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2014-15 ELEMENTARY SCHOOL STUDENT HANDBOOK

UCPS
UNION COUNTY PUBLIC SCHOOLS
GLOBALIZATION. INNOVATION. GRADUATION

**UNION COUNTY PUBLIC SCHOOLS’
Elementary School
STUDENT HANDBOOK
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School Assignment, BOE Policy 4-13, Testing/Accountability and BOE Policy 5-12 contain important student information, but are not included in this document. The complete [UCPS Board of Education Policy Manual](#) is available on our website.

****UCPS Board of Education policies are revised regularly. Updated information is available at your school or on the UCPS website.**

Union County Public Schools maintains a comprehensive web-site at www.ucps.k12.nc.us. The homepage contains the [Board of Education Policy Manual](#), news, current events and links to each department and school. Parents and students can find curriculum resources, current calendars, lunch menus, school assignment maps and many other items of interest on the site.

* Any parent or guardian who wishes to prohibit the release of directory information pursuant to UC BOE Policy 4-14 shall do so in writing and deliver it to the school principal within the first month of school.

Union County Elementary Schools

Antioch Elementary
3101 Antioch Church Rd.
Matthews, NC 28104
704-841-2505 phone
704-841-2578 fax

Benton Heights Elem
1200 Concord Ave.
Monroe, NC 28110
704-296-3100 phone
704-296-3106 fax

East Elementary
515 Elizabeth Ave
Monroe, NC 28112
704-296-3110 phone
704-296-3112 fax

Fairview Elementary
110 Clontz Road
Monroe, NC 28110
704-753-2800 phone
704-753-2804 fax

Hemby Bridge Elem
6701 Indian Trail-Fairview Rd.
Indian Trail, NC 28079
704-882-1191 phone
704-882-1192 fax

Indian Trail Elementary
200 Education Rd.
Indian Trail, NC 28079
704-821-7614 phone
704-821-7712 fax

Kensington Elementary
8701 Kensington Dr.
Waxhaw, NC 28173
704-290-1500 phone
704-243-3821 fax

Marshville Elementary
515 N. Elm St.
Marshville, NC 28103
704-624-2133 phone
704-624-6946 fax

Marvin Elementary
9700 Marvin-Weddington Rd.
Waxhaw, NC 28173
704-843-5399 phone
704-843-6911 fax

New Town Elementary
1100 Waxhaw-Indian Tr. Rd.
Waxhaw, NC 28173
704-290-1525 phone
704-843-8422 fax

New Salem Elementary
6106 Hwy 205
Marshville, NC 28103
704-385-9430 phone
704-385-8205 fax

Poplin Elementary
5627 Poplin Rd.
Indian Trail, NC 28079
704-296-0320 phone
704-882-4853 fax

Porter Ridge Elementary
2843 Ridge Rd.
Indian Trail, NC 28079
704-289-1965 phone
704-289-6523 fax

Prospect Elementary
3005 Ruben Rd.
Monroe, NC 28112
704-764-2920 phone
704-764-2923 fax

Rea View Elementary
320 Reid Dairy Rd.
Waxhaw, NC 28173
704-290-1524 phone
704-845-1553 fax

Rock Rest Elementary
814 Old Pageland-Monroe Rd.
Monroe, NC 28112
704-290-1513 phone
704-283-6528 fax

Rocky River Elementary
500 N. Rocky River Rd.
Monroe, NC 28110
704-290-1523 phone
704-292-1395 fax

Sandy Ridge Elementary
10101 Waxhaw Manor Dr.
Waxhaw, NC 28173
704-290-1505 phone
704-243-3812 fax

Sardis Elementary
4416 Sardis Church Rd.
Monroe, NC 28110
704-882-4303 phone
704-882-4305 fax

Shiloh Elementary
5210 Rogers Rd.
Monroe, NC 28110
704-296-3035 phone
704-296-3039 fax

Stallings Elementary
3501 Stallings Rd.
Stallings, NC 28104
704-290-1558 phone
704-893-0825 fax

Sun Valley Elementary
5200 Rogers Rd.
Monroe, NC 28110
704-290-1559 phone
704-291-2217 fax

Union Elementary
5320 White Store Rd.
Wingate, NC 28174
704-624-5400 phone
704-624-5406 fax

Unionville Elementary
4511 Unionville Rd.
Monroe, NC 28110
704-296-3055 phone
704-296-3057 fax

Walter Bickett Elem
830 M.L. King Blvd.
Monroe, NC 28112
704-283-8520 phone
704-225-9543 fax

Waxhaw Elementary
1101 Old Providence Rd.
Waxhaw, NC 28173
704-290-1590 phone
704-843-4259 fax

Weddington Elementary
3927 Twelve Mile Creek Rd.
Matthews, NC 28104
704-849-7238 phone
704-849-2238 fax

Wesley Chapel Elementary
110 Potter Road South
Monroe, NC 28110
704-296-3081 phone
704-296-3080 fax

Western Union Elem
4111 Western Union School Rd.
Waxhaw, NC 28173
704-843-2153 phone
704-843-9019 fax

Wingate Elementary
301 Bivens St.
Wingate, NC 28174
704-233-4045 phone
704-233-9415 fax

HOUSING EMERGENCIES

At times, students' families may experience a number of housing emergencies. Services are available for students whose families are experiencing a housing crisis and lack fixed regular and adequate overnight accommodations.

A crisis is defined as:

- Living with a friend, relative, or someone else because you have lost your home or can not afford housing
- Living in motels, hotels, or camping trailer parks or campgrounds due to lack of other accommodations
- Living in emergency, transitional, or domestic violence shelter
- Living in cars, parks, public spaces, bus or train stations or similar settings
- Awaiting foster care placement

Please contact your child's school for information regarding support available for your child.

TITLE IX

The Union County Public Schools Board of Education does not discriminate against any person on the basis of gender in admission or access to the programs, services or activities of the Union County Public Schools or in any aspect of operations. The Board of Education does not discriminate on the basis of gender in its hiring or employment practices.

This notice is provided pursuant to the requirements of Title IX and the Educational Amendments of 1972, 20 USC § 1681 et seq and its implementing regulations, 34 CFR Part 106. Any questions or concerns regarding the application of Title IX can be reported to:

Dr. David Clarke, Title IX Coordinator
Union County Public Schools
400 North Church Street
Monroe, North Carolina 28112
704-296-1007

Office for Civil Rights
US Department of Education
Post Office Box 14620
Washington, DC 20044-4620

FEDERAL LAW

Parental Rights Regarding Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 is a nondiscrimination statute that prohibits discrimination and is designed to assure the disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

Under Section 504, an eligible student is a student who (1) has, (2) has a record of having or (3) is regarded as having a physical or mental impairment that substantially limits a major life activity such as learning.

It is the policy of the Union County Public Schools Board of Education not to discriminate on the basis of disabilities in its educational programs, activities, or employment practices as required by the Act.

The regulations for implementing Section 504 provide parents and/or students the following rights:

- Section 504 requires the school district to locate, evaluate and determine if a student is a qualified individual requiring accommodations necessary to provide access to educational programs.
- You have a right to receive notice in a reasonable time before UCPS identifies, evaluates or changes your child's placement.
- You have a right to periodic re-evaluation and evaluation before significant change in placement.
- You have the opportunity to review relevant educational records under the Family Educational Rights and Privacy Act. The requirements are described in the Board's policy manual.
- You have the right to request an informal conference with the principal and the Assistance/Intervention team if you disagree with the decisions reached by the school regarding identification, evaluation, educational program or placement. If your concerns are not resolved, you may request a hearing before an impartial hearing officer by notifying the Board's Section 504 specialist in writing at the address listed below. You have the right to be represented by your counsel in the impartial hearing process and to appeal the impartial hearing officer's decision.

For more information, contact:
Dr. Debbie Taylor, Director of Support Services K-5
504 District Coordinator
400 North Church Street
Monroe, North Carolina 28112
704-296-1005

EXCEPTIONAL CHILDREN

The Purpose of Programs for Exceptional Children

The primary purpose for Exceptional Children programs is to ensure that students with disabilities develop academically, mentally, physically and emotionally through the provision of an appropriate and individualized education in the least restrictive environment.

Exceptional Children are students who are unable to have all their educational needs met in a regular class without receiving special education or related services. Classifications of Exceptional Children include those who are autistic, hearing impaired, (deaf or hard of hearing), mentally disabled (educable, trainable or severely-profoundly),

multi-disabled, orthopedically impaired, other health impaired, behaviorally/emotionally disabled, specific learning disabled, speech-language impaired, traumatic brain injured and visually impaired (blind or partially sighted). Exceptional Children programs and services are identified as both instructional programs and instructional support services, depending upon the educational needs of an individual student.

Content Sequence and Learning Outcomes

Curricula for most exceptional children follow the curricula for students in general education. Emphasis is placed on instruction in communication and language arts, social studies, healthful living, mathematics, science and career and vocational education, depending upon the needs of the student. Attention is focused upon cognitive, affective, motor and vocational development within the curricular areas. The Individualized Education Program states in writing the special education programs and services to be provided to each Exceptional Children student.

Where to get Assistance

If you have questions about the need for Exceptional Children services or the programs in your school, contact the school directly. You may also contact the school and ask to speak with the Exceptional Children department chairperson. For additional information or assistance, you may contact.

