paying for school lunches EASY!**

With myLunchMoney, giving lunch money to your kids could not be easier. The service is easy-to-use, convenient, private and secure. Simply go to [www.myLunchMoney.com](http://www.myLunchMoney.com) to enroll and start using the site to deposit funds into your child's lunch account. Once your account is established, you can check balances and fund the account anytime from your home computer, phone or fax. Your child's information is safe--it stays at school. Your personal and payment card information is protected by the most advanced internet security. If your student is tracked out, you can process a payment after 5 PM on the night prior to tracking back in.

Funds will be posted on your child's account at the top of each hour. There is a \$1.95 service charge for each transaction.

For more information about how to use this new service, call 800-479-3531 or visit [www.myLunchMoney.com](http://www.myLunchMoney.com). In order to enroll for this service, you will need your child's ID or NCWISE number. **See specific information about Child Nutrition Services on the WCPSS internet website by using the Lunch Menu link.**

## STUDENT HEALTH AND INSURANCE

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### Student Accident and Dental Insurance

The Wake County Public School system (WCPSS) does not carry medical insurance to cover students' accidental injuries or illnesses. A voluntary student accident insurance policy is available for purchase on an individual basis and covers accidental injuries that occur during school-sponsored activities. Application and purchase information can be obtained from your child's school. Parents may enroll students online if desired. Online enrollment provides next day coverage and immediate proof of coverage. Please refer to internet website at [www.wcpss.net](http://www.wcpss.net) for coverage details. This coverage is provided on a self-pay basis.

All approved school-time and overnight field trips within the continental United States are covered by voluntary student accident insurance. Risk Management Department purchased a blanket field trip policy for parents/guardians of students that have no applicable coverage (Board Policy 5430 School Trips). Field trip coverage is "excess only." Field trips involving foreign travel may be covered by the policy but will require an additional charge and will be approved on a case-by-case basis. **Contact the Risk Management (431-7341), if you have any questions.**

It is important to remember that treatment by a doctor must begin within 90 days of the occurrence for all student accident claims. Claims must be submitted within 90 days. All claims must be filed on student accident form provided by insurance agent. See Student Claim Form at <http://www.wcpss.net/forms/athletics-insurance-claim.pdf>, or [http://www2.wcpss.net/forms/forms/student\\_claims\\_forms.pdf](http://www2.wcpss.net/forms/forms/student_claims_forms.pdf). **For assistance from service provider see contact information on website.**

The Delta Dental Plan of North Carolina has withdrawn coverage from the State of North Carolina and no longer provides dental insurance. Refer to Voluntary Student Accident Insurance Enrollment Application for any alternative dental insurance coverage through American Advantage Marketing Group, INC. at 1-800-232-9601.

### **Medication Administration**

Students may receive or self-administer medication at school when the medication is medically necessary for health or learning and must be taken during the school day. Medication must be prescribed by a licensed physician. Alternative medications, such as herbal or homeopathic medications that are not tested by the US Food and Drug Administration for safety or effectiveness, lack safety information and therefore cannot be administered at school.

School staff may administer medication to students only when the "Parent and Physician Order for Medication" form (1702) is completed by the parent and physician and present at the school. Form 1702 is available from the school or on the WCPSS website. No medication will be given by a school official unless it is in a container dispensed by a pharmacy with the student's name, name of medication, date prescription was filled, and directions clearly marked. A new medication form must be completed if there is a change in medication or medication dosing directions. Parent/guardians are responsible for monitoring medication expiration dates and replacing medication when expired.

#### **Elementary Level**

Only emergency medications may be self-carried & administered at the elementary level. Sun screen products & insect repellent products are considered medication & must be accompanied by a completed medication form (1702). These products should be in the original container & labeled with the student's name. Lip balm does not require a medication form & is for self-use and self-carry. An adult is responsible for transporting all medicines at the elementary school level except for emergency medication that the child has permission to keep with them.

#### **Secondary Level**

Prescription medication may be self-carried and administered by the student if they have permission to do so documented on Form 1702. At the secondary level only, self-administration of non-prescription medication is permitted without the "Parent and Physician Order for Medication" form (1702) at the principal's discretion. Medication should be in the original container and labeled with the student's name. Student should carry no more than a daily dose in the appropriate container.

#### **Student Self-Administration of Emergency Medications**

At all school levels, students may self-medicate with emergency prescription medication if they have permission to do so documented on Form 1702. Senate Bill 663 was enacted in the 2005-2006 school year. This bill allows students who have met certain conditions to carry and self-administer emergency medication for asthma and severe, life-threatening allergies (anaphylaxis) during the school day and at all school-sponsored after-school events including transportation to and from the event(s). Medication includes asthma inhalers and injectable epinephrine. The parent/guardian(s) must provide the school with a completed "Parent and Physician Order for Medication" form (1702). The student must be observed and certified by the school nurse to be able to self-administer the medication.

#### **Controlled Substances**

Controlled substances may be administered in the school setting with a completed medication form (1702). Controlled substances may be self-administered and self-carried at the secondary level only. Medication should be in a container dispensed by a pharmacy with the student's name, name of medication, date filled, and directions clearly marked. Students that self-carry should carry no more than a daily dose at any time.

#### **Disposal of Unused Medication**

All unused, discontinued, or expired medication must be returned to the parent/guardian(s) or disposed of in accordance with the WCPSS Medication Disposal Process.

#### **Allergies**

There is increasing frequency and intensity of allergic reactions that impact students in the educational environment. Parents of a student with a life-threatening allergy must provide the school with documentation from a licensed healthcare provider. This information should include the specific allergy and medical requirements needed for the student. Staff who will work in partnership with the parents to develop an emergency medical plan may include but are not limited to the principal, school nurse, student's teachers, after school care coordinator, First Aid Response teams and the cafeteria manager if appropriate. The school system takes seriously its responsibility to take reasonable steps to protect the safety of its students. The goal is to increase awareness & communication, to prevent possible exposure to identified allergens, and to create an emergency procedure for allergic reactions.

#### **Notification of Health Conditions**

It is the parent's responsibility at the beginning of each school year and throughout the school year to inform the child's teacher or principal if there are medical conditions that require special measures such as dietary or activity restrictions at school for the student. School Nurses are available for health consultation but are not present at the school on a daily basis.

#### **Cervical Cancer, Cervical Dysplasia and Human Papillomavirus Information**

For students in grades five through twelve, information about cervical cancer, cervical dysplasia and human papillomavirus, including the causes and symptoms of these diseases, how they are transmitted, how they may be prevented by vaccination, including the benefits and possible side effects of vaccination, and places parents and guardians may obtain additional information on vaccinations for their children is available from your school nurse and/or counselor.

#### **Diabetes School Act**

Senate Bill 911-G.S. 115C-47- Care for School Children with Diabetes mandates the adoption of guidelines for the development and implementation of diabetes care plans. The guidelines were developed by the State Board of Education, with input from the NC Diabetes Advisory Council and American Diabetes Association.

The following procedures were adopted regarding the management of children with diabetes in the school setting:

- A parental request form to initiate an Individual Diabetes Care Plan
- Parent/guardian(s) responsibilities for the Individual Diabetes Care Plan
- The Individual Diabetes Care Plan – which includes the emergency action plan for conditions of low blood sugar (hypoglycemia) and high blood sugar (hyperglycemia), as well as information on the individual's blood sugar monitoring, insulin and oral medications, and food/exercise requirements
- School responsibilities for the Individual Diabetes Care Plan
- Information & training is available to teachers and other school personnel in order to appropriately support & assist students with diabetes.

For assistance in the development and implementation of an Individual Diabetes Care Plan, contact the nurse at your child's school.

### **Garrett's Law**

Garrett's Law or G.S. 115C-47(44) was passed in July 2004, by the General Assembly. The law mandates that at the beginning of every school year, schools provide parents with information about meningococcal meningitis and influenza and their vaccines. The flu is a highly contagious respiratory illness caused by influenza viruses. It can cause mild to severe illness, and at times can lead to death. Symptoms include: fever (usually high), headache, extreme tiredness, dry cough, sore throat, runny or stuffy nose, and muscle aches. The flu vaccine is generally effective in preventing cases of the flu, so it is recommended that the pros and cons of taking the vaccine be discussed with the student's physician.

Meningococcal meningitis is another respiratory illness with symptoms that may resemble the flu. Seek immediate medical care if your child develops fever, headache, stiff neck, nausea, vomiting, confusion, sleepiness and sensitivity to light. The Advisory Committee of Immunization Practices recommends vaccination for college-aged students.

**With any contagious respiratory illness the best method of prevention is good health habits. It is important to stay at home when sick. Avoid close contact with people who are sick, cover mouth and nose with tissue when coughing or sneezing, avoid touching eyes, nose or mouth and wash hands to protect from germs.**

Information about the flu or meningococcal meningitis may be found at [www.immunizenc.com](http://www.immunizenc.com) or [www.wcpss.net](http://www.wcpss.net).

### **Immunizations**

North Carolina General Statutes (G.S. 130A-155) require that parents/ guardian(s) of any child enrolled in public schools must present proof of immunization at the time of enrollment for the minimum requirements as specified in the law. It is the parent/guardian(s) responsibility to provide written proof of immunization within thirty (30) calendar days from the first day of attendance. Do not depend upon school records to arrive from another school system since records may arrive late or with incomplete or unacceptable medical information. If you cannot secure a certified immunization record, contact your physician or Wake County Human Services. If the completion of a new series should run beyond the 30-day period, a physician's written statement that a series is in progress showing the anticipated completion date will allow the student to remain in school. If no record of completed immunization or a physician's note stating a series in progress has been received by the 30th calendar day from the first day of attendance, the principal is required by law to exclude the child from school on the 31st day until such evidence has been presented by the parent/guardian(s)

### **Child Abuse or Neglect**

It is the philosophy of the board of education that students must be afforded the utmost protection in all suspected cases of child abuse and neglect. North Carolina law requires that any school employee who knows or suspects that a child's health or welfare has been or appears to have been harmed as a result of child abuse or neglect must report the case.

Once the suspected child abuse or neglect is reported, the school employee should refrain from further investigation. All questions about reports must be directed to Child Protective Services, not the school. Child Protective Services will determine if abuse or neglect has occurred.

### **Kindergarten Health Assessment**

Students entering kindergarten are required by law to have a health assessment conducted no more than 12 months prior to the date of school entrance. The standard health assessment form (available at the school office or authorized medical provider), which is completed by the authorized medical provider, must be presented to the school prior to enrollment. If the record of the health assessment is not received by the school within the first 30 days from the first day of attendance, the principal is required by law to exclude the child from school on the 31st day until such evidence has been presented by the parent/guardian(s).

### **Screening**

The following screenings are provided to students at certain grade levels or schools. Students at any grade with evidence of problems related to hearing, vision, dental, communicable disease or related academics will be screened or re-screened upon request.

- Hearing - All students in kindergarten receive a hearing screening by trained school staff, regardless of Kindergarten Health Assessment hearing screening results - Individual by-request hearing screenings are also completed by trained school staff. School audiologists oversee and provide follow-up for all failed hearing screenings.
- Vision - Vision is screened by trained school staff or trained volunteers on all students in grades 1, 3, and 5. Vision screening is provided for kindergarteners if not documented on the kindergarten health assessment. Screening is provided for students in other grade levels as referred by school staff. The school nurse is contacted for screening/re-screening or follow-up assistance.
- Dental - All kindergarten students receive a dental screening by a dental hygienist.
- Communicable Disease - School personnel who observe symptoms of a possible communicable disease should contact the student's parent/guardian. Staff may consult with the school nurse regarding a suspected communicable condition; follow-up is provided as needed.

Students at any grade with evidence of problems related to hearing, vision, dental, communicable disease or related academics will be screened or re-screened upon request.

### **Bullying Prevention**

WCPSS staff strives to create a safe school climate for all students. Bullying is unacceptable behavior that is learned and should be immediately addressed. Bullying can include behaviors such as:

- Physical violence and attacks
- Repeated verbal, written or electronic taunts, name-calling and put-downs
- Threats and intimidation
- Extortion or stealing of money and possessions
- Exclusion from the peer group

#### ***What parents can do:***

- Contact a school administrator, counselor, social worker, or psychologist for help.
- Provide positive feedback for children demonstrating appropriate behavior.
- Use alternatives to physical punishment to stop bullying behavior, such as removal of privileges.
- Stop bullying behavior as it is happening and begin working on appropriate social skills early.

Any student who believes that he or she has been harassed/bullied should report the behavior immediately to a teacher, counselor or administrator at his/her school. A school employee who is notified of or becomes aware of bullying/harassing behavior shall report the matter to the principal. All complaints of harassment shall be promptly and thoroughly investigated by the school principal and appropriate action shall be taken. For more information, see policy 6414, contact a school counselor, social worker, psychologist, or the Office of Counseling and Student Services.

**Suicide Prevention and Intervention**

WCPSS collaborates with community agencies to provide a comprehensive suicide prevention and intervention program for all students. It is important for all students and parents to be aware of potential signs of distress.

The following signals are indicators that a student is having difficulty coping with issues.

**WARNING SIGNS**

- Noticeable change in behavior
- Signs of depression (sleeping problems, change in appetite, feelings of hopelessness)
- Alcohol or drug abuse
- Obsession with death
- Decline in participation in activities
- Suicidal gesturing or reckless behavior
- Statements about hopelessness, worthlessness, and helplessness

**WHAT TO DO**

- Take the threat seriously
- Take action! Seek assistance from a school counselor, psychologist, social worker, or nurse
- Listen and show support
- Communicate your concerns for the student’s well being
- Talk openly and ask questions

**WHAT NOT TO DO**

- Do not keep it a secret
- Do not leave the person alone
- Do not offer simple solutions
- Do not think that it is a joke
- Do not try to be a therapist. Get professional help.

***Important Note:*** See your school counselor, psychologist, social worker, or nurse for assistance with this issue.

6770

**LAWFUL ABANDONMENT OF NEWBORN INFANT**

6770

**Students in grades 9-12, shall be notified annually on the manner in which a parent may lawfully abandon a newborn infant with a responsible person in accordance with G.S. 7B-500.**

A parent may lawfully abandon an infant under seven (7) days of age by voluntarily delivering the infant to one of the following: health care provider, law enforcement officer, social services worker, certified emergency medical services worker or any responsible adult.

**SAFETY AND EMERGENCY PROCESSES**

**Inclement Weather Conditions**

In case of snow or other potentially hazardous weather or emergency situations, a decision may be made to close or delay school. If the weather is bad enough to make a decision the day or night before, WCPSS will do so in time for the 11 p.m. newscasts. Otherwise, at 3:30 a.m., school system transportation personnel drive the bus routes to check firsthand on local conditions. Between 3:30 and 4:30 a.m., the transportation director consults with the National Weather Service, local weather forecasters and the Highway Patrol. The director then calls the superintendent with an update at 4:45 a.m., and a decision is made. WCPSS will immediately alert the media, call school principals, and post a notice to the system's website and to the e-mail notification service. Schools typically update the school's main phone line with a message to reflect the closing or delay status as well. All delays or early closing announcements will be made in terms of hours: one hour late, two hours early, etc. Never assume that schools will be closed, have a delayed opening or close early. Schools will open on their regular schedule unless otherwise announced.

***How will I know if there's a weather emergency?***

- Please check www.wcpss.net for the latest information. During an emergency, the website will be updated at 15 minutes past the hour with status reports from each school. In addition, you may sign up for the e-mail notification system to receive timely e-mails about urgent WCPSS news and important events. To sign up, go to www.wcpss.net/notification\_list.

***Should I call the media?***

- Please do not call radio and television stations. Telephone lines must be kept open so that news media can receive special information from schools and businesses regarding schedule changes.

***Do school delays or early dismissals affect the Before- and After-School Programs?***

- The Before-School Program regular start time will be delayed just as the opening of school is delayed. Early dismissal of school will activate the After-School Program, which will operate until the regular closing time. If schools are closed, neither program operates.

***Will schools serve breakfast if there is a delayed opening?***

- If school is delayed one hour or more, breakfast may be served, but the final decision is the principal’s responsibility.

***What adjustments will be implemented for all student activities and athletic games and/or practices?***

- When school is closed for the day or dismissed early due to inclement weather, all student extracurricular activities and athletic games and/or practices for the day shall be canceled.
- On days when school opens later than normal, student extra-curricular activities, athletic games and/or practices may be canceled, held as normally scheduled, or alternatively scheduled depending on local weather conditions and other pertinent factors. A delayed opening does not automatically cancel an event. The principal and other local school personnel who are normally involved in scheduling these events shall work out the schedules for days affected by delayed openings.

**School Closings or Delayed Openings**

When school is closed or delayed due to weather or other occurrences the suspension length and any scheduled appeal hearing will change.

- Suspension Length: If school has been closed, the suspension days shall be carried forward to the days when school is back in session.
- Scheduled Appeal Hearing: If the appeal hearing is schedule during the delayed opening time when school is closed, the hearing shall be cancelled and rescheduled for another time and date. Student, parent, and school will be notified of the new date and time.

**Emergency Preparedness** WCPSS is prepared to effectively and efficiently respond to emergency situations that may impact students and staff. A system wide emergency operations plan, that enables WCPSS to respond to and manage numerous emergency situations, is compliant with the National Incident Management System (NIMS) framework. This system wide plan is continually reviewed and updated as needed to ensure that best practices are being utilized.

Each year schools review, and update their emergency operations plan as needed. These plans align with the system wide plan and assist schools in effectively managing emergency situations. Additionally, these plans include procedures for lockdowns, relocation of students and staff, and parent/child reunifications. Each school establishes an Emergency Response Team (ERT) composed of school administrators and staff who receive basic levels of emergency preparedness training.

In the event of an *extreme* emergency at a school site, parents should tune in to local media outlets (TV, radio), for information regarding how to reunite with children. In *extreme* cases, WCPSS staff may close a campus for the student's protection to transport students to another location. In such situations, we will work with law enforcement to release students to parents in an orderly manner. **Please do not go to your child's school until the "all-clear" has been given by law enforcement.** We request you follow the directions as given through the media. Your presence at the affected school would hinder or delay the emergency response plan in process. Please abide by the directions given through the media outlets.

**School Lockdown** is a protective action employed to safeguard students, staff, and visitors when there is an armed perpetrator approaching the campus, on campus, or in the school. A lockdown is employed to keep people away from a violent perpetrator while law enforcement and emergency services personnel address the threat.

**What should I do if I am at school and a Lockdown is announced?**

**Lockdown Codes/Procedures** The following lockdown codes may be used to inform students, staff, and visitors of an emergency:

- **Code Red: "Student, staff, and visitors, we are in a code red. Please lockdown immediately."**

This means there is an immediate threat to the school. This is a complete classroom and school lockdown. If you are in a school when a code red lockdown is ordered, you **must** follow the directions of the school staff.

- **Code Yellow: "Students, staff, and visitors, we are in a code yellow, community lockdown."**

This is a "community lockdown" in which danger is located in the community. All outside activity shall cease and student/staff and identified visitors will be moved into the building. Only the exterior doors of all buildings on campus are locked and all exterior movement is prohibited.

- **Code Green: The lockdown is over and the normal school activities are resumed.**

**How can you prepare for an emergency?**

- Develop your own home emergency plans and be sure your child understands them.
- Useful Links: <http://www.readync.org> and <http://www.ready.gov>
- If your child needs regular medication, keep a 3-4 day supply at school.
- Be sure your contact information is on file and up to date with your child's school.
- Never leave school with your child without signing him or her out at the office. If an emergency happens, staff will perform established accountability procedures in order to locate each child.

**How can you help during an emergency?**

- Avoid tying up 911 and school telephone lines unless you have information that could assist in the ongoing response and investigation. These lines will be needed for emergency communications.

## II. ACADEMICS

### ADDITIONAL EDUCATIONAL SERVICES

**Homebound Services** A student is required to be enrolled in WCPSS to qualify for Homebound Services. Services may be provided for a student who is expected to be confined four to six weeks for medical treatment or convalescence. The inability to attend school must be certified by a primary physician or mental health professional.

**Request for Homebound Program Services**

Parents may request services by contacting their school's principal or counselor to obtain the Homebound Application Packet. Parents must submit to the homebound contact the completed packet. The physician/mental health professional information must include:

- Diagnosis plus the nature and extent of the student's medical condition
- Physical or psychological limitations under which the student can work successfully
- Length of time away from school
- Prognosis and course of treatment with follow up evaluation date.

### **RESPONSIVENESS TO INSTRUCTION:**

**Rtl Definition:**

Responsiveness to Instruction or multi-tiered system of supports is a multistep data-driven process of implementing **instruction, interventions, and enrichment** to ensure that **all** students are **successful learners academically and behaviorally**.

**Rtl Tier III:**

Tier III is a **process** of supporting and monitoring students who have not responded to core and strategic academic and behavioral instruction. Through the use of teacher collaboration with Tier III Case Managers and/or other school specialists, school staff implements **intensive** interventions.

**Purpose of the Tier III Team:**

The Tier III team is focused on the individual needs of the student, which includes both academic and behavior. Their goal is to strengthen and support the individual student, intervene early, develop and implement a collaborative plan utilizing research-based interventions, and progress monitor to assess the student's response to the intervention. The team should use a problem solving approach to identify the student's needs and appropriate interventions, which is the Team-Initiated Problem Solving Approach (TIPS).

You may contact your school's administrative staff if you would like additional information about your school's Tier III Team.

**Section 504 of the Rehabilitation Act of 1973 and the ADA Amendments ACT of 2008** prohibits discrimination against students and/or employees on the basis of a disabling condition. All individuals determined to have a disability are protected by this law.

504/ADA cases in schools involve students, who:

- Are not found to be in need of special education (i.e., they are performing satisfactorily in the regular classroom setting).
- Have various types of diagnosed physical or mental impairments that are shown to substantially limit one or more of the student’s major life activities. Documentation of the impairment must be provided in writing by a qualified and knowledgeable professional with expertise in the area of impairment.

\*\*\*Please note that if the major life activity being called into question is the area of learning/classroom performance, then the case must be referred to the IEP team so the need for special education services can be reviewed prior to consideration of 504 eligibility. If an IEP team rules out the need for special education services, only then can the case be referred on to the 504 team.

Those major life activities include, but are not limited to, areas such as learning, concentration, walking, seeing, breathing, hearing, lifting, bending, and performing manual tasks. Additionally, the major life activities include the operation of “major bodily functions/systems” such as the immune, neurological or respiratory system.

Students who meet the qualifications for a disability under Section 504 may be in need of certain accommodations. Examples may include:

- Students with physical disabilities needing consulting physical therapist involvement in educational services but do well in regular classes.
- Students with attention deficit disorder who, with classroom accommodations, can succeed in the regular classroom and are not in need of special education.
- Students with auditory deficits who can function well within the regular classroom if auditory trainer equipment is made available.

A 504 plan is designed to help “level” the playing field for a student that is disabled by providing accommodations that help the student access their education. A school accommodates the student by addressing the substantial limitations of one or more major life activities affected by their disabling condition. A 504 plan should not give the student an unfair advantage (e.g. provide unnecessary accommodations) or require that a teacher dilute the integrity of their course or curriculum.

Each school has a Section 504 chairperson who has been trained to coordinate 504/ADA cases in his/her school. Wake County Schools has a designated Section 504 Intervention Coordinator who is charged with the responsibility of serving as the contact person for questions related to Section 504/ADA.

Complaints about Section 504/ADA violations are usually investigated by the U.S. Department of Education’s Office of Civil Rights, the federal enforcement agency for Section 504/ADA. State and federal funds allocated for special education cannot be used for children who do not qualify under the Individuals with Disabilities Education Act, even though they may be identified with a disability by Section 504/ADA criteria.

