

ROWAN-SALISBURY SCHOOL SYSTEM

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Student CODE OF CONDUCT 2023-2024

The Rowan-Salisbury Board of Education

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Rowan-Salisbury Schools Student Code of Conduct

The *Student Code of Conduct* is guided by the Board’s educational objectives to teach responsibility and respect for cultural and ideological differences and by the district’s commitment to create safe, orderly and inviting schools.

We believe that all students have the right to learn in a safe, warm, nurturing environment. We also believe in providing a climate that is conducive to learning and free of disruptive behavior. The faculty and staff work hard to create a positive atmosphere in which students can learn. Yet, we believe that students are responsible for their own behavior and academic success. It is the duty of teachers (school staff) and parents/guardians to help students become more responsible for their own behavior. Through a close partnership, parents/guardians and educators will lead by example and ensure that all students benefit from a safe, inviting environment that is conducive to learning. The following are examples of behavioral expectations (*Student Code of Conduct*) demonstrated by students in Rowan-Salisbury Schools:

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| <p>Display self-control</p> <ul style="list-style-type: none"> ● Use appropriate language ● Problem solve conflict in a peaceful manner ● Be appropriately dressed ● Act responsibly on campus, on buses, on field trips, and at all school-sponsored events ● Follow class and school rules ● Use appropriate voice levels <p>Support the learning process</p> <ul style="list-style-type: none"> ● Attend all classes regularly and be on time for class ● Participate in class activities ● Complete all class work and homework assignments and turn them in on time ● Practice good study habits ● Ask for help when it is needed | <p>Demonstrate a positive attitude</p> <ul style="list-style-type: none"> ● Be a positive role model and leader ● Be polite and kind to others ● Be cooperative with adults and peers <p>Respect the rights and feelings of others</p> <ul style="list-style-type: none"> ● Behave in a manner that does not disrupt others or the learning process ● Treat others with courtesy and respect ● Show empathy and concern for the feelings of others ● Display tolerance of other students’ beliefs and opinions <p>Take responsibility</p> <ul style="list-style-type: none"> ● Be trustworthy and honest ● Respect the building, grounds, and property ● Admit mistakes and accept the consequences for those mistakes |
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APPLICABILITY OF CODE

All students shall comply with the *Student Code of Conduct* while on educational property, which includes any school building or bus, school campus, grounds, recreational area, athletic field, online learning platform or other property under the control of the Board of Education. Students may also be disciplined for conduct that occurs off educational property that violates this *Student Code of Conduct* if the conduct 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.

CONSEQUENCES

The *Student Code of Conduct* does not restrict the authority of teachers, school-based teams, or administrators to make individual school or class rules. Administrators have the responsibility of considering each incident separately and have the right to assign different consequences consistent with Board Policy. In determining the appropriate consequence for a violation of this code, principals shall consider all aggravating or mitigating circumstances, such as:

- The student’s age;
- The student’s intent;
- The student’s disciplinary history, including number of infractions, and prior discipline for the same infraction
- Whether the conduct caused a threat to safety;
- Whether the conduct caused a substantial disruption to the educational environment

BEHAVIORAL INTERVENTIONS

Behavioral interventions may be applied in all levels of behavior. In-school restorative and disciplinary interventions and consequences may include but are not limited to the following:

- parental involvement, such as conferences
- behavior improvement agreements
- instruction on conflict resolution
- peer mediation
- individual or small group sessions
- academic interventions
- referral to school counselor, school social worker
- redirecting/reteaching
- restorative practices (i.e., fix-it plans)
- recommend participation in an intervention program related to the violation.

STUDENT CODE OF CONDUCT RULE VIOLATION LEVELS:

- Level 1** rule violations generally result in in-school interventions. In cases where a student refuses to participate in the in-school interventions or engages in persistent violations of a Level 1 rule, or other aggravating factors are present, the principal may impose a short-term suspension or recommend participation in an intervention program related to the violation. Consequences for truancy or tardiness shall not include out of school suspension but may include recommendation for intervention programs.
- Level 2** rule violations involve more serious misconduct. Level 2 consequences generally range from restorative interventions to short term suspension. There is no appeal for short-term suspensions.
- Level 3** rule violations are more severe in nature and depending on the circumstances, may support principal recommendation for participation in an intervention program, transfer to an alternative learning program and/or long-term suspension. The principal may, however, impose Level 2 consequences based on mitigating factors.
- Level 4** rule violations compromise the safety and welfare of students and staff and require a suspension of a specific length under North Carolina General Statutes.
- Level 5** allows for expulsion of a student, as provided by state statute, for a violation of the *Student 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 that there is no appropriate alternative education program. Additionally, any student who is a registered sex offender under N.C. Gen. Stat. § 14-208.7 may be expelled consistent with state law.

CONSEQUENCES AND VIOLATION LEVELS

The following information includes RSS Board of Education Behavior Policies (hyperlinked to the online Board Policy Manual) associated with the corresponding *Student Code of Conduct* rule violation(s). The behavior violations listed below do not constitute a definitive list, however most behaviors fall within the policies listed below. (Rule violations may be associated with multiple Board Policies and Board Policies may be included under multiple levels). **Rule violations are coded per NCDPI Discipline Data Reporting requirements.** Behaviors that can be assigned to students have prefixes to indicate severity:

- UB or *- Unacceptable behavior
- RO - "Reportable" crimes, these crimes along with PD crimes are used in calculations of the school and school district's crime rates that are displayed on the School Report Card
- PD- Dangerous crimes

LEVEL 1 BEHAVIOR VIOLATIONS:

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| <p>Integrity and Civility-<u>Policy 4310</u> UB: Cheating UB: Forging UB: Bribery UB: Plagiarizing UB: Honor code violation UB: Inappropriate language/disrespect UB: Falsification of information UB: Being in an unauthorized area UB: Possession of student's own prescription drug</p> <p>Attendance - <u>Policy 4400</u> (maximum of ISS) UB: Truancy UB: Excessive tardiness UB: Leaving class without permission UB: Leaving school without permission UB: Late to class</p> | <p>Disruptive Behavior - <u>Policy 4315</u> (Level 1 Behaviors) UB: Disruptive behaviors UB: Inappropriate behavior (horseplay) UB: Excessive display of affection UB: Bus misbehavior UB: Inappropriate items on school property (not weapons or drugs)</p> <p>Use of Wireless Communication Devices - <u>Policy 4318</u> Technology Responsible Use - <u>Policy 3225/4312/7320</u> UB: Cell phone use UB: Inappropriate items on school property (not weapons or drugs)</p> <p>Tobacco Products - <u>Policy 4320</u> UB: Possession of tobacco UB: Use of tobacco</p> <p>Student Dress Code - <u>Policy 4316</u> UB: Dress code violation</p> |
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| Grade | First Offense | Second and Subsequent Offenses |
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| K - 5 | <p>This violation may result in disciplinary action as determined by the building administrator to include documentation of notification to the parent/guardian.</p> <p>Minimum: Parent contact Maximum: ISS, Detention, Loss of school privileges</p> | <p>This violation may result in disciplinary action as determined by the building administrator. Additionally, a conference with the student and parent/guardian may be necessary prior to the student's return to school.</p> <p>Minimum: ISS, Loss of school privileges, Detention Maximum: 2 days OSS</p> |
| 6 - 8 | <p>This violation may result in disciplinary action as determined by the building administrator to include documentation of notification to the parent/guardian or in-school suspension.</p> <p>Minimum: Parent contact, Detention, Loss of privileges Maximum: ISS</p> | <p>This violation may result in assignment to in-school suspension or short-term suspension. Additionally, a conference with the student and parent/guardian may be necessary prior to the student's return to school.</p> <p>Minimum: ISS Maximum: 2 days OSS</p> |
| 9 - 12 | <p>This violation may result in disciplinary action as determined by the building administrator up to and including documentation of notification to the parent/guardian, in-school suspension or short-term suspension.</p> <p>Minimum: Parent contact, ISS Maximum: 2 days OSS</p> | <p>This violation may result in assignment to in-school suspension or short-term suspension. Additionally, a conference with the student and parent/guardian may be necessary prior to the student's return to school.</p> <p>Minimum: ISS Maximum: 5 days OSS</p> |