Exceptional Children Department
Old Post Office
407 North Main Street
Monroe, NC 28112
(Phone) 704-296-6370

Parents' Rights

For a complete explanation about rights as parents of students with disabilities, please consult the *Procedural Safeguards: Handbook on Parents' Rights*, which is available at all schools, from the Exceptional Children department, on the UCPS Web site or from the North Carolina Department of Public Instruction.

Non-Discrimination Policy 1-21

In compliance with federal law, Union County Public School System administers all educational programs, employment activities, and admissions without discrimination because of race, religion, national or ethnic origin, color, age, military service, disability, or gender, except where exemption is appropriate and allowed by law and provides equal access to the Boy Scouts and other designated youth groups.

The Americans with Disabilities Act Title II

The Union County Public Schools Board of Education does not discriminate against any person on the basis of disability in admission or access to the programs, services, or activities of the Union County Public Schools, in the treatment of individuals with disabilities, or in any aspect of operations. The school district does not discriminate on the basis of disability in its hiring or employment practices.

The notice is provided as required by Title II of the Americans With Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973. Questions, concerns or requests for additional information regarding the ADA and Section 504 may be forwarded to the designated compliance coordinators listed below:

For ADA matters relating to facilities:

Union County Public Schools

Dr. Mike Webb, Deputy Superintendent for Instructional Technology & Operations
704-225-8420

For Section 504 matters relating to students:

Union County Public Schools

Dr. Shelton Jefferies, Assistant Superintendent for Auxiliary Services
704-290-1557

For Section 504 matters relating to Employment:

Union County Public Schools

Dr. David Clarke, Deputy Superintendent of Human Resources
704-296-1007

For ADA matters relating to Employment:

Union County Public Schools

Dr. David Clarke, Deputy Superintendent of Human Resources
704-296-1007

Parental Notice

Pursuant to the requirements of the Family Educational Rights and Privacy Act (FEPR), the Union County Public Schools Board of Education (the Board) will share certain student information with Medicaid and its authorized representatives during the 2014-2015 school year. The information will only be used to request reimbursement from Medicaid for certain medical services that the Board provides to students pursuant to their Individualized Education Program under the Individuals with Disabilities Act. The student information is limited and includes the names, birthdates, Medicaid numbers and Social Security Numbers of these students and a description of the type(s) of service(s) provided, the date(s) of service and length of service. Sharing this information with Medicaid and its authorized representatives will not affect the student's premiums, co-pays or services under Medicaid. Sharing the information will enable the Board to receive reimbursement for a portion of the costs of the services. If you are a parent or guardian of a student who may receive such eligible services, or if you have reached the age of 18 and receive or may receive such eligible services, you will receive a consent form to sign at your child's next annual review.

NO CHILD LEFT BEHIND

Overview

The No Child Left Behind Act (NCLB) is a federal law that took effect during the 2002-2003 school year. The law provided an overall system for improving student achievement. The law has three goals:

1. to make sure that all students, including those from low-income families, minority populations and students with disabilities, do well
2. to hold schools responsible if all children do not perform on grade level or above
3. to make sure that there is a highly qualified teacher in each classroom

What does this mean for my child?

Every child in the United States will be required to meet the standards set forth by this law. Under this law, each state is given the flexibility to define its standards in ensuring that students are "proficient" in reading and mathematics. North Carolina has defined those students making a Level III or IV on the End-of-Grade tests in reading and math as being "proficient".

Principals, teachers, parents and students each have a part to play in ensuring the success of each individual child.

How will the law measure student achievement?

Schools must meet Adequate Yearly Progress (AYP), which is the minimum level of improvement as determined by NCLB. This is important for all students. Achievement will be tracked for the school as a whole, as well as smaller subgroups of students identified by race, socio-economics, language skills and disabilities. If even one subgroup does not make AYP, then the entire school does not make AYP.

Elementary/Middle Requirements

All students in grades 3-8 are required to take the End-of-Grade tests in reading and math. During the 2014-2015 school year, students in certain grades will also be required to take a science test. Each population of students in a school must be at or above grade level. Schools must also meet attendance requirements to meet AYP.

High School Requirements

At the high school level, 10th grade students must take a new comprehensive test in reading and math. The goal is to have all students performing at or above grade level (Level III or Level IV) by the end of the 2014-2015 school year. High schools will also be measured on their graduation rates.

ANNUAL EPA MANDATORY ASBESTOS AWARENESS LETTER

As required by the Asbestos Hazard Emergency Response Act of 1986 (AHERA), inspections of all UCPS facilities were completed in 1989 identifying the type, quantity and location of asbestos containing materials (ACM). ACM were found in almost every facility constructed prior to 1989. Schools built during and after 1989 were instructed to use no asbestos materials and this was specifically noted in the school designs.

Asbestos is a naturally occurring mineral and has been used in building materials for many years. Unless it is disturbed or damaged, it poses no health risk.

Management plans have been developed for all facilities regardless of ACM content. Depending upon the condition and potential for exposure, the plan calls for repair, continued surveillance and, in some cases, removal of ACM. Many schools that had asbestos have been renovated to remove all inspected ACM. The plan for your school is located in the front office and is available for review during school hours.

If you have any questions concerning the management plan, please contact:

Jarrod McCraw, Safety & Security Director
704-296-3065 ext. 2268

Annual AHERA Notice

This notice is to inform you, as required by the Federal Asbestos Hazard Emergency Response Act (AHERA), that the documentation for the Union County Public Schools Asbestos Management Plan, the semiannual surveillance inspections and the three-year re-inspection are available for your review in the office of every UCPS school. Information regarding response actions may also be found in the Asbestos Management Plan files located at the Building Services facility.

If you have any questions feel free to contact:

UCPS contact:
Jarrod McCraw, Safety & Security Director
704-296-3065 ext. 2268

ANNUAL PARENT NOTIFICATION (BOE Policy 5-8)

The Board recognizes the critical role of parents in the education of their children. Parents are encouraged to become familiar with programs designed by schools for parental involvement and to actively participate in them. Each school will develop a parental involvement plan, which includes, at a minimum, the Board directives below. This policy applies to the parents, legal guardians, and legal custodians of students who are under the age of 18 and are not married.

ANNUAL NOTIFICATION

Each school must notify parents each year of the following:

- Parental rights related to student records
- Grading practices to be followed at the school and, in high schools, the methods for computing the grade point average that will be used for determining class rank
- A description of the curriculum being offered
- Code of student conduct and school rules on conduct
- Any student performance standards of the Board and school district
- Grievance procedure
- Parental rights related to student surveys
- The approximate dates of any non-emergency, invasive physical examination that is: (a) required as a condition of attendance; (b) administered and scheduled in advance by the school administration; and (c) not necessary to protect the immediate health and safety of students; and their right to opt their child out of any such examination
- The schedule of pesticide use on school property and their right to request notification of nonscheduled pesticide use
- Permissible use of seclusion and restraint in the schools
- The Discrimination, Harassment and Bullying Complaint Procedure
- A report containing aggregate information, including, but not limited to, student achievement (disaggregated by category), graduation rates, performance of the school system and teacher qualifications
- The results of the LEA's yearly progress review of each school
- Dates of district-wide and state-mandated tests that students will be required to take during that school year, how the results will be used, the consequences thereof, and whether each test is required by the State Board of Education or by the local board
- Opportunities and the enrollment process for students to take advanced courses and the value of taking advanced courses
- Information about meningococcal meningitis and influenza, including the causes, the symptoms, the vaccines, how the diseases are spread and places where additional information and vaccinations may be obtained
- For students in Grades 5 through 12, 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 and vaccinations for their children
- Information about and an application form for free and reduced price meals and/or free milk
- For parents of children with disabilities, procedural safeguards
- For parents of students designated as at-risk, a copy of the student's personalized education plan
- For students in Grades K through 2, written notification of the student's reading progress, three (3) times per year following each benchmark assessment and will include: assessment results, whether the student may not reach proficiency by the end of 3rd grade and instructional support activities for use at home.
- Information on the availability of the asbestos management plan and planned or in-progress inspections, re-inspections, response actions and post-response actions, including periodic re-inspection and surveillance activities

- That the school system does not discriminate on the basis of race, color, national origin, sex, disability, or age
- For Title I Schools only:
 - the right to request certain information on the professional qualifications of the student's classroom teachers and paraprofessionals providing services to the child
 - if the student has been assigned or has been taught for at least four consecutive weeks by a teacher who is not "highly qualified" as defined in the No Child Left Behind Act
 - the school's written parental policy, parents' right to be involved in their child's school and opportunities for parents to be involved in the school

OPPORTUNITIES TO WITHHOLD CONSENT

As part of the annual notification process, parents will be notified that consent may be withheld for the following:

- The release of student directory information about his/her child to outside organizations.
- A student's participation in curriculum related to (1) prevention of sexually transmitted diseases, including AIDS, (2) the avoidance of out-of-wedlock pregnancy, reproductive health and safety education.
- A student's use of guidance programs for individual counseling, small group counseling related to addressing specific problems, or referral to community resources on issues of a private nature, as well as information on where to obtain contraceptives or abortion referral services. Neither parental notification nor parental permission is required for large group sessions, initial consultations intended to identify the student's needs or counseling where child abuse or neglect is suspected.
- Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose. Furthermore, parents, upon request, may inspect any instrument used in the collection of such information before the instrument is administered or distributed to students.
- The administration of any third party (non-Department of Education funded) survey containing one or more of the eight items described in Student Records policy 4-14.
- Any non-emergency, invasive physical examination* or screening that is:
 1. Required as a condition of attendance
 2. Administered by the school and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students.