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**6220                      ASSURANCE OF APPROPRIATE SERVICES FOR STUDENTS WITH DISABILITIES                      6220**

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Wake County Public School System assures all children with disabilities ages three (3) through twenty-one (21) will have available to them a free appropriate public education that emphasizes special education and related services designed to meet their individual needs in the least restrictive environment, prepares them for further education, employment, and independent living, and ensures the rights of these children and their parents are protected.

6220.1 Wake County Public School System will adhere to state and federal laws and regulations pertaining to the education of students with disabilities as well as Policies Governing Services for Children with Disabilities as adopted by the State Board of Education. -----

The North Carolina Department of Instruction, Division for Exceptional Children, details the procedures and processes the local school district must use to provide special education and related services to eligible children. These policies are the **North Carolina Department of Instruction, Policies Governing Services for Children with Disabilities** and can be accessed through the NCDPI website (<http://ec.ncpublicschools.gov/policies/nc-policies-governing-services-for-children-with-disabilities>). Additional resources provided by WCPSS Special Education Services can be found on the WCPSS website (<http://www.wcpss.net/what-we-teach/services/special-ed.html>). For questions regarding special education services, contact the Family and Community Connections team at (919) 431-7334 or (919) 431-7143 (Spanish).

**Parent Notification of Disposition of Records**

Records concerning children with disabilities who are in educational programs will be maintained for 5 years after the student leaves the education program. At the end of these 5 years, records related to disability will be destroyed. However, parents may request a copy of these records from the school their child attended any time within these 5 years.

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**6230                      ASSURANCES OF APPROPRIATE SERVICES FOR ACADEMICALLY GIFTED STUDENTS                      6230**

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The Wake County Public School System Academically Gifted Program is governed by the requirements of N.C. General Statutes *Article 9-B. Academically or Intellectually Gifted students*. The Wake County Public School System Academically Gifted Program plan addresses identification and service delivery as required by law.

1. N.C. General Statutes, Article 9B and the Wake County Public School System define gifted students as follows:  
Academically or intellectually gifted students perform or show the potential to perform at high levels of accomplishments when compared with others their age, experience or environment. Academically or intellectual gifted students exhibit high performance capability in intellectual areas, specific academic fields, or in both intellectual areas and specific academic fields. Academically or intellectually gifted students require differentiated education services beyond those ordinarily provided by the regular educational program. Outstanding abilities are present in students from all cultural groups, across all economic strata, and in all areas of human behavior.
2. The Wake County Public School System Academically Gifted Program assures that all students identified as Academically Gifted will be provided appropriate differentiated services according to the local plan adopted by the Board of Education. The local plan shall be reviewed and revised, as needed, at least every three years.
3. The Wake County Public School System Academically Gifted Program identifies and services students who qualify for Early Admission to Kindergarten as determined by the North Carolina State Board of Education.
4. The Wake County Public School System Academically Gifted Program participates in the Governor’s School Selection Process as determined by the North Carolina State Board of Education.



## **DRIVER ELIGIBILITY**

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### **Driver Education**

WCPSS provides Driver Education services through our private contractor, Jordan Driving School. Driver Education is provided at all WCPSS high schools for students that are at least fourteen years, six months of age. To register for a class, contact the driver education lead teacher at the high school of your choice. For more information, log on to [www.wcpss.net/drivers-ed](http://www.wcpss.net/drivers-ed), or contact Jordan Driving School, 772-4877.

### **Dropout Prevention/Driver's License Legislation**

North Carolina has established legislation that reflects a coordinated statewide effort to motivate and encourage students to complete high school. This legislation requires that a student's driving permit or license be revoked if a student is unable to maintain adequate progress or drops out of school. Adequate progress is defined as passing 70% of all courses, determined by first semester grades and second semester grades for schools on block scheduling. For schools on a traditional six-period day schedule, grades are determined by first semester grades and end-of-the-year grades. A student is exempt from this law when reaching the age of 18 or obtaining a high school diploma, a GED, or an adult high school diploma. In rare cases, there may be circumstances beyond the control of the student or parents that qualify as a hardship. If a hardship exists, the student may request a waiver. If the waiver is granted, the student would not be affected by the legislation. Hardship cases are rare and are reserved for extreme situations. Hardship Review forms are available at your school and on the Internet at [www.wcpss.net/cass/drivers-license-loss](http://www.wcpss.net/cass/drivers-license-loss).

### **Lose Control, Lose Your License Legislation**

North Carolina has established legislation, requiring that a student's driving permit or license be revoked for one year if a student is given a suspension for more than 10 consecutive days for one of the following reasons:

1. The possession or sale of an alcoholic beverage or an illegal controlled substance on school property.
2. 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.
3. The physical assault on a teacher or other school personnel on school property.

Students who are 18 years old at the time of the suspension from school cannot be charged under this law. It is possible, however, for a student to have his or her license suspended as a 17 ½ year old and not be eligible to drive for a full calendar year, reaching 18 ½ before being eligible to drive. A student can become eligible for a Driver's Eligibility Certificate after a six-month waiting period if the student displays exemplary student behavior.

The school principal or designee shall issue a Driving Eligibility Certificate to the student under the following:

1. The student has returned to school or has been placed in an alternative educational setting and has displayed exemplary student behavior during the six-month waiting period.
2. The student has successfully completed a drug or alcohol treatment-counseling program for a drug-related suspension and has demonstrated exemplary behavior during the six-month waiting period.

Visit <http://www.wcpss.net/faqs/departments/cass.html> for more information on exemplary behavior.

## **III. WCPSS POLICIES**

### **CODE OF STUDENT CONDUCT / DUE PROCESS / APPEALS / GRIEVANCES**

**6400**

**DISCIPLINE**

**6400**

To provide a positive learning environment for students and staff, schools must be safe and orderly, students must be given clear expectations for appropriate behavior in school and fair practices for disciplining students must be followed. To support these objectives, Board policy establishes a Code of Conduct for students and due process requirements for imposing out-of school suspensions. Recognizing that removal of students from school can exacerbate behavioral problems, diminish academic achievement, and hasten school drop outs, the Board encourages teachers and school administrators to use in-school disciplinary measures when possible and to reserve long-term out-of-school suspensions for serious misconduct, such as behavior that threatens the safety of students, staff, or visitors or threatens to substantially disrupt the educational environment.

The Superintendent shall keep data on each student suspended or expelled. This data shall include the race, gender, age, grade, disability status of each student, the duration of suspension for each student, whether alternative education services were provided for each student, and whether a student had multiple suspensions in that academic year.

In the case of any student who brings a firearm onto school property, the information shall include a description of the circumstances surrounding the student's suspension, the name of the school concerned, the number of students suspended from the school for bringing a weapon as defined by this paragraph onto school property, and the type of weapons concerned.

**6410**

**CODE OF STUDENT CONDUCT**

**6410**

All students shall comply with the Code of Student Conduct of the Wake County Public School System, state and federal laws, school board policies, and local school rules governing student behavior and conduct. This code applies to any student who is on school property, (which also includes any school transportation) who is in attendance at school or at any school-sponsored activity, or whose conduct at any time, place, or cyberspace, on or off campus, has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment.

#### **A. Student Expectation**

Students are expected to be familiar with all rules of behavior in the Code of Student Conduct. Students are to assist in promoting a safe and orderly school environment. Students are encouraged to report to school authorities any serious violation of the Code of Conduct.

## **B. Range of Interventions, Support, and Disciplinary Actions**

Violation of Board policies, the Code of Student Conduct, regulations issued by the individual school, or North Carolina General Statutes may result in some level of disciplinary action. Teachers and principals are encouraged to utilize a variety of behavioral interventions and disciplinary consequences to accomplish a positive change in student behavior. When a student violates the Code of Conduct and a behavioral intervention or in-school discipline consequence is imposed, the school will attempt to notify the parent. For out of school suspensions the administration will provide notice to parents as required in Board Policy 6500.

Most behavioral interventions and disciplinary consequences can occur with the student remaining in school. Examples of in-school interventions include but are not limited to: behavior contract, peer mediation, in-school suspension, conflict resolution, detention, restitution, loss of privileges, and school or community service. If the principal deems it appropriate to require a student to stay after school for detention for a disciplinary reason, the principal may authorize such detention provided the parent or guardian has received at least one day's notice and has agreed to assume responsibility for transportation home.

When, after considering potential mitigating factors, the school principal determines a student's behavior warrants an out-of-school suspension, the principal may impose a short-term suspension (10 days or less) or, for more serious violations of the Code of Conduct, may recommend a long-term suspension (greater than 10 days), a 365-day suspension or expulsion, to the extent permitted by law and this policy. The Superintendent must approve any suspensions of greater than 10 days. The Board of Education must approve any expulsion from school based on a recommendation of both the principal and the Superintendent. Under state law, if a student in grades K-12 brings a firearm on to school property, the student shall be subject to a 365-day suspension from school.

Policies may be modified on a case-by-case basis to conform to the "Policies Governing Services for Student with Disabilities".

Students in grades K-5 shall not be subject to long-term suspension except as required by law or in cases involving serious injury to students or staff or serious threat to safety or welfare of members of the school community.

The Student Code of Conduct rules are leveled, indicating the severity of violation and type of consequence.

**Level I** – Level I rule violations are less serious and should generally result in in-school interventions rather than out of school suspensions. A student may receive an out-of-school suspension for a Level I rule violation if it is the student's third (3<sup>rd</sup>) violation of a Level I rule within the same semester and in-school interventions were attempted in response to both prior violations or in cases where a student refuses to participate in the in-school interventions. In these cases a Level I rule violation may result in an out-of-school suspension of up to two (2) days, provided the parents or legal guardians have been offered the opportunity to meet with administrators to discuss behavioral issues in connection with at least one of the prior Level I offenses. A principal may impose an out-of-school suspension of up to two (2) days for the first or second Level I rule violation in any given semester only after consultation with the Area Superintendent and based on aggravating factors that are listed in the suspension notice. Level One rule violations shall not result in a long-term suspension.

**Level II** – Level II rule violations involve more serious misconduct that may warrant a short-term suspension that shall not exceed five school days. Principals may recommend a long-term suspension based upon aggravating factors regarding the severity of the violation and/or safety concerns which may warrant the recommendation of long-term suspension. Any long-term suspension recommendation based on aggravating factors shall be approved by an impartial Review Panel pursuant to Policy 6500E.

**Level III** – Level III rule violations are more severe in nature and support long-term suspension. The principal may recommend a short-term suspension (ten [10] days or less) based on mitigating factors. Any reduction to short-term suspension based on mitigating factors shall be approved by the Discipline Review Committee appointed by the Superintendent.

**Level IV** – Level IV rule violations compromise the safety and welfare of students and staff and require a suspension under NC General Statutes.

**Level V** – Level V allows for expulsion of a student, as provided by state statute, for a violation of the Code of Conduct, if the student is fourteen (14) years of age or older and the student's behavior indicates that his/her continued presence in school constitutes a clear threat to the safety of other students or employees and the Board determines there is no appropriate alternative education program. Additionally, any student who is a registered sex offender under N.C. General Statutes 14-208 may be expelled.

## **Rules of Conduct**

### **LEVEL I** – *In-School Discipline / Possible Short-Term Suspension not to exceed two (2) days*

**I – 1 Noncompliance** - Students shall comply with all directions of school personnel or volunteers who are authorized to give such directions.

**I – 2 Disrespect** – Students shall exhibit appropriate respect towards school personnel and volunteers.

**I – 3 School/Class Attendance** - Being tardy to class, skipping class/school, leaving campus without permission, or being in an unauthorized area is prohibited. ***Out of school suspension should be used as a last resort as a consequence for violation of this rule.***

**I – 4 Inappropriate Language** - Cursing or use of vulgar, profane, or obscene language is prohibited.

**I – 5 Inappropriate Dress** - Principals shall exercise appropriate discretion in implementing this policy, including making reasonable accommodations on the basis of students' religious beliefs or medical conditions. Students are expected to adhere to standards of dress and appearance that are compatible with an effective learning environment. Presenting a bodily appearance or wearing clothing which is disruptive, provocative, revealing, profane, vulgar, offensive or obscene, or which endangers the health or safety of the student or others is prohibited. Examples of prohibited dress or appearance include, but are not limited to exposed undergarments; sagging pants; excessively short or tight garments; bare midriff shirts; strapless shirts; attire with messages or illustrations that are lewd, indecent or vulgar or that advertise any product or service not permitted by law to minors; head covering of any kind; see-through clothing; attire that exposes cleavage; any adornment such as chains or spikes that reasonably could be perceived as or used as a weapon; and any attire that is prohibited by Policy 6410 Level III:2, Gang and Gang-Related Activities. Individual schools are free to specify additional examples of dress or appearance that are prohibited at that school under the terms of this policy.

If a student's dress or appearance is such that it constitutes a threat to the health or safety of others, distracts the attention of other students or staff from their work, or otherwise violates this dress code, the principal or principal's designee may require the student to change his or her dress or appearance.

**I – 6 Electronic Devices** - Except as permitted by this policy, no student shall use, display, transmit or have in the “on” position on school property any wireless communication device or personal entertainment device, including but not necessarily limited to, cell phones, pagers, two-way radios, CD/ MP3 players, and electronic games, or any laser pointer or similar devices until after the conclusion of the instructional day. Wireless communication devices or laser pointers may be used by students for instructional purposes with the permission and under the supervision of the teacher. School principals may authorize individual students to possess and/or use for personal purposes wireless communication devices if, in the opinion of the principal, there is a reasonable need for such communication. Any device possessed or used in violation of this policy shall be confiscated and only returned to the student’s parents/guardian. Penalties for violation of this policy are set at the discretion of the principal.

If a student uses a laser pointer in a way that reasonably could or does cause physical harm, the laser pointer may be considered a dangerous instrument and the student may be charged with violation of Policy Level III-3 and disciplined accordingly.

**I – 7 Trespassing** - No student shall be on the campus of any school except the one to which the student is assigned without the knowledge and consent of the officials of that school. Students who remain at school after the close of the school day or come onto school grounds when school is not in session without permission will be considered trespassers. If the student does not leave when instructed to do so, he/ she may be prosecuted. A student under suspension from school is trespassing if he/she appears on the property of any school or at any school sponsored activity during the suspension period without the express permission of the principal.

**I – 8 Tobacco** - No student shall possess, display, or use any tobacco product. This restriction applies even when the student is on school system property or at any school-sponsored activity as a visitor or spectator. For the purpose of this policy:

- a. Tobacco Product: cigarettes, e-cigarettes, cigars, pipes, chewing tobacco, snuff, and any other items containing or reasonably resembling tobacco or tobacco products.
- b. Tobacco Use: smoking, chewing, dipping, or any other use of tobacco products.
- c. Display: having any tobacco product in a location or position that is visible to students or school personnel

The exceptions to this policy are:

- a. The display of tobacco products does not extend to display that has a legitimate instructional or teaching purpose and is approved by a teacher or school administrator, and
- b. A principal may permit tobacco products to be included in instructional or research activities in the school building if the activity is conducted or supervised by the faculty member overseeing the instruction or research and the activity does not involve smoking, chewing, or otherwise ingesting the tobacco product.

**I – 9 Gambling** - Students shall not participate in any unauthorized games of chance in which money or items of value may be won or lost.

**LEVEL II - Short-term Suspension not to exceed five (5) days / Possible Long-Term Suspension with Aggravating Factors**

**II – 1 Integrity** - Any student who engages in or attempts to engage in cheating, plagiarism, falsification, violation of software copyright laws, or violation of computer access shall be subject to disciplinary action. The following actions are specifically prohibited:

- a. **Cheating** - giving or receiving of any unauthorized assistance on academic work.
- b. **Plagiarism** - copying the language, structure, or idea of another and representing it as one's own work.
- c. **Falsification** - verbal or written statement of any untruth.
- d. **Violation of software copyright laws** - unauthorized duplication of computer software (computer piracy), printed material related to computer software, and/or the use of pirated computer software.

**II – 2 Inappropriate Literature, Illustrations and Images** - The possession of literature, illustrations, or other images which significantly disrupt the educational process or which are obscene is prohibited.

**II – 3 Violation of Computer Access** - No student shall engage in conduct prohibited by Policy 6446. (*Reference entire policy, pg. 10*)

**II – 4 Class/Activity Disturbance** - Any physical or verbal disturbance which occurs within the school environment and which interrupts or interferes with teaching or orderly conduct of class/school activities is prohibited.

**II – 5 School Disturbance** - No student shall, by use of passive resistance, noise, threat, fear, intimidation, coercion, force, violence, or any other form of conduct, cause the disruption of any lawful function, mission, or process of the school.

**II – 6 School Transportation Disturbance** - Any physical or verbal disturbance which occurs on a school transportation vehicle and which interrupts or interferes with the safe and orderly operation of the vehicle is prohibited.

**II – 7 Disruptive Protest** - No student on school property or on property adjacent thereto shall engage in any protest, march, picket, sit-in, boycott, walkout, or other activity which has as its purpose the disruption of any lawful function, mission, or process of the school, or in fact creates such a disruption.

**II – 8 False Fire Alarm** - No student shall set off, attempt to set off, or aid and abet anyone in giving a false fire alarm. No student shall interfere with or damage any part of a fire alarm, fire detection, smoke detection, fire extinguishing system, or emergency escape system.

**II – 9 Fire Setting/Incendiary Material** - The possession of any incendiary material (including but not limited to matches, lighters, or lighter fluid) or the use of any material reasonably likely to result in a fire on school property is prohibited.

**II - 10 Property Damage** - No student shall intentionally damage or attempt to damage or deface school property, or personal property.

**II - 11 Theft** - No student shall steal, attempt to steal, or knowingly be in possession of stolen property.

**II - 12 Extortion** - No student shall attempt to extort money, personal property, or personal services.

**II - 13 Indecent Exposure/Sexual Behavior** - No student shall engage in behavior which is indecent, or in consensual behavior which is overly affectionate, or of a sexual nature.

**II - 14 Harassment/Bullying** - No student shall engage in conduct prohibited by Policy 6414. (*Reference entire policy, pg. 14*)

**II - 15 Sexual Harassment** - No student shall engage in conduct prohibited by Policy 6415. (*Reference entire policy, pg. 16*)

**II -16 Threat/False Threat** - No student shall make any threat through written or verbal language, sign, or act which conveys a serious expression of intent to cause harm or violence. Furthermore, no student shall make a false threat of harm or violence, even jokingly, which causes or is reasonably likely to cause fear or a disruption to school activities.

**II -17 Physical Aggression/Fighting** - Physical aggression or fighting toward students and other people is prohibited. A student who is attacked may use reasonable force in self-defense, but only to the extent necessary to get free from the attack and notify proper school authorities. A student who exceeds reasonable force may be disciplined even though someone else provoked the fight.

No student shall engage in fighting or physical aggression towards others, including but not limited to:

- a. Choking, hitting, slapping, shoving, scratching, spitting, biting, blocking the passage of, or throwing objects at another person in an aggressive, confrontational or dangerous manner.
- b. Taking any action or making comments or writing messages that might reasonably be expected to result in a fight or physical aggression.

**II -18 Failure to Report Firearm** - Any student who has knowledge that another student possesses or intends to bring a firearm on any school campus or to any school activity shall report this information to school or law enforcement authorities immediately.

**II -19 Hazing** - Hazing is prohibited. No group or individual shall require a student to wear abnormal dress, play abusive or ridiculous tricks on him/her, frighten, scold, beat, harass, or subject him/her to personal indignity.

**II -20 Search and Seizure** - A student's failure to permit searches and seizures as provided in Policy 6600 is prohibited. (*Reference entire policy, pg 19*)

**II -21 Aiding and Abetting** - No student shall aid or abet another student in violating any rule in the Code of Student Conduct.

### **LEVEL III - Long-Term Suspension / Possible Short-Term Suspension with Mitigating Factors**

**III -1 Narcotics, Alcoholic Beverages, Controlled Substances, Chemicals, and Drug Paraphernalia** - No student shall possess, use, distribute, sell, possess with intent to distribute or sell, or conspire or attempt to distribute or sell, purchase, 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, other intoxicating liquor, drug paraphernalia, counterfeit substance, any unauthorized prescription drug, or any other chemicals or products with the intention of bringing about a state of exhilaration, euphoria, or of otherwise altering the student's mood or behavior.

The proper use of a drug authorized by valid medical prescription from a legally authorized health care provider shall not be considered a violation of this rule when the drug is taken by the person for whom the drug was prescribed. (*Refer to Form 1702 Parent Request and Physician's Order Form for Medication*)

For the purpose of this policy:

- a. **Possession** - Having the prohibited substance on the student's person or in another place where the student, either alone or jointly with others, has control over it. This may include, but is not limited to, possession of a prohibited substance in an automobile, locker, book bag, or desk.
- b. **Use** - The consumption, injection, inhalation or absorption of a prohibited substance into a student's body by any means.
- c. **Under the influence** - The use of any prohibited substance when the prohibited substance would influence a student's mood, behavior, or learning to any degree.
- d. **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.
- e. **Unauthorized Prescription Drug** - Any drug or medication that has not been prescribed for the student.
- f. **Drug Paraphernalia** - Objects used for ingesting, inhaling, or otherwise introducing controlled substances into the body, e.g., pipes, rolling papers, roach clips. Relevant evidence may be considered in determining whether an object is drug paraphernalia.
- g. **Conspiracy** - An agreement by two (2) or more persons to commit an unlawful act in violation of this policy.
- h. **Sell**: The exchange of a prohibited substance for money, property, or any other benefit or item of value.
- i. **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 statements or actions of the student that demonstrate an intent to distribute or sell.
- j. **Distribute** - To transmit a prohibited substance to one or more other students. For purposes of this definition, a student has not "distributed" a prohibited substance (but may be guilty of "possession" or "use" if the student's only involvement is to share or pass a prohibited substance with other students in the course of using it, so long as the student was not the one who brought the prohibited substance onto school property or otherwise made it available to other students. A student may be guilty of "distributing" a prohibited substance even if the substance is given freely rather than exchanged for something of value.

When a first infraction of this policy involves **only** possession, conspiracy to possess, use, and/or being under the influence of a substance prohibited by this policy, an alternative to long-term suspension shall be offered. Failure to meet any requirements of the alternative program reactivates the long-term suspension.

*Note: The alternative shall consist of a short-term suspension and shall also require participation in a corrective education and/or counseling program. The program shall be designed by the superintendent and agreed to in writing by the parent, guardian, student, and school principal. Parents, guardians, and students shall be provided information by school authorities concerning approved alternative programs. This alternative shall be offered only one (1) time to students during their school career unless an exception is made by the superintendent based on mitigating factors.*

**III - 2 Gang and Gang Related Activity** - The Board of Education believes that gangs and gang-related activities pose a serious safety threat to students and staff members of the Wake County Public School System and can significantly disrupt the educational environment.

- a. No student shall participate in any gang-related activities. For purposes of this policy:
  - i. A gang is any ongoing organization, association, or group of three (3) or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts, and having a common name or common identifying sign, colors or symbols.

- ii. Gang-related activities are activities engaged in by a student on behalf of an identified gang; to perpetuate the existence of an identified gang; to effect the common purpose and design of an identified gang; or to represent gang affiliation, loyalty, or solidarity.
- b. Conduct prohibited by this policy includes:
  - i. Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs, visible tattoos and body markings, or other items, with the intent to convey or promote membership or affiliation in any gang;
  - ii. Communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.), with the intent to convey or promote membership or affiliation in any gang;
  - iii. Tagging, or otherwise defacing school or personal property with symbols or slogans intended to convey or promote membership or affiliation in any gang;
  - iv. Requiring payment of protection, money or insurance, or otherwise intimidating or threatening any person in connection with gang-related activity;
  - v. Inciting other students to intimidate or act with physical violence upon any person in connection with gang-related activity;
  - vi. Soliciting others for gang membership;
  - vii. Committing or conspiring to commit an illegal act in connection with gang-related activity.
- c. When a first infraction involves only the wearing of gang-related attire, the student shall receive a warning and be allowed to immediately change or remove the attire as an alternative to disciplinary action.
- d. The Superintendent or Superintendent's designee shall regularly consult with law enforcement officials to identify examples of gang-related items, symbols and behaviors and shall provide each principal with this information. Parents and students shall be notified that such information is maintained in the principal's office, that it is subject to change, and that the principal's office may be consulted for updates. In providing this information for parents and students, the school system acknowledges that not all potential gang indicators connote actual membership in a gang.