LEVEL 2 BEHAVIOR VIOLATIONS:

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| <p>Disruptive Behavior - <u>Policy 4315</u> UB: Disruptive behavior UB: Indecent exposure UB: Mutual sexual contact between two students(1st offense) UB:False alarm UB: Disrespect of faculty/staff UB: Insubordination UB: Repeat offender UB: Affray UB: Aggressive behavior UB: Disorderly conduct</p> <p>Integrity and Civility - <u>Policy 4310</u> UB: Gambling UB: Inappropriate language(cursing, vulgar, abusive or demeaning language) UB: Cheating</p> <p>Theft, Trespass, and Damage to Property-<u>Policy 4330</u> UB: Theft UB: Property damage-vandalism UB: Trespassing</p> | <p>Discrimination, Harassment and Bullying- <u>Policy 1710/4020/7230</u>; <u>Technology Responsible Use-Policy 3225/4312/7320</u>; <u>Title IX Sexual Harassment-Prohibited Conduct and Reporting Process-Policy 1725/4035/7236</u> UB: Bullying UB: Cyberbullying UB: Hazing UB: Harassment (verbal, racial, sexual, religion) UB: Discrimination UB: Communicating threats UB: Misuse of school technology *Possession of pornographic images (including digital) *Sharing/sending pornographic images (including digital) *Videotaping and/or sharing video of a fight, assault, bullying or other behavior violations of the <i>Student Code of Conduct</i></p> <p>Tobacco Products-Students-<u>Policy 4320</u> UB: Use of tobacco UB: Possession of tobacco</p> |
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| Grade | First Offense | Second and Subsequent Offenses |
|-------|--|--|
| K - 5 | <p>This violation may result in assignment to in-school suspension, short-term suspension or other disciplinary measures as deemed necessary by the building administrator.</p> <p>Minimum: ISS, Detention Maximum: 1 day OSS</p> | <p>This violation may result in in-school suspension or short-term suspension or other disciplinary measures deemed necessary by the building administrator. Repeated offenses may become a Level 3 consequence.</p> <p>Minimum: 1-3 days ISS Maximum: 1-5 days OSS</p> |
| 6 -8 | <p>This violation may result in assignment to in-school suspension or short-term suspension.</p> <p>Minimum: ISS Maximum: 5 days OSS</p> | <p>This violation may result in a short-term suspension.</p> <p>Minimum: 2 days OSS Maximum: 5 days OSS</p> |
| 9-12 | <p>This violation may result in assignment to in-school suspension or short-term suspension.</p> <p>Minimum: ISS Maximum: 10 days OSS</p> | <p>This violation may result in a short-term suspension.</p> <p>Minimum: 3 days OSS Maximum: 10 days OSS</p> |

LEVEL 3 BEHAVIOR VIOLATIONS:

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| <p><u>Assaults, Threats, and Harassment-Policy 4331</u> UB: Assault UB: Assault without a weapon and not resulting in serious injury UB: Assault on non-student without a weapon and not resulting in serious injury PD: Assault resulting in serious injury RO: Assault on school personnel not resulting in serious injury UB: Violent assault not resulting in serious injury PD: Sexual assault-not involving rape or sexual offense UB: Coercion or extortion</p> <p><u>Discrimination, Harassment, and Bullying-Policy 1710/4020/7230; Technology Responsible Use-Policy 3225/4312/7230; Title IX Sexual Harassment-Prohibited Conduct and Reporting Process-Policy 1725/4035/7236</u> UB: Bullying UB: Cyberbullying UB: Hazing UB: Harassment-verbal, disability, racial, religious affiliation, sexual, sexual orientation UB: Discrimination UB: Communicating threats</p> <p><u>Disruptive Behavior-Policy 4315</u> UB: Disruptive behavior UB: Affray UB: Disorderly conduct UB: Fighting UB: Misuse of technology UB: Mutual sexual contact between two students</p> <p><u>Theft, Trespass, and Damage to Property-Policy 4330</u> UB: Unlawfully setting a fire RO: Burning of a school building UB: Serious vandalism/Property damage UB: Theft - over \$1000</p> | <p><u>Drugs and Alcohol-Policy 4325</u> UB: Possession of a vaping device UB: Use of a vaping device RO: Possession of controlled substance in violation of the law RO: Sale of a controlled substance in violation of the law UB: Possession of chemical or drug paraphernalia RO: Possession of another person’s prescription drug RO: Use of another person’s prescription drug RO: Distribution of a prescription drug UB: Possession of counterfeit items UB: Use of counterfeit items RO: Alcohol possession RO: Use of alcoholic beverage UB: Under the influence of alcohol RO: Use of a controlled substance RO: Under the influence of a controlled substance RO: Use of narcotics RO: Distribution (sharing) or selling alcohol or prohibited drugs (see Policy 4325 for the list) *Possession or use of vapes, synthetics & CBD</p> <p><u>Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety-Policy 4333</u> RO: Possession of a weapon (excluding firearms and powerful explosives) UB: Robbery with or without a dangerous weapon (excluding firearms and powerful explosives) PD: Assault involving the use of a weapon (excluding firearm and powerful explosives) RO: Bomb threat UB: Terrorist threat or serious threat to students, staff or buildings PD: Taking indecent liberties with a minor PD: Rape PD: Kidnapping PD: Sexual offense</p> <p><u>Gang-Related Activity-Policy 4328</u> UB: Gang activity (major offense)</p> |
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| Grade | First and Subsequent Consequences |
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| K - 5 | This violation will result in a short-term suspension for up to 10 days depending on severity of the offense. Minimum: 2 days OSS Maximum: 5-10 days OSS |
| 6 - 8 | This violation will result in a short-term suspension for up to 10 days and/or alternative learning program reassignment depending on the severity of the offense. Minimum: 5-10 days OSS Maximum: 10 days OSS (and/or alternative assignment) |
| 9 - 12 | This violation will result in a short-term suspension for up to 10 days and/or alternative learning program reassignment depending on the severity of the offense. Minimum: 5-10 days OSS Maximum: 10 days OSS (and/or alternative assignment) |

LEVEL 4 BEHAVIOR VIOLATIONS:

Possession of a firearm or destructive device (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).