Parents will receive general notification on a yearly basis about routine screenings and notification on case by case basis as needed. In addition, parents may inspect, upon request, any instructional material used as part of the educational curriculum for students by contacting the school principal. Furthermore, parents may opt for alternative assignments for their child(ren) (see policy 5-1).

PARENTAL PERMISSION REQUIRED

A parent wishing to withhold consent must do so in writing after receiving notice. Otherwise,

*Does not include hearing, vision, or scoliosis screening

consent to the programs or an activities is presumed. After the annual notification, the school is not required to provide further notice to the parent as to the manner in which student directory information is used, the curriculum is provided, or the guidance programs are made available.

Written parental permission is required prior to the following activities:

- Medicines administered to students by employees of the school district
- Any release of student records that are not considered directory information unless the release is allowed or required by law
- Providing treatment through the school district health services
- Field trips off campus
- All decisions or actions as required by the IDEA with regard to providing special education or related services to children with disabilities
- Student's participation in surveys funded by the Department of Education that are conducted concerning protected topics
- Disclosure of a student's free and reduced price lunch eligibility status
- Any movie or video with any rating other than General Audiences "G"

WEBSITE NOTIFICATION

The school system shall publish on its website all information required by law, including performance information and information on how state funds have been used to address local educational priorities.

APPEALS POLICY (BOE Policy 4-18)

This policy provides parents/guardians/custodians and students procedures for appeals of decisions made by a school official (teacher, administrator, or other support personnel). Parents who have difficulty preparing appeals because of writing or language difficulties shall receive assistance upon request. Such appeals shall be governed by the following procedures:

- A. School Level Appeals – Appeals of decisions made at the school level should begin at that level. Such appeals shall be made to the principal within 30 days of the school-based decision-giving rise to the concern. The school administration will respond to such appeals within 10 calendar days of receiving notice of appeal.
- B. Superintendent Level Appeals – If the matter is not resolved at the school level, the parent/guardian/custodian and/or student may file an appeal with the Superintendent. Such appeals shall be made in writing and mailed or hand delivered to the Superintendent's office not later than 15 calendar days after the notice of the school's decision. The Superintendent will respond to such appeals in writing, within 10 calendar days of receiving notice of appeal.

At the discretion of the Superintendent/designee a panel may be appointed to review short term suspensions (10 days or less; 6 days or less for condensed academic terms). Further information will be provided to the parents/students prior to such a review.

- C. Board Level Appeals – If the matter is not resolved at the Superintendent's level, the parent/guardian/custodian and/or student may request an appeal to the Board of

Education. Such appeals should be made in writing and mailed or hand-delivered to the Superintendent within 15 calendar days of being notified of the Superintendent's decision. All hearings will be heard by Board panels except when a full Board hearing is required by law. Board panel decisions represent the full board and as such are not appealable to the full Board.

The Board of Education will hear appeals regarding:

1. The assignment of a long term suspension (more than 10 days; more than 6 days for condensed academic terms) to or the expulsion of a student Article 27 of Chapter 115C of the North Carolina General Statutes.
Parents/guardians/custodians and/or students may appear before the Board panel to present their case in closed session. Legal counsel may be present.

Expulsions hearings will be heard by the full Board in closed session. Parents/guardians/custodians and/or students may appear before the full Board to present their case, and may be represented by a licensed attorney at law.

2. School Assignment Decisions, G.S. 115C-369.

Appeals of school assignments will be considered by the Board in closed session. Parents/custodians/guardians and/or students may submit written documentation or sworn affidavits to support their case, but they will not appear before the Board.

3. Loss of credit or retention due to number of absences – Union County Public Schools Attendance Policy 4-1(a), (b), (c).

Appeals of loss of credit or retention due the number of absences will be considered by the full Board in closed session. Parents/guardians/custodians and/or students may submit written documentation or sworn affidavits to support their case, but they will not appear before the Board.

4. Driver's license revocations, G.S. 20-11(N)(1).

Appeals of driver's license revocations will be heard by the full Board in closed session. Parents/guardians/custodians and/or students may submit written documentation or sworn affidavits to support their case, but they will not appear before the Board.

The Board will not hear appeals regarding the following subjects absent an alleged violation of specified law or policy:

- A student's grade in a course or on a test.
- A decision regarding participation in extra-curricular activities.
- A student's schedule or the teacher assigned to teach that class.
- The classification of a student's absences as lawful or unlawful.
- Participation in commencement or promotion exercises.

- Short Term Suspensions and any other disciplinary consequences which do not result in a removal from school.

In its sole discretion, the Board may choose to hear other appeals.

ATTENDANCE: ELEMENTARY SCHOOL (BOE Policy 4-1a)

The Public School Laws of North Carolina require compulsory attendance for all children between the ages of seven and 16 years. Every parent* or person having control of a child between these ages enrolled in the Union County Public Schools is responsible to make sure the child attends school continuously during the time school is in session.

Class attendance, as well as reporting to school on time, is essential to high student achievement. With this in mind, all students are expected to be in attendance each day school is in session, for the entire school day. Furthermore, it is expected that students report to school on time and not be signed out early unless extenuating circumstances exist. **FOLLOWING ANY ABSENCE(S) OR TARDY(IES), A STUDENT IS REQUIRED TO PRESENT WRITTEN DOCUMENTATION FROM THE PARENT/GUARDIAN/CUSTODIAN STATING THE REASON FOR THE ABSENCE OR TARDY.** Written documentation must be presented within three school days after the student returns to school; otherwise, the absence(s) or tardy(ies) will be recorded as unexcused. Upon review of documentation, the absence or tardy will be coded lawful or unlawful based on the criteria set forth below:

CODE 1 - LAWFUL -- See listing below

The following are lawful reasons for school absences:

1. Illness or Injury
2. Death in the Immediate Family
3. Medical or Dental Appointments
4. Court or Administrative Proceedings
5. Religious Observances – a minimum of two days each academic year for observance of an event required or suggested by the religion of the student or the student’s parent(s) with written prior approval from the principal.
6. Educational Opportunity with prior approval by Principal
7. Quarantine
8. Military Deployment – for students attending ceremonies related to military deployment of family members

CODE 2 - UNLAWFUL -- All absences that are not classified as lawful.

CODE 3 - OUT-OF-SCHOOL SUSPENSION (OSS)

Absences include those that are lawful, unlawful, and due to suspension. Students will not be counted absent from school when participating in school sponsored functions.

Upon returning from an absence, students will be given two days to make up the work missed for each day absent. When arrangements are not made to make up work, or if the make-up work is

* Guardians and custodians are also considered parents for purposes of this policy.

not completed in time, the student will receive no credit. Students on out-of-school suspension are expected to complete class work as assigned by the school.

Students in grades K-5 who are absent 20 days, (lawful, unlawful, or OSS) can be retained.

CONSEQUENCES FOR EXCESSIVE ABSENCES

When a student has accumulated three unexcused absences, the principal or designee shall notify the parent/guardian/custodian of the absences. When a student has accumulated six absences for any reason, the principal/designee shall notify the parent/guardian/custodian by mail that the student has accumulated this number of absences, and that the parent/guardian/custodian may need to consult with school personnel pertaining to attendance and possible future consequences. School personnel will be available to assist the student and family in solving any attendance problems. When a student has accumulated ten absences for any reason, the principal/designee shall have a conference with the student and his/her parent/ guardian/custodian to discuss the accumulated absences and to develop a plan relative to school attendance for the remainder of the school year.

When a student accumulates three, six, and/or ten unlawful absences in a school year, the principal/designee will follow the procedures required by law. These procedures include the above referenced notification provisions, referral to school personnel to address the underlying causes of the attendance issues and if, after ten unexcused absences, the principal determines that there has not been a good faith effort on the part of the student and/or parent/guardian/custodian to comply with the attendance requirements, a notification to both the district attorney and department of social services shall be made.

TARDIES

All tardies/early leave will be addressed on a school-by-school basis. Attendance in school for all classes the full time allotted for classes is essential for student success. However, at the 10th unexcused tardy or early leave, the student will be referred to the school attendance counselor for discussion with parents. At the 15th unexcused tardy or early leave, the student and his/her parents will be required to meet with the school principal to determine a plan that allows the student to be on time and in school all day. A student who has been tardy/early leave 20 times (unexcused) may be referred to Truancy Court.

RETENTION APPEAL

A parent* may appeal a decision to retain a student to the school level committee according to the following criteria:

- The student has passed all academic requirements for promotion but has failed to meet the attendance requirement.
- Some absences were due to "special emergencies." (See number 1)

The school principal and/or the student's parent* may appeal the decision of the school level attendance committee to a district level attendance committee.

¹ "Special emergencies" are situations causing a student to be absent which are beyond the student's control.

* Guardians and custodians are also considered parents for purposes of this policy.