**III - 3 Weapons/Dangerous Instruments/Substances** - No student shall possess, handle, or transmit any weapon, facsimile of a weapon, dangerous instrument/substance or other object that can reasonably be considered or used as a weapon or dangerous instrument/substance. This does not apply to any student who finds a weapon or dangerous instrument/substance on school property or receives it from another person on school property and who immediately reports the weapon or dangerous instrument/substance to school or law enforcement authorities.

- a. **Weapon** - Any firearm, BB gun, stun gun, mace/pepper spray, air rifle, air pistol, ammunition, power loads, fireworks, knife, slingshot, leaded cane, blackjack, metallic knuckles, razors, razor blades except cartridge razors used solely for personal shaving, box cutter, and any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance.
- b. **Dangerous Instruments/Substances** - Any object or substance that is possessed, handled, transmitted, or used for the purpose of causing or attempting to cause physical injury.
- c. **Facsimile of a Weapon** - Any copy of a weapon that could reasonably be perceived to be a real weapon.

*Note: Refer to Level IV - 1 for violations involving Firearms/Destructive Devices.*

**III - 4 Assault on a Student** - No student shall cause or attempt to cause serious physical injury to another student. For the purposes of this policy serious physical injury shall refer to any significant or aggravated bodily injury, including but not limited to broken bone(s), loss or chipping of teeth, loss or impairment of vision, loss of consciousness, internal injuries, scarring or other disfigurement, significant bleeding, lacerations resulting in sutures, significant bruising, severe or prolonged pain, any injury requiring hospitalization for any period of time, and/or any injury resulting in medical treatment beyond simple first aid procedures.

**III - 5 Assault on School Personnel or Other Adult** - No student shall cause or attempt to cause physical injury to any school employee or other adult. *Note: If a teacher is assaulted or injured by a student and as a result the student is reassigned to alternative education services, long-term suspended, or expelled, the student shall not be returned to that teacher's classroom unless the teacher consents.*

**III - 6 Assault Involving Weapon/Dangerous Instrument/Substances** - No student in grades 6-12 shall assault another using a weapon, dangerous instrument, or dangerous substances.

*Note: Refer to Level IV-1 for violations involving Firearms/Destructive Devices.*

**III - 7 Bomb Threat** - No student shall make a bomb threat or hoax by making a false report that a device designed to cause damage or destruction by explosion, blasting, or burning is located on the school premises or at the site of school activities.

No student shall with the intent to perpetrate a hoax, conceal, place or display on school property or the site of school activities any device or artifact so as to cause any person reasonably to believe the same to be a bomb or other destructive device.

**III - 8 Bomb Threat: Aiding/Abetting** - No student shall aid, and/or abet in making a bomb threat or hoax by making a false report that a device designed to cause damage or destruction by explosion, blasting, or burning is located on the school property or at the site of school activities.

**III - 9 Acts of Terror** -

- a. No student shall make a report that he or she knows or should know is false, that any device, substance or material designed to cause harmful or life threatening illness or injury to another person, is located on school property or at the site of a school activity.
- b. No student shall, with intent to perpetrate a hoax, conceal, place, disseminate or display on school property or at the site of a school activity any device, machine, instrument, artifact, letter, package, material, or substance, so as to cause a reasonable person to believe the same to be a substance or material capable of causing harmful or life-threatening illness or injury to another person.
- c. No student shall threaten to commit an act of terror on school property or at the site of a school activity that is designed to cause, or is likely to cause, serious injury or death to another person, when the threat is intended to cause, or actually causes, a significant disruption to the instructional day or a school-sponsored activity.
- d. No student shall make a report that he or she knows is false, that an act of terror designed to cause, or likely to cause, serious injury or death to another person on school property or at the site of a school-sponsored activity is imminent, when that report is intended to cause, or actually causes, a significant disruption to the instructional day or a school-sponsored activity.
- e. No student shall aid, abet, and/or conspire to commit any of the acts described in sections a - d of this policy.

**LEVEL IV - Suspensions Required under State Law**

**IV - 1 Firearm/ Destructive Device K-12** - Any student in grades K-12 shall be suspended for 365 calendar days for bringing a firearm or destructive device onto school property or to a school-sponsored event off school property, or for possessing a firearm or destructive device on school property or at a school-sponsored event off school property. School property includes any property owned, used or leased by the Board of Education, including school buses, other vehicles and school bus stops. Principals are required to refer to the law enforcement system any student who brings a firearm or weapon to school.

- a. **Firearm** - A weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer. The term shall not include an inoperable antique firearm, a BB gun, stun gun, air rifle, or air pistol.
- b. **Destructive Device** - An explosive, incendiary, or poison gas; bomb; grenade; rocket having a propellant charge of more than four (4) ounces; missile having an explosive or incendiary charge of more than one-quarter (1/4) ounce; mine; or device similar to any of the devices listed in this definition.

Violation of this section shall result in suspension from school for 365 days unless modified by the Superintendent or Board of Education on a case-by-case basis.

The 365-day suspension does not apply to any student who finds the firearm on school property or receives it from another person on school property and who delivers the weapon, immediately, to school or law enforcement authorities.

**LEVEL V - Expulsion**

A student fourteen (14) years of age or older may be expelled for a violation of this Code of Conduct if the Board determines the student's behavior indicates that the student's continued presence in the school constitutes a clear threat to the safety of other students or employees, and that there is no appropriate alternative educational program. Additionally, any student who is a registered sex offender under N.C. General Statutes 14-208 may be expelled.

6410 R&P

CODE OF STUDENT CONDUCT

6410 R&P

**A. MITIGATING AND AGGRAVATING FACTORS**

*When considering the appropriate consequence for specific student misconduct, administrators may consider any relevant mitigating or aggravating factors, including, but not limited to, the student's intent, disciplinary and academic history, and the potential benefits to the student of alternatives to suspension.*

**1. Mitigating Factors may include, but are not limited to:**

- a. The student's age, maturity level, developmental level
- b. No recent disciplinary history,
- c. Being a passive participant or playing a minor role in the offense,
- d. Making appropriate restitution,
- e. Reasonably believing the conduct was allowed,
- f. Acting under strong provocation,
- g. Aiding in the investigation,
- h. Making a full and truthful statement admitting guilt at an early stage in the investigation of the offense, or
- i. Displaying an appropriate attitude and giving respectful cooperation during the investigation and discipline process.

**2. Aggravating Factors may include, but are not limited to:**

- a. Inducing others to take part in the prohibited behavior or occupying a position of leadership or dominance of other participants,
- b. Attempting to flee or conceal guilt,
- c. Falsely blaming another individual,
- d. Receiving money or something of value from the misbehavior,
- e. A pattern or history of disciplinary infractions,
- f. The misconduct was associated with gang activity,
- g. The victim of the misconduct is a teacher or other staff member,
- h. Victimizing a significantly younger or smaller student or a student with a known or obvious mental or physical disability,
- i. Repetitive blatant disrespect for authority,
- j. Taking advantage of a position of trust or confidence to commit the offense,
- k. Committing an offense on other school system property.

**B. REDUCTION OF DRUG OR ALCOHOL RELATED SUSPENSIONS BASED ON PARTICIPATION IN AN APPROVED COUNSELING PROGRAM**

**1. Student Eligibility.** Students are eligible for an offer to reduce the length of a suspension for violation of the drug and alcohol policy (Policy 6410, Level III-1) based on their participation in an approved Alternative Counseling and Education (ACE) program under the following circumstances:

- a. When a first infraction of this policy involves only possession, use, conspiracy to possess or use, and/or being under the influence of a substance prohibited by this policy, a student shall be offered the opportunity to participate in a school system approved ACE program.
- b. For second or subsequent offenses, or for infractions that involve sale, possession with intent to sell/distribute, distribution, and/or conspiracy to sell or distribute, a student may be offered the opportunity to participate in an approved ACE program upon the recommendation of the school principal and approval of the Discipline Review Committee (DRC). The ACE recommendation must be included in the suspension notice and based on mitigating factors listed in the notice.

2. **Program Approval.** ACE programs may be approved by the school system in one of the following manners:
  - a. **Pre-Approved Providers.** At the time of the ACE offer, the student's parent/guardian will be given an ACE packet that includes the names and contact information for one or more pre-approved ACE providers. At least one pre-approved ACE provider will offer services without charge to the parent, but only in connection with the student's first ACE offer. Other pre-approved ACE providers offer sliding scales for payment, and/or accept Medicaid. Additional information about pre-approved ACE providers is available from the Office of Student Due Process. No additional approval is needed for any pre-approved ACE provider.
  - b. **Process for Approval of Other Providers.** To request approval of a provider that has not been pre-approved the provider must submit an "ACE Outside Provider Application" to the Office of Student Due Process. The "ACE Outside Provider Application" will be included in the ACE packet provided to the parent/guardian at the time of the ACE offer. The completed application must be received by the Office of Student Due Process within the first three (3) school days of the suspension. The Office of Student Due Process will review the completed application to determine if the provider meets all applicable components. The Office of Student Due Process will make every reasonable effort to notify the parent/guardian within two (2) school days as to whether the provider is approved.
3. **Required Program Components.**
  - a. **Requirements for individuals providing services to students:**  
Individuals providing direct services to the students must meet the following requirements:
    - i. Be certified as a substance abuse counselor by the North Carolina Substance Abuse Professional Practice Board.
    - ii. Possess a four-year college degree in a human services field.
    - iii. Be or be under the direct supervision of (A) a substance abuse counselor licensed by the North Carolina Substance Abuse Professional Board, (B) a psychiatrist who is American Medical Association Board Certified and licensed to practice in the state of North Carolina, or (C) a psychologist who possesses an earned doctorate degree in psychology and is licensed to practice in the state of North Carolina.
  - b. **Program requirements for first ACE opportunity:**
    - i. A comprehensive screening instrument developed and implemented to assess the needs of students with regards to drug or alcohol involvement, self control and communication skills, and decision-making strategies.
    - ii. A minimum of nine (9) contact hours for student.
    - iii. Program to be completed within ten (10) weeks of enrollment.
    - iv. An opportunity for parent/guardian to receive drug and alcohol education in conjunction with student counseling.
    - v. Education in the areas of:
      - (a.) The path of chemical dependency, including experimentation, use, heavy use, and addiction.
      - (b.) The signs, symptoms, and consequences of use of mind-altering substances.
      - (c.) The meaning of addiction.
      - (d.) Physical and psychological addiction.
      - (e.) Alcohol and marijuana addictive drugs.
      - (f.) Refusal skills training.

The role of the family and the impact of chemical dependency on the family and on children in the family.
  - c. **Program requirements for second or subsequent ACE opportunity:**
    - i. A minimum of twelve (12) contact hours for both the student and parent/guardian.
    - ii. The parent/guardian will incur the cost of the ACE program.
    - iii. Expanded coverage of the educational areas covered during the first ACE offer.
    - iv. An initial drug screen as part of the assessment and at least one (1) additional drug screen during the course of the program. Verification of negative results of an additional random drug screen.
    - v. Program to be completed within fourteen (14) weeks of enrollment.
4. **Monitoring and Reporting Requirements for ACE Providers.**
  - a. The provider must agree to the monitoring and reporting requirements set out in these rules and procedures.
  - b. The ACE provider must give written notification to the Office of Student Due Process and to the school within five (5) school days of any failure on the part of the student to comply with or complete the recommended course of treatment.
  - c. Failure of a provider to satisfy these monitoring and reporting requirements shall make that provider ineligible for approval as an ACE Program provider for a period of not less than two (2) years.
5. **Process for Enrollment.**  
To receive a reduction in suspension length, students must be enrolled in an approved ACE program as follows:  
A completed Student/Parent/Guardian Participation Agreement Form must be submitted to the school within the first ten (10) days of the suspension. The form will be included in the ACE packet given to the parent/guardian at the time of the ACE offer. It must be fully completed and signed by the student, parent/guardian, and authorized representative of the ACE provider and submitted to the school.
6. **Additional Requirements for the Student and Parent/Guardian.**  
In order for the student to qualify for a reduction in suspension length, the parent/guardian must ensure that the referring school receives written notification from the ACE provider of enrollment in the ACE program, satisfactory completion of the ACE program, and/or any failure on the part of the student to comply with or complete the program.
7. **Effect on Length of Suspension.**
  - a. Once a student has successfully enrolled in an approved ACE program and the short term suspension imposed by the Principal has expired, the long-term suspension recommendation will automatically be inactivated, and the student will be allowed to return to school. When the student successfully completes the ACE program, the length of the suspension reflected in the student's records will be the number of days the student was out of school before being authorized to return to school. For first infractions not involving sale or distribution, the period of short-term suspension imposed by the principal shall be five (5) school days. For second or subsequent infractions or for first infractions involving sale or distribution, the period of short-term suspension imposed by the principal shall be ten (10) school days.

- b. *If a student fails to participate in or successfully complete the approved ACE program or if the student violates the drug and alcohol policy (Policy 6410, Level III-1) while enrolled in or participating in the program, the long-term suspension will be reinstated immediately. If the long-term suspension is reinstated, the student will be long-term suspended for the same number of school days that he or she would have been suspended absent the ACE offer, but no longer than (1) the end of that school, if the original suspension recommendation did not extend beyond that school year, or (2) the end of the first semester of the next school year, if the original violation occurred during the fourth academic quarter and the recommended suspension did extend into the next school year.*
  - c. *If a student does not enroll in an approved ACE program within ten (10) school days of the ACE offer, or if the parent/guardian declines the ACE offer, the right to participate in the ACE program is waived.*
  - d. *Students enrolled in ACE over the summer are expected to continue participating in the approved ACE program and complete the program before the beginning of the next school year. If a student fails to complete the approved ACE program before the first day of the next school year, the long-term suspension will be reinstated on that day, and the student will be long-term suspended for the same number of school days that he or she would have been suspended absent the ACE offer.*
8. **Appealing the Suspension.**  
*The student may appeal the long-term suspension recommendation pursuant to Policy 6500 and R&P 6500 (Due Process). The student has the right to appeal the long-term suspension recommendation while also accepting the ACE offer and participating in the ACE program. If the long-term suspension recommendation is overturned on appeal, the student will be excused from participating in or completing the ACE program.*

2338, 3038, 4038, 6414

**HARASSMENT / BULLYING**

2338, 3038, 4038, 6414

It is the priority of the Wake County Board of Education to provide every student and employee in the school system with a safe and orderly learning and working environment. To this end, the Board specifically prohibits harassing or bullying behavior at all levels: between students, between employees and students, between peers or coworkers, between supervisors and subordinates, or between non-employees/volunteers and employees and/or students. This policy is in addition to Board Policy 6415 - Sexual Harassment. Students are expected to comply with the behavior standards established by Board Policy and the Student Code of Conduct. Employees are expected to comply with Board Policy and school system regulations. Volunteers and visitors on school property also are expected to comply with Board Policy and established school rules and procedures. The Board specifically prohibits reprisal or retaliation against any individual who makes a complaint or reports an incident of harassing or bullying behavior or who participates in an investigation or grievance proceeding initiated under this policy. Reprisal or retaliation against any individual who reports an act of harassment or bullying may result in disciplinary action being taken, up to and including dismissal in the case of employees, or up to and including long-term suspension or expulsion in certain cases for students.

This policy shall be distributed annually in the Wake County Schools Student Handbook and the Wake County Schools Employee Handbook.

**A. Definition of Harassment and Bullying**

- 1. As used in this policy, harassing or bullying behavior is any repeated, systematic pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication on school property; at any school sponsored function; on a school bus; or as otherwise stated in Board Policy 6400- Student Code of Conduct, and that:
  - a. 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
  - b. Creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities, or benefits. A hostile environment means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior.
- 2. Harassing or bullying behavior includes, but is not limited to, acts 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.

**B. Reporting Harassing and Bullying Behavior**

- 1. Any student who believes that he or she has been harassed or bullied in violation of this policy should report such behavior immediately to a teacher, counselor or administrator at his/her school.
- 2. Any employee who believes that he or she has been harassed or bullied in violation of this policy should report such behavior to their immediate supervisor and/or the Assistant Superintendent of Human Resources or designee.
- 3. A school employee who has witnessed or has reliable information that a student or school employee has been subject to any act of harassing or bullying behavior shall report the incident as follows:
  - a. the principal in the case of a student; or
  - b. To the immediate supervisor of the alleged harasser or bully and/or the Assistant Superintendent of Human Resources.
  - c. Failure to do so make such a report may subject the employee to disciplinary action.
- 4. Any person may report an act of harassment or bullying anonymously. However, formal disciplinary action may not be taken solely on the basis of an anonymous report.

**C. Investigation of Harassment and Bullying Reports**

- 1. All complaints of harassing or bullying behavior made by students shall be promptly and thoroughly investigated by the principal or designee. If the alleged harasser or bully is an employee, the principal will determine if a referral to Human Resources is warranted.
- 2. Complaints of harassing or bullying made by employees shall be promptly reported to their immediate supervisor and/or the Ass't Superintendent of Human Resources. The investigation shall be conducted by the Ass't Superintendent for Human Resources or designee.
- 3. If the individual required to investigate a complaint made under this policy is the alleged harasser or bully, the investigation shall be conducted by an appropriate school system administrator as designated by the Superintendent. If the alleged perpetrator is the Superintendent, the Board attorney is the investigator. In such cases, whoever receives a complaint of harassment or bullying shall immediately notify the Assistant Superintendent of Human Resources, who shall immediately notify the Board Chair. The Board Chair shall direct the Board attorney to respond to the complaint and investigate. If the alleged perpetrator is a member of the Board, the Board



attorney is the investigator. In such cases, receives a complaint of harassment or bullying shall notify the Superintendent who shall direct the Board attorney to respond to the complaint and investigate. Unless the Board Chair is the alleged perpetrator, the Superintendent shall also notify the Board Chair of the complaint.

4. If at any time during the investigation the school official investigating a student's allegation of harassment or bullying receives information alleging the harassment or bullying was based on sex or gender, the school official shall notify the Title IX Coordinator. In such cases, the procedures outlined in Policy 6415, Sexual Harassment shall be followed. Further, in any case of alleged harassment or bullying, the school system shall notify any other appropriate person or entity if required by law or Policy 4033-Reporting Information to Principals and External Agencies.

**D. Disciplinary Action**

1. The actions taken in response to evidence of harassing or bullying behavior should be reasonably calculated to end any harassment or bullying, eliminate a hostile environment if one has been created, and prevent harassment from occurring again. In addition to taking disciplinary action as necessary, the principal or other school official shall take appropriate remedial action to address the conduct fully.
2. Violations of this policy shall be considered misconduct and will result in disciplinary action up to and including long- term suspension or expulsion in the case of students and disciplinary action up to and including dismissal in the case of employees.
3. This policy may not be construed to allow school officials to punish student expression or speech based on an undifferentiated fear of apprehension of disturbance or out of a desire to avoid the discomfort and unpleasantness that may accompany an unpopular viewpoint.
4. Nothing in this policy precludes the school system from taking disciplinary action against a student or employee where the evidence does not establish harassment but the conduct otherwise fails to satisfy the school system's high expectations for appropriate conduct.

**2320, 3035, 4035, 6415**

**SEXUAL HARASSMENT**

**2320, 3035, 4035, 6415**

The Wake County Board of Education believes that all employees and students are entitled to work and study in school-related environments that are free of sexual harassment. To this end, the board prohibits employees and students from engaging in sexual harassment and advises employees and students that when evidence of sexual harassment is established, disciplinary action may be taken, up to and including dismissal (for employees) and suspension or expulsion (for students). Independent contractors and volunteers are likewise prohibited from engaging in sexual harassment and are subject to removal from their duties or activities with the school district for violations of this policy.

**A.** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, academic progress, or completion of a school-related activity; or
2. Submission to or rejection of such conduct is used as the basis for employment decisions affecting such an individual, or, in the case of a student, submission to or rejection of such conduct is used in evaluating the individual' performance within a course of study or other school-related activity; or
3. Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or a student's educational performance, or creating an intimidating, hostile, or offensive environment.

**B.** Examples of sexual harassment include, but are not limited to, deliberate, unwelcome touching; suggestions or demands for sexual involvement accompanied by implied or overt promises of preferential treatment or threats; pressure for sexual activity; continued or repeated offensive sexual flirtations, advances or propositions; continued or repeated verbal remarks about an individual' body; sexually degrading words used toward an individual or to describe an individual; or the display in the work place or school setting of sexually suggestive objects or pictures. Sexual harassment does not include personal compliments welcomed by the recipient or social interactions or relations freely entered into by an employee or prospective employee or appropriate social interactions between students that do not violate the Student Code of Conduct. In the case of consensual relations between students, there may be reason to question the consensual nature of the conduct if one or both of the students are very young or there is a large age disparity between the students.

**C.** It is possible for sexual harassment to occur at various levels: between peers or coworkers, between supervisors and subordinates, between employees and students, between students, or imposed by non-employees on employees and/or students. Sexual harassment may be committed by members of the same sex or by members of the opposite sex. Romantic or sexual advances toward students by employees or romantic or sexual relationships between school system employees and students are never appropriate, whether they are consensual or otherwise outside the definition of sexual harassment. Such relationships are prohibited. Employees engaging in inappropriate relationships with students will be subject to disciplinary action, up to and including dismissal.

**D.** All complaints of sexual harassment shall be promptly and thoroughly investigated. A student does not have to report an incident of harassment to trigger an investigation if a school official has knowledge of the harassment. Suspected sexual harassment shall be investigated according to the following procedures:

1. All complaints and investigations of sexual harassment shall be confidential. Information shall be given only to those individuals who need to have access to it in order to investigate appropriately and address the complaint.
2. A student who believes that he/she has suffered sexual harassment by another student may report the matter in writing to the school principal. Any teacher or other school employee who receives from a student a report (oral or written) of alleged sexual harassment by another student shall immediately report the same to the school principal. Failure by the employee to do so may subject the employee to disciplinary action. Upon receipt of a report of sexual harassment by a student, the school principal shall notify the Title IX Coordinator and any other appropriate person as required by law and Board Policy 3033/2333. The school principal shall also investigate the complaint and, if the complaint proves to be supported by evidence, take appropriate action regarding any necessary disciplinary and preventative measures.

A student who brought a complaint of sexual harassment and who is not satisfied with the preventative measures implemented by the school principal may appeal in writing to the Title IX Coordinator. The Title IX Coordinator is the assistant superintendent for student services or designee and may be reached at (919) 854-4349. Correspondence to the Title IX Coordinator should be sent to 110 Corning Dr., Cary, North Carolina 27518. A complaining student' appeal shall be limited solely to the issue of the adequacy of the preventative measures.

Upon receipt of a written appeal, the Title IX Coordinator shall review all materials forwarded to him/her by the school principal and student and may obtain additional information as needed. The Title IX Coordinator shall determine whether to uphold, reverse, or modify the preventative measures recommended by the school principal. The Title IX Coordinator shall notify the complaining student of this decision to the extent consistent with confidentiality laws.