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| All Grades | Penalty |
| K - 12 | This violation may result in a 365-calendar day suspension. The superintendent may modify the consequence pursuant to Policy 4353-Long Term Suspension, 365-Day Suspension, Expulsion |

LEVEL 5 BEHAVIOR VIOLATIONS:

Behavior that indicates that the student’s continued presence in school constitutes a clear threat to the safety of other students or school personnel. This includes any student subject to the sex offender registration pursuant to N.C. General Statute § 14-208.18.

| Grades 9 - 12 | Penalty |
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| <p>In accordance with N.C. General Statute §115C-390.11(a), a local Board of Education may, upon the recommendation of the principal and superintendent, expel any student who is 14 years or age or older whose behavior indicates that the student’s continued presence in school constitutes a clear threat to the safety of other students or school personnel. In accordance with <u>N.C.G.S §115C-390.11(a)(2)</u>, a local Board of Education may expel any student subject to the sex offender registration pursuant to <u>NC General Statute §14-208.18</u>.</p> <p>Death by other than natural causes</p> | <p>Expulsion in accordance with N.C. General Statute §115C-390.11(a) the local Board of Education shall consider whether there is an alternative program that may be offered by the local school administrative unit to provide educational services.</p> |

SUBSTANCE ABUSE POLICY STATEMENT

No student shall possess, use, transmit, conspire to transmit, sell, solicit/conspire to purchase, or be under the influence of any narcotic drug (hallucinogen, amphetamine barbiturate, marijuana) or any other controlled substance as designed by State or Federal Law, or any alcoholic beverage or “designer drugs” or counterfeit drugs (e.g. student says a substance is a drug) or any drug paraphernalia, or any inhalants, chemicals or products which when used may alter the student’s mood or behavior. In simple terms, no illegal drugs are allowed at school.

This policy shall apply to all students, before, during, and after school hours at school, in any school building and on any school premises; on any school-owned vehicle or in any other school approved vehicle used to transport students to and from school or school activities; off school property at any school sponsored or school approved activity, event or function; or during any period of time when students are subject to the authority of school personnel. The policy shall apply regardless as to how school officials become aware of the possession, use, or transmission of a controlled counterfeit substance (e.g., through first- hand observation by a school official or by reports made to school officials)

If a principal or administrator has reason to believe a student has consumed an alcoholic beverage, malt beverage, or fortified wine or other intoxicating liquor, he or she may request that the student submit to an Alcohol Screening Test. An Alcohol Screening Test device approved and recommended by the North Carolina Department of Human Resources and purchased and maintained by the school must be used. Law enforcement personnel who have been certified by the North Carolina Department of Human Resources must administer this test. If a student refuses to perform the Alcohol Screening Test at the principal or administrator's request, disciplinary consequences under Level III will apply. This policy shall not apply to the proper possession and use of prescription medicine or to the legal possession of any of the above listed substances in connection with an approved school project.

The Rowan-Salisbury Board of Education realizes that under certain circumstances it may be necessary for students to take medication during school hours. Students requiring the use of medication (prescription or non-prescription) during the times they are under the supervision of the Board must have a medication Permission Form, signed by a licensed healthcare provider, on file in the school office for each medication to be administered by school personnel. For more information, see Rowan-Salisbury Board of Education Policy 6125, or call your school office, or contact Student Services at 704-630-6001.

Penalty for Policy Violations

The first violation of this policy by a student in grades K-12 will result in a ten-day short-term suspension. The first and subsequent violations may result in a recommendation for long-term suspension depending on extenuating circumstances. The student shall be recommended for chemical dependency assessment and intervention, except as outlined in the Policy Exceptions and Intervention Option section included below.

Policy Exceptions and Intervention Option

An alternative to long term suspension and/or alternative placement may be made only in cases involving a first offense of this policy during a given school year where the infraction does not involve the sale, intent to sale, or distribution of a substance prohibited by this policy. A student in violation of this policy for the first time shall be suspended for a minimum of ten (10) days and shall be recommended for intervention.

In order to participate in the intervention, the student must receive a chemical dependency assessment at the student's/parent's expense from a licensed chemical dependency assessment center approved by the Board of Education. The school's student support specialist will monitor the student's progress toward fulfilling the recommendations provided by the assessment. The student shall remain suspended from the school where the violation occurred for no less than ten (10) school days. If a chemical dependency assessment has not been initiated within ten (10) school days, the student may be recommended for suspension for the remainder of the school year. Re-entry into school is assured after an assessment has been completed and treatment (if recommended) is in progress. If a suspension occurs within the last ten days of school, a student shall not be enrolled in a Rowan-Salisbury school for the next school year until an assessment is completed and treatment (if recommended) is in progress. The Board continually seeks to explore and implement other intervention alternatives. Other such alternatives may be implemented after this document is printed. Administrators at each school are updated on intervention alternatives as they become available and are approved by the Board of Education.

PROVISIONS FOR ENFORCEMENT OF CODE OF CONDUCT VIOLATIONS

Temporary Suspension

The principal/assistant principal may impose a temporary suspension prior to a hearing if the presence of the student creates a direct and immediate threat to the safety of other students or staff, or substantially disrupts or interferes with the education of other students or the maintenance of discipline at the school. In such cases, the principal shall give notice of the charges and an opportunity for an informal hearing as soon as practicable.

Short-Term Suspension

The exclusion of a student from school attendance for disciplinary purposes for up to 10 school days from the school to which the student was assigned at the time of the disciplinary action. A short-term suspension does not include the removal of a student from class by the classroom teacher, principal or other authorized school personnel for the remainder of the subject period or one-half of a school day and/or changing the student's location to another room or place on the school premises. A student subject to short-term suspension shall be provided the following:

1. The opportunity to take textbooks/one-to-one devices home for the duration of the suspension.
2. Upon request, the right to receive all missed assignments and, to the extent practicable, the materials distributed to students in connection with the assignment.
3. The opportunity to take any quarterly, semester, or grading period examinations missed during the suspension period.

Long-Term Suspension

Suspension from school, school activities, and school grounds in excess of 10 days but not exceeding the time remaining in the school year except as provided in G.S. 115C- 390.1(b)(7). This long-term suspension must have the approval of the superintendent or designee. For more information see RSS Board of Education Policy [4353 Long Term Suspensions](#) and [Policy 4370 Student Discipline Hearings](#).

365-Day Suspension

365-day suspension from school, school activities, and school grounds for a period of 365 days as specified in G.S. 115C-390.10 Gun Possession. This long-term suspension must have the approval of the superintendent. For more information see RSS Board of Education Policy [4353 Long Term Suspensions](#) and [Policy 4370 Student Discipline Hearings](#).

Expulsion

Indefinite exclusion from the Rowan-Salisbury School system of a student (1) who is 14 years of age or older and (2) whose behavior indicates that the student's continued presence in school constitutes a clear threat to the safety of employees or other students. Also, in accordance with N.C.G.S. §115C-390.11(a)(2), a local Board of Education may expel any student subject to sex offender registration pursuant to N.C.G.S. §14-208.18. Expulsion can only be authorized by the Board of Education, upon recommendation of the principal and the superintendent.