Individual schools are required to develop programs to address the academic needs of students who may be failing due to excessive absenteeism. Participation in such programs will be considered by the school level attendance committee. In addition, principals need to take into consideration special emergencies.¹

Principals would be able to promote a student who qualified academically, but has accumulated twenty or more absences during the school year if it serves the best interest of the student.

CHECKS

The district will gladly accept your personal check for fees, lunch and most other payments. However, due to the volume of uncollectible checks that the district receives, Union County Public Schools has contracted with Payliance and Envision Payments for the electronic collection of checks returned for insufficient funds (NSF). In the event your check is returned, your account will be debited electronically for the face amount and fees allowed by the state of North Carolina (currently \$25.00).

Please include the following on your check:

- Drivers License #
- Full Name
- Street Address
- Phone Numbers

If there are any questions, please send e-mail to finance@ucps.k12.nc.us

COMMUNICABLE DISEASES (BOE Policy 4-12)

The board strives to provide a safe and orderly environment for all students and employees. The Board also strives to maintain a balance between the need to educate all eligible students, to protect students and employees' rights, and to control communicable diseases, including HIV and AIDS.

In accordance with the regulations established by the United States Department of Labor pursuant to the Occupational Safety and Health Bloodborne Pathogens Standard, Union County Public Schools shall have in effect a Bloodborne Pathogens Exposure Control Plan. The Plan, which is designed to eliminate or minimize exposure to infectious body fluids and body secretions, shall include specific precautions that must be taken when dealing with blood and other body fluids. The care, referral, and evaluation of students that are suspected to have a blood or body fluid exposure at school/after school activities will be equal to the care given to employees with the exception that costs related to this care will be the responsibility of the family.

Under certain circumstances, students with communicable diseases may pose a threat to the health and safety of other students and staff. Decisions regarding the educational status of students with communicable diseases will be made on a case-by-case basis in accordance with this policy. Nothing in this policy is intended to grant or confer any school attendance or

¹ "Special emergencies" are situations causing a student to be absent which are beyond the student's control.

* Guardians and custodians are also considered parents for purposes of this policy.

education rights beyond those existing by law. This policy shall be shared with school staff annually and with new employees as part of any initial orientation. New employees shall sign a statement verifying this policy has been shared with them.

A. Definition of Communicable Disease

A communicable disease is defined as an illness due to an infectious agent, or its toxic products, which is transmitted directly or indirectly to a person from an infected person or animal.

B. Precautions

In order to prevent the spread of communicable diseases, guidelines for necessary health and safety precautions shall be distributed by the administration and followed by all school district employees. Employees are also required to follow the school system's blood borne pathogens exposure control plan that contains universal precautions and specific work practice controls relating to the handling, disposal and cleanup of blood and other potentially infectious materials. Students should not be involved in the handling, disposal and cleanup of potentially infectious materials unless the student has been specifically trained in the handling of such materials and is qualified to perform first aid services. Faculty should take reasonable precautions to avoid allowing students to come in contact with these substances.

C. Curriculum

The school district will include health, hygiene and safety education in its curriculum. The curriculum will include age-appropriate information concerning safe health practices that will inhibit and prevent the spread of diseases, including HIV and AIDS.

D. Reporting and Notice Requirements

In accordance with G.S. 130A-136, school principals will report suspected cases of communicable diseases, to the county health department. Confidentiality of such reports is protected by law. School principals are presumed by law to be immune from liability for making such reports in good faith. Without releasing any information that would identify the student, the principal also must report suspected cases of communicable diseases, to the superintendent. Additionally, parents shall be notified in a timely manner when their child has potentially been exposed to a communicable disease through the exchange of blood with another individual and it shall be suggested that they contact their private physician or the county health department for consultation.

If the local health director determines that there is significant risk of HIV transmission, the local health director is responsible for determining which school personnel will be informed of the identity of a student with AIDS or HIV infection or other communicable diseases required to be reported. Any employee who is informed or becomes aware of the student's condition shall respect and maintain that student's right of privacy and the confidentiality of his/her records and may not share that information unless specifically permitted to do so by the health director, the student's parents or by other applicable state or federal laws or regulations. Permission from a parent or guardian to share a student's HIV status with other school personnel must be in writing. Any documents related to a student's HIV or AIDS infection shall be retained in a locked cabinet and shall be released or shared only as necessary to comply with this policy. Employees who have such information will sign a statement indicating their pledge to maintain confidentiality. Employees who are informed of the student's condition shall also be provided with appropriate information concerning necessary precautions and made aware of the strict

confidentiality requirements. Release of this confidential information or records, except as permitted by law, constitutes a misdemeanor and may subject the employee to further discipline.

In order to address the needs of the student within the school environment, school employees are required to notify the principal if they are aware or become aware of any student suffering from a communicable disease. Parents shall be encouraged to notify the principal as well.

Students who are immunodeficient, whether due to AIDS or other causes, face increased risk of severe complications from exposure to communicable diseases that appear in the school setting. Accordingly, students and their parents are encouraged to inform the principal in the event a student suffers from any such immunodeficiency. If notified that a student suffers from such immunodeficiency, the principal should request that the notifying party provide information about what types of exposure might put the student at risk and what reasonable practices can be taken in the school setting to minimize risk to the student. Whenever possible, the principal of a school should notify the parents (or the student himself where appropriate) of an infected or immunodeficient student about the presence of chicken pox, influenza, meningococcus, measles or tuberculosis or other contagious disease occurring in the school that may represent a serious threat to the student's health. Students who are removed from school as a result of such conditions will be provided instruction in an appropriate alternative educational setting.

E. Education/School Attendance for Students with AIDS/HIV Infection

Students with AIDS and HIV infection will be permitted to attend school without special restrictions except in accordance with 10A N.C.A.C. 41A .0201-.0204 and this subsection.

When the local health director notifies the superintendent that a student with AIDS or HIV infection may pose a significant risk for transmission, the superintendent, in consultation with the local health director, shall appoint an interdisciplinary committee in accordance with state health regulations and procedures established by the superintendent. The committee is to consult with the local health director regarding the risk of transmission and advise the superintendent regarding the placement of the student. The committee shall include appropriate school system personnel, medical personnel and the student's parent and may include legal counsel. The parent may request additional participants as necessary to appropriately evaluate the risk. The health director shall be responsible for determining whether to add additional members that may be requested by the parents. The superintendent is also to inform the Board whenever a committee has been formed and will advise the Board of the professional composition of the committee.

The interdisciplinary committee will review each case individually in consultation with the local health director to determine (1) the degree to which the student's conduct or presence in school exposes others to possible transmission or other harm, and (2) what risk the school environment may pose to the infected student. If the local health director concludes that a significant risk of transmission exists in the student's current placement, the committee must determine whether an appropriate adjustment can be made to the student's school program to eliminate this risk. If that is not possible, the student shall be provided instruction in an appropriate alternative educational setting, which incorporates

protective measures required by the local health director. If the administrative or instructional personnel on the committee determine that the student has limited strength, vitality or alertness due to a chronic or acute health problem that adversely affects the student's educational performance, they must refer the student for possible identification and placement as a student with special needs.

All deliberations of the interdisciplinary committee will be kept strictly confidential and shared only as allowed by law.

CONNECT-ED MESSAGES (School Closings, announcements, etc.)

Connect-ED is a telephone messaging system that will enable us to personally communicate with parents about emergency situations, school events, school closings and important issues facing your school and our school district. It will allow us the ability to send personalized telephone messages to your family's home, work or cell phones. Essentially, a school principal can make one phone call that reaches all the families associated with his or her school within minutes. Furthermore, the Superintendent can make one phone call that reaches everyone in the entire school district within minutes. It is important that your school has your current phone number so that your child does not miss any important information. **Early Dismissal and school closings will be announced with a Connect-Ed message as well as posted on the website and Radio/TV stations.**

DISCIPLINE POLICY- Please note that, unless specifically defined, the language used in the following Discipline and Code of Conduct Policies shall be defined by their common use.

CODE OF STUDENT CONDUCT (BOE Policy 4-3)

The purpose of the Union County Public School System is to provide education for all students enrolled.

The Union County Public Schools Board of Education believes that self-discipline is the key element in a positive school climate. In order to foster and nurture self discipline among students, schools shall implement programs, practices, and procedures designed to encourage and recognize positive and responsible student behavior. Such programs can be a part of or logical extensions of the schools' character education curriculum. In addition, schools shall provide regular staff development opportunities on such topics as positive discipline, recognition of bullying, conflict resolution, etc. Furthermore, schools shall develop intervention strategies to prevent bullying including bullying via electronic devices (including, but not limited to, phones, computers, pads, and other electronic media/devices).

These proactive measures on the part of schools will provide a balanced approach to the Union County Public Schools' goal of expecting, encouraging, and enforcing acceptable student behavior in all schools, and further serve to promote the school district's core value of design in quality and prevention.

Proper procedural due process shall be followed. A student shall be given an opportunity to seek clarifying information of an incident that may lead to disciplinary action, or contest the appropriateness of a disciplinary action.

Ignorance of these policies does not excuse inappropriate behavior. The welfare of the individual student and of the larger school community is best served when all disciplinary actions and procedures support a positive educational environment.