An employee who believes that he/she has suffered sexual harassment may report the matter in writing to the assistant superintendent of human resources - employee relations. However, any school employee who occupies an organizationally superior position relative to an employee who receives from such employee a report, whether oral or written, of alleged sexual harassment shall promptly report the same to the assistant superintendent of human resources - employee relations. Failure by such employee to do so may subject the employee to disciplinary action. If the assistant is the alleged offender, such report shall be made to the superintendent. Upon receipt of a report of sexual harassment, the superintendent or assistant superintendent of human resources - employee relations shall investigate the complaint and take appropriate action regarding discipline and prevention.

3. Any student who has brought a complaint under this policy and is not satisfied with the preventative measures approved by the Title IX Coordinator and implemented by the school principal as a result of their investigations may file a written appeal to the Board of Education. Any employee who has brought a complaint under this policy and is not satisfied with the preventative actions taken by the superintendent or assistant superintendent of human resources - employee relations may file a written appeal to the Board of Education. The Board's consideration of these appeals will take place in closed session and will be limited to the written record. The Board may uphold, reverse, or modify the preventative action under review.
  4. In any case involving alleged sexual harassment by the superintendent, reports shall be made to any member of the board.
  5. Claims of sexual harassment shall be promptly and thoroughly investigated, and appropriate action shall be taken. The actions taken should be reasonably calculated to end any harassment, eliminate a hostile environment if one has been created, and prevent harassment from occurring again. Violations shall be deemed to be serious disciplinary infractions. Disciplinary actions shall take into account the circumstances including the nature, frequency and severity of the harassment, and in the case of student-on-student harassment, the ages of the students involved.
  6. No employee or student will be subject to negative action in retaliation for reporting alleged sexual harassment in accordance with this policy. Such retaliation is against the law and is prohibited by this policy.
  7. The superintendent may establish such guidelines and additional procedures as he/she deems necessary for the purpose of implementation of this policy.
- E. It shall be the responsibility of the superintendent and his/her designees to inform school employees and students regarding this policy.

It is a Wake County Public School System objective to make appropriate electronic information resources available to students to assist in furthering educational goals and to provide for efficient school-related communication. This policy governs the use of Wake County Public School System electronic information resources and defines students' proper conduct and responsibilities while using Wake County Public School System electronic information resources.

Electronic information resources are defined as all Wake County Public School System computer equipment, including any desktop or laptop computers or other hardware owned or leased by the school system; the Wake County Public School System computer network; e-mail accounts; and any computer software licensed to the Wake County Public School System; and stored data. Because electronic information resources are an integral part of the educational curriculum all students must comply with this policy.

Families are warned that some sites or pages accessible via the Internet contain material that is offensive, illegal, sexually explicit and discriminatory. In accordance with federal law, the Wake County Public School System uses appropriate measures, including the use of advanced software for Internet content filtering and has procedures in place to further block accessibility to language and visual depictions that are obscene, lewd, pornographic, or harmful to minors, if necessary. Although it is the intent of the Wake County Public School System that school system electronic information resources be used only to pursue educational goals and objectives, filters may not block all offensive material and/or students may find ways to access inappropriate materials.

Internet access provides a wide range of resources to students beyond the customary retrieval or viewing of information. Teacher directed activities may involve interactive services or tools which allow greater student involvement through external collaboration and communications.

The Wake County Public School System believes that the benefits to students from access to the Internet, in the form of information resources and opportunities for communication and collaboration, exceed any disadvantages; but ultimately, parents and legal guardians of minors are responsible for setting and conveying the behaviors that their child should follow when using media and information resources. To that end, the Wake County Board of Education supports and respects each family's right to decide whether or not to deny their child's Internet access. Students are granted access to the Internet automatically. However, Internet access is considered a privilege and may be revoked at any time by school administration. Parents/legal guardians may deny access to their child at any time through completion of a Parental Request to Deny Access Form.

**A.** School administrators and staff are responsible for enforcing this policy for any and all students in the school in which they work. Technology Services personnel are responsible for operating and monitoring of Internet content filtering software.

Administrators and staff must supervise student use of electronic information resources in a manner that is appropriate to the student's age and the circumstances of use.

**B.** Appropriate Use - All students are expected to exercise good judgment, use the computer resources in an appropriate manner and adhere to this policy and all applicable laws and regulations.

Student use of the equipment is expected to be related to the Wake County Public School System's educational goals and objectives. The Board recognizes, however, that some personal use is inevitable, and that incidental and occasional personal use that is infrequent or brief in duration is permitted so long as it occurs on personal time, does not interfere with Wake County Public School System business, and is not otherwise prohibited by Wake County Public School policy or procedures.

Use of Wake County Public School System Software: Wake County Public School System software is licensed to the Wake County Public School System by a large number of vendors and may have specific license restrictions regarding copying or using a particular program.

Users must obtain permission from the Wake County Public School System prior to copying or loading Wake County Public School System software onto any computer, whether the computer is privately owned or is a Wake County Public School System computer.

The use of non-Wake County Public School System software on any WCPSS computers (including laptops, desktops, and the network) is discouraged. Prior to loading non-Wake County Public School System software onto Wake County Public School System computers (including laptops, desktops, and network), a student user must receive express permission from the WCPSS chief technology officer or designee. The use of such software will be subject to any restrictions imposed by the chief technology officer or designee. All software must be legally licensed by the user or the WCPSS prior to loading onto Wake County Public School System equipment. The unauthorized use of and/or copying of software is illegal.

- C. Prohibited Uses - Individual users of the Internet are expected to abide by the generally accepted rules of network etiquette. The following are specifically not permitted. Wake County Public School System electronic information resources may not be used for the following purposes:

Commercial Use: Using Wake County Public School System computers for personal or private gain, personal business, or commercial advantage is prohibited.

Political Use: Using Wake County Public School System computers to advocate, directly or indirectly, for or against legislation, a school bond referendum and/or the selection of a school board member is prohibited.

Illegal or Inappropriate Use: Using Wake County Public School System computers for illegal, harassing, vandalizing, or inappropriate purposes, or in support of such activities is prohibited.

Illegal activities are any violations of federal, state, or local laws and include, but are not limited to, copyright infringement and/or illegal file sharing; posting or publishing false or defamatory information about a person or organization; committing fraud; cyber stalking; cyber harassment; threatening another person; or intentionally engaging in communications for the purpose of abusing, annoying, threatening, terrifying, harassing, or embarrassing another person.

Harassment includes, but is not limited to, slurs, comments, jokes, innuendoes, unwelcome compliments, cartoons, visual depictions, pranks, or verbal conduct relating to an individual that (1) have the purpose or effect of creating an intimidating, hostile or offensive environment; (2) have the purpose or effect of unreasonably interfering with an individual's work or school performance, or (3) interfere with school operations.

Vandalism is any attempt to harm or destroy the operating system, hardware, application software, or data.

Inappropriate use is any violation of other provisions of this policy and includes, but is not limited to, using another person's ID or password; giving out one's user ID or password; plagiarizing; accessing, producing, storing, posting, sending, displaying, or viewing inappropriate or offensive material, including pornographic, obscene, discriminatory, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually suggestive language or images, or images of exposed private body parts; and accessing material advocating illegal acts or violence, including hate literature.

The Wake County Public School System network may not be used for downloading entertainment software or other files not related to the mission and objectives of Wake County Public School System for use on Wake County Public School System's network or computers or transfer to a user's home computer or other personal computer. This prohibition pertains to freeware, shareware, copyrighted commercial and non-commercial software, and all other forms of software and files not directly related to the instructional and administrative purposes of the Wake County Public School System.

Unauthorized Use - Wake County Public School System computers may only be used by Wake County Public School System staff and students, and others expressly authorized by the Wake County Public School System to use the equipment.

Disruptive Use - Wake County Public School System computers may not be used to interfere with or disrupt other users, services, or equipment. For example, disruptions include, but are not limited to, distribution of unsolicited advertising ("spam"), propagation of computer viruses, distribution of large quantities of information that may overwhelm the system (i.e. chain letters, network games, or broadcasting messages), and any unauthorized access to or destruction of Wake County Public School System computers or other resources accessible through the Wake County Public School System's computer network ("cracking" or "hacking"). Disruptive use may also be considered inappropriate and/or illegal.

The following are considered disruptions and are also prohibited: posting personal or private information about the user or other people on the Internet; arranging or agreeing to meet with someone the user has met on-line for purposes other than official school business; attempting to gain unauthorized access to the WCPSS network, computers, or systems; installing, downloading, storing, or running software used for hacking; attempting to bypass any WCPSS security control; posting information that could be disruptive, cause damage, or endanger students or staff; and accessing chat-rooms unless for a valid educational purpose or official school and/or Wake County Public School System business.

- D. This policy is applicable to all student users of Wake County Public School System computers and refers to all electronic information resources whether individually controlled, shared, stand alone, or networked. Disciplinary action, if any, for students or other users shall be consistent with the Wake County Public School System's standard policies and practices, including the Code of Student Conduct. Violations may constitute cause for revocation of access privileges, suspension of access to Wake County Public School System computers, other disciplinary action, and/or appropriate legal action. Specific disciplinary measures will be determined on a case-by-case basis.
- E. Wake County Public School System electronic information resources, the Internet, and use of e-mail are not inherently secure or private. Students shall have no expectation of privacy while using Wake County Public School System electronic information resources. The Wake County Public School System reserves the right to search data or e-mail stored on all school-owned or leased computers or other electronic information resources at any time for any reason. The Wake County Public School System reserves the right to monitor students' use of Wake County Public School System electronic information resources and to take appropriate disciplinary action based on use that is in violation of this policy. The Wake County Public School System reserves the right to disclose any electronic message or data to law enforcement officials, and under some circumstances, may be required to disclose information to law enforcement officials or other third parties, for example, in response to a subpoena or court order.

- F. Security on any computer system is a high priority, especially when the system involves many users. Students are responsible for reporting information security violations to appropriate personnel. Students should not demonstrate suspected security violations to other users. Attempts to log onto any system with escalated privileges may result in cancellation of user privileges and may result in additional disciplinary action. Any user identified as a security risk or having a history of problems with other computer systems may be denied access.
- G. Users of Wake County Public School System computers are expected to respect the Wake County Public School System' property and be responsible in using the equipment. Users are to follow any Wake County Public School System instructions regarding maintenance or care of the equipment. Users may be held responsible for any damage caused by intentional or negligent acts in caring for Wake County Public School System computers while under their control.
- H. The Wake County Public School System makes no warranties of any kind, whether express or implied, for the service it is providing. The Wake County Public School System will not be responsible for any damages suffered by users, including loss of data resulting from delays, non-delivery, service interruptions, or any other cause. The Wake County Public School System will not be responsible for any claims, losses, damages, costs, or other obligations arising from the unauthorized use of Wake County Public School System' electronic information resources. Use of any information obtained via the Internet is at the user's risk. The Wake County Public School System specifically denies any responsibility for the accuracy or quality of information obtained through its service. Users are responsible for any losses sustained by the Wake County Public School System resulting from the user' intentional misuse of the Wake County Public School System' electronic information resources.

6446 R& P

**STUDENT ACCEPTABLE USE OF ELECTRONIC RESOURCES**

6446 R& P

**A. Student Internet/E-Mail Access**

All students registered in the Wake County Public School System will automatically be given access to the Internet. Elementary school students may receive individual district issued e-mail accounts for certain teacher directed activities. Middle and high school students may receive a district issued e-mail account at any time.

Annually, parents may deny their child's individual access to the Internet and/or prohibit them from obtaining a Wake County Public School System e-mail account at any time by submitting a signed and dated Parental Request to Deny Access Form. The form is available upon request from your child's school. It may also be downloaded from the forms section of the district's Internet website. Parent's requests to deny access are effective only for the current school year and do not carry over into the child's next school year.

The denial of Internet access removes an individual student's unfettered personal access to the Internet. Student's that have had their individual Internet access denied are still able to participate in teacher or administrative led activities that contain Internet content. Students that have their Internet access denied are not protected from viewing Internet content in use by other students. Students that have been denied a Wake County Public School System e-mail account but not Internet access may have access to e-mail accounts from other service providers or Internet locations.

1. School administrators are responsible for ensuring that each student's parent or guardian is made aware that parents or guardians have the option to deny their child's access to the Internet, e-mail, or both.
2. Schools are free to incorporate the content of the Letter to Parents or Guardians or Parental Request to Deny Access into custom school forms, but may not change the content therein.
3. Conflicts on the delivery of Internet based curriculum or other similar issues due to the student not having Internet access must be resolved between the parent and the school principal.

6600

**SEARCH AND SEIZURE**

6600

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, student automobiles, or school computers under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search. The use of hand-held or walk-through metal detectors to check a student's person or personal effects is permitted.

As used in this policy, the term "unauthorized" means any item dangerous to the health or safety of students or school personnel, or disruptive of any lawful function, mission or process of the school, or any item described as unauthorized in school rules available before hand to the student.

Students are required to permit searches and seizures as authorized by the terms of this policy.

**A. Personal Searches** - A student's person and/or personal effects (e.g. purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials.

If a pat down search of a student's person is conducted, it will be conducted in private by a school official of the same sex and with an adult witness present.

If the school official has reasonable suspicion to believe that the student has on his or her person an item imminently dangerous to the student or to others, a more intrusive search of the student's person may be conducted. Such a search may only be conducted in private by a school official of the same sex, with an adult witness of the same sex present, and only upon the prior approval of the Senior Director of Security or his/her supervisor, unless the health or safety of students will be endangered by the delay which might be caused by the following these procedures.

**B. Locker Searches** - Student lockers are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers. Periodic general inspections of lockers may be conducted by school authorities for any reason at any time without notice, without student consent, and without a search warrant.

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

- D. School Computers** - School computers and any data they contain remain under control of the school and are subject to inspection at any time.
- E. Metal Detectors** - School officials or law enforcement officers may conduct metal detector checks of groups of individuals if the checks are done in a minimally-intrusive, nondiscriminatory manner (e.g., on all students in a randomly selected class; on every third individual entering an athletic event). Metal detector checks of groups of individuals may not be used to single out a particular individual or category of individuals.  
If a school official or a law enforcement officer has reasonable suspicion to believe that a particular student is in possession of an illegal or unauthorized metal-containing object or weapon, he or she may conduct a metal detector check of the student's person and personal effects.
- F. Seizure of Illegal Materials** - If a properly conducted search yields illegal or contraband materials, such findings shall be turned over to proper legal authorities for ultimate disposition.

**6500**

**DUE PROCESS**

**6500**

Under state and federal law, students are entitled to due process before being removed from school for misconduct. The procedures that follow are required to provide a fair and thorough process for disciplinary suspensions from school.

**A. SUMMARY SUSPENSION**

If the principal witnesses or is made aware of serious student misconduct and believes that immediate removal of the student is necessary to restore order or to protect school property or persons on the school grounds, the principal may suspend the student immediately. In such cases, the principal is not required to conduct a full investigation before suspending the student. In all cases, minimal due process must be given to the student as described in section 6500B as soon as is reasonably possible, usually the following school day.

**B. SHORT-TERM SUSPENSION**

1. A short-term suspension is a removal from school for a period of ten (10) school days or less.
2. The principal may invoke a short-term suspension only after investigating the misconduct, confronting the student with the charges and the basis for those charges, and allowing the student to respond in his/her own defense and/or to offer mitigating circumstances. Once a principal decides to invoke short-term suspension, procedures promulgated by the superintendent shall be followed.
3. The principal shall notify the student and parent/guardian of any short-term suspension, including the reason for the suspension and a description of the alleged conduct upon which the suspension is based. The notice shall be given by the end of the workday on which the suspension was imposed when reasonably possible but in no event more than two (2) days after the suspension was imposed. The notice shall be given by certified mail, telephone, facsimile, e-mail, or any other method reasonably designed to achieve actual notice.
4. If English is the second language of the parent, the notice shall be provided in the parent's primary language, when the appropriate foreign language resources are readily available, and in English and both versions shall be in plain language and easily understandable.
5. The principal shall notify the student and parent/guardian that during a short-term suspension a student shall be provided:
  - a. The opportunity to take textbooks or other appropriate learning resources home for the duration of the suspension.
  - b. The opportunity to obtain homework assignments for the duration of the suspension.
  - c. The opportunity to take any quarterly, semester, or grading period examinations missed during the suspension period.
6. A student is not entitled to appeal the principal's decision to impose a short-term suspension to the Superintendent or Board of Education.
7. If the principal recommends a short term suspension for a violation of a "Level III" rule in the Code of Student Conduct (Policy 6410), the recommendation must be based on mitigating factors and approved by the Discipline Review Committee (DRC). The student/parent/guardian will be promptly notified of any changes in the recommended suspension length based on this review.

**C. SUSPENSIONS EXCEEDING TEN DAYS**

1. A long-term suspension is a suspension for a period of time in excess of ten (10) school days. If the offense leading to the long-term suspension occurs before the final quarter of the school year, the suspension may not be longer than the remainder of the school year. If the offense occurs during the final quarter of the school year, the suspension may continue through the first semester of the following school year.
2. A 365-day suspension is a suspension for 365 calendar days.
3. An expulsion is an indefinite removal from the school enrollment for disciplinary purposes.
4. If the principal, following an investigation, determines that long-term suspension, 365-day suspension or expulsion is appropriate, she/he shall invoke a short-term suspension of ten (10) school days, following the procedures in 6500B above, and inform the student, parent, and superintendent of the recommendation for long-term suspension/expulsion according to the notice procedures contained in 6500 R&P.
5. The student shall be provided the same opportunities as stated in 6500B5 (a-c) during the appeal process.
6. If the principal recommends a long term suspension for a violation of a "Level II" rule in the Code of Student Conduct (Policy 6410), the recommendation must be based on aggravating factors and approved by a Review Panel. The student/parent/guardian will be promptly notified of the results of this review.
7. If a Review Panel approves the recommendation for long term suspension and the student/parent/guardian does not request an appeal, and/or accepts the offer of an alternative educational program within five (5) school days of receiving notice, a Review Panel shall send written notification that the suspension decision is final.
8. All recommendations for long-term suspension must be approved by a Review Panel. A Review Panel may recommend a modification to a 365 day suspension, but only the Superintendent or Board of Education is authorized to approve such a modification. Recommendations for expulsion must be approved by the Board of Education in accordance with 6500F.

**D. INITIAL REVIEW BY SUPERINTENDENT DESIGNEE TO CONSIDER ALTERNATIVE EDUCATION IN LIEU OF SUSPENSION**

1. The Superintendent shall appoint a Discipline Review Committee (DRC) comprised of Area Superintendents and other Student Services Administrators to serve as the Superintendent's designee to consider offering alternative education services in lieu of long-term suspension. Students who are recommended for long-term suspensions shall be offered access to the district's alternative education program unless the DRC identifies a significant or important reason for denying such access.

Depending on circumstances, significant or important reasons for denying alternative education may include, but are not limited to:

- a. The student exhibited violent behavior;
  - b. The student threatened staff or other students;
  - c. The student substantially disrupted the learning process;
  - d. The student otherwise engaged in serious misconduct that makes the provision of alternative educational services not feasible;
  - e. Educationally appropriate alternative education services are not available due to limited resources; or
  - f. The student failed to comply with reasonable conditions for admittance into an alternative education program.
2. If alternative education in lieu of suspension is denied the student/parent/guardian may appeal the DRC's decision to the Board.
  3. Participation and completion of any alternative educational program offered by WCPSS will result in the reduction of the long-term suspension to a short-term suspension. Withdrawal from the alternative educational program reactivates the long-term suspension.
  4. A student who is placed in an alternative education program in lieu of suspension is not permitted to participate in school system activities including graduation without the express permission of the school principal.

**E. LONG-TERM SUSPENSION APPEAL**

The Superintendent shall develop procedures, consistent with state and federal law, for the appeal of a long-term suspension, 365-day suspension or expulsion and a copy of these procedures shall be provided to a student/parent/guardian at the time the student is recommended for long-term suspension/365-day suspension/expulsion. The procedures shall include, but not be limited to:

1. **Suspension Appeal Hearing** - A student shall be given an opportunity for a hearing before an impartial hearing panel prior to the imposition of a long-term suspension/365 suspension or the recommendation of expulsion. The panel shall not include any person who is under the direct supervision of the administrator recommending the suspension.
  - a. If the student/parent/guardian requests a delay in the hearing or requests a hearing after the deadline, the student is not entitled to return to school pending the hearing.
  - b. If neither the student nor parent/guardian appears for the hearing after being given reasonable notice, the parent/guardian and student are deemed to have waived the right to a hearing and the Hearing Panel shall proceed with a review and decision.
  - c. The Hearing Panel will make findings regarding guilt or innocence and make a decision regarding the length of the suspension, or recommend an expulsion, as appropriate.
  - d. The Hearing Panel shall issue a written decision that shall contain:
    - i. the basis for the decision, including a reference to any policy violated;
    - ii. notice of what information will be included in the student's official record pursuant to G.S. 115C-402; and
    - iii. notice of student's right to appeal the decision to the Board of Education and the procedure for the appeal.
  - e. If the student/parent/guardian does not make a timely request for a hearing, the Superintendent or designee shall review the principal's recommendation and supporting documentation and may:
    - i. impose the suspension if it is consistent with board policy,
    - ii. reduce the length of the suspension, or
    - iii. decline to impose any penalty
2. **Board Level Appeal** - A student may appeal the Hearing Panel's decision to the Board of Education.
  - a. In an appeal to the Board, the Hearing Panel's factual findings shall be adopted unless they are not supported by substantial evidence in the record.
  - b. If, at any level of investigation or appeal, the student is determined not guilty of the misconduct in question, the student's absences will be considered excused and the student shall have the right to make up missed work for credit according to policy 6000.5.
  - c. In considering the appeal, the Board panel will review and consider the entire record of the proceedings from the Hearing Panel, including all of the evidence offered by the school administration and the student. Ordinarily, the Board panel will not hear witnesses or consider new or additional evidence beyond what was presented at the earlier hearing. However, in extraordinary circumstances and in the exercise of its discretion, the Board panel by majority vote may permit either party to call witnesses or offer new or additional evidence. A request by either party to call witnesses or provide new or additional evidence at a Board hearing must be received by the Office of Student Due Process, no less than 48 hours prior to the scheduled hearing.

**F. EXPULSIONS**

1. The Board of Education, upon the recommendation of the principal and Superintendent/designee, may expel from school a student fourteen (14) years of age or older whose continued presence in school constitutes a clear threat to the safety of other students or employees. Additionally, any student who is a registered sex offender under N.C. General Statutes 14-208 may be expelled.
2. A student that is recommended for expulsion shall be entitled to an appeal following the provisions of section 6500E. Prior to the expulsion of any student, the Board shall determine whether the student's continued presence in school constitutes a clear threat to the safety of other students or school personnel. In the event a student is expelled, the student shall be given notice of the right to petition for readmission as provided by state law.

**G. GENERAL PROVISIONS**

1. Rules governing the suspension of children with disabilities shall be in compliance with state and federal guidelines. Because students with mental and language disabilities present unique challenges, special assistance may be needed for administrators and special education staff who conduct fact-finding interviews involving students with these disabilities. When it is necessary to conduct a fact-finding interview with a student with a mental disability or language delay, the principal or designee has the option to request specialized assistance as deemed necessary. It is recommended that the administrator first contact the psychologist assigned to the school. If assistance is needed beyond the school psychologist, a request should be made by phone to the Assistant Superintendent of Special Education Services.
2. The removal of a student from class by the teacher, principal, or other authorized school personnel for the remainder of the class period or school day and her/his relocation on the school premises shall not be considered a short-term suspension.
3. Assignment to in-school suspension or an alternative educational center shall not be considered a suspension from school.

A student who has been expelled from another public or private school in this or any other state or has been convicted of a felony in this or any other state and who is denied admission into the Wake County Public School System may appeal to the Board of Education for reconsideration.