Disciplinary Reassignments to an Alternative Learning Program

Reassignment to an alternative program must be approved by the superintendent or superintendent designee and can be appealed in accordance with the procedure set forth in [Policy 3470/4305 Alternative Learning Programs and Schools](#).

Calculation of Days

Number of days refers to days when schools are in session for students except for reference to a 365-day suspension, which refers to calendar days.

Mandatory Offenses Reportable to Law Enforcement

As per [NC General Statutes 115C-288 \(g\)](#) When the principal has personal knowledge, a reasonable belief, or actual notice from school personnel that an act listed below has occurred on school property, regardless of the age or grade of the perpetrator or victim, the school principal must immediately report it to law enforcement officials. The principal shall also notify the superintendent or his/her designee in writing or by electronic mail regarding any report made to law enforcement under this section. The superintendent or his/her designee shall provide the information to the local Board of Education.

The mandatory reportable offenses are as follows:

1. Assault resulting in serious personal injury
2. Sexual assault

3. Sexual offense
4. Rape
5. Kidnapping
6. Possession of a firearm in violation of the law
7. Possession of a weapon in violation of the law
8. Possession of controlled substance in violation of the law
9. Assault involving the use of a weapon
10. Taking indecent liberties with a minor

Mandatory Reporting of Other Serious Violations

In addition to the ten (10) reportable offenses listed above, any Level III, IV, or V violation must be immediately reported to the superintendent or the superintendent's designee.

Authority to Search

School officials have authority to conduct reasonable searches and seizures in accordance with RSS's Policy 4342 for the purpose of maintaining a safe, orderly environment and of upholding standards of conduct established by the board or school.

DISCIPLINE PROVISIONS FOR EXCEPTIONAL CHILDREN/ STUDENTS WITH DISABILITIES

Should a special education student exhibit behavior for which suspension of a student would normally occur, the Rowan-Salisbury Schools will follow procedures outlined in state and federal laws. Students under suspension or expulsion who have been identified as having a disability pursuant to the Individuals with Disabilities Education Act are entitled to services to the extent provided by law. Disciplinary actions for students identified as exceptional children according to North Carolina guidelines will conform to Policies Governing Services for Children with Disabilities as adopted by the State Board of Education. If the Policies Governing Services for Children with Disabilities manual does not fully address a particular issue, the Exceptional Children's Department will develop any necessary protocols consistent with state and federal law.

A written copy of The Rights of Parents and Special Education Students is provided to parents annually by the school system's Special Education Office staff. A copy can be obtained at any school. Every administrator who handles discipline will participate in annual staff development sessions conducted by Special Education Office staff to ensure that students who receive special education services are disciplined appropriately.

All students with disabilities will be afforded all rights as provided by state and federal law. See also Policies 1730/4022/7231, Nondiscrimination on the Basis of Disabilities.

STUDENT ADMISSIONS AND READMISSIONS

In accordance with G.S. 115C-366 (a4) when a student transfers into the public schools of a local school administrative unit, that local Board of Education shall require the student's parent, guardian, or custodian to provide a statement made under oath of affirmation before a qualified official indicating whether the student is, at the time, under suspension or expulsion from attendance at a private or public school in this or any other state or has been convicted of a felony in this or any other state. This subsection does not apply to the enrollment of a student who has never been enrolled in or attended a private or public school in this or any other state.

In accordance with G.S. 115C-366 (a5) notwithstanding any other law, a local Board of Education may deny admission to or place reasonable conditions on the admission of a student who has been suspended from a school under G.S. 115C-390.10 or who has been suspended from a school for conduct that could have led to a suspension from a school within the local school administrative unit where the student is seeking admission until the period of suspension has expired. Also, a local Board of Education may deny admission to or place reasonable conditions on the admission of a student who has been expelled from a school under G.S. 115C-390.11 or who has been expelled from a school for behavior that indicated the student's continued presence in school constituted a clear threat to the safety of other students or staff as found by clear and convincing evidence, or who has been convicted of a felony in this or any other state. If the local board of education denies admission to a student who has been expelled or convicted of a felony, the student may request the local board of education to reconsider that decision in accordance with G.S. 115C-390.12.

STUDENT READMISSIONS

In accordance with G.S. 115C-390.12 and Policy 4362 - Requests for Readmission of Students Suspended for 365 days or expelled, 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 in writing readmission to Rowan-Salisbury Schools.

SCHOOL BUS SUSPENSIONS

The principal, or his designee, shall have the authority to suspend a student from riding a school bus for a period of 10 days or less if the student willfully violates policies of conduct established by the local board of education or the school. North Carolina statutes do not guarantee a student the right to ride a school bus. Therefore, upon repeated violations of school bus regulations, the principal may suspend a student from riding a school bus for the remainder of the school year.

SUSPENSION PROCEDURES AND DUE PROCESS

The Board of Education mandates and the law requires that all students be treated fairly and honestly in resolving grievances, complaints, or suspensions/expulsions. Due process will be defined as fair and reasonable notices and approaches to all areas of student governance and discipline on the part of all school officials. The principal shall give full and complete consideration to the defense or excuses, if any, made by the student and dismiss the charges if not satisfied as to the guilt of the student or reduce the punishment if not satisfied as to the reasonableness of the proposed disciplinary action under all the circumstances. Due process procedures will be followed in accordance with Policies 4351, 4353, 4370. A summary of those procedures is provided below. Students and parents should consult the relevant policy for complete information.

SHORT-TERM SUSPENSIONS (10 DAYS OR LESS) (Policy 4351)

Students and their parents/guardians will be given an opportunity for an informal hearing with the principal/assistant principal before a short-term suspension is imposed. Except in the circumstances described below, a student and his or her parent/guardian must be provided an opportunity for an informal hearing with the principal/assistant principal before a short-term suspension is imposed. The principal/assistant principal may hold the hearing immediately after giving the student and his or her parent/guardian oral or written notice of the charges against him or her. At the informal hearing, the student and his or her parent/guardian has the right to be present, to be informed of the charges and the basis for the accusations and to make statements in defense or mitigation of the charges. Following the hearing, the principal/assistant principal shall provide written notice to the parent/guardian of his or her final decision.

1. TEMPORARY (IMMEDIATE) SUSPENSION

A student may be removed from school immediately without a prior opportunity for a hearing if the student's presence in school poses a direct and immediate safety threat or is substantially disruptive. In that case, the notice and opportunity for an informal hearing will be provided as soon as practicable.

2. NOTICE TO PARENT OR GUARDIAN

The school administrator will notify the student's parent or guardian that a short-term suspension has been imposed. If English is the second language of the parent, the notice must be provided in English and in the parent's primary language, when the appropriate foreign language resources are readily available. Both versions must be in plain language and easily understandable. The notice will explain why the student has been suspended and will describe the student's misconduct. The notice will be provided on the day of the suspension when reasonably possible, but no later than two days after the suspension is imposed.