Each school will establish and enforce reasonable regulations for student behavior.

Students shall receive a handbook containing Attendance Policy and Code of Student Conduct (formerly Student Discipline) at the beginning of each school year. Additional copies may be obtained upon request. Copies of handbooks shall be available in the library, the school office, school counselor's office, and other locations as directed by the principal.

STUDENTS ARE RESPONSIBLE FOR KNOWING THE OFFENSES AND DISCIPLINE/CONSEQUENCES SET IN THE POLICIES. Each student is required to return documentation (provided by school) verifying parents have received and read the Union County Public Schools Code of Student Conduct (formerly Student Discipline). Failure to comply will result in disciplinary action to be determined by the school.

Any student or parent who disagrees with disciplinary action shall have the right to an informal conference with the principal or his/her designee. After exhausting this remedy, the student or parent shall have the right to make a formal protest in writing or in person to the Superintendent of schools. (See policy 4-18 for the appeals process.) Appeals from the decision of the Superintendent shall be in writing or in person to the Union County Board of Education.

1. Penalties for violation of the Code of Student Conduct include:

A. Short-Term Suspension is any out of school suspension of 10 days or fewer (6 days for condensed academic terms).

The principal/designee shall have authority to suspend for a period of 10 days or fewer (6 days for Condensed Academic Terms) any student who willfully violates policies of conduct established by the Board of Education. A student suspended short-term shall be provided the following opportunities:

1. to take any quarterly, semester, or grading period examinations missed during the suspension period.
2. to take home textbooks during the suspension period; and
3. to receive, upon request, any missed assignments and to the extent practicable any materials provided to student to complete these assignments.

B. Long-Term Suspension is any out of school suspension more than 10 days (6 days for Condensed Academic Terms) and/or for the remainder of the semester or school year.

The Superintendent/designee, upon recommendation of the principal, may suspend a student for periods in excess of 10 days (6 days for Condensed Academic Terms) up to the remainder of the semester or school year, but not exceeding the time remaining in the school year, unless the conduct occurs within the last quarter of school when the suspension may continue through the first semester of the following school year or requires a 365-day suspension. Students and parents should note that, generally, long-term suspensions are for the balance

of a semester or school year. In cases where there are fewer than 10 days (6 days for Condensed Academic Terms) left in the semester or school year the long-term suspension can be fewer than 10 days (6 days for Condensed Academic Terms). The student or his parents may request a hearing on the recommendation of the Superintendent/designee before the local Board of Education.

Students who are long-term suspended shall be offered alternative education services, unless the Superintendent provides a significant or important reason for declining to offer such services. Such reasons include but are not limited to: student exhibits violent behavior, student poses a threat to staff or other students, student substantially disrupts the learning process, student engaged in serious misconduct which makes the provision not feasible, appropriate alternative services are not available in the district, or the student fails to comply with reasonable admission conditions.

C. Expulsion is permanent removal from the school system.

The Board of Education may, upon recommendation of the principal and Superintendent, expel any student 14 years of age or older whose continued presence in school constitutes a clear threat to the safety and health of other students or employees. Prior to expelling a student, the Board shall consider if any appropriate alternative educational programs exist.

2. Definitions include:

- A. Disciplinary Reassignment is when a student is reassigned to another full-time educational program which provides the standard course of study and allows for the student to make timely progress toward promotion, is not a long-term suspension and does not require those procedures.
- B. Out of School Suspension is the exclusion of a student from school attendance for disciplinary purposes from the school to which the student was assigned at the time of the disciplinary action.
- C. Parent also means legal guardian, or custodian or caretaker entitled to enroll the student in school.
- D. School property includes all school campuses, school offices, school vehicles, and any school property owned by the School Board. It also includes any property inside the district, and outside the district where the Board of Education exercises any of its duties.
- E. School sponsored event or function includes events in which any Union County School participates to any extent, whether in or out of the school district.
- F. The district is all of Union County and any property outside the county where the Board of Education exercises any of its duties.

3. Corporal Punishment

The Board of Education prohibits corporal punishment, believing that other consequences are more appropriate and effective for teaching self control. No principal, assistant principal, teacher, substitute teacher, any other school system employee, or volunteer may use corporal punishment to discipline any student. Corporal punishment is defined as the physical use of a hand, paddle, or other instrument to administer corrective discipline such as paddling, spanking, or otherwise striking a child. School personnel may use reasonable force in the exercise of lawful authority to restrain or correct pupils and maintain order to prevent immediate threats of harm to person or property:

- a. To correct pupils;
- b. To quell a disturbance threatening injury to others;
- c. To obtain possession of weapons or other dangerous objects on the person, or within the control, of a student;
- d. For self-defense;
- e. For the protection of persons or property; or
- f. To maintain order on school property, in the classroom, or at a school related activity on or off school property.

4. Seclusion, Isolation, Restraint, and Training in Management of Student Behavior

The Board hereby adopts the Deborah Greenblatt Act (N.C.G.S. §115C-391.1) effective at the beginning of the 2006-2007 school year as policy. The Superintendent of Schools is directed to provide the necessary notices and copies of NCGS 115C-391.1 to all school personnel and to parents and guardians at the beginning of each school year. The Superintendent shall make known rules and guidelines to direct school personnel in the permissible use of seclusions and restraints and to provide for notices to parents and guardians of the specified incidents where prohibited procedures have been used.

5. The Board hereby adopts the Jessica Lunsford Act (N.C.G.S. §115C-391(d)(2)) as school policy. The Act provides that the local board of education may expel any student who is a convicted sex offender. If the local board of education determines that a student shall be provided educational services on school property, the student who is a convicted sex offender must be under the supervision of school personnel at all times and may be subject to additional conditions, which if violated may result in additional discipline.

6. Procedures

A. Short-Term Suspension – the following procedures will be used in assigning a short-term suspension:

1. The student will be provided the opportunity for an information hearing with the principal, or designee, unless the continued presence of the student would pose a direct and immediate threat to staff and other students, would substantially disrupt or interfere with the education of others or the maintenance of discipline at the school;
2. The student will be provided with notice of the charges and the basis for the accusation, either orally or in writing;
3. The student has the right to make statements in defense or mitigation of the charges;

4. The parent shall be provided notice by the end of the workday during which the suspension is imposed or if not reasonably possible no more than two days after the suspension is imposed;
5. If English is the second language, where resources are available, the notice shall be provided in English and the language of the parent; and
6. There is no right to appeal the principal's decision to impose a short term suspension.

B. Long-Term Suspension – the following procedures will be used in assigning a long-term suspension:

1. The student will be provided the opportunity for a hearing (if requested within 5 days of the recommendation from the principal) with the following rights: to attend the hearing and be represented by counsel (at own expense); to review any evidence (including documentary and audio or video) that may be presented as evidence at the hearing; question witnesses at the hearing; present evidence on own behalf; have a record made and make own audio recording; a written decision based upon the substantial evidence which includes the basis for the decision, notice of what will be in student's official record and the right to appeal and the procedures to appeal the decision.
2. If no request for a hearing is made within 5 days of the principals' recommendation, the Superintendent will review the recommendation and make a decision based upon Board of Education policy.

C. Expulsion – the following procedures will be used in an expulsion proceeding:

- The same procedures for a long-term suspension are used in an expulsion proceeding except that the decision of the Board shall be based upon clear and convincing evidence.

D. Request for Readmission – any student suspended for 365 days or expelled may request re-admission after 180 days from the beginning of the suspension or expulsion. The Board of Education shall make a determination, within 30 days, after reviewing the documents submitted by the student and the Superintendent (or meeting in person). The student shall be readmitted if the Board determines that the student's presence in school is no longer a threat to the safety of other students or staff. There is no review of the Board's decision. If readmission is granted the student may be assigned to any program within the district and reasonable conditions may be assigned.

7. Responding to Student Altercations and Other Threats to Safety

All school system employees have a duty to be alert at all times to situations that may pose a threat to the safety of students, employees or visitors on school property, at school events or in other situations in which the students are under the authority of school employees. Even an employee who does not have responsibility for supervising students is expected to make an immediate report if the employee observes or has reason to suspect that a situation poses a threat to safety and no administrator, teacher or other supervisory employee is present and aware of the potential threat.

Teachers, teacher assistants, coaches and other employees with responsibility for supervising students will use appropriate student behavior management techniques to maintain order and discipline on school property, at school events and anywhere that students are under the employees' authority. Such employees must enforce the Code of Student Conduct and address student behavior in accordance with the school plan for management of student behavior.

When employees with responsibility for supervising students have personal knowledge or actual notice of a student altercation or other situation that poses an immediate threat to safety, they shall use their professional judgement to determine how best to address the situation to protect the safety of everyone in the vicinity. Emergency procedures identified in a student's Behavior Intervention Plan shall be followed to the maximum extent possible under the circumstances. For minor threats or altercations or altercations involving young children, the employee shall intervene directly to end the fight or address the safety threat if the employee can do so safely. An employee who encounters a situation that cannot be managed safely and effectively by that employee immediately shall request assistance from other employees or administrative staff and shall take steps to remove bystanders from the area. Only the degree of force or physical control reasonably necessary shall be used to re-establish a safe environment.