**A. Removal from School**

1. When a student is suspended, the principal shall attempt to reach the parent/guardian by telephone to inform them of the school's action and, if necessary, to request that they come to the school or make arrangements for the student to leave. If the parents/guardians are available to receive the student but cannot make transportation arrangements, the school may provide transportation for the student. If the principal cannot reach the parent/guardian, the student must remain on school property until the close of the school day, unless circumstances make that unacceptable to the principal.
2. Notwithstanding the above requirements that a suspended student be released only to a parent/guardian, the principal may order students to leave the school premises immediately when faced with mass violations of school rules or when it is not possible to keep the students on school grounds and restore or maintain order, protect school property, or people on school grounds.

**B. Short-Term Suspension Procedures**

1. The principal may invoke a short-term suspension only after:
  - a. investigating the misconduct
  - b. confronting the student with the charges and the basis for those charges
  - c. allowing the student to respond in his/her own defense and/or to offer mitigating circumstances
2. When a principal decides to suspend a student, the principal shall
  - a. Make every effort to talk by telephone with the parent/guardian before suspension and/or hold a conference with the parent/guardian before the student returns to school.
  - b. Send a timely written notice (form 1716) to the parent/guardian and Superintendent adequately stating the charge against the student and containing facts sufficiently particular to describe the nature of the offense.
  - c. Provide the notice by the end of the workday on which the suspension was imposed when reasonably possible but in no event more than two (2) days after the suspension was imposed. The notice shall be given by certified mail, telephone, facsimile, e-mail, or any other method reasonably designed to achieve actual notice.
  - d. Keep on file all documents and relevant information received about the misconduct for possible review with the parent/guardian.
3. If the principal recommends a short-term suspension for violation of a "Level III" offense in the Code of Student Conduct (Policy 6500), the recommendation must be based on mitigating factors and approved by the Discipline Review Committee, acting as the Superintendent's designee. The student/parent/guardian will be promptly notified of the results of the review.
4. If a student's short-term suspensions accumulate to more than 10 days in a semester, the principal shall utilize the mechanisms identified in the local safe school plan for assessing and addressing the needs of disruptive and disorderly students and students who are at risk of academic failure.

**C. Long-term Suspension Procedures**

Note: For the purposes of these procedures the term long-term suspension shall include any out of school suspension for more than 10 school days including expulsion.

1. When a recommendation for long-term suspension is made, the principal must provide written notice to the parent/guardian of the recommendation for long-term suspension, by certified mail, facsimile, e-mail, or any other written method reasonably designed to achieve actual notice. The notice shall be provided to the parent/guardian by the end of the workday during which the recommendation for long-term is made when reasonably possible, and in no event later than the end of the following workday. This notice shall contain:
  - a. A description of the incident leading to the recommendation for suspension & any mitigating or aggravating factors (See form 1716);
  - b. The rule(s) violated; (See form 1716)
  - c. A copy of the Student Due Process Procedures (Red Book);
  - d. Notice that the parent/guardian/guardian has a right to review the student's educational records prior to the hearing;(See Request for Appeal Hearing Form)
  - e. A statement of what information will be in the student's official record,(See form 1716)
  - f. A copy of the "Request for Appeal Hearing" form;
  - g. Notice that the parent/guardian/guardian is permitted to retain an attorney or non-attorney advocate to represent the student in the hearing process. (See Request for Appeal Hearing Form)
  - h. A statement regarding the procedures for expungement under Board Policy 6300 and G.S. 115C-402. (See form 1716)
2. If the principal recommends a long-term suspension for violation of a "Level II" offense in the Code of Student Conduct (Policy 6500), the recommendation must be based on aggravating factors, this recommendation must be approved by a Review Panel, acting as the Superintendent's designee. The student/parent/guardian will be promptly notified of the results of the review.
3. If the principal recommends a long-term suspension for violation of a "Level III" offense in the Code of Student Conduct (Policy 6500), this recommendation must be approved by a Review Panel, acting as the Superintendent's designee. The student/parent/guardian will be promptly notified of the results of the review.

- D. Alternative Education** The student and parent/guardian may appeal the suspension, appeal a decision to deny alternative education services, and/or accept any alternative educational program offered by WCPSS. Written notification of the initial review decision shall be mailed to the parent/guardian. The student or parent/guardian must notify the office of Student Due Process in writing by completing the "Request for Appeal hearing" form within five (5) school days following receipt of the notice.

#### **E. Suspension Appeal Hearing**

1. If a suspension appeal hearing is desired, the student or parent/guardian must notify the principal in writing by completing the "Request for Suspension Appeal Hearing" form within five (5) school days following receipt of the notice of suspension. If a hearing is requested, the principal will notify the Student Due Process Office to schedule the hearing. The principal shall indicate the estimated number of witnesses to be called by the school and fax to the Student Due Process office the student/parent/guardian request for hearing (either letter or "Request for Suspension Appeal Hearing" form). If the "Suspension Appeal Hearing" form is received by Student Due Process, the school will be notified of the request and a suspension appeal hearing will be scheduled.
2. It is recommended that the student requesting the hearing be present at the suspension appeal hearing to share information related to the incident. While attending the hearing the student will not be trespassing.
3. At the suspension appeal hearing, the student has the following rights:
  - a. To be represented at the hearing by an attorney or a non-attorney advocate. The Student Due Process Representative conducting the hearing may limit the number of attorneys/advocates participating in the hearing. The Office of Student Due Process must be notified no later than three school days prior to the hearing if an attorney will be present for the appeal. When the student is represented by an attorney the principal will also be represented by an attorney.
  - b. To be present at the hearing accompanied by his/her parent/guardian.
  - c. To review before the hearing any audio or video recordings of the incident and, consistent with Federal and State student records laws and regulations, the information supporting the suspension that may be presented as evidence at the hearing, including statements made by witnesses related to the charges. School officials shall not be required to release names or other information that could reveal the identity of a witness when this could pose a safety risk for the witness.
  - d. To question witnesses appearing at the hearing.
  - e. To present evidence on his/her own behalf, which may include written statements or oral testimony, relating to the incident leading to the suspension. If the student intends to call another student as a witness, the student witness must have written permission from his/her parent/guardian to appear during the hearing. The parent/guardian must make arrangements for the student's witnesses to attend the hearing.
  - f. To have a record made of the hearing.
  - g. To make his/her own recording of the hearing.
  - h. To receive a written decision, based on substantial evidence presented at the hearing, either upholding, modifying, or rejecting the principal's recommendation of suspension and containing at least the following information:
    - i. The basis for the decision, including a reference to any policy or rule that the student is determined to have violated.
    - ii. Notice of what information will be included in the student's official record pursuant to G.S. 115C-402.
    - iii. The student's right to appeal the decision and notice of the procedures for such appeal.
4. The hearing will be informal in nature and conducted by an impartial representative from the Office of Student Due Process and heard by a Suspension Appeal Hearing Panel.
5. The panel will be comprised of certified staff not under the direct supervision of the principal making the suspension recommendation and selected from a list approved by the Superintendent/designee.
6. Formal rules of evidence for court proceedings do not apply. A Hearing Panel may consider any relevant evidence that is of a kind commonly relied on by reasonably prudent persons in the conduct of serious matters.
7. Hearings are timed and **each side will be given up to one (1) hour to present their case**, including presentation of all evidence and witnesses. The Student Due Process representative facilitating the hearing may allow additional time in extenuating circumstances.
8. An official recording will be made of the proceedings.
9. The hearing procedure shall consist of a presentation by the principal or his/her designee, of witnesses, and of other evidence to determine if the offense was committed by the student as charged. The student may then offer witnesses and other evidence in her/his own behalf.
10. At the conclusion of the hearing the hearing panel shall determine the relevant facts and credibility of witnesses based on the evidence presented at the hearing. If the hearing panel finds that the student did engage in the alleged misconduct, it shall also decide the length of the suspension.
11. Following the hearing, the hearing panel shall issue a written decision as outlined in policy section E: 1, d, i, ii, & iii above. The "Board Hearing Request" form will be enclosed.

#### **F. Board Level Appeal**

1. If the student/parent or principal is not satisfied with the results of the suspension appeal hearing, the student parent/guardian or principal must notify the Office of Student Due Process in writing by completing the "Board Hearing Request" form within five (5) school days following receipt of the Hearing Panel's decision. If there are no further appeals the Hearing Panel's decision will stand.
2. The Board shall review the matter within ten (10) school days of the notice to the extent practicable and shall render a decision no more than 30 calendar days following receipt of the appeal request. The decision of the Board shall be final.
3. Written notification of the Board's decision shall be sent to the student/parent/guardian and principal within five (5) school days of the Board's final decision.

#### **G. Suspension of Students with Disabilities**

School personnel may remove a student with a disability who violates a code of student conduct from his or her current placement for up to ten (10) consecutive or cumulative school days in the same school year. After a child with a disability is removed from their current placement either through a series of short term suspensions resulting in more than ten (10) cumulative school days in the same school year or a recommendation for long term suspension the school personnel will complete one of the following:

##### **1. Recurring Short-term Suspensions**

- a. When a suspension may cause a cumulative suspension exceeding ten (10) school days during current the school year, the school will determine if the series of removals constitutes a pattern. A team consisting of a school administrator, regular education teacher and special education teacher of the student will convene to determine if there has been a "change of placement" due to the series of short-term suspensions for the current school year.



- b. If the team referenced in 6500 G: 1, a (above) determines the series of short-term suspensions for the current school year is not a change of placement, the student may be suspended and the team decides how to continue services to the student during the suspension which will enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals on the student's IEP.
  - c. If the team referenced in 6500 G: 1, a (above) determines the series of short-term suspensions for the current school year is a change in placement, an Individualized Educational Program Team (IEP Team) must expediently convene and conduct a Manifestation Determination Review. If there is no manifestation determined by the IEP team, the student may be suspended and the IEP Team determines the services to be provided during the suspension which will enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals on the student's IEP. If there is manifestation, the student may not be suspended for the current violation of the student code of conduct and will return to the placement from which the student was removed, unless the parent/guardian and the school, through the IEP team process, agree to a change of placement. The IEP team, in accordance with the **North Carolina Department of Public Instruction Policies Governing Services for Children with Disabilities**, must either (i) conduct a functional behavioral assessment (unless the LEA had conducted a functional behavioral assessment before the behavior that resulted in the change of placement) and implement a behavioral intervention plan for the student; or (ii) if a behavioral intervention plan has already been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior.
2. **Recommendation for Long-Term Suspension**  
 The Individualized Educational Program Team (IEP Team) shall convene and review pending recommendations for long-term suspensions of students with disabilities to determine if the misconduct is a manifestation of the disability within ten (10) school days of the suspension.
- a. Should no manifestation be determined, by the IEP team, the student may be suspended and the IEP team determines the services to be provided during the suspension which will enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals on the student's IEP. The parent/guardian may appeal the long-term suspension in accordance with regulations and procedures in Policy 6500.
  - b. If manifestation is determined, the student shall not be suspended for the policy violation and will return to the placement from which the student was removed, unless the parent/guardian and the school, through the IEP team process, agree to a change of placement. The IEP team, in accordance with the **North Carolina Department of Public Instruction Policies Governing Services for Children with Disabilities**, must either (i) conduct a functional behavioral assessment (unless the LEA had conducted a functional behavioral assessment before the behavior that resulted in the change of placement) and implement a behavioral intervention plan for the student; or (ii) if a behavioral intervention plan has already been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior.
3. A parent/guardian may appeal any decision about placement made by the team referenced in 6500 G:1,b or the results of the manifestation determination meeting by filing a petition for an impartial due process hearing as outlined within **the North Carolina Department of Public Instruction Procedural Safeguards: Handbook on Parents' Rights or the Policies Governing Services for Children with Disabilities**.

6505

**STUDENT READMISSION FOLLOWING DISCIPLINARY ACTION**

6505

All students suspended for 365 days or expelled may, after 180 calendar days from the date of the beginning of the student's suspension or expulsion, request readmission into the school system. A decision on readmission shall be issued within 30 days of the written request. If a student is readmitted under this policy, the Board and the Superintendent have the right to assign the student to any program within the school system and to place reasonable conditions on the readmission.

**A. Process for 365-day suspended students**

- 1. The student/parent must make their request in writing to the office of Student Due Process.
- 2. The Superintendent/designee shall consider and decide on requests for readmission.
- 3. The Superintendent/designee shall offer the student the opportunity to an in-person meeting. The student/parent shall be given written notice of the decision, the right to appeal, and the process.
- 4. If readmission is denied, the student/parent may appeal the decision to a hearing panel of the Board of Education.
- 5. The student shall be readmitted if the student demonstrates to the satisfaction of the Board that the student's presence in school no longer constitutes a threat to the safety of other students or school personnel.

**B. Process for Expelled students**

- 1. The student/parent must make their request in writing to the office of Student Due Process.
- 2. The Board shall consider all requests for readmission of expelled students, together with the recommendation of the superintendent.
- 3. The Board shall consider the request based on the records submitted by the student and the response by the administration and shall allow the parties to be heard by a hearing panel of the Board of Education.
- 4. The student/parent shall be given written notice of the Board's final decision.
- 5. An expelled student may subsequently request readmission not more often than every six months. The Board is not required to consider subsequent readmission request filed sooner than six months after the previous request was filed.

6520

**STUDENT GRIEVANCES**

6520

A student, parent, or guardian may initiate the grievance procedure to appeal any final decision of school personnel within the school system, except as provided in section A below. Grievances that involve an alleged violation of board policy or state or federal law or regulation by a final administrative decision may be appealed to the Board of Education. All other grievances may be appealed to the Superintendent/Designee but are only appealable to the Board in its discretion as outlined below.

- A. This policy does not apply in the case of long-term suspension or expulsion where the provisions of the sections 6530C – 6530H of policy 6530 apply or in the case of alleged sexual harassment where the provisions of section 6415.D of policy 6415 apply.

**B. Step I – Conference**

Except in the case of grievances involving transportation issues as listed in Policies 7105 or 7125, a student, parent, or guardian wishing to invoke the grievance procedure shall make a written request for a conference with the principal to discuss the grievance and seek resolution. The request shall detail the basis for the grievance, name the specific policy, rule or law believed to have been violated, and specify the relief being sought. The following additional guidelines shall be observed in Step I.

1. No grievance shall be heard unless it has been filed in writing within thirty (30) calendar days after the act or condition giving rise to the grievance and states with particularity the basis for the grievance, the policy, regulation and procedure, rule or law believed to have been violated, and the remedy being sought.
2. The principal shall grant the conference within five (5) school days following receipt of the request. The principal will state in writing his/her position on the question to the student or parent within five (5) school days following the conference.
3. Only a parent, guardian, or someone acting in *loco parentis* shall be permitted to join or represent a student in conference with a principal.
4. If the grievance involves a transportation issue as listed in Policies 7105 or 7125, the student, parent, or guardian wishing to invoke the grievance procedure shall make a written request for a conference with the Senior Director of Transportation Operations and Finance to discuss the grievance and seek resolution.

**C. Step II - Appeal to the Superintendent**

If the grievance is not resolved at Step I the student, parent, or guardian may appeal the decision in writing to the superintendent. The appeal must be made within five (5) school days following receipt of the written response in “B” of Step I. The Superintendent or his/her designee shall review the grievance within five (5) school days following receipt of the appeal. If the Superintendent or his/her designee determines that additional time is needed to develop the factual record, the grievance may be put on hold for fifteen (15) additional days (or longer if by mutual agreement) to allow time for investigation. A written response shall be made to the student, parent, guardian, and principal from the superintendent or his/her designee within ten (10) school days following the review.

- D. Step III - Appeal to Board of Education** If the grievance is not resolved at Step II, and it involves an alleged violation of state or local board policy or state or federal law or state rule by a final administrative decision, it may be appealed in writing to the board of education. This written appeal must be made within ten (10) school days following the written response from the superintendent at Step II. The board’s consideration of these appeals will take place in closed session and will be limited to the written record unless the board determines that additional information is necessary. The board may affirm, reverse, or modify the decision of the Superintendent. The Level Two decision will be reversed if the board determines that there has been a material violation of board policy or state or federal law or regulation, or that the decision is unsupported by substantial evidence in view of the entire record as submitted. The board shall offer a final written decision within thirty (30) days.
- E.** A grievant who is not entitled to appeal to the Board may seek discretionary review by submitting a written appeal to the superintendent’s office within ten (10) school days following the written response from the superintendent at Step II. The Chair and Vice-Chair of the Board shall review the request and notify the grievant within ten (10) school days from receipt of the request whether the Board will grant a hearing. If the Chair and Vice-chair do not agree on whether to grant the request, a Board hearing will be allowed. The procedures outlined in section 6520D will be followed in any hearing granted under this section.
- F.** The Superintendent shall disseminate policy 6520 to students at the beginning of each school year.
- G.** If the school system fails to comply with the time periods or other procedures outlined in this policy, the grievant may advance the grievance to the next level. If the grievant fails to comply with the time periods or other procedures outlined in this policy, the grievant waives any further rights of appeal and the grievance will be considered resolved.
- H.** The grievance may be voluntarily withdrawn at any level. Once a grievance is withdrawn it cannot be re-opened. If at any time during the grievance process the school system grants the grievant the relief requested, the grievance shall be terminated at that time.

**6525**

**CORPORAL PUNISHMENT**

**6525**

Believing that other forms of discipline are more appropriate with children of all ages, the Wake County Board of Education prohibits the use of corporal punishment. No principal, assistant principal, teacher, substitute teacher, or any other school system employee or volunteer may use corporal punishment to discipline any student.

1. Corporal punishment is all forms of physical punishment including, but not limited to, spanking, paddling, or slapping.
2. School personnel may use reasonable force to control behavior or to remove a person from the scene in those situations when necessary:
  1. To quell a disturbance threatening injury to others
  2. To obtain possession of weapons or other dangerous objects on the person, or within the control, of a student
  3. For self-defense
  4. For the protection of persons or property
  5. To maintain order on school property, in the classroom, or at a school-related activity on or off school property.

**2322, 3037, 4037, 6550**

**USE OF SECLUSION AND RESTRAINT**

**2322, 3037, 4037, 6550**

1. It is the policy of the Wake County Board of Education to promote the safety of all students, staff, and visitors in its schools. To further this policy, school personnel may, in compliance with G.S. 115C-391.1 and state and local policies and procedures, employ reasonable restraint or seclusion techniques with students.
2. The Superintendent or designee shall provide copies of this policy and G.S. 115C-391.1 to school personnel and parents/guardians at the beginning of each school year. Principals shall notify parents of any prohibited use of seclusion, restraint, or aversive techniques and shall provide a written incident report within 30 days of any such incident as required by G.S. 115C-391.1 and applicable policies and procedures. The Superintendent or designee shall annually provide a record of reported incidents to the State Board of Education.
3. No employee of the Wake County Public Schools System shall retaliate against another employee for making a report alleging a prohibited use of seclusion, restraint, or aversive techniques, provided, however, an employee may be disciplined for making such a report if the employee knew or should have known that the report was false.

**Permissible use of seclusion and restraint.**

- (a) It is the policy of the State of North Carolina to:
- (1) Promote safety and prevent harm to all students, staff, and visitors in the public schools.
  - (2) Treat all public school students with dignity and respect in the delivery of discipline, use of physical restraints or seclusion, and use of reasonable force as permitted by law.
  - (3) Provide school staff with clear guidelines about what constitutes use of reasonable force permissible in North Carolina public schools.
  - (4) Improve student achievement, attendance, promotion, and graduation rates by employing positive behavioral interventions to address student behavior in a positive and safe manner.
  - (5) Promote retention of valuable teachers and other school personnel by providing appropriate training in prescribed procedures, which address student behavior in a positive and safe manner.
- (b) The following definitions apply in this section:
- (1) "Assistive technology device" means any item, piece of equipment, or product system that is used to increase, maintain, or improve the functional capacities of a child with a disability.
  - (2) "Aversive procedure" means a systematic physical or sensory intervention program for modifying the behavior of a student with a disability which causes or reasonably may be expected to cause one or more of the following:
    - a. Significant physical harm, such as tissue damage, physical illness, or death.
    - b. Serious, foreseeable long-term psychological impairment.
    - c. Obvious repulsion on the part of observers who cannot reconcile extreme procedures with acceptable, standard practice, for example: electric shock applied to the body; extremely loud auditory stimuli; forcible introduction of foul substances to the mouth, eyes, ears, nose, or skin; placement in a tub of cold water or shower; slapping, pinching, hitting, or pulling hair; blindfolding or other forms of visual blocking; unreasonable withholding of meals; eating one's own vomit; or denial of reasonable access to toileting facilities.
  - (3) "Behavioral intervention" means the implementation of strategies to address behavior that is dangerous, disruptive, or otherwise impedes the learning of a student or others.
  - (4) "IEP" means a student's Individualized Education Plan.
  - (5) "Isolation" means a behavior management technique in which a student is placed alone in an enclosed space from which the student is not prevented from leaving.
  - (6) "Law enforcement officer" means a sworn law enforcement officer with the power to arrest.
  - (7) "Mechanical restraint" means the use of any device or material attached or adjacent to a student's body that restricts freedom of movement or normal access to any portion of the student's body and that the student cannot easily remove.
  - (8) "Physical restraint" means the use of physical force to restrict the free movement of all or a portion of a student's body.
  - (9) "School personnel" means:
    - a. Employees of a local board of education.
    - b. Any person working on school grounds or at a school function under a contract or written agreement with the public school system to provide educational or related services to students.
    - c. Any person working on school grounds or at a school function for another agency providing educational or related services to students.
  - (10) "Seclusion" means the confinement of a student alone in an enclosed space from which the student is:
    - a. Physically prevented from leaving by locking hardware or other means.
    - b. Not capable of leaving due to physical or intellectual incapacity.
  - (11) "Time-out" means a behavior management technique in which a student is separated from other students for a limited period of time in a monitored setting.
- (c) Physical Restraint:
- (1) Physical restraint of students by school personnel shall be considered a reasonable use of force when used in the following circumstances:
    - a. As reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person.
    - b. As reasonably needed to maintain order or prevent or break up a fight.
    - c. As reasonably needed for self-defense.
    - d. As reasonably needed to ensure the safety of any student, school employee, volunteer, or other person present, to teach a skill, to calm or comfort a student, or to prevent self-injurious behavior.
    - e. As reasonably needed to escort a student safely from one area to another.
    - f. If used as provided for in a student's IEP or Section 504 plan or behavior intervention plan.
    - g. As reasonably needed to prevent imminent destruction to school or another person's property.
  - (2) Except as set forth in subdivision (1) of this subsection, physical restraint of students shall not be considered a reasonable use of force, and its use is prohibited.
  - (3) Physical restraint shall not be considered a reasonable use of force when used solely as a disciplinary consequence.
  - (4) Nothing in this subsection shall be construed to prevent the use of force by law enforcement officers in the lawful exercise of their law enforcement duties.
- (d) Mechanical Restraint:
- (1) Mechanical restraint of students by school personnel is permissible only in the following circumstances:
    - a. When properly used as an assistive technology device included in the student's IEP or Section 504 plan or behavior intervention plan or as otherwise prescribed for the student by a medical or related service provider.
    - b. When using seat belts or other safety restraints to secure students during transportation.
    - c. As reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person.