3. APPEAL OF SHORT-TERM SUSPENSION

Short-term suspensions, which are 10-days or less, are non-appealable. In accordance with N.C. Gen. Stat. §115C-390.6(e) and 115C-45(c) (1), a student is not entitled to appeal the principal's decision to impose a short-term suspension to either the superintendent or the board unless it is appealable on some other basis (see Policy 1740/4010 Student and Parent Grievance Procedure and Policy 4351 Short-term Suspension)

LONG-TERM SUSPENSION, 365-DAY SUSPENSION, EXPULSION (Policy 4353)

1. Long-term suspension, 365-Day suspension, and expulsion procedures will be followed in accordance with Policy 4353. These procedures include the right to written notice of the proposed discipline and the right to request a full hearing before the disciplinary penalty is imposed.
2. The school administrative hearing shall be held within the 10-day suspension. Therefore, from the date the Notice of Charges, and hearing was mailed, or hand delivered to the parent or legal custodian.
3. A principal may recommend to the superintendent the long-term suspension of any student who willfully engages in conduct that violates a provision of the Student Code of Conduct that authorizes long-term suspension. Only the superintendent or his/her designee has the authority to long-term suspend a student.
4. A long-term suspension can be appealed within three (3) days of receipt of the notice from the school principal recommending long-term suspension, 365-day suspension, or expulsion. The superintendent or designee will notify the parent of the hearing date, which will be scheduled within the first 10 days of suspension.
5. Following an administrative hearing, a student or parent has the right to appeal a long-term suspension decision to the Board Appeals Committee. A request for a board hearing must be made in writing three (3) days following the administrative hearing decision. For more information see RSS Board of Education Policy 4353 Long- term Suspensions and Policy 4370 Student Discipline Hearings.

DISCIPLINARY REASSIGNMENTS

Students may be reassigned to an alternative school as a disciplinary consequence. The alternative program or school will meet the requirements of the standard course of study and provide the student the opportunity to make timely progress toward grade promotion and graduation.

1. Before recommending a student for a disciplinary reassignment, the student will be provided the due process procedures applicable to short-term suspensions, described above.
2. When imposing a short-term suspension, the principal or designee shall provide the student's parent or guardian with notice that includes the reason for the suspension and a description of the student conduct upon which the suspension is based. The principal or designee must give this notice by the end of the workday during which the suspension is imposed when reasonably possible, but in no event more than two days after the suspension is imposed.
3. If the principal recommends a disciplinary reassignment, he/she shall submit such recommendation to the superintendent's designee for approval/disapproval.
4. The parent shall be provided an opportunity to present any further information to the superintendent's designee, regarding the proposed disciplinary reassignment through a Request for an Appeal. A formal appeal email or phone call must be submitted to the Superintendent's designee within 72 hours of the receipt of the alternative assignment.
5. A student attending school under a disciplinary reassignment is not eligible for athletic participation and is not permitted on any RSS campus without prior written permission from the principal.
6. A student who is reassigned to an alternative school by way of a disciplinary reassignment has the right to a board appeal of the final administrative decision. A panel of three board members shall hear appeals of a final administrative decision. No new evidence, written or verbal may be presented without the prior knowledge and consent of both parties or upon a majority vote of the hearing panel. The Board will place reasonable time limits on the hearing. The hearing will be private and will be recorded.

NON-DISCRIMINATION ON THE BASIS OF DISABILITIES

The Board of Education will not discriminate against qualified persons with disabilities on the basis of a disability. This non-discrimination policy includes, but is not limited to, benefits of and participation in system programs and

activities. The system will provide aids, benefits and school services to a person with disabilities in the most integrated school setting appropriate to his or her needs so that he or she may have an opportunity commensurate to that provided to persons without disabilities to obtain the same results, gain the same benefit or reach the same level of achievement. For more information, please see RSS Board of Education [Policy 1730/4022/7231](#).

MEDICAL SCREENINGS

Rowan-Salisbury Schools conducts various screenings for students in compliance with applicable federal and state laws. Routine mass screenings, such as vision, lice, hearing and dental are performed annually according to NC state recommendations. If you do not wish for your child to participate, please notify the school/ school nurse. If there are any concerns regarding your child's screening results, you will be notified. You may also contact Student Services at 704-630-6001 if you have further questions or visit the RSS Website [School Health](#) page.

DISCRIMINATION AND HARASSMENT PROHIBITED BY FEDERAL LAW 1710/4020/7230

The board acknowledges the dignity and worth of all students and employees and strives to create a safe, orderly, caring, and inviting school environment to facilitate student learning and achievement. The board prohibits discrimination on the basis of race, sex, color, national origin, religion, disability, or age (over 40), and will provide equal access to the Boy Scouts and other designated youth groups as required by law.

The board will not tolerate any form of unlawful discrimination or harassment in any of its education activities or programs. All forms of prohibited discrimination and harassment are subject to this policy except the following, for which the board has established more specific policies.

- Discrimination and harassment on the basis of sex is addressed in [Policy 1720/4030/7235](#), Title IX Nondiscrimination on the Basis of Sex.
- Discrimination and harassment in employment is addressed in [Policy 7232](#), Discrimination and Harassment in the Workplace.

In addition, the process set out in this policy for bringing complaints does not apply to the following.

- Complaints of sexual harassment will be brought in accordance with the processes established in policies [1725/4035/7236](#), Title IX Sexual Harassment – Prohibited Conduct and Reporting Process, and [1726/4036/7237](#), Title IX Sexual Harassment Grievance Process.
- Employee allegations of discrimination or harassment will be addressed using the process established in [Policy 7232](#), Discrimination and Harassment in the Workplace.
- Allegations regarding or related to the identification, evaluation, educational placement, or free appropriate public education of a student under Section 504 or the IDEA may be raised through the system of procedural safeguards established under [Policy 1730/4022/7231](#), Nondiscrimination on the Basis of Disabilities, (for Section 504 complaints) or in accordance with the procedures described in Parents Rights & Responsibilities in Special Education, published by the NC Department of Public Instruction (for IDEA complaints).

The board takes all reports of unlawful discrimination and harassment seriously and directs school officials to take prompt action to investigate and remedy violations of this policy. The superintendent is responsible for providing effective notice of this policy to students, parents, and employees.

The board encourages students, visitors, and other non-employee individuals who believe that they may have been discriminated against or harassed in violation of this policy, (including on the basis of disability, as specified in [Policy 1730/4022/7231](#), Nondiscrimination on the Basis of Disabilities), to report such conduct as soon as possible

through the process provided in Section B of this policy. Employees who believe that they may have been discriminated against or harassed should report through the process provided in Policy 7232, Discrimination and Harassment in the Workplace. Individuals who have witnessed or who have reliable information that another person has been subject to unlawful discrimination or harassment may report the conduct to an individual designated in Section B of this policy.

Any report made through the process established in this policy may be made anonymously, except mandatory employee reports.

A. Prohibited Behavior

Students, school system employees, volunteers, and visitors are expected to behave in a civil and respectful manner. The board expressly prohibits unlawful discrimination and harassment as defined below by students, employees, board members, volunteers, or visitors. "Visitors" includes parents and other family members and individuals from the community, as well as vendors, contractors, and other persons doing business with or performing services for the school system.