Employees should take further action as appropriate in accordance with any response protocols established by the principal or superintendent. All employees are responsible for knowing and following such protocols to the fullest extent reasonable under the circumstances at the time. Each school must include a plan to address school safety and discipline concerns.

CODE OF STUDENT CONDUCT – ELEMENTARY SCHOOLS (BOE Policy 4-3a)

The Union County Public Schools Board of Education believes that self-discipline is the key element in a positive school climate. In order to foster and nurture self-discipline among students, schools shall implement programs, practices, and procedures designed to encourage and recognize positive and responsible student behavior. Such programs can be a part of or logical extensions of the schools' character education curriculum. In addition, schools shall provide regular staff development opportunities on such topics as positive discipline, recognizing bullying, and conflict resolution, etc. Furthermore, schools shall develop intervention strategies to prevent bullying.

These proactive measures on the part of schools will provide a balanced approach to the Union County Public Schools' goal of expecting, encouraging, and enforcing acceptable student behavior in all schools, and further serve to promote the school district's core value of design in quality and prevention.

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

Principals should use good judgment when applying these policies. Principals will have the discretion to determine if a violation of the rule, considering mitigating factors, is serious enough to warrant suspension. When students are suspended for violations of this policy, these absences may affect academic standing and promotion. Please refer to the attendance policies #4-1(a) for further information.

In the event a student of Union County Public Schools becomes the victim of violence while on school property during the school day or while attending school sponsored events outside the school day or while attending a school sponsored event not held on school property, the parents of the victim will be notified as soon as possible. The parents will be informed of the nature of the violence, the physical condition of the student, where the student is located and the care being given the student. In addition to the system-wide corrective action, principals have the discretion to notify legal authorities when appropriate.

Additional school level rules will be set by the school site (including but not limited to dress code, honor code and insubordination). There will also be additional rules for riding the bus. A copy of this policy, school level rules will be distributed annually to all students.

DEFINITIONS*

*If a term is not specifically defined, the common use of the word will be applicable.

1. Bans from School Property. Students who are suspended are not entitled, except with the express permission of the site principal, to enter any property of Union County Public Schools. Failure to abide by such restriction will be considered trespassing and will be reported to law enforcement.
2. Disciplinary Reassignment is when a student is reassigned to another full-time educational program which provides the standard course of study and allows for the student to make timely progress toward promotion. This is not a long-term suspension and does not require those due process protections.
3. Multiple Offense designations. For offenses where different consequences are applied depending upon the number of violations, the offense is of the overall (numbered not lettered) rule. For example, violations under the illegal/unauthorized substances rule, number 8, will be considered, not under the individual types of substance. Additionally, the number of violations carries throughout one academic year.
4. Parent includes legal guardians, custodians and caretakers entitled to enroll the student in school.
5. Parent Conferences: A meeting between the student, parent and administrator may be required for a suspension of any length.
6. School Authority: The school has the authority to address any act that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, use of the district Internet system, use of a personal digital device on campus, or off-campus activities that cause or are reasonably expected to cause a direct and immediate impact on the orderly and effective operations of the school or the safety of individuals.
7. School property is the physical premises of all school campuses, bus stops, all vehicles under the control of the district (including but not limited to Yellow School and designated Activity Buses), school sponsored curricular and extra-curricular activities, regardless of where they occur. The administration may also impose consequences for conduct which occurs off campus if it has a direct and immediate effect on maintaining order and discipline in the schools.
8. Suspension: Unless specifically noted, references to suspension are out-of-school suspensions.

REPORTS TO OUTSIDE AUTHORITIES

Under North Carolina Law, principals are required to report to law enforcement when s/he has personal knowledge or actual notice that one of the following acts has occurred on school property: “assault resulting in serious personal injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a weapon in violation of the law, or possession of a controlled substance in violation of the law.” Additionally, any conduct which may be both a violation of this policy and law will be reported to the School Resource Officer.

PROHIBITED BEHAVIORS:

For these prohibited behaviors, the following system-wide corrective actions shall be taken (in addition to any consequences enumerated below each behavior, students will be immediately removed from class, their parent called, referred to the school counselor and may be banned from school property and a parent conference required, as described in the Definitions Section above):

1. **Aggressive Behavior:** Students will not engage in any form of aggressive behavior toward any other student, staff member or other adult in the school. Any assault on a school employee that results in injury must be reported to the principal.
 - a. Physical violence directed toward any school employee or other adult in the school.
 1. First Offense (where there were no serious injuries, multiple aggressors/participants or serious disruption to the academic day): 0-5 days suspension.
 2. Second Offense (where there were no serious injuries, multiple aggressors/participants or serious disruption to the academic day): 1-10 days suspension.
 3. For assaults which result in serious injury or those involving multiple aggressors 5 – 10 days suspension.
 - b. Physical violence directed toward a student. Violations include but are not limited to, any assault, fight, or attempt to cause physical harm to a student or students by another student or students.
 1. First Offense (where there were no serious injuries, multiple aggressors/participants or serious disruption to the academic day): 0-5 days suspension.
 2. Second Offense (where there were no serious injuries, multiple aggressors/participants or serious disruption to the academic day): 1-10 days suspension.
 3. For assaults which result in serious injury or those involving multiple aggressors 5 – 10 days suspension

- c. Threats about or directed toward any other student, staff member or other adult in the school: Any physical, verbal, or written threat (including but not limited to threatening gestures, threats communicated via electronic technology where a connection to the school exists and/or school assignments) directed toward or about any student, staff member or other adult which threatens force, violence, or disruption, or any sign or act which constitutes a threat of force, violence, or disruption.
 1. First Offense: 0-5 days suspension
 2. Second Offense: 1-10 days suspension
 3. Third Offense: 5-10 days suspension

2. False Alarms: In the absence of an emergency, students will not call 911, signal or set off an automatic signal indicating the existence of an emergency, this does not include accidental dialing of 911 so long as no disruption occurs.
 - a. False Fire Alarm
 1. 1-10 days suspension

3. Bomb Threats/Acts of Terror: Students will not make notification (false or otherwise) indicating the presence of a bomb or explosive or threatening an act of terror (false or otherwise), any format, written or verbal, on school property as defined above.
 - a. Bomb Threats (false or otherwise): Making, aiding, and/or abetting in making a bomb threat or perpetrating a bomb hoax against school district property by making a false report that a device designed to cause damage or destruction by explosion, blasting, or burning is located on school property or at a school-sponsored or school-related activity, or

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

 Communication, by any means, knowing or having reason to know it is false, that such a device or components are present or one who intending to perpetrate a hoax brings any such artifacts onto school property or to a school sponsored event.
 - 10 days suspension.
 - b. False Act of Terror or Threatens a False Act of Terror including but not limited to a device, substance, or material designed to cause harmful or life-threatening illness or injury or conspiracy to commit either.
 - 10 days suspension.

4. Weapons (not including firearms and explosives): Students will not possess, handle, use, or transmit, whether concealed or open, any weapon, or any instrument that reasonably looks like a weapon or could be used as a weapon. All weapons will be confiscated immediately and turned over to law enforcement.

Weapons include all of the following:

knife, including a pocket knife, bowie knife, switchblade, dirk, dagger or machete; slingshot; leaded cane; blackjack; metal knuckles or numb-chucks; BB gun; air rifle or air pistol; stun gun or other electric shock weapon; icepick; defensive sprays; razor or razor blade; fireworks; and any sharp pointed or edged instrument, e.g. tools and equipment used for preparation of food, instruction, maintenance, and construction.

Examples of other objects that could be considered weapons are box cutters and other types of utility blades and blowguns. Also included are other instruments that are capable of being used to inflict bodily injury and the circumstances indicate a probability that injury is intended. Also included is LIVE ammunition (shotgun shells, bullets, etc.)

No student may knowingly or willfully cause, encourage or aid any other student to possess, handle or use any of the weapons or weapon-like items listed above. A student who finds a weapon or weapon-like item, who witnesses another student or other persons with such items, or becomes aware that another student or other persons intends to possess, handle or use such items, must notify a teacher or principal immediately. Failure to do so may result in disciplinary action up to and including a maximum of 10 days of suspension.

- a. Possession - 0-10 days suspension
 - b. Use of Weapon - 10 days suspension.
5. Firearms and destructive devices: Students will not bring, possess (regardless of the manner of received or the length of time possessed) or use a firearm, (including but not limited to a starter pistol, gun, rifle, pistol, shotgun, frame, receiver, firearm muffler or silencer), loaded or unloaded or a destructive device (including but not limited to an explosive, incendiary, poison gas, bomb, grenade, rocket with a propellant charge of more than 4 ounces, a missile with a charge of more than ¼ ounce, mine, or similar device) on a school campus or at a school event wherever held as defined by North Carolina General Statutes § 14-269.2b. All firearms and explosives will be confiscated immediately and turned over to law enforcement.
- A suspension of 365 days shall be imposed for violations of this rule. Upon recommendation of the Superintendent, the Board of Education may modify this consequence after a review of the facts and circumstances surrounding the incident and considering alternative educational options for the student.
6. Arson: Students will not start or further a fire on school property, including but not limited to the burning of school property. The student and/or parents will be responsible for paying restitution.
- a. 0-10 days suspension
7. Theft or Vandalism: Students will not steal or vandalize the property of the school, school employees, students or any other person resulting in loss or damage – student and/or parents will be responsible for restitution or return of the property in good condition to the school system or victim.