- d. As reasonably needed for self-defense.
  - e. As reasonably needed to ensure the safety of any student, school employee, volunteer, or other person present.
  - (2) Except as set forth in subdivision (1) of this subsection, mechanical restraint, including the tying, taping, or strapping down of a student, shall not be considered a reasonable use of force, and its use is prohibited.
  - (3) Nothing in this subsection shall be construed to prevent the use of mechanical restraint devices such as handcuffs by law enforcement officers in the lawful exercise of their law enforcement duties.
- (e) Seclusion:
- (1) Seclusion of students by school personnel may be used in the following circumstances:
    - a. As reasonably needed to respond to a person in control of a weapon or other dangerous object.
    - b. As reasonably needed to maintain order or prevent or break up a fight.
    - c. As reasonably needed for self-defense.
    - d. As reasonably needed when a student's behavior poses a threat of imminent physical harm to self or others or imminent substantial destruction of school or another person's property.
    - e. When used as specified in the student's IEP, Section 504 plan, or behavior intervention plan; and
      - 1. The student is monitored while in seclusion by an adult in close proximity who is able to see and hear the student at all times.
      - 2. The student is released from seclusion upon cessation of the behaviors that led to the seclusion or as otherwise specified in the student's IEP or Section 504 plan.
      - 3. The space in which the student is confined has been approved for such use by the local education agency.
      - 4. The space is appropriately lighted.
      - 5. The space is appropriately ventilated and heated or cooled.
      - 6. The space is free of objects that unreasonably expose the student or others to harm.
  - (2) Except as set forth in subdivision (1) of this subsection, the use of seclusion is not considered reasonable force, and its use is not permitted.
  - (3) Seclusion shall not be considered a reasonable use of force when used solely as a disciplinary consequence.
  - (4) Nothing in this subsection shall be construed to prevent the use of seclusion by law enforcement officers in the lawful exercise of their law enforcement duties.
- (f) Isolation. Isolation is permitted as a behavior management technique provided that:
- (1) The space used for isolation is appropriately lighted, ventilated, and heated or cooled.
  - (2) The duration of the isolation is reasonable in light of the purpose of the isolation.
  - (3) The student is reasonably monitored while in isolation.
  - (4) The isolation space is free of objects that unreasonably expose the student or others to harm.
- (g) Time-Out. Nothing in this section is intended to prohibit or regulate the use of time-out as defined in this section.
- (h) Aversive Procedures. The use of aversive procedures as defined in this section is prohibited in public schools.
- (i) Nothing in this section modifies the rights of school personnel to use reasonable force as permitted under G.S. 115C-390.3 or modifies the rules and procedures governing discipline under G.S. 115C-390.1 through G.S. 115C-390.12.
- (j) Notice, Reporting, and Documentation.
- (1) Notice of procedures. Each local board of education shall provide copies of this section and all local board policies developed to implement this section to school personnel and parents or guardians at the beginning of each school year.
  - (2) Notice of specified incidents:
    - a. School personnel shall promptly notify the principal or principal's designee of:
      - 1. Any use of aversive procedures.
      - 2. Any prohibited use of mechanical restraint.
      - 3. Any use of physical restraint resulting in observable physical injury to a student.
      - 4. Any prohibited use of seclusion or seclusion that exceeds 10 minutes or the amount of time specified on a student's behavior intervention plan.
    - b. When a principal or principal's designee has personal knowledge or actual notice of any of the events described in this subdivision, the principal or principal's designee shall promptly notify the student's parent or guardian and will provide the name of a school employee the parent or guardian can contact regarding the incident.
  - (3) As used in subdivision (2) of this subsection, "promptly notify" means by the end of the workday during which the incident occurred when reasonably possible, but in no event later than the end of following workday.
  - (4) The parent or guardian of the student shall be provided with a written incident report for any incident reported under this section within a reasonable period of time, but in no event later than 30 days after the incident. The written incident report shall include:
    - a. The date, time of day, location, duration, and description of the incident and interventions.
    - b. The events or events that led up to the incident.
    - c. The nature and extent of any injury to the student.
    - d. The name of a school employee the parent or guardian can contact regarding the incident.
  - (5) No local board of education or employee of a local board of education shall discharge, threaten, or otherwise retaliate against another employee of the board regarding that employee's compensation, terms, conditions, location, or privileges of employment because the employee makes a report alleging a prohibited use of physical restraint, mechanical restraint, aversive procedure, or seclusion, unless the employee knew or should have known that the report was false.
- (k) Nothing in this section shall be construed to create a private cause of action against a local board, its agents or employees or any institution of teacher education, their agents or employees or to create a criminal offense. (2005-205, s. 2; 2006-264, s. 58; 2011-282, s. 3.)

## **ADDITIONAL POLICIES OF INTEREST**

**2308, 3008, 4008**

**TOBACCO-FREE ENVIRONMENT**

**2308, 3008, 4008**

The board of education believes employees and students of the Wake County Public School System have a right to work and study in a tobacco-free environment. The board recognizes that the use of tobacco products is a health, safety, and environmental hazard for students, employees, visitors, and school facilities. In addition, the board recognizes that it has an obligation to promote a healthy learning and working environment, free from unwanted smoke, for the students, employees, and visitors of the school system.

1. The use or display of any tobacco product by any person in school buildings, school facilities or school vehicles: on school campuses: and in or on any school property owned, operated or contracted for by the school system is prohibited except as provided in this policy. This prohibition also applies to the use or display of tobacco products by any person at any other location during a school sponsored event when in the presence of students or school personnel.
2. The exceptions to this policy are as follows:
  - a. The display of tobacco products does not extend to display that has a legitimate instructional or pedagogical purpose and is approved by a teacher or school administrator, and
  - b. A principal may permit tobacco products to be included in instructional or research activities in the school building if the activity is conducted or supervised by the faculty member overseeing the instruction or research and the activity does not involve smoking, chewing, or otherwise ingesting the tobacco product.
3. School personal, students and parents will be provided notice of this policy through personnel or student handbooks, or in any other manner deemed appropriate by the principal or supervisor. In addition, principals or other persons in charge of a facility will ensure that signs are posted in a manner and locations that adequately notify staff, students, parents and the public of this policy.
4. Principals and supervisors are responsible for enforcing and ensuring that school personnel comply with this policy. An employee's failure to comply with this policy, whether by enforcement or otherwise, shall be grounds for disciplinary action up to and including dismissal.
5. For the purposes of this policy "display" is defined as having a tobacco product in a location or position that is visible to students or school personnel. "Tobacco product" is defined to include cigarettes, cigars, pipes, chewing tobacco, snuff, and other items containing or reasonably resembling tobacco or tobacco products. "Tobacco use" includes smoking, chewing, dipping, or any use of tobacco products.

**2410**

**PUBLIC GIFTS**

**2410**

While it is recognized that the practice of giving public gifts to schools embraces an amount of commendable spirit, such activities may contain inherent complications and problems for the schools. Therefore, administrators shall examine seriously any such offers and refer any which suggest areas of question to the superintendent or his designee for action or recommendation.

Any offer of gifts to a school or schools, or the school system, shall be studied by the superintendent, or his designee, who shall then submit a summary of findings to the board for action. Gifts to school personnel are governed by policy 3243/4243.

**3243**

**GIFTS TO EMPLOYEES**

**3243**

School employees shall not accept cash gifts. School employees shall not accept any other gifts, except token gifts of insubstantial value; provided however, that school employees shall never receive or accept any gift, reward, gratuity, or other compensation from any manufacturer, merchant, dealer, publisher, or author for influencing or recommending to the school system or any school that it use a seller's goods, wares, merchandise, materials, supplies, services, or equipment.

**2541**

**FAMILY INVOLVEMENT**

**2541**

A child's education is a responsibility shared by the school and the family. Parents, families, schools, and communities working as partners can promote increased student achievement and positive attitudes about self and school. The Board of Education supports the development, implementation and regular evaluation of a comprehensive parental involvement program in each school to involve parents at all grade levels in a variety of roles.

In addition to school-based programs for parent and family involvement, the Board of Education supports the involvement of parents and families at the district level through participation in advisory councils, PTA Council, and other ad-hoc advisory groups to assist the administration and Board in policy and program development. The district should also develop a plan for using community resources to strengthen school programs, family practices, and student learning. The Board authorizes the superintendent or designee to develop related regulations and procedures.

**2541 R&P**

**FAMILY INVOLVEMENT**

**2541 R&P**

*The family involvement programs should include, but not be limited to the following components, which are the Parent Teacher Association's (PTA) 2007 National Standards for Family-School Partnerships:*

*PTA's National Standards for Family-School Partnerships*

**Standard 1 - Welcoming all families into the school community**

*Families are active participants in the life of the school, and feel welcomed, valued, and connected to each other, to school staff, and to what students are learning and doing in class.*

**Standard 2 - Communicating effectively**

*Families and school staff engage in regular, meaningful communication about student learning.*

**Standard 3 - Supporting student success**

*Families and school staff continuously collaborate to support students' learning and healthy development both at home and at school, and have regular opportunities to strengthen their knowledge and skills to do so effectively.*

**Standard 4 - Speaking up for every child**

*Families are empowered to be advocates for their own and other children, to ensure that students are treated fairly and have access to learning opportunities that will support their success.*

**Standard 5 - Sharing power**

*Families and school staff are equal partners in decisions that affect children and families and together inform, influence, and create policies, practices and programs.*

**Standard 6 - Collaborating with community**

*Families and school staff collaborate with community members to connect students, families, and staff to expanded learning opportunities, community services, and civic participation.*

The Wake County Board of Education values the right of every child to a high quality education. To fulfill this obligation, the Board recognizes that this includes an expectation that school staff provide an environment that teaches, models, and encourages the development of good character.

1.Character education programs will include a focus on the system’s eight character traits of courage, good judgment, integrity, kindness, perseverance, respect, responsibility, and self-discipline defined as the following:

**Courage:** Having the determination to do the right thing even when others don’t; having the strength to follow your conscience rather than the crowd; attempting difficult things that are worthwhile.

**Good judgment:** Choosing worthy goals and setting proper priorities; thinking through the consequences of your actions; and basing decisions on practical wisdom and good sense.

**Integrity:** Having the inner strength to be truthful, trustworthy, and honest in all things; acting justly and honorably.

**Kindness:** Being considerate, courteous, helpful, and understanding of others; showing care, compassion, friendship, and generosity; and treating others as you would like to be treated.

**Perseverance:** Being persistent in the pursuit of worthy objectives in spite of difficulty, opposition, or discouragement; and exhibiting patience and having the fortitude to try again when confronted with delays, mistakes, or failures.

**Respect:** Showing high regard for authority for other people, for self, for property, and for country; and understanding that all people have value as human beings.

**Responsibility:** Being dependable in carrying out obligations and duties; showing reliability and consistency in words and conduct; being accountable for your own actions; and being committed to active involvement in your community.

**Self-discipline:** Demonstrating hard work and commitment to purpose; regulating yourself for improvement and restraining from in appropriate behaviors; being in proper control of your words, actions, impulses, and desires; choosing abstinence from premarital sex, drugs, alcohol, and other harmful substances and behaviors; and doing your best in all situations.

2.Every school will have programs and activities that support efforts to develop good character. Within these initiatives, schools will provide opportunities for students to demonstrate and practice good character. This should include helping students to understand, assess, and be responsible for their own behavior and how to act responsibly toward others.

3.School staff members will ensure that positive behavior is practiced, demonstrated, modeled, and reinforced within an environment of mutual respect, caring, and dignity.

4.School staff will provide opportunities for the integration of character education in all areas of the curriculum.

5.The school will form collaborative partnerships with families and community to model character and develop character education initiatives.

## 5422 R&amp;P

## SCHOOL VOLUNTEERS

## 5422 R&amp;P

- A. All volunteer applicants will complete an on-line application at a school and must receive clearance from the Human Resources Department – Employee Relations before beginning work in a school as a volunteer. WCPSS employees do not need to register as volunteers.
- B. A criminal background check, done by the Human Resources Department – Employee Relations, is required of all volunteers.
- C. Volunteer applicants with a criminal history may not be approved for clearance. No individual will be given clearance to volunteer in the school system if he/she is a registered sex offender. In addition, a volunteer applicant may be otherwise denied when it is in the best interest of the school system.
- D. Applicants to be volunteer coaches must, in addition, complete the “Support Employee” application/approval process through the Human Resources Department – Staffing.
- E. A volunteer applicant who will transport students in a vehicle must hold a valid driver’s license & have proof of insurance. In addition, the applicant must receive specific prior authorization to drive from the Human Resources Department – Employee Relations. Volunteer applicants with a prior driving record that demonstrates a risk to the safety or well being of students will not be approved.
- F. Volunteers who are transporting students for school-sponsored activities or field trips will be held responsible for injuries to students and others. Before transporting any student in a privately owned vehicle, a volunteer must complete Form 1713b, “Notice to Drivers on School Field Trips,” which certifies that his/her vehicle is covered by insurance as required by North Carolina state law.
- G. Volunteers must comply with all policies of the Board of Education. In addition, all volunteers must understand the expectations of the school program, the issue of confidentiality, and any special procedures required by a particular school.
- H. If the decision is to deny clearance, the volunteer applicant will be notified by letter, which gives reasons for the denial and describes appeal procedures. The applicant has 14 days from the date of the letter to appeal the decision and/or to provide any corrections to the information used to make the determination.
- I. A volunteer may be removed from service at any time based on the best interests of the school system.
- J. Schools will keep a record of the number of volunteers and their time worked in the school. The school may be required to report these figures to the school system’s administration.

## 5430

## SCHOOL TRIPS

## 5430

School trips designed to stimulate student interest and inquiry and to provide opportunities for educational growth and development can be appropriate extensions of the classroom. To the extent that a school trip provides a highly effective means for accomplishing the objectives of the curriculum and that disruption of other classes is kept to a minimum, it may be considered for approval. Additional criteria for assessing the advisability of a proposed trip are the amount of school time lost, issues of student safety and supervision, and any additional demands placed upon student time to raise funds to finance the trip.

1. The superintendent shall be responsible for development of procedures for the request and approval of desired school trips.

2. A school trip is defined as a student or a group of students leaving a school campus under the sponsorship of the school and under supervision of school employee(s) to extend educational experiences consistent with the general goals and objectives of the total school program. A school trip must be related to the curriculum of the school or to a co-curricular activity (e.g., clubs, student council). Any trip made by school students which has not been approved by the board or school administration in accordance with Policy 5430 shall not be considered to be a school trip.
3. A non-school sponsored trip is defined as a trip organized by a school employee acting as an independent agent, without the sponsorship of the school or school system. School employees who organize non-school sponsored trips involving school students must inform parents and students that the trip is not sponsored by the school system and that the school system and school officials assume no responsibility or liability for the trip. The employee must notify the employee's supervisor and the principal(s) of the students involved in the trip and provide documentation that the parental notice has been given. In addition, no school time, equipment, or facilities may be used to plan or organize non-school sponsored trips.
4. Students should not be charged a fee for any required class school trip for which credit is granted. All assessments for voluntary class or co-curricular school trips shall be closely scrutinized at the time the trip is approved. The sponsor of that trip must certify to the school principal that provisions have been made for group members unable to pay the assessment.
5. The principal shall appoint a committee of faculty members representing curricular and co-curricular areas of the school to serve as the school trip committee. The principal or designated administrator shall chair this committee. The committee shall review and consider for approval all school trip requests. The committee shall ensure that all school trips are an integral part of the curriculum, that student safety and supervision needs have been addressed, that loss of school time is kept to a minimum, and that provisions have been made for students unable to pay any assessments for the trip. The committee shall obtain input from all those on a staff who are affected by such trips. The committee shall also develop an annual plan for all school trips and provide the plan to the appropriate area assistant superintendent with the school's annual work plan.
6. At the end of each school year, the school trip committee shall present to the appropriate area assistant superintendent a summary report of all school trip activity during that year.
7. General guidelines for school trips include:
  - A. Elementary and middle school trips shall not involve an overnight stay.
  - B. Elementary and middle school trips shall not exceed one hundred twenty-five (125) miles one way.
  - C. Elementary and middle school trips out of system shall not involve competitions or adjudications. Deviations from these guidelines require prior approval of the area assistant superintendent.
8. General guidelines for overnight school trips include:
  - A. Trips that include male and female students shall have male and female chaperones.
  - B. Student accident insurance shall be in force on each student.
9. Elementary school trips to amusement parks are prohibited. Middle and High school trips to amusement parks require prior approval of the area assistant superintendent. No middle and high school trip will be approved unless it provides a unique educational opportunity that directly relates to the curriculum or to a co-curricular activity. If the trip includes multiple locations, all components of the trip must meet these requirements.
10. School trips that involve water related activities such as swimming, diving, boating, sailing, cruise ship travel, etc. require prior approval of the area assistant superintendent. No such trip will be approved unless it provides a unique educational opportunity that directly relates to the curriculum or to a co-curricular activity. In addition, a detailed plan to address supervision and safety needs of students must be submitted.
11. School trips out of the continental United States require prior board approval.
12. Students remain subject to all school and district policies and rules of conduct, including disciplinary consequences, during the school trip.
13. When privately-owned vehicles are to be used for transporting students, parents of the students are to be notified and the owner of the vehicle and the parents must acknowledge in writing that they have received notice that the board's liability insurance does not cover the use of the private vehicles to transport students for school activities.
14. The parent/guardian should be notified of any significant change in plans prior to the school trip.
15. School trips may be cancelled when necessary by the principal, superintendent, or board of education. The school system cannot guarantee reimbursement when such cancellations occur.

The board of education believes that homework is an important part of the educational program for students in the Wake County Public School System and should be assigned on a regular basis. Homework assignments should be purposeful continuations or extensions of the instructional program and appropriate to the student's developmental level. Homework should help students become responsible, self-directed learners, improve their academic achievement, and provide reinforcement opportunities.

1. Since each student spends a major part of each weekday in class and since there are other valuable experiences to be gained outside school, homework shall be planned carefully and evaluated periodically regarding its appropriateness.
2. It is assumed by the board of education that homework will be done by students outside of school hours. The amount of such work required of students shall increase as grade levels increase and shall be commensurate with abilities and course content.
3. The staff of each school shall develop a homework plan to assure that this policy is fully and properly implemented. Each school's plan shall be submitted for approval to a member of the administrative staff designated by the superintendent. Once approved, the staff of each school shall be responsible for informing students and parents of the homework plan. Additionally, it shall be the responsibility of each teacher to understand the homework plan and participate in it.

Attendance in school is central to educational achievement and school success. School attendance is required by state law for all children between the ages of seven (7) and sixteen (16). Parents must ensure that students attend and remain in school daily.

1. The principal must assure adherence to attendance rules and regulations and notify parents of their responsibility under the compulsory attendance law. The teacher must monitor and report student absences on a daily and class basis and follow all rules and regulations concerning attendance.
2. To be counted present a student must be in attendance at least one-half of the student school day. This shall include attendance at official school activities at a place other than school with the approval of the principal. A student shall be in his/her assigned area at the beginning of the school day and the beginning of each class or be recorded as tardy.
3. An absence is excused if the following conditions exist:
  - A. Illness or injury which makes the student physically unable to attend school.
  - B. Isolation ordered by the State Board of Health or the Wake County Health Department.
  - C. Death in family.
  - D. Medical, dental, or other appointment with a health care provider for the student or for a child for whom the student is a custodial parent.
  - E. Court when a student is under subpoena.
  - F. Religious observance, as suggested by the religion of the student or the student's parents.
  - G. Participation in a valid educational opportunity, such as travel with prior approval, as documented on the "Request for Excused Absence for Educational Reasons."
  - H. A catastrophic event or natural disaster.
4. Absences not classified as excused in 6000.3 are unexcused. The student is responsible for submitting a note signed by the parent citing the reason for an absence to the principal's designee within two (2) days of the student's return to school. Failure to comply with the above will result in the absence being unexcused.
5. For all absences, the student shall make up all work in a timely manner at the convenience of the teacher. The make-up work may be specific material missed by the student, reinforcement, or enrichment.
6. Excessive absences will have serious academic consequences and may result in class or grade-level failure.
7. At the elementary level, excused and unexcused absences above thirty (30) are excessive. Students who exceed thirty (30) absences during the year will be referred to an attendance committee that will determine if the student should be retained. The principal shall have the authority to waive the decision of the committee.
8. At the secondary level, cumulative absences above ten (10) in a block course, twenty (20) in a full year course are excessive. After five (5) days of accumulated absences in one or more block courses, ten (10) in a full-year course there will be school-determined, expectations-based intervention to help the student improve his or her attendance. The intervention will involve parents. After ten (10) days of accumulated absences in a block course, twenty (20) in a full-year course and failure to meet previously-determined expectations, the student will be subject to failure, retention, or summer school.
9. All schools will develop a plan to improve attendance. As part of this plan, each school will establish procedures to develop and implement interventions disciplinary action for unexcused absences and a process for dealing with students who fail to meet previously-determined expectations.
10. The principal shall have the authority to waive the school-based decision after excessive absences as defined in 6000.8.
11. Students with documented, chronic health problems will be exempted from the policy if absences are excused.

**6000 R&P****ATTENDANCE****6000 R&P**

*School attendance is important to school success. The Wake County school board policy and the attached regulations and procedures are designed to insure that all students meet the requirements of North Carolina' compulsory attendance law, G.S. 115C-378, as well as those of the school system. In addition to these policies and procedures, all schools are encouraged to develop incentives for students to have good attendance records. The Office of Counseling and Student Services will offer consultation and support for schools that need assistance in any of these areas.*

- A. *Detailed laws, regulations, and policies concerning compulsory school attendance are found in School Attendance and Student Accounting. North Carolina Department of Public Instruction, Division of School Business Services. Specific procedures related to the compulsory attendance law are available through the Office of Counseling and Student Services.*
- B. *Official school activities include field trips sponsored by the school, school-initiated and scheduled activities, athletic events that require early dismissal with prior approval of the principal, governor or legislative pages, and in-school suspension.*
- C. *An absence is excused if the following conditions exist:*
  1. *A student is unable to attend school when the student or his/her child is ill, injured, has a medical appointment, or is isolated by order of the State Board of Health or the Wake County Health Department. The principal shall require written documentation from the parent, guardian, emancipated student, or doctor, of the reason the student was absent. At the principal's discretion, other family illness may be accepted as an excused absence. Emancipated students are those that are eighteen (18), married, or emancipated by court order. A principal may allow students under eighteen (18) who do not live at home, to write their own absence notes if the parent gives written consent.*
  2. *Death in the family.*
  3. *A student who is called to court under subpoena or court order is to receive an excused absence. If the student is called to court because they are being charged with an offense, they should receive an excused absence for the time in court.*
  4. *Religious observance, as suggested by the religion of the student or the student' parents.*
  5. *An absence may be excused in advance for educational reasons. The parent must complete the form #1710 "Request for Excused Absence for Educational Reasons." By signing the document, the parent assures the school that the absence meets the requirements of the law for excused absences. The law provides principals with the latitude to determine when the cumulative effects of such absences are of such duration as to interfere with the education of the student.*
  6. *A student is unable to attend school due to a catastrophic event or natural disaster.*



- D. Absences not classified as excused in section C. are unexcused. Parents shall be notified when their child has accumulated three unexcused absences. Parents shall be notified in writing when their child has accumulated six unexcused absences (Form 1700).*
- E. Schools shall establish and communicate to students and parents their procedures for making up work following an unexcused absence. Make-up work shall be graded at a standard consistent with the original work. Credit equivalent to not less than 70% of the original value of the work shall be awarded for make-up work completed within the school's established procedures. In making final determinations about credit, the procedures should take into account the following:*
- 1. The past performance of the student,*
  - 2. Circumstances that may have made the unexcused absence unavoidable,*
  - 3. Unusual family circumstances,*
  - 4. Nature of the specific learning activity,*
  - 5. Other issues that the teacher determines to be relevant to the situation.*
- Absences resulting from out-of-school suspensions are considered unexcused, and the same policy for make-up work applies. Full credit must be given for quarter, semester or grading period examinations in the case of short-term suspensions.*
- F. School work will be made up for excused absences under the following conditions:*
- 1. If the absence is approved in advance and/or if the work is assigned by the teacher in advance, all make-up work, including tests assigned for the day of return, is due upon the student's return to school. Teachers should use discretion and may make exceptions in the case of students whose excused absences were not planned in advance, were beyond the student's control, and the nature of which would not support make-up work the day of return (e.g., death in the immediate family, serious illness).*
  - 2. If the make-up work has not been assigned in advance, for absences of one (1) to three (3) days, the student will have one day for each day absent. For absences exceeding three (3) days, the student may have two (2) days for each day absent to make up work. Special consideration should be given in the case of extended absences due to injury or chronic illness.*
  - 3. The student is responsible for securing make-up work at the secondary level. At the elementary level, the teacher is responsible for assigning make-up work.*
- G. When an elementary student exceeds the thirty (30) absence limit, an attendance committee will determine if the student should be retained because of absences. The committee may substitute summer school experiences for retention if they determine summer experiences are of greater educational value than retention. The decision to retain or to substitute other experiences will be based on the child's educational needs.*
- H. At the secondary level, teachers shall notify the principal's designee when absences from an individual class reach at least three (3) in a block course (seven (7) in a semester course or at least fifteen (15) in a full-year course). In elementary schools the teacher shall inform the principal when the child accumulates at least twenty-five (25) absences. The principal shall, in turn, notify parents or guardians, in writing, that the total number of absences is approaching the maximum allowed under this policy.*
- I. At the secondary level, teachers shall notify the principal when absences from an individual class reach at least five (5) in a block course (ten (10) in a full-year course). The principal shall in turn initiate interventions, based upon the school-developed attendance plan, to help improve the attendance of the student. Interventions will be expectations-based and involve parents. Teachers shall notify the principal when absences reach ten (10) in a block course (twenty (20) in a full-year course). At this point, the school plan for dealing with accumulated absences will be initiated for each student.*
- In accordance with the high school attendance plans, seniors will be exempt from non-State exams under the following parameters.*
- Year Long Courses:*
- § 6 or fewer excused absences with an A average*
  - § 4 or fewer excused absences with a B average*
  - § 2 or fewer excused absences with a C average*
- Block Courses:*
- § 3 or fewer excused absences with an A average*
  - § 2 or fewer excused absences with a B average*
  - § 1 or fewer excused absences with a C average*
- As part of the individual school plan, based upon the needs at a particular school, the School Improvement Team may propose additional expectations for seniors that impact their ability to be exempt. Seniors and parents will receive notification by the school principal prior to the senior year of such school-specific expectations.*
- The principal (consistent with GS 115C-288) is responsible for the final determination of exam exemption eligibility.*
- J. Appeals of the school decisions, with regard to attendance, will follow normal procedures outlined in the student grievance process.*
- K. The principal may waive the school-based decisions that result from a student's violation of the attendance policy after decisions have been made.*
- A student with a chronic health problem will not be held accountable to the attendance policy if absences are excused. Documentation of chronic health problems must be provided in writing.*

The Wake County Board of Education will not discriminate against anyone on the basis of sex in its educational programs or activities, in admission to its educational programs or activities, or in employment policies and practices in accordance with Title IX of the Educational Amendments of 1972.