1. Discrimination

Discrimination is any act or failure to act, whether intentional or unintentional, by an employee or agent of the school system that unreasonably and unfavorably differentiates treatment of others based solely on their membership in a legally-protected class so as to interfere with or limit their ability to participate in or benefit from the services, activities, or privileges offered by the school system's education program. For purposes of this policy, the legally protected classes are race, color, national origin, religion, and disability.

2. Harassment

Prohibited harassment is deliberate unwelcome conduct directed at another person or group of persons based on their membership in a legally protected class that creates a hostile environment. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents.

Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive, or persistent so as to interfere with or limit a person's ability to participate in or benefit from the services, activities, or opportunities offered by the school system.

Examples of behavior that may constitute harassment include, but are not limited to, acts of disrespect, intimidation, or threats, such as verbal taunts, name-calling and put-downs, epithets, derogatory comments or slurs, exclusion from peer groups, extortion of money or possessions, implied or stated threats, assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement, and visual insults, such as derogatory posters or cartoons. Harassment may occur through electronic means, such as through the Internet, email, or text message. Legitimate age-appropriate pedagogical techniques are not considered harassment.

3. Application of the Policy

This policy applies to behavior that takes place: (1) in any school building or on any school premises before, during, or after school hours; (2) on any bus or other vehicle as part of any school activity; (3) at any bus stop; (4) during any school-sponsored activity or extracurricular activity; (5) at any time or place when the individual is subject to the authority of school personnel; or (6) at any time or place when the behavior has a direct and immediate effect on maintaining order and discipline in the schools.

This policy will not be construed to allow school officials to punish student expression or speech based on undifferentiated fear or apprehension of a disturbance or out of a desire to avoid the discomfort and unpleasantness that may accompany an unpopular viewpoint.

B. Reporting Discrimination or Harassment

1. Any person who believes that he or she has been discriminated against or harassed in violation of this policy by

any student, employee, or other person under the supervision and control of the school system, or any third person who knows or suspects conduct that may constitute discrimination or harassment should inform a school official designated in Section C below. Reports also may be made anonymously through the anonymous tip line.

2. Mandatory Reporting by School Employees

Any employee who witnessed or who has reliable information or reason to believe that a student or other individual may have been discriminated against or harassed in violation of this policy must report the offense immediately to an appropriate individual designated in Section C below. Any doubt about whether particular conduct is possible discrimination or harassment under this policy or any other policy of the board must be resolved in favor of reporting the conduct.

Employees who observe an incident of harassment are expected to intervene to stop the conduct in situations in which they have supervisory control over the perpetrator and it is safe to do so. If an employee knows of an incident involving discrimination or harassment and the employee fails to report the conduct or take proper action or knowingly provides false information in regard to the incident, the employee will be subject to disciplinary action up to, and including, dismissal.

3. Preliminary Inquiry

School officials may make a preliminary inquiry when a report is received to understand what occurred and to determine whether further action under this policy or otherwise is necessary.

C. Complaints of Discrimination and Harassment

1. A student, visitor, or other non-employee individual who believes he or she is the victim of unlawful discrimination or harassment in violation of this policy, or any person who has witnessed or who has reliable information that another person has been subject to unlawful discrimination or harassment under this policy, may make a formal written complaint to any of the following persons:

- a. the principal or assistant principal of the school at which either the alleged victim or alleged perpetrator attends or is employed;
- b. the Section 504 coordinator or the ADA coordinator for claims of discrimination on the basis of a disability; or
- c. for claims of other forms of prohibited discrimination, the applicable civil rights coordinator as established in Section I of this policy.

If a written complaint alleges that the perpetrator is an employee, the school official receiving the complaint shall notify the senior human resources official without delay.

2. A written complaint alleging that a student has been discriminated against or harassed will be addressed in accordance with this policy.

A written complaint alleging that an employee has been discriminated against or harassed will be addressed in accordance with Policy 7232, Discrimination and Harassment in the Workplace.

A written complaint alleging that a person who is not a student or employee has been discriminated against or harassed will be addressed in accordance with the general process for resolving complaints provided in Policy 1742/5060, Responding to Complaints, not this policy.

3. Time Period for Making a Complaint

Alleged discrimination or harassment should be reported as soon as possible but no later than 30 days after disclosure or discovery of the facts giving rise to the complaint. Complaints submitted after the 30-day period may be investigated; however, individuals should recognize that delays in reporting may significantly impair the ability of school officials to investigate and respond to such complaints.

D. School Officials' Response to Reports and Complaints of Discrimination or Harassment

1. Investigation

School officials shall investigate all formal written complaints received. Reports of discrimination or harassment that are not followed by a formal written complaint may be investigated at the discretion of school officials and may be investigated even if the alleged victim does not seek action by school officials.

a. The principal or designee or site supervisor will be the investigator when the alleged perpetrator is a student or third party. The senior human resources official or designee will be the investigator when the alleged perpetrator is an employee. The superintendent may determine that individual circumstances warrant the assignment of a different investigator.

Notwithstanding the above designations, (1) if the alleged perpetrator is the senior human resources official, the superintendent will be the investigator, and (2) if the alleged perpetrator is the superintendent or a member of the board, the board chair shall direct the board attorney to investigate, unless the board chair determines that outside counsel should be engaged to investigate.

b. As applicable, the investigator shall immediately notify the Section 504, ADA, or other relevant coordinator of the complaint, and, as appropriate, may request assistance from the coordinator in conducting the investigation.

c. If the investigator, after interviewing the complaining party and/or the alleged victim and consulting with the board attorney, determines that the allegations submitted, even if factual, do not constitute discrimination or harassment as defined in this policy or Policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities, school officials shall address the matter outside the scope of this policy. Information regarding the investigator's determination and the process for addressing the complaint will be provided to the complaining party.

d. Any investigation conducted must be impartial, prompt, and thorough. The investigator shall investigate the facts and circumstances related to the allegation(s) of discrimination or harassment and give the alleged perpetrator an opportunity to respond to the allegations.

The investigator shall consider all the evidence collected, the context in which the alleged incidents occurred, the age and maturity of the parties, and any other relevant circumstances, and shall determine whether the alleged act(s) constitutes a violation of this policy, Policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities, and/or any other board policy or expected standard of student or employee behavior.

e. The complaint and investigation will be kept confidential to the extent possible and consistent with law. Information may be shared only with individuals who need the information in order to investigate and address the complaint appropriately and those with a legal right to access the information.

2. Investigator's Findings

a. If the investigator finds that discrimination occurred, the investigator shall take or recommend steps to address the discrimination.

b. If the investigator finds that harassment occurred and created a hostile environment, the investigator shall assign or recommend appropriate disciplinary consequences for the perpetrator and/or take or recommend other reasonable measures to eliminate the hostile environment and prevent its recurrence.

c. If the investigator finds that the conduct did not violate this policy but violated Policy 4329/7311, Bullying and Harassing Behavior Prohibited, or another board policy or expected standard of conduct, the investigator shall assign or recommend discipline or other action appropriate to the violation.

d. The investigator shall make a record of the evidence and findings of the investigation and the assigned or recommended discipline and/or other remedial action and provide a copy to the appropriate civil rights coordinator. If the investigator recommends a disciplinary consequence or remedial action that is beyond his or her authority, the investigator shall provide a copy of the record to the superintendent for further action.

e. The investigator shall inform the alleged victim and alleged perpetrator of the outcome of the investigation.