- a. Theft or vandalism
 1. First Offense: 0-3 days suspension
 2. Second Offense: 0-5 days suspension
8. Illegal/Unauthorized Substances: The following are prohibited on school property or buses, in a private vehicle in a school parking lot, or at any school function wherever held, as defined above. All substances will be immediately confiscated and provided either to law enforcement or a parent, as appropriate.
 - a. Possession, use, being under the influence, sale or exchange of alcohol (including wines, beer, and non-alcoholic beer), illegal drugs, controlled substances, or counterfeit or synthetic drugs on school property or buses, or at any school function wherever held. Drug paraphernalia (defined as to include, but not limited to, rolling papers and scales) is included.
 1. 0-10 days suspension (Student must attend a Drug Education class coordinated by the school system.)
 2. Require substance abuse counseling for parent and student
 - b. Possession or use of tobacco products on school property, when being transported to and from school, participating in school-sponsored events, or while being supervised by a school staff member (for rolling papers see drug paraphernalia as stated above). All tobacco products, including electronic cigarettes and all lighted and smokeless tobacco and/or nicotine products are prohibited and will be confiscated.
 1. Student must attend a class on the effects of using tobacco products that is coordinated by the school system.
 - a. First Offense: Discretionary action by principal which may include suspension – dependent upon specific circumstances.
 - b. Second Offense: 1-3 days suspension
 - c. Third Offense: 2-5 days suspension
 - c. Mercury and/or other dangerous chemicals. In the case of mercury or like substance abuse, parents will be responsible for the cost of any clean-up, repair or damage.
 - a. First Offense: Discretionary action by principal which may include suspension – dependent upon specific circumstances.
 - b. Second Offense: 1-3 days suspension
 - c. Third Offense: 2-5 days suspension
9. Nuisance Items: Students will not possess or use nuisance items including but not limited to: laser pointers, beepers, two-way radios, matches, cigarette lighters, or other like items. These items are prohibited on campus, buses, and/or school events that are extensions of the classroom. Nuisance items kept in locked private vehicles are exempt. No skateboards are allowed on campus at any time. Any nuisance items that results in property damage to the school system or individual will require restitution by the parents

of the perpetrator. All nuisance items will be immediately confiscated and returned to the parent where appropriate. School is not responsible for loss or damage of any of the above names items.

- a. First Offense: Discretionary action by principal which may include suspension – dependent upon specific circumstances.
- b. Second Offense: 1-3 days suspension
- c. Third Offense: 2-5 days suspension

10. Electronic Devices: Students will not possess cellular phone or electronic/media devices except pursuant to an authorized purpose or as an instructional tool under the guidance and direction of a staff member during a school activity. These are prohibited on campus from the first bell of the day through the last dismissal bell. Except as identified above, cell phones must be turned off and out of sight (in book bag, pocket, or purse) at all times. Use of a cell phone is defined as phone ringing, talking on phone, taking pictures, and text messaging. Upon any unauthorized use of an electronic device, said device will be immediately confiscated and returned to the parent where appropriate. School is not responsible for loss or damage of any of the above-named items.

- a. First Offense: Confiscation and warning. If use results in violation of other policies further discipline may be applied.
- b. Second Offense: Confiscation and may include one day in-school suspension or after school detention.
- c. Third Offense: Confiscation and may include one day in-school suspension or after school detention, and cannot bring item to school for the remainder of the school year.

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

11. Abusive Language and Gestures: Students will not use insulting, abusive, profane, obscene, words, signs, gestures, and other acts toward or about any school employee, adult on campus or other student. The discipline to be applied may be dependent upon the severity of offense. This provision includes but is not limited to written assignments and/or electronic devices where a connection to the school exists.

- a. Toward a school staff member or other adult on campus.
 1. First Offense: 0-3 days suspension
 2. Second Offense: 2-5 days suspension
 3. Third Offense: 5-10 days suspension
- b. Toward another student or between students
 1. First Offense: Discretionary action by the principal
 2. Second Offense: 1-3 days suspension

12. Bullying: Bullying is a form of harassment. Under North Carolina Law, bullying is “any pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication, that takes place on school property”, as defined

above, “reasonably perceived as being motivated by any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics”. Bullying may include, but is not limited to: cyber bullying, verbal taunts, name-calling and put-downs, extortion of money or possessions, implied or stated threats and may be directed at the same or different individuals.

- a. First Offense: 0-3 days of suspension at the discretion of the principal
- b. Second Offense: 3-5 days of suspension
- c. Third Offense: 5-10 days of suspension

Cyber Bullying: students may not use a computer or computer network to harass or bully a school employee. Examples of prohibited conduct include:

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

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

13. Leaving the assigned area/school grounds without permission and other attendance violations (i.e. skipping class and truancy): Students must attend school and once at school will remain on campus and in areas designated by school officials at all times.
 1. 2 days suspension and principal discretion which may include additional consequences should the conduct violate other rules in this policy or the bus or school level rules.
14. Sexual Behavior: Students will not engage in any sexual activity on school property.
 - a. Indecent Exposure: Students will not expose private body parts on school property as defined above.
 1. First Offense: 0-3 days suspension
 2. Second Offense: 1-5 days suspension

- b. Sexual Harassment includes but is not limited to the following conduct committed against another student, a staff member or any adult in the school:
- Any “unwelcome” contact of a sexual nature with another’s body (two or more students engaged in this type of behavior against another student, staff member or other adult will receive consequences as prescribed below)
 - Any suggestive comments, propositions, or gestures
 - Any sexually provocative commentaries about the body
 - Any suggestive writing, artworks, or notes
 - Any slurs or innuendoes
1. First Offense: 0-3 days suspension. Principal discretion for more severe action depending upon the severity of the conduct.
 2. Second Offense: 1-5 days suspension

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

- c. Sexual Offense or assault (or any act that would qualify as such if child was of appropriate age).
1. The UCPS Title IX Coordinator, the Department of Social Services and law enforcement shall be notified
 2. 1-10 days of suspension
 3. School placement may be reconsidered once a case has been adjudicated (possible homebound or other instruction).

15. Any behavior that is a continuous disruption to the learning process of and/or safety at the school and has been previously brought to the parent’s attention:
- a. First Offense: Parent contact; discretionary action by the principal
 - b. Second Offense: Parent shadowing and/or 1-3 days suspension; parent conference with the principal.
 - c. Third Offense: 2-5 days suspension

DISCRIMINATION/HARASSMENT/BULLYING (BOE Policy 4-7)

The Board believes that all employees and students should be free of unlawful discrimination, including harassment and bullying, as a part of a safe, orderly and inviting working and learning environment. It commits itself to non-discrimination in all its educational and employment activities. The Board expressly prohibits unlawful discrimination, harassment, or bullying however motivated, directed toward any person or group, including, but not limited 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.

The Board also prohibits retaliation against an employee, student or witness who has exercised any rights made available through state or federal law, including prohibiting retaliation for reporting violations of this policy.

Any violation of this policy is considered serious and appropriate action will be taken.

A. Application of Policy

All persons, (including but not limited to employees, students, and visitors), agencies, vendors, contractors and other persons, and organizations doing business with or performing services for the school district must comply with all applicable state and federal laws and regulations regarding non-discrimination. Visitors also are expected to comply with applicable laws, including the prohibition against harassment and bullying of students and employees. Any employee, student, or volunteer who witnesses or has reliable information that a student has been subject to any act of bullying or harassing behavior shall report the incident to his/her supervisor or the building administrator.

This policy will apply in the following circumstances:

1. while in any school building or on any school premises before, during or after school hours
2. while on any bus or other vehicle as part of any school activity;
3. while waiting at any bus stop;
4. during any school function, extracurricular activity or other activity or event;
5. when subject to the authority of school personnel; and
6. any time or place when the behavior has a direct and immediate adverse effect on maintaining order or discipline in the schools.

B. Definitions

For the purposes of this policy, the following definitions will apply:

1. “Bullying or harassing behavior” is any pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication, that takes place on school property, at any school-sponsored function, or on a school bus or any time or place when the behavior has a direct and immediate adverse effect on maintaining order or discipline in the schools.
2. Unlawful discrimination means any act that unreasonably and unfavorably differentiates treatment of others based solely on their membership in a socially distinct group or category, including, but not limited to race, ethnicity, sex, religion, age, or disability. Unlawful discrimination may be intentional or unintentional.
3. Harassment can be a type of unlawful discrimination. Harassment is unwanted, unwelcomed, and uninvited behavior that demeans, threatens, or offends the victim. The hostile environment can be created through pervasive or persistent misbehavior or a single incident, if sufficiently severe. Harassing behavior may include, but is not limited to epithets, derogatory comments or slurs and lewd propositions, assault, impeding or blocking movement, offensive touching or any physical interference with normal work or movement, and visual insults, such as

derogatory posters or cartoons. Legitimate age-appropriate teaching techniques are not considered harassing behavior.

4. Bullying is a form of harassment. Bullying means the repeated intimidation of others by the real or threatened infliction of physical, verbal, written, electronically transmitted or emotional abuse or through attacks on the property of another. Bullying may include, but is not limited to, verbal taunts, name-calling and put-downs, extortion of money or possessions, implied or stated threats, and exclusion from peer groups.