Inquiries regarding compliance with Title IX may be directed to the Title IX Coordinator. The Title IX Coordinator is the Assistant Superintendent for Student Services or her/his designee and may be reached at (919) 854-4349. Correspondence to the Title IX Coordinator should be sent to 110 Corning Dr., Cary, North Carolina, 27518.

Grievances regarding alleged sexual harassment may be raised according to the procedures outlined in Board Policy 2320/3035/4035/6415.

At the high school level only, the principal shall have the authority to determine whether there shall be provisions for an open-lunch schedule for seniors and juniors whose parents or guardians come to the place designated by the principal to grant written permission for the students in question to leave the campus for lunch on their own and return to school for the remainder of the school day.

1. The principal shall have the authority to suspend or terminate any student's open-lunch permission if the privilege is abused.
2. The form signed by parents shall state that students are subject to rules of student conduct adopted by the board and the individual school while exercising off-campus lunch privileges.
3. Only seniors and juniors whose conduct remains exemplary as determined by the principal may be granted permission to leave campus under the provisions of this policy.

Qualifications for admission to the Wake County Public School System shall be considered complete upon satisfaction of the criteria listed under the respective types of entrants.

**1. Definitions:**

- A. "Domicile" denotes a permanent, established home, as distinguished from a temporary, although actual place of residence. The domicile of an unemancipated minor is the same as that of his parents or legal custodian. A financially independent student over the age of eighteen, a student who is married or a student who is legally emancipated may establish his/or her own domicile.
- B. "Residence" is where a person actually lives, whether permanent or temporary.
- C. "Legal Custodian" is a person or agency awarded legal custody of a child by a court of law.
- D. "Long-term Suspension" is a removal from school for the remainder of the school year.
- E. "365-day Suspension" is a removal from school for 365 calendar days from the start of the suspension.
- F. "Expulsion" is a permanent removal from the Wake County Public School System.
- G. "Homeless" denotes a student who does not have a fixed, regular and adequate residence.

**2. Before a student will be enrolled in the Wake County school system, the following requirements must be met:**

- A. Student has not completed the prescribed course for graduation from high school.
- B. Student has satisfied North Carolina immunization requirements.
- C. The parent, guardian, or custodian has presented documentation establishing the student's age (birth certificate), grade placement (transcript or report card from previous school if transferring from elsewhere).
- D. For a student presented for enrollment, after enrollment in a private or public school in this or any other state, the student's parents or legal custodian, shall provide a statement made under oath or affirmation before a qualified official indicating whether the student is, at the time, under suspension or expulsion from the previous school or has been convicted of a felony in this state or any other state.
  1. The Superintendent/Designee may deny admission or place reasonable conditions on the admission of a student who has been suspended from a school under G.S. § 115C-391 or who has been suspended from another public or private school within this state or any other state for conduct that could have led to a suspension in the Wake County public schools, until the period of suspension has expired. A student who is denied admission under this provision may request but is not entitled to appeal this decision to the Board as provided in policy 6520: Student Grievances.
  2. The Superintendent/Designee may deny admission or place reasonable conditions on the admission of a student who has been expelled from a school under G.S. § 115C-391 or who has been expelled from another public or private school within this state or any other state for behavior that indicated the student's continued presence in the school constituted a clear threat to the safety of other students or employees; or who has been convicted of a felony in this or any other state. A student who is denied admission under this provision may appeal this decision as provided in Wake County Public School System Policy 6530.11.
- E. The parent, or legal custodian of a child entering kindergarten is required to obtain a health assessment for their child. This is required by law and must be conducted no more than 12 months prior to the date of school entry. It must include a medical history and physical examination with screening for vision and hearing and, if appropriate, for anemia and tuberculosis.
- F. The student meets the age requirements outlined below:
  1. Preschool: To enroll in a preschool program, a child must meet the age requirements for the program in which he seeks to enroll.
  2. Kindergarten: To enroll in kindergarten, a student must be at least five years of age by August 31 of the school year in which the student seeks to enroll (per G.S. 115C-364, the cutoff date changed to August 31 starting with the 2009-2010 school year), be qualified because of previous enrollment in kindergarten in another public school system or country.
  3. Older Students: Students older than 21 years of age or who have already completed the requirements for graduation from high school are no longer eligible to enroll.
- G. A parent or legal custodian must present a child for initial enrollment into kindergarten within the first 120 days of the school year.

**3. Entitlement to Admission**

A student is legally entitled to be enrolled in the Wake County Public School System if the student meets one of the following criteria:

- A. The student is domiciled in Wake County; or
- B. The student resides with a legal custodian who is domiciled in Wake County or in a pre-adoptive home in Wake County following placement by a county department of social services or a licensed child-placing agency; or
- C. The student meets all three of the following conditions:
  1. The student resides with an adult, who is a domiciliary of Wake County, as a result of:
    - a. Death, serious illness, or incarceration of a parent or legal guardian; or
    - b. Abandonment by a parent or legal guardian of complete control of the student as evidenced by the failure to provide substantial financial support and proper guidance; or
    - c. Abuse or neglect by parent or legal guardian; or

- d. Physical or mental condition of the parent or legal guardian is such that he or she cannot provide adequate care and supervision of the student; or
  - e. The relinquishment of physical custody and control of the student by the student's parent or legal guardian upon the recommendation of the department of social services or the Division of Mental Health; or
  - f. Loss or un-inhabitability of the student's home as a result of a natural disaster; or
  - g. The student's parent or legal guardian is on active military duty and is deployed out of the local school administrative unit in which the student resides. For purposes of this policy, the term 'active duty' does not include periods of active duty for training for less than 30 days. Assignment under this provision is only available if some evidence of the deployment is tendered with the affidavit required in paragraph 3 below.
2. The student is not currently under a term of suspension or expulsion from a school for conduct that could have led to a suspension or expulsion from the Wake County Public School System; and
  3. The caregiver adult, defined as the adult with whom the student resides, and the student's parent, guardian, or legal custodian presents to the Office of Growth Management a completed and signed separate affidavit that
    - a. Confirms the qualifications set out in this subsection establishing the student's residency;
    - b. Attests that the student's claim of residency in Wake County is not primarily related to attendance at a particular school within Wake County or attendance in the Wake County schools generally; and
    - c. Attests that the caregiver adult has been given and accepts responsibility for the educational decisions for the child, including receiving notices of discipline, attending conferences, granting permission for school-related activities, and taking appropriate action in connection with student records; or
  - D. The student is living in and cared for and supported by an institution established, operated, or incorporated for the purpose of rearing and caring for children who do not live with their parents; or
  - E. The student is a homeless student who is currently found in Wake County (The homeless student must be enrolled immediately, even if the student is not accompanied by an adult and cannot provide proof of residency, school and immunization records, birth certificates or other documents); or
  - F. The student is otherwise found by the Wake County Board of Education to be entitled to enroll in Wake County public schools.
- 4. Discretionary Admission/Tuition Students:**
- A. Discretionary student admissions are discouraged due to space limitations within the system.
  - B. Tuition will be charged to the following students:
    1. All students granted discretionary admission who reside outside the school district unless the student meets the qualifications of the McKinney-Vento Homeless Assistance Act and
    2. All students domiciled outside of North Carolina who have been granted discretionary admission.
  - C. The tuition rates for the succeeding year are determined as follows:
    1. The tuition rate for students other than children of current Wake County Public School System employees is determined by dividing the current year's Wake County budget appropriation (current expense plus capital outlay) and capital improvements by the current year's twentieth day membership.
    2. For students who are children of current Wake County School system employees, the tuition rate is determined by dividing the current year's Wake County budget appropriation for the current operating fund by the current year's twentieth day membership. This rate formula will remain effective while the student is enrolled in his/her current grade grouping of K-5, 6-8, or 9-12. Upon entering the new grade grouping, the tuition rate formula shall be the same as for students in Section C.1 of this policy. The Board of Education at its discretion may waive tuition for children of current Wake County School System Employees.
    3. The tuition rates will be determined and reported to the Board of Education no later than May 1 of each year.
  - D. Tuition students shall satisfy the following requirements for admission:
    1. Request discretionary admission within the first twenty days of school;
    2. Attach evidence of good academic and disciplinary standing;
    3. Present evidence that the student has not completed the prescribed course for graduation from high school;
    4. Obtain release from school district of residence;
    5. Be granted discretionary admission;
    6. Pay the tuition fee in accordance with a collection schedule to be established by the Superintendent;
    7. Be responsible for transportation if the student resides with an adult who lives outside the base area of the school to which the student is assigned.

Note: Approval for a particular school will depend on the school capacity and diversity.
  - E. Exemptions: Notwithstanding the above, the following categories of students are exempt from the requirement to pay tuition, regardless of their domiciliary status:
    1. Students who reside within the school district with a parent or legal custodian who is a student, employee or faculty member of a college or university, or a visiting scholar at The National Humanities Center.
    2. Students granted discretionary status who reside on a military or naval reservation within North Carolina if federal funds designed to compensate for the impact on public schools of military dependent students are provided to the Wake County Public School System in an amount not less than fifty percent (50%) of the total per capita cost of education for students in the school system, exclusively of capital outlay and debt service.
    3. Foreign and international exchange students who are participating in exchange programs with school districts that have reciprocal agreements for Wake County students. Foreign and international exchange students must enter the United States with a valid J-1 visa. Foreign students, whether residing inside Wake County or outside the United States, will not be issued an I-20 A-B (Certificate of Eligibility for Non-immigrant [F-1] Student Status – For Academic and Language Students.).
    4. Students who meet the qualifications of the McKinney-Vento Homeless Assistance Act.

5. Students placed in facilities licensed under Article 2 of Chapter 122C of the General Statutes or under Article 1A of Chapter 131D of the General Statutes. If an agency or person, other than the student's parent or guardian, is the student's legal custodian and if that person or agency placed or assigned the student to the licensed facility, then that agency or person must provide in writing to the school the name, address, and phone number of the individual who has authority and the responsibility to make educational decisions for the student. This individual shall reside or be employed within Wake County and shall provide in writing to the school a signed statement that the individual understands and accepts this authority and responsibility to make educational decisions for the student. If the student's parent or legal guardian retains legal custody of the student, the requirements of 6201.3.C of this policy must be met.
  - F. The Board, in its discretion, may waive the tuition charges upon finding that there are extenuating circumstances that justify such a waiver.
  - G. Where applicable, students granted discretionary admission for part of the school year shall be required to pay tuition on a pro rata basis not less than the rate for one grading period. They will not be charged tuition for any period of time when they are entitled to be Wake County students.
- 5. Discretionary Releases to Attend School in Other Districts**
- A. Wake County students seeking release to attend public school in another public school system may apply to the Board for a release.
  - B. Release from Wake County releases the school system from any obligation to provide transportation and/or tuition for the student unless the student meets the qualifications of the McKinney-Vento Homeless Assistance Act.
- 6. Final decisions by the Superintendent** regarding domiciliary status of students seeking to attend the Wake County Public School System and payment of tuition may be appealed to the Board.
- 7. Applications for discretionary admission** or release shall be made with the Office of Student Assignment.
- 8. Homeless Students Appeal Process**

The Board authorizes the Superintendent or designee to develop regulations and procedures to implement a homeless appeal process for parents, guardians, or unaccompanied youth who have complaints about enrollment, and how to file an appeal to the Liaison for Homeless Students upon registering, or attempting to register, at the school. Enrollment shall be deemed to include attending classes and participating fully in school activities.

**6300**

**MAINTENANCE, REVIEW, AND RELEASE OF STUDENT RECORDS**

**6300**

**A. Definitions of Parent and Eligible Student**

1. A parent includes a natural parent, a guardian, a guardian *ad litem* or an individual who is acting as a parent in the absence of a parent or guardian. When a student's parents are divorced, both parents have full rights under this policy unless a court order or legally binding document specifying otherwise is provided to school officials. A copy of any court order restricting a parent's access to a student's files shall be included with the student's cumulative record and shall be complied with by all school personnel.
2. An eligible student is a student who is 18 years of age or older or a student who is attending a post-secondary educational institution.

**B. Definitions of Records; Types of Records; Location of Records**

Student records protected by this policy include those records, files, videos, photos, documents and other materials in physical or electronic formats that contain information directly related to a student. Student records do not include records of school personnel that are in sole possession of the maker and are not accessible or revealed to any other person except a temporary substitute for the person who made the record.

1. The principal is the custodian of student records maintained at the school, including a student's cumulative file and, if applicable, a confidential file. Each student's records are maintained and released in accordance with this policy by the principal of the school the student currently is attending or most recently attended. These records are located in the administrative office at each school.
  - a. The student's cumulative file may include, but is not limited to: a photograph of the student; a personal data sheet; achievement, scholastic, aptitude and other standardized test scores; literacy assessments; a transcript; a certified birth certificate; immunization records; emergency medical and other health data; and family background information.
  - b. The student's confidential file contains information regarding the referral, identification and service for special needs, disabled, and academically gifted children. These folders are kept at the school the child attends and are kept in a secure location as part of the student's official record. Copies of some special education records may also be kept at the Wake County Public School System Central Office. See Policy 6300.J for further information regarding special education records.
2. Official records must be maintained permanently and must include: the student's date of birth, attendance data, grading and promotion data, and disciplinary records, including notice of any expulsion or long-term suspension (a suspension for a period of more than 10 days) and the conduct for which the student was expelled or suspended. The superintendent or designee may expunge a notice of expulsion or long-term suspension from the student's record if all of the following criteria are met: (1) the student graduates from high school or is not suspended or expelled during a two-year period following the student's return to school after the suspension or expulsion; (2) the superintendent or designee determines that maintenance of the record is no longer required to maintain safe and orderly schools; and (3) the superintendent or designee determines that the maintenance of the record is no longer needed to adequately serve the student. The superintendent or designee shall expunge a notice of expulsion or long-term suspension from the student's record if all of the above criteria are met and a parent, eligible student, student who is married, or student who is at least 16 years old requests expungement.
3. Temporary student records may be kept but shall be reviewed annually and destroyed when their usefulness is no longer apparent or when the student leaves school, unless there is an outstanding request to inspect. (Records Retention and Disposition Schedule, North Carolina Department of Cultural Resources, Division of Archives and History, 1999)
4. Juvenile records include documentation or information regarding students who are under the jurisdiction of the juvenile court. These records may be received from local law enforcement and/or other local agencies authorized to share information concerning juveniles in accordance with G.S. 7B-3100. A list of such agencies and the order authorizing the sharing of information shall be contained in the administrative regulation and procedure adopted pursuant to this policy. Such documents shall not be part of a student's official records, but shall be maintained by the principal in a safe, locked record storage that is separate from the student's other records. The principal shall not make a copy of such documents under any circumstances.

Juvenile records shall be used only to protect the safety of or to improve the education opportunities for the student or others. The principal may share juvenile records with individuals who have direct guidance, teaching, or supervisory responsibility for the student and a specific need to know in order to protect the safety of the student and others.

Juvenile documents shall be destroyed if the principal receives notification that a court no longer has jurisdiction over the student or if the court grants a student's petition for expunction of the records. All other information received from an examination of juvenile records shall be destroyed when the principal finds that the information is no longer needed to protect the safety of or to improve the education opportunities for the student or others. If the student graduates, withdraws from school, transfers to another school, is suspended for the remainder of the school year, or is expelled, the principal shall return all documents not destroyed to the juvenile court counselor. If the student is transferring, the principal shall provide the juvenile court counselor with the name and address of the school to which the student is transferring.

5. Upon notification by a law enforcement agency or the North Carolina Center for Missing Persons of a child's disappearance, the school shall flag the record of any child who is currently or who was previously enrolled in a school and who is reported as missing. If the missing child's record is requested by another school system, the principal shall notify the Superintendent and the agency that notified the school that the child was missing of the request and provide the agency with a copy of any written request for information concerning the missing child's record.
  - a. Upon transfer of a child into the Wake County Public School System from any other school system, the principal shall, within thirty (30) days of the child's enrollment, obtain the child's record from the school in which the child previously was enrolled. If a copy of the child's record from the previous school is provided by the parent, the principal shall, within thirty (30) days of the child's enrollment, request written verification of the school record from the previous school. Any information received indicating that the transferring child is a missing child shall be reported promptly to the Superintendent and the North Carolina Center for Missing Persons.

**C. Who May Inspect and Review Student Records**

A parent or eligible student shall be allowed to inspect and review the student's records upon proper request. Access shall be allowed only for the requested records. If information within a student's record includes information on any other student, the parent or eligible student shall have the right to inspect and review only the part of the record that pertains to their student or to be informed of the specific information related to their student. Once a student becomes an eligible student, the rights of the parent under this policy terminate and all such rights transfer to the student with one exception: the parents of an eligible student, who is classified as a dependent of the parent for income tax purposes, may review their child's records without his/her student's consent.

- D. **Right to Inspect and Review Student Records** Except as modified in 6300.F, requests to review a student's records, including records that are electronically maintained, should be made in writing to the school principal or guidance counselor. The review shall be scheduled within a reasonable period of time, no later than 45 calendar days following the written request to the principal or guidance counselor. A formal review of a student's complete records shall be conducted only in the presence of the principal or a school official designated by the principal.

- E. **Copies of Student Records** Copies of student records shall be provided within 45 calendar days of receiving a written request of a parent or eligible student. A fee shall be charged to a parent or eligible student for copies of a student's record, unless the effect of charging the fee is to effectively prevent a parent or eligible student from exercising the right to inspect and review the student's educational records. In addition, up to three free transcripts per instructional calendar year shall be provided to current students for potential post high school admission. A schedule of copying fees for additional transcripts and other student records shall be contained in the administrative regulation and procedure adopted pursuant to this policy.

- F. **Release of Student Records** Except in the circumstances outlined below, a parent or eligible student must provide written consent prior to the release of personally identifiable information from a student's record.

When personally identifiable information from a student's records is released without prior written consent of the parent or eligible student, the party to whom the information is released shall agree not to disclose the information to any other party without the prior consent of the parent or eligible student. This restriction does not apply to the release of directory information (L below) or information released in accordance with a court order or subpoena (D below). Information may be released to the following persons or in the following circumstances without prior written consent:

1. Officials within the school system who have a legitimate educational need to review the student's records. A school official is a person employed by the school system as an administrator, supervisor, instructor, or support staff member (including health or medical staff, school security, and school resource officers); a school board member; or a person or company with whom the school system has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist). A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
2. Officials of other schools and school systems in which the student has enrolled or intends to enroll, provided that the parent or eligible student receive notice of the disclosure, either through the annual notice provided in the WCPSS parent/student handbook or through specific individual notice. The WCPSS shall give the parent or eligible student, upon request, (i) a copy of the record that was disclosed and/or (ii) an opportunity to challenge the contents of the record.
3. Federal government representatives and state and local educational authorities, for the purposes of auditing, evaluating, enforcing or complying with federal or state-supported educational programs.
4. Persons acting under a court order or lawfully-issued subpoena. Before releasing records under this provision, the principal should attempt to verify that the subpoena is lawful. The principal or his or her designee must make a reasonable effort to notify the parent or eligible student of the request for release prior to release of the records under this exception.
5. In court proceedings, without a court order or subpoena, the education records of the student that are relevant to the legal action, if a parent or eligible student initiates legal action against the school or if the school initiates legal action against a parent or eligible student.
6. Financial aid organizations, if the release is in connection with a student's application for or receipt of financial aid.
7. Accrediting organizations, to the extent necessary to allow them to carry out their accrediting functions.

8. Organizations conducting educational studies, provided the purpose of the study is to develop, validate or administer predictive tests, to administer student aid programs, or to improve instruction. The study must be conducted in such a way that there is no personal identification of parents and students to individuals outside the organization conducting the study. In addition, student record information must be destroyed when no longer needed for purposes of the study.
9. To appropriate persons in connection with an emergency, if the release of the information is necessary to protect the health or safety of the student or other persons.
10. Representatives of the juvenile justice system for students under juvenile court jurisdiction, prior to adjudication, when the release of records concerns the system's ability to effectively serve the student whose records are released.
11. Parents of an eligible student, if the student is classified as a dependent of the parent for income tax purposes.
12. Directory information, including student's name and grade, the school the student is attending or most recently attended, dates of attendance, date of graduation, awards received, participation in officially recognized activities and sports, and the weight and height of members of athletic teams.  
Annually, parents and eligible students will be given an opportunity to object to release of directory information. If an objection is made, then no directory information about that student will be released.
13. Pursuant to federal law, names, addresses, and telephone listings of secondary school students shall be released to military recruiters and institutions of higher education upon request. Parents or eligible students may request that this information not be released without prior written consent by the parent or eligible student. Annually, parents and eligible students will be notified of the opportunity to make such a request. If a request is made, then the school system shall comply with the request and shall not release the name, address, and telephone listing of the student without prior written consent.

**G. Record of Requests and Disclosures of Student Records**

1. A record of each request for access to and disclosures of personally identifiable information from a student's record shall be maintained with that record. A parent or eligible student shall have access to this record of disclosures. The record will include:
  - a. The parties who have requested or received information; and
  - b. The legitimate reason(s) for requesting or obtaining the information.
2. A record of requests for access from and disclosures to the following individuals is not required:
  - a. Parents and eligible students.
  - b. School officials who have a legitimate educational purpose.
  - c. Parties seeking directory information.