3. Steps to Reasonably End Discrimination or Harassment

a. The superintendent is responsible for taking or causing appropriate action to be taken in response to discrimination and harassment in violation of this policy. Appropriate action must include:

i. reasonable, timely, age-appropriate corrective action intended to end the discrimination or harassment and prevent it from recurring; ii. as needed, reasonable steps to address the effects of the discrimination or harassment on the victim; and iii. as needed, reasonable steps to protect the victim from retaliation as a result of the complaint.

b. Appropriate steps to end discrimination and harassment may include, but are not limited to, separating the parties, providing counseling for the parties, and/or taking disciplinary action against a perpetrator determined to have violated this policy. The superintendent may take non-punitive measures to end or prevent instances of discrimination or harassment regardless of whether any individual has been found responsible for the discrimination or harassment. The superintendent also may implement or direct the implementation of classroom-wide, school-wide, or school system-wide responses such as additional staff training, harassment prevention programs, and other measures reasonably calculated to end the behavior, eliminate a hostile environment and its effects if one has been created, and prevent recurrence of the behavior.

c. The applicable civil rights coordinator shall encourage victims of discrimination and harassment to report any subsequent problems and may conduct follow-up inquiries as warranted to determine if there have been any new incidents of discrimination or harassment or any instances of retaliation.

E. Appeals

1. If the alleged victim is dissatisfied with the outcome of the investigation, he or she may appeal the decision to the superintendent (unless the alleged perpetrator is the superintendent, in which case the alleged victim may appeal directly to the board in accordance with the next paragraph). The appeal must be submitted in writing within three school business days of receiving the notice of the outcome of the investigation. The superintendent may review the documents, conduct any further investigation necessary, or take any other steps the superintendent determines to be appropriate in order to respond to the complaint. The superintendent shall provide a written response within 10 days after receiving the appeal, unless further investigation is needed.

2. Student victims may appeal the superintendent's decision to the board in accordance with subsection E.5.a of Policy 1740/4010, Student and Parent Grievance Procedure. Employees may appeal the superintendent's decision to the board in accordance with subsection E.4.a of Policy 1750/7220, Grievance Procedure for Employees.

3. Any student or employee subject to discipline for violating this policy will be accorded all rights provided by law.

F. Retaliation Prohibited

The board prohibits retaliation against any person for making a report or complaint of a violation of this policy, supporting someone for reporting or intending to report a violation of this policy, or participating in the investigation of a reported violation of this policy. No reprisals will be taken by the board against a complaining party or other individual unless the person knew or had reason to believe that the complaint or report was false or knowingly

provided false information. Any person who is found to have engaged in retaliation will be subject to discipline, up to and including dismissal. Acts of retaliation may also be subject to Policy 1760/7280, Prohibition Against Retaliation.

G. Training and Programs

The board directs the superintendent to establish training and other programs that are designed to prevent discrimination and harassment and to foster an environment of understanding and respect for all members of the school community. Information about the prohibited conduct and complaint procedure in this policy and those in Policies 1725/4035/7236, Title IX Sexual Harassment – Prohibited Conduct and Reporting Process, and 1726/4036/7237, Title IX Sexual Harassment Grievance Process, must be included in the training plan.

As funds are available, the board will provide students, employees, and volunteers who have significant contact with students with additional training regarding the board's efforts to address discrimination and harassment and will create programs to address these issues. The training or programs should (1) provide examples of behavior that constitutes discrimination or harassment; (2) teach employees to identify groups that may be the target of discrimination or harassment; and (3) train school employees to be alert to locations where such behavior may occur, including locations within school buildings, at school bus stops, on cell phones, and on the Internet.

H. Records

The superintendent or designee shall maintain confidential records of complaints or reports of discrimination or harassment. The records must identify the names of all individuals accused of such offenses and the resolution of such complaints or reports. The superintendent also shall maintain records of training conducted and corrective action(s) or other steps taken by the school system to provide an environment free of discrimination and harassment.

I. Contacts for Inquiries

The superintendent has appointed individuals to coordinate the school system's efforts to comply with and carry out its responsibilities under federal nondiscrimination laws, including investigating any complaints communicated to school officials alleging noncompliance with those laws. Inquiries about the application of the nondiscrimination laws addressed in this policy may be referred to the designated civil rights coordinator and/or the Assistant Secretary for Civil Rights in the Office for Civil Rights at the U.S. Department of Education.

The contact information for the designated civil rights coordinators is as follows.

The contact information for the US Department of Education Office for Civil Rights with jurisdiction over North Carolina is as follows.

a. The Section 504 Coordinator is: Judy McLaughlin
Office Address: 500 N Main Street, Salisbury, NC 28144
Email Address: McLaughlinjd@rss.k12.nc.us
Phone Number: 704-630-6028

b. The ADA Coordinator is: Dr. Elizabeth Mitcham
Office Address: 500 N Main Street, Salisbury, NC 28144
Email Address: mitchamec@rss.k12.nc.us
Phone Number: 704-630-6079

c. The Age Discrimination Coordinator is: Carol Herndon
Office Address: 500 N Main Street, Salisbury, NC 28144
Email Address: HerndonCM@rss.k12.nc.us
Phone Number: 704-630-6084

d. The Coordinator for Other Non-Discrimination Laws is: Carol Herndon
Office Address: 500 N Main Street, Salisbury, NC 28144

Email Address: HerndonCM@rss.k12.nc.us
Phone Number: 704-630-6084

The contact information for the U.S. Department of Education Office for Civil Rights with jurisdiction over North Carolina is as follows:

4000 Maryland Ave, SW
Washington, DC 20202-1475
Telephone: 202-453-6020 TDD: 800-877-8339
FAX: 202-453-6021 Email: OCR.DC@ed.gov

SECTION VIII: RSS BOARD OF EDUCATION REGULATION 4302-R - Use of Seclusion & Restraint

The following rules will govern the use of seclusion and restraint by school personnel. As used in this regulation, “school personnel” means employees of the Board and any persons working on school grounds or at a school function under a contract or written agreement with the public school system or for another agency to provide educational or related services to students.

A. PHYSICAL RESTRAINT

Physical restraint means the use of physical force to restrict the free movement of all or part of a student’s body.

Physical restraint will be considered to be a reasonable use of force when used in the following circumstances:

1. as reasonably needed to obtain possession of weapons or other dangerous objects on the person or within the control of a student;
2. as reasonably needed to maintain order or to prevent or break up a fight.
3. as reasonably needed for self-defense;
4. as reasonably needed to ensure the safety of any student, employee, volunteer, or other person present;
5. as reasonably needed to teach a skill, to calm or comfort a student, or to prevent self-injurious behavior;
6. as reasonably needed to escort a student safely from one area to another;
7. if used as provided for in an IEP, Section 504, or behavior intervention; or
8. as reasonably needed to prevent imminent destruction to school or another person’s property.

Except as set forth above, physical restraint of students will not be considered reasonable use of force, and its use is prohibited. In addition, physical restraint will not be considered a reasonable use of force when used solely as a disciplinary consequence.

B. MECHANICAL RESTRAINT

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.

Mechanical restraint of a student by school personnel is permissible only in the following circumstances:

1. when properly used as an assistive technology device included in the student’s IEP, Section 504, or behavior intervention plan or as otherwise prescribed by a medical or related service provider;
2. when using seat belts or other safety restraints to secure a student during transportation;
3. as reasonably needed to obtain possession of weapons or other dangerous objects on the person or within the control of a student;
4. as reasonably needed for self-defense;
5. as reasonably needed to ensure the safety of any student, employee, volunteer, or other person.

Except as set forth above, mechanical restraint, including the tying down, taping, or strapping down of students, will not be considered to be a reasonable use of force, and its use is prohibited.

C. SECLUSION

Seclusion means the confinement of a student alone in an enclosed space from which the student is (a) physically prevented from leaving or (b) incapable of leaving due to physical or intellectual capacity.

Seclusion of a student by school personnel may be used in the following circumstances:

1. as reasonably needed to respond to a person in control of a weapon or other dangerous object;
2. as reasonably needed to maintain order or prevent or break up a fight;
3. as reasonably needed for self-defense;
4. 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; or
5. when used as specified in the student's IEP, Section 504, or behavior intervention plan; and
 - A. the student is constantly monitored by an adult in close proximity who is able to see and hear the student at all times;
 - B. 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, Section 504, or behavior intervention plan;
 - C. the confining space has been approved for such use by the local education agency;
 - D. the space is appropriately lighted, ventilated, and heated or cooled; and
 - E. the space is free from objects that unreasonably exposed the student or others to harm.

Except as set forth above, the use of seclusion will not be considered a reasonable use of force when used solely as a disciplinary consequence.

D. ISOLATION

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.

Isolation is permitted as a behavior management technique provided that:

1. the isolation space is appropriately lighted, ventilated and heated or cooled;
2. the duration of the isolation is reasonable in light of the purpose for the isolation;
3. the student is reasonably monitored; and
4. the isolation space is free from objects that unreasonably expose the student or others to harm.

E. TIME-OUT

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. Teachers are authorized to use time-out to regulate behavior within their classroom.

F. AVERSIVE PROCEDURES

Aversive procedure means a systematic physical or sensory intervention program for modifying the behavior of a student with a disability that causes or reasonably may be expected to cause one or more of the following:

1. significant physical harm, such as tissue damage, physical illness, or death;
2. serious and foreseeable long-term psychological impairment;
3. obvious repulsion on the part of observers who cannot reconcile such extreme procedures with acceptable standard practice, for example:
 - A. electric shock applied to the body;
 - B. extremely loud auditory stimuli;
 - C. forcible introduction of foul substances to the mouth, eyes, ears, nose or skin;
 - D. placement in a tub of cold water or shower;
 - E. slapping, pinching, hitting or pulling hair;

- F. blindfolding or other forms of visual blocking;
- G. unreasonable withholding of meals;
- H. eating one's own vomit; or
- I. denial of reasonable access to toileting facilities.

The use of aversive procedures in public schools is prohibited.

G. NOTICE, REPORTING, AND DOCUMENTATION

1. School staff will promptly notify the principal or designee of any of the following:

- A. any use of aversive procedures;
- B. any prohibited use of mechanical restraint;
- C. any use of physical restraint resulting in observable physical injury to a student;
- D. any prohibited use of seclusion; or
- E. any seclusion exceeding 10 minutes or beyond the amount of time specified on a student's behavior intervention plan.

2. Notice to Parents

When a principal or designee has personal or actual knowledge of any of the events listed above, he or she shall promptly notify the student's parent or guardian and shall provide the name of the school employee whom the parent or guardian may contact regarding the incident.

3. Written Report to Parents

Within a reasonable period of time not to exceed 30 days after the incident, the principal or designee shall also provide the parent or guardian with a written incident report. This report must include the following:

- A. the date, time of day, location, duration, and description of the incident and interventions;
- B. the event or events that led up to the incident;
- C. the nature and extent of any injury to the student; and
- D. the name of the school employee the parent or guardian can contact regarding the incident.

4. Report to State Board

The Board will maintain a record of incidents reported under the procedure described above and will provide this information annually to the State Board of Education.

5. Non-Retaliation for Reporting

An employee making a report alleging a prohibited use of physical or mechanical restraint, seclusion or aversive procedure will NOT be discharged, threatened or retaliated against through compensation, terms, conditions, location or privilege of employment by any local Board of Education or any employee unless the employee knew or should have known that the report was false.

Confirmation of Receipt of the 2023-2024 Student Code of Conduct

Please complete and return this page to the school within three days of receipt of this document.

Name of Student: _____

Student Confirmation of Receipt (Grades 6-12)

My signature below indicates that I have received a copy of the Code of Conduct for the Rowan Salisbury Schools to be shared with my parents or guardians.

Signature of Student _____ Date _____

Parent/Guardian Confirmation of Receipt (Grades K-12)

My signature below indicates that I as a parent/guardian of a student in a Rowan-Salisbury Schools received a copy of the **Code of Conduct** for the Rowan-Salisbury Schools and will communicate with my child to help him/her understand the responsibilities as a student in this school system. I can be reached at this telephone number during normal school hours:

Area Code (____) _____

Mailing Address _____

Email Address _____

If the above number changes, the school office must be notified immediately. Failure to do so will severely limit the school's ability to contact parents in the event of a medical emergency or disciplinary incident involving your child. Two-way communication is critical. Parents limit their right to receive timely notice of any disciplinary action taken against their child if they do not provide the school a telephone number where they can be reached during normal business hours. I understand this expectation.

Name of Parent/Guardian _____ Date _____

Signature of Parent or Guardian _____

Confirmation of 2023-2024 One to One Technology Agreement

Inappropriate Use of Technology (Responsible Use Policy)

The use of school system technological resources, including access to the Internet, is a privilege, not a right. There is no expectation of privacy on the school network or on school owned devices. Individual users of the school system's technological resources are responsible for their behavior and communications when using those resources. Responsible use of school system technological resources is use that is ethical, respectful, academically honest, and supportive of student learning. Each user has the responsibility to respect others in the school community and on the Internet. Users are expected to abide by the generally accepted rules of network etiquette. Inappropriate use includes, but is not limited to, posting inappropriate language, messages, pictures, downloading games, apps, etc. via unauthorized proxy or other inappropriate programs. Student discipline may include short-term suspension or recommendation of long-term suspension, depending on the severity of the student's actions. In some instances, law enforcement agencies will be contacted where appropriate. This infraction could therefore be a Level II or Level III infraction depending on the total circumstances.

Board of Education Policy 3225/4312/7320 states "All students and employees must be informed annually of the requirements of this policy and the methods by which they may obtain a copy of this policy. Before using school system technological resources, students and employees must sign a statement indicating that they understand and will strictly comply with these requirements." Inclusion of this in the Code of conduct fulfills this requirement.

(For more information see RSS Board of Education Policy 3225/4312/7320 Technology Responsible Use)

Signature of Student _____ Date _____

Signature of Parent/Guardian _____ Date _____