**H. Process for Amending Student Records** A parent or eligible student shall have the right to challenge, in writing, the content of a document contained in the student's record on the grounds that the information is inaccurate, misleading, or otherwise in violation of the student's privacy rights. Except as modified in 6300.J, challenges shall be processed as follows:

1. The parent or eligible student shall make a request for amendment in writing to the superintendent or designee. The request shall identify the information in the student's record that is claimed to be inaccurate, misleading, or in violation of the student's privacy rights; the basis for the request, and the proposed change to the record. This request shall become a part of the student's official record.
2. The superintendent or designee shall examine all written requests for amendment to student record items. He/she shall decide whether a challenged document should be removed, altered, or remain as it is. The superintendent or designee shall provide a written decision to the parent or student within 15 school days after the parent/student request is received.

If the superintendent or designee determines that the record is inaccurate, misleading, or in violation of the student's privacy rights, he or she shall amend the record accordingly and inform the challenger of the amendment in writing. If the superintendent or designee determines that the record is not inaccurate, misleading, or in violation of the student's privacy rights, he or she shall inform the parent or student, in writing, of the right to appeal the superintendent/designee's decision through the procedure set forth below and the right to place a statement in the student's record commenting on the contested information and/or stating disagreement with the decision not to remove or amend the challenged item. If such a statement is submitted, it shall be maintained with the challenged item in the student's record and released with the challenged item whenever it is released.

3. The parent or student may appeal the superintendent/designee's decision in writing to the board. The appeal must be made within five (5) school days following receipt of the superintendent/designee's written response in Step I. The hearing shall be held within ten (10) school days following the written appeal or as soon as possible thereafter. Both the parent/student and the school may be represented by an attorney. Both sides shall have an opportunity to present evidence relevant to the issue of whether the contested information is inaccurate, misleading, or in violation of the student's right to privacy.

The board shall issue a written decision summarizing the evidence and providing the reason(s) for its decision. If the board determines that the record is inaccurate, misleading, or in violation of the student's privacy rights, the school shall amend the record accordingly and inform the challenger of the amendment in writing. If the board determines that the record is not inaccurate, misleading, or in violation of the student's privacy rights, the school shall inform the parent or student, in writing, of the right to place a statement in the student's record commenting on the contested information and/or stating disagreement with the decision not to remove or amend the challenged item. If such a statement is submitted, it shall be maintained with the challenged item in the student's record and released with the challenged item whenever it is released.

**I. Availability of Policy to Parents**

A copy of this policy shall be made available to a parent or eligible student upon request.

**J. Special Education Records**

Additional rights of parents and eligible students concerning a student's special education records are explained in the Handbook on Parents' Rights and in the North Carolina Procedures Governing Programs and Services for Children with Disabilities.

**K. Parents have the right to file a complaint with the Department of Education regarding alleged violations of the Family Education Rights and Privacy Act.**

State law provides that a principal must receive written and verbal notification of juvenile court proceedings alleging or finding that a student in attendance is delinquent. Juvenile court notifications are confidential and are not public records. The principal shall protect the confidentiality of juvenile court information at all times.

1. The notifications received by the juvenile court counselor are not to be a part of the student's official record.
2. Immediately upon receiving the notification, the school principal shall place the notification records in a safe, locked storage that is separate from the student's other school records.
3. The principal may not make a copy of the juvenile court notifications.
4. The principal must keep the juvenile court notifications until receipt of notification of one of the following:
  - A. The principal receives notification that the judge dismissed the petition;
  - B. The principal receives notification that the judge transferred the matter to the superior court; or
  - C. The judge granted the student's petition for expunction of the records.

When the principal receives notification of any of the above actions, the principal must *shred, burn, or otherwise destroy* the documents to protect the confidentiality of the information.

5. Written notifications of juvenile court proceedings are only to be used to protect the safety of, or to improve the educational opportunities for, the student or others.
6. Upon receipt of each document, the principal must share the document with those individuals who have:
  - A. Direct guidance, teaching, or supervisory responsibility for the student; or a specific need to know in order to protect the safety of the student or others;
  - B. Those individuals who view the documents must indicate in writing that they read the document and they agree to maintain its confidentiality.
7. If the student graduates, withdraws from school, is suspended for the remainder of the year, is expelled, or transfers to another school, the principal must return the documents to the juvenile court counselor and, if applicable must provide the counselor with the name and address of the school to which the student is transferring.
8. Failure to maintain the confidentiality of these documents as required by this policy is grounds for dismissal of a non-career employee or a career employee.

**6434****REGISTERED SEX OFFENDERS****6434**

It is the goal of the Board of Education to provide a safe environment for all students and staff of the district. Accordingly, no registered sex offender may be in school buildings, in school facilities, on school campuses, in or on any other school property owned, leased, or maintained by the district, or in attendance at a school-sponsored event except as provided in this policy.

**A. Notification to Principals**

All principals must sign-up with the Sex Offender and Public Protection Registry to receive email notifications when a registered sex offender moves within a one-mile radius of their school. Principals shall notify the Superintendent or designee any time he or she receives such a notification. Also, principals shall notify the Superintendent or designee any time they become aware that a parent or guardian of a student or a student at the principal's school is a registered sex offender.

**B. Parents/Guardians of Students**

A registered sex offender who is the parent or guardian of a student in the district may only be present in school buildings, in school facilities, on school campuses, in or on any other school property owned, leased, or maintained by the district, or in attendance at a school-sponsored event with the prior written permission from the Superintendent or designee. A copy of such written permission also shall be provided to the school principal.

1. If permission is granted by the Superintendent, the parent or guardian may be on school property only for one of the following purposes:
  - a. to attend a conference at the school with school personnel to discuss the academic or social progress of the parent/guardian's child; or
  - b. When the parent/guardian's presence has been requested by the principal or his/her designee for any other reason relating to the welfare or transportation of the parent/guardian's child.
2. In addition, if permission is granted, the following conditions must be met:
  - a. The parent/guardian must notify the principal of the nature of the visit and the hours when the visit will occur before he/she enters school system property;
  - b. The parent/guardian must notify the principal's office upon arrival to and departure from the school system property;
  - c. The parent/guardian must remain under the direct supervision of school personnel at all times while on school system property.
  - d. If no school personnel are reasonably available to supervise the parent/guardian on a particular occasion, then the parent/guardian will not be permitted on school property at that time even for one of the permitted purposes.
- C. **Students** Except as may be limited by state & federal laws governing the education of children with disabilities, the Board, upon the recommendation of the Superintendent/designee & principal, may expel any student who is a registered sex offender based on clear and convincing evidence that the student's continued presence in school constitutes a clear threat to the safety of other students or employees. If the Board chooses not to expel a student who is a registered sex offender and the student receives educational services on school property, then the student must be under the supervision of school personnel at all times.

**D. Voters**

Voters who are subject to the Jessica Lunsford Act (G.S. 14-208.18) and are eligible to vote may be present on school property as follows:

1. The voter may be present for the sole purpose of voting if the school property is being used as a voting place;
2. The voter must notify the principal of the school that he or she is registered on the Sex Offender and Public Protection Registry before coming onto school system property to vote;
3. The voter must remain at all times in the portion of the school being used as the polling place; and
4. The voter must leave school grounds immediately after voting.

## E. Contractual Personnel

If the district contracts with an outside person or entity to perform a job on a school campus or at a school-sponsored program, the contract must require the provider to conduct annual checks of contract personnel on the State Sex Offender and Public Protection Registry, the State Sexually Violent Predator Registry, and the National Sex Offender Registry, except checks shall not be required for individuals who are solely delivering or picking up equipment, materials, or supplies at the administrative office or loading dock of the school, at non-school sites, at schools closed for renovation, or at school construction sites. The contract with the outside person or entity shall provide that no individual who is on the State Sex Offender and Public Protection Registry, the State Sexually Violent Predator Registry, or the National Sex Offender Registry may be used to deliver goods or services on school system property under the contract. This provision does not apply to individuals who are carrying out duties that are customarily performed by school personnel, such as custodians, bus drivers or substitute teachers. A criminal history check of individuals in these positions is required by Board policy pursuant to G.S. 115C-332.

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### 6605 INVESTIGATIONS AND ARRESTS BY LAW ENFORCEMENT 6605

The maintenance of order and security in and around public schools is essential to creating learning environments in which students can meet high academic standards, educators can teach to those standards, and parents can be assured that the children are guaranteed their right to learn. The maintenance of safety and good order is the collective responsibility of all school staff, law enforcement, parents, and students. Principals and law enforcement shall consult and work cooperatively with each other on matters pertaining to school security. The comprehensive partnership with law enforcement encompasses multiple situations and roles, including the use of SROs, requests by a school for immediate assistance of law enforcement, mutual communication regarding possible security risk, and other situations. The scope of this policy is only on situations where it is necessary for law enforcement, other than a School Resource Officer (SRO), to question, search or arrest a student on school property.

1. Law enforcement officers are expected to question students away from school regarding non-school related matters unless the officers have a warrant or unless questioning, searching, or arresting a student on school property at that time is necessary, in the discretion of the officers, for the success of a law enforcement investigation or to prevent injury or crime.
2. When law enforcement officers must question or arrest a student at school, attempts should be made to avoid embarrassing the student before teachers and peers and to avoid disrupting the educational program of the student and the school unless immediate intervention by the officer is necessary to prevent injury, a serious crime, or flight of the student.
3. If law enforcement officers have a warrant for the student's arrest, they must be permitted to arrest the student; however, whenever possible the arrest should be conducted in the principal's office out of the view of other students.
4. Law enforcement officers should remain in the administration office while school personnel seek out the student unless immediate intervention by the officer is necessary to prevent injury, a serious crime, or flight of the student. In circumstances where the officer needs to seek out a student, the principal/designee shall accompany the officer unless the officer instructs otherwise as a result of a potentially dangerous situation.
5. Law enforcement officers' questioning of a student is expected to be conducted so as to not cause the student to miss class time, unless questioning is determined to be time critical for the success of a law enforcement investigation or to prevent injury or crime.
6. Any questioning by law enforcement officers shall be ordinarily conducted in a private room or area where confidentiality can be maintained. This should be an area removed from observation by or contact with other students and school personnel other than the principal/designee.
7. Except in cases of suspected child abuse or neglect, or when the parent is implicated in the investigation, an administrator at the student's school must make reasonable attempts to contact the student's parent or guardian.
8. In cases where the parent or guardian cannot be reached and the questioning is conducted without parental notification, the principal/designee must be present during the questioning unless law enforcement directs otherwise for safety reasons. Presence of a principal/designee does not in any way impact law enforcement's duty, if applicable in the situation, to comply with the juvenile's Miranda rights established in NCGS Chapter 7B.
9. While interacting with students on school premises, the law enforcement officer must abide by state and federal law governing use of force, interrogations, searches, and arrests.
10. School administrators must maintain and provide to the superintendent's office a written record of when law enforcement officers who are not SROs come onto school property to search, arrest, or question a student. The record must include:
  - a. The name of the law enforcement officer;
  - b. The agency of the law enforcement officer;
  - c. The name(s) of the student(s);
  - d. The action(s) taken by the law enforcement officer while on campus, including but not limited to, questioning the student, searching the student, or escorting the student off school grounds; and
  - e. The date of the encounter.

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### 6801 STUDENT-INITIATED, NON-CURRICULUM-RELATED STUDENT GROUPS 6801

Student-initiated, non-curriculum-related student groups shall be permitted to conduct voluntary meetings on school grounds during non-instructional time when other non-curriculum groups are permitted to meet, regardless of the size of the group or the religious, political, philosophical, or other content of the speech at the meetings, provided that the meetings do not materially and substantially interfere with the orderly conduct of the educational activities of the school. Such meetings shall be open to all students without regard to race, color, religion, or national origin.

1. School employees shall not promote, lead, or participate in the meetings of these non-curricular student groups; however, a school employee may be present at the meetings to maintain order and protect the general welfare of the students involved. School employees may not influence the form or content of any prayer or other religious activity nor require any person to participate in prayer or any other religious activity. In addition, non-school persons may not direct, conduct, control, or regularly attend the activities of non-curricular student groups meetings.
2. No public funds may be expended on behalf of the student groups covered by this policy except for the incidental cost of providing space for the group meetings.



3. Students seeking to establish a voluntary non-curricular group shall seek approval from the principal.
4. The superintendent shall develop regulations and procedures consistent with this policy and state and federal law.

**6810**

**STUDENT PUBLICATIONS & PRODUCTIONS**

**6810**

School-sponsored publications such as newspapers, yearbooks, and literary magazines and school productions are an important part of the school curriculum. School publications and productions also provide an appropriate forum for students to learn and practice reasonable self-expression.

1. **Publications in General** Students may distribute free publications and literature at reasonable times and places as designated by the principal. The principal shall prohibit the distribution of any written matter which:
  - A. Is vulgar, indecent, or obscene.
  - B. Contains libelous statements or abusive language such as language defaming a person's character, race, religion, ethnic origin, or disability.
  - C. Causes or clearly threatens to cause a material and substantial disruption of normal classroom activity, any normal school function, or other school activity.
  - D. Encourages the commission of unlawful acts or the violation of lawful school regulations.
  - E. Advertises any product or service not permitted to minors by law.
2. **School-Sponsored Publications** Student newspapers and other school-sponsored publications shall have faculty supervision. Responsible journalism should be free from libel, obscenities, or personal attacks. Student reporters and editors are responsible for the content of student publications. The faculty sponsor of such publications or school principal may prohibit the distribution of any materials that fail to meet journalistic standards or are inappropriate for the school audience as outlined in section 6810.1. The principal may also prohibit distribution of any school-sponsored student publication which:
  - A. Exposes its particular audience to material that may be inappropriate for their level of maturity.
  - B. Associates the school with any position other than neutrality on matters of political controversy.
3. **Appeals** Students may appeal a principal's decision to restrict distribution. The appeal must be written and presented to the principal. The principal shall render a written decision within five (5) school days after receiving the appeal. If a student is dissatisfied with the decision of the principal, the student may appeal the decision to the superintendent in writing in accordance with 6520.2, and to the board of education according to 6520.3. If the board does not issue a decision within ten (10) school days after receipt of the appeal, the publication may be distributed. If the board later decides that the publication is inappropriate, the distribution may be halted.
 

At every level of the appeal process, the student or representative shall have the right to appeal and present the student's case, supported by relevant witnesses and materials, as to why distribution of the publication is appropriate.
4. **Definitions** - The following terms used in this statement of policy shall be defined as follows:
  - A. **Obscene** Any speech or work which the average person, applying contemporary community standards (as opposed to "national" standards) would find, taken as a whole, appeals to prurient interest, or which depicts or describes, in a patently offensive way, sexual conduct specifically defined by applicable law, and which, taken as a whole, lacks serious literary, artistic, political, or scientific value.
  - B. **Libelous statement** False and unprivileged statements about a specific individual which injure that person's reputation in the community.
  - C. **Substantial disruption** Any conduct by a student, in class or out, which for any reason including inappropriateness of time, place, or type of behavior, significantly interferes with school functions, classroom instruction, or with the rights of other students. Examples of substantially disruptive conduct include, but are not limited to significant distractions from instruction, demonstrations, destruction of property, injury to persons, shouting or boisterous conduct, and related activities.
5. **Student Productions** School-sponsored student productions shall have faculty supervision. The faculty sponsor of such productions or the school principal may restrict the presentation of any production, in whole or in part, that is inappropriate for its audience or that falls into any one (1) of the seven (7) categories of prohibited speech listed in sections 6810.1 and 6810.2. A student(s) may appeal any restriction of a production following the procedures outlined in section 6810.3 and 6810.4.

**6820**

**SOLICITING, SELLING, OR BORROWING**

**6820**

There shall be no soliciting from or selling to students or staff within any school without prior approval of the principal and the superintendent.

1. Any selling or soliciting for the purpose of raising funds for school activities by the students or staff of any school, in the name of the school, shall have the prior written approval of the principal and the superintendent. All money collected and expended as a result of such activity shall be recorded in the accounts of the school and shall be subject to the annual school audit.
2. The soliciting or borrowing of products for school activities shall have the prior approval of the principal and the superintendent.

**6860**

**CO-CURRICULAR ACTIVITIES AND ATHLETICS**

**6860**

The Wake County Public School System sponsors a varied activities program for all students enrolled in the secondary schools. Because certain of these activities, including athletics, meet outside of the school day and require a significant amount of time on the part of students, the following eligibility requirements are mandated. For purpose of this policy, participating in athletics includes try-out, practice, play and meeting all WCPSS, Department of Public Instruction, and NCHSAA eligibility requirements.

- A. This policy shall apply to secondary students who represent the schools by participation in athletics, marching band, and student council executive council. The principal may at his/her discretion include any other after-school activities, clubs, or functions under this policy.
- B. All students must be properly enrolled and in attendance at the school in which they are participating, except as provided in Section Q below. Per Policy 6203.H, students in grades 9 – 12 (high schools) who transfer to a school will be prohibited for 365 days from participating in athletics that come under the jurisdiction of the North Carolina High School Athletic Association.
- C. Students in grades 7 – 8 (middle schools) participating in athletics must carry student accident insurance available through the system or provide evidence of comparable coverage.

- D.** Students in grades 9 – 12 (high schools) who participate in high school sponsored and supervised athletics are covered by an Athletic Insurance Policy, which provides limited benefits. The policy provides excess coverage for students with other insurance coverage but, it pays when other benefits have been exhausted. In cases in which a student has no other coverage with a commercial insurance agency, Medicare, or Medicaid, the WCPSS athletic insurance policy is the primary policy.
- E.** All students participating in athletics must receive a medical examination once every 365 days by a duly licensed physician, nurse practitioner or physician’s assistant, except where specifically exempted by the Senior Administrator for Athletics due to a bona fide religious objection. As a condition for approving a religious exemption, the parent shall be required to complete a release of liability form developed by the Superintendent/designee.
- F.** All students must have been in attendance for at least eighty-five (85%) of the previous semester.
- G.** All students must be present in school for the entire day in order to participate in activities or practices, except where specifically exempted by a physician. Other exemptions may be granted by the principal of each school based on attendance policy 6000.3.
- H.** Students assigned to In-School Suspension (ISS), Out-of-School Suspension (OSS), or an alternative program in lieu of suspension shall not participate in co-curricular activities or athletics during the assigned time and may regain eligibility the next calendar day following completion of ISS, OSS, or an alternative program with principal’s approval.
- I.** All students participating in co-curricular activities and athletics shall demonstrate an acceptable level of academic achievement as follows:
  - 1.** Students in grades 7-8 (middle schools) shall:
    - a.** Meet promotion requirements for the year. Students promoted with focused intervention are eligible for athletics.
    - b.** Earn passing grades during each semester in one less course than the required core courses to be eligible for participating during the succeeding semester. Passing grades must be attained in language arts and mathematics. In addition to the core course requirements, at least fifty percent of all remaining courses must be passed.
  - 2.** Students in grades 9-12 (high schools) shall:
    - a.** Meet promotion requirements at their school. To be promoted, students must attain units of credit that are earned through successful completion of required courses specified by their school and Board Policy.
    - b.** Earn passing grades in five (5) subjects, or three (3) for block schedule schools, or six (6) for schools on an A/B form of scheduling during each semester to be eligible for participation during the succeeding semester.
    - c.** The cumulative overall grade point average for all courses shall be no less than one point five (1.5).
  - 3.** If a student’s (high schools only) cumulative grade point average is less than one point five (1.5), eligibility may be granted by the principal when all of the following conditions exist:
    - a.** The student’s overall grade point average for the immediate past semester is two point zero (2.0) or better.
    - b.** Courses successfully completed by the student have placed him/her on track toward graduation.
    - c.** Attendance requirements as specified in 6860.F are met.
- J.** Students in grades 9 – 12 (high schools) participating in co-curricular activities and athletics declared ineligible under the provisions of Policy 6860.I.2(c) and 6860.I.3 may request an appeal. Students in grades 9 – 12 (high schools) participating in non-athletic activities declared ineligible under the provisions of Policy 6860 may request an appeal. Appeals may be initiated by the parent or guardian, or the student. Each request for an appeal must be made in writing and sent to the principal of the school for action. Students whose appeals are approved by the school will be put on an established and monitored contract that defines the parameters under which the student may participate in co-curricular activities and athletics for that school year. A list of these students participating in athletics will be provided to the Senior Administrator for Athletics. A list of these students participating in non-athletic activities will be provided to the appropriate area Superintendent. Students participating in athletics who appeal at the school level and whose appeals are denied may appeal by writing a letter and sending it to the Senior Administrator for Athletics for a decision. Students participating in non-athletic activities who appeal at the school level and whose appeals are denied may appeal by writing a letter and sending it to the appropriate area Superintendent for a decision. The decision of the Senior Administrator for Athletics or the area Superintendent shall be final except where a parent/guardian demonstrates a right to appeal to the Board of Education under G.S. 115C-45(c).
- K.** In addition to the foregoing provisions, students in grades 7 – 8 (middle schools) who participate in co-curricular activities and athletics must also meet all other requirements of the State Board of Education. According to State Board of Education Guidelines, there are Hardship categories that may be considered (other than the age rule). The conditions that cause the student to fail to meet the eligibility requirements must be beyond the control of the school, the student and/or his/her parents. Hardships must be made in writing to the principal of the school. The principal will forward their decision to the Senior Administrator for Athletics. Students whose hardships are denied at the school level may appeal the decision by writing a letter to the Senior Administrator for Athletics. The decision of the Senior Administrator for Athletics shall be final except where a parent/guardian demonstrates a right to appeal to the WCPSS Board of Education under G.S. 115C-45(c).
- L.** In addition to the foregoing provisions, students participating in athletics in grades 9 – 12 (high schools) must meet all other requirements of the North Carolina High School Athletic Association and the State Board of Education. According to North Carolina High School Athletic Association guidelines, there are Hardship Rules that may be considered (other than the age rule). The conditions that cause the student to fail to meet the eligibility requirements must be beyond the control of the school, the student and/or his/her parents. Hardships must be made in writing to the principal of the school. If the school principal approves of the Hardship, the application for consideration must be made in writing by the principal, and approved by the Superintendent’s designee (Senior Administrator for Athletics). If the Hardship is approved by the Senior Administrator for Athletics, it will be sent to the NCHSAA for a decision by their staff.
- M.** Students in grades 9 – 12 (high schools) participating in athletics may not participate at a second school in WCPSS in the same sport season, unless participation is approved by the Senior Administrator for Athletics as the Superintendent’s designee.

- N.** Middle and high schools must follow all guidelines set forth by the Department of Public Instruction and the North Carolina High School Athletic Association including but not limited to, the hot weather guidelines provided in the NCHSAA Handbook, and the National Federation of High School Associations (NFHS) Guidelines for Lightning Safety. For inclement weather guidelines for all student activities and athletic games/and or practices, refer to Policy 2311 R & P, 1.6(e).
- O.** Middle and high schools must have a written emergency action plan for each sport for all practices and games, and for other physically strenuous co-curricular activities.
- P.** Students enrolled and attending WCPSS Special/Optional Schools (e.g. Longview, Mary Phillips, Mt. Vernon, River Oaks) may participate in interscholastic athletics at their base school. Students must meet all WCPSS, Department of Public Instruction, and NCHSAA eligibility requirements. The principal of the school in which the student participates shall be responsible for approving participation in athletics and is responsible for certifying their eligibility and having on file all records pertaining to eligibility.
- Q.** Students attending WCPSS middle or high school programs without interscholastic athletics have the opportunity to participate in athletics. For each school without interscholastic athletics, the Superintendent/Designee will assign a school for athletic purposes.