C. Unlawful Discrimination, Harassment or Bullying Complaint Procedures

1. Students

Students and parents are encouraged to submit any complaints of unlawful discrimination, harassment, or bullying other than sexual harassment, through the Appeals Policy (4-18). The complaint procedure for sexual harassment is established in Policy (4-7b), Sexual Harassment Complaint Procedure for Students. Any such complaints may be made anonymously through the school guidance office or Board Policy 4.7b or 4.18.

2. Employees

Employees are encouraged to submit any complaints of unlawful discrimination harassment, or bullying other than sexual harassment, through the grievance procedure established in Policy 3-10 Grievance Procedure for Employees. The complaint procedure for sexual harassment is established in Policy (3-7b), Sexual Harassment Complaint Procedure for Employees.

3. Investigations

All complaints shall be investigated beginning within 48 hours of receipt of complaints and shall be completed in a timely manner.

D. Non-Retaliation

The Board prohibits reprisal or retaliation against any person who reports an act of unlawful discrimination, harassment, or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the Superintendent or his/her designee, after consideration of the nature and circumstances of the act, in accordance with applicable federal, state or local laws, policies and regulations.

E. Training and Programs

The Superintendent shall designate an employee(s) to participate in training by the Department of Public Instruction pertaining to anti-discrimination, anti-harassment, and anti-bullying. The designee will provide leadership and training in the school district regarding this policy and state requirements.

As funds are available, the board will provide additional training for students and staff regarding the Board's policy on unlawful discrimination, harassment, and bullying and will create programs to address these issues. The Superintendent will ensure that any training or programs provided will include identifying groups that may be the target of unlawful discrimination, harassment or bullying; identifying places at which such behavior may occur including within school buildings, at school bus stops, via the Internet, etc; and providing clear examples of behavior that constitutes unlawful discrimination, harassment, or bullying.

F. Notice

The Superintendent is responsible for providing effective notice to students, parents, and employees of the procedures for reporting and investigating complaints of unlawful discrimination, including sexual harassment and bullying. The school district will investigate complaints of unlawful discrimination and harassment and will take reasonable steps to eliminate the unlawful discrimination or harassment.

G. Coordinators

The Superintendent or his/her designee will publish the names, addresses, and phone numbers of the "Title IX Coordinator" (for sex discrimination), "Section 504 Coordinator" (for unlawful discrimination on the basis of disability), and the "ADA Coordinator" (also for unlawful discrimination on the basis of disability) in a manner intended to ensure that employees, applicants, students, parents, and other individuals who participate in school district's program are aware of the coordinators. The purpose of the coordinator positions is to provide additional protection of non-discrimination rights. The coordinator must either (1) implement a resolution to unlawful discrimination, harassment, or bullying complaint, to the extent a resolution can be reached and the coordinator has the authority to implement corrective action or (2) notify the Superintendent that intervention by other school officials is required to resolve the situation.

H. Records and Reporting

The Superintendent or his/ her designee shall maintain confidential records of complaints or reports of unlawful discrimination which identify the names of any individuals accused of unlawful discrimination and the resolution of such reports or complaints. The Superintendent also shall maintain records of training, corrective actions, and/or other steps taken by the district to help provide an environment free of unlawful discrimination, harassment, and bullying.

The Superintendent shall report to the State Board of Education all verified cases of unlawful discrimination, harassment, or bullying. The report will be made through the Discipline Data Collection Report or through other means required by the State Board.

I. Diversity Programs

The Board is committed to promoting the worth and dignity of all individuals regardless of race, color, religion, national origin, sex, pregnancy, age or disability. The Board directs the Superintendent to establish training and other programs to help eliminate

unlawful discrimination, harassment, and bullying and to foster an environment of understanding and respect for all individuals.

J. Evaluation

The Superintendent is required to evaluate the effectiveness of efforts to correct or prevent unlawful discrimination, harassment, and bullying and will share these evaluations periodically with the Board.

**DISABILITY DISCRIMINATION/ HARASSMENT COMPLAINT
PROCEDURE FOR STUDENTS (BOE Policy 4-7), Administrative Guidelines**

The Board takes seriously all complaints of discrimination. Students and parents are encouraged to submit any complaints of discrimination to the site supervisor. The process provided in this policy is available for students who may have been harassed or discriminated against due to a disabling condition.

A. Informal Resolution

The Board acknowledges that reports of harassment and discrimination may be addressed informally through such methods as conferences or mediation, and the Board encourages the use of such procedures to the extent possible. If an informal process is used the principal or other appropriate personnel must notify the complainant of his or her option to request formal procedures at any time and must make a copy of formal procedures at any time and must make a copy of this policy and other relevant policies available. In those circumstances where informal procedures fail or are inappropriate or where the complainant requests formal procedures, the complaints will be investigated promptly, impartially, and thoroughly according to this policy.

B. Definitions

Accused harasser: the employee, student, or visitor alleged to have harassed the complainant.

Complainant: the parent, student, or staff member reporting a complaint that the student was harassed.

Days: the working days, exclusive of Saturdays, Sundays, vacation days or holidays, as set forth in the school calendar. In counting days, the first day will be the first full working day following receipt of the complaint. After May 1, time limits will consist of all weekdays (Monday – Friday) so that the matter may be resolved before the close of the school term or as soon thereafter as possible.

Investigator: the school official responsible for investigating and responding to the complaint (which may be the principal, assistant superintendent, the District Section 504 Coordinator, or another designated school official).

C. Timeliness of Process

The number of days indicated at each level should be considered a maximum. Every effort should be made to expedite the process. Failure by the investigator at any step to

communicate a decision within the specified time limit will permit the complainant to appeal the complaint to the next step unless the investigator has notified the complainant of the delay and the reason for the delay, such as the complexity of the investigation or report. The investigator will make reasonable efforts to keep the complainant apprised of progress being made during any period of delay. Delays that interfere with exercise of any legal rights are not permitted.

Failure by the complainant or accused harasser at any step to appeal a decision to the next step within the specified time limit will be considered acceptance of the decision at that step, unless the complainant or accused harasser has notified the investigator of a delay, the reason for the delay and the investigator has consented in writing to the delay.

D. General Requirements

1. No reprisals or disciplinary action of any kind will be taken by the Board or by an employee of the school district against any complainant or other student or employee on account of his/her participation in the investigation of a complaint filed and decided pursuant to this policy, unless the complainant or participating student or employee knows or has reason to believe the report is false or knowingly provides false information. The district will also protect individuals from retaliation by students and third parties.
2. All meetings and hearings conducted pursuant to this policy will be private.
3. The Board and school district will consider request to hear complaints from a group, but the Board and officials have the discretion to respond to complainants individually.
4. The complainant or accused harasser may have a representative, including an attorney, at any stage of the complaint.

E. Process for Complaint

1. Reporting Complaint

A complaint must be filed as soon as possible, but no longer than 30 days after disclosure or discovery of the facts giving rise to the complaint. For a complaint submitted after 30 days which claims a violation, misapplication or misinterpretation of state or federal law,

- a. including discrimination, the Superintendent or designee will determine whether the complaint will be investigated after considering factors such as the reason for the delay; the extent of the delay; the effect of the delay on the ability of the school district to investigate and respond to the complaint; and whether the investigation of the complaint is necessary to meet any legal obligations. However, students and parents should recognize that delays in reporting may significantly impair the ability of the school district to investigate and respond effectively to such complaints.
- b. A parent or student should report complaints of harassment to any of the following individuals:
 - principal or assistant principal at the school attended by the student;

- the District Section 504 Coordinator. (See policy 4-7 Prohibition Against Discrimination and Harassment regarding coordinators for further information.)
- c. A student does not have to report an incident of harassment to trigger an investigation if a school official knows or, in the exercise of reasonable care, should have known about the harassment. Any employee, including a teacher or counselor, who has reason to believe that a student may have been harassed, including any employee who has witnessed possible harassment or has received reports by the victim or other individual will notify the principal immediately unless the principal or other school employee is the accused harasser, in which case the employee will notify the Superintendent. An employee who fails to report possible harassment of a student may be subject to disciplinary action and/or legal action. The principal or superintendent/designee will promptly investigate any reports and take appropriate action. The process provided in the policy will be used if at any time a complaint is made by a parent or student. Failure to appropriately investigate and/or address claims of harassment will result in disciplinary action. All reports and resolutions, regardless of whether this policy is used, will be maintained in accordance with policy (See policy 4-7 Prohibition Against Discrimination and Harassment.)
 - d. If the accused harasser is a student or visitor, the principal will respond to the complaint and investigate. If the accused harasser is an employee, the principal will notify the District Section 504 Coordinator immediately of the complaint.
 - e. If the accused harasser is an employee, the District Section 504 Coordinator will respond to the complaint and assign someone to investigate.
 - f. The investigator will notify the District Section 504 Coordinator immediately of the complaint.
 - g. The investigator will explain the process of investigation to the complainant and inquire as to any proposed corrective action.

2. Investigation

- a. The investigator will impartially, promptly, and thoroughly investigate the complaint. The investigator will interview (1) the complainant; (2) the accused harasser; and (3) any other individuals, including other possible victims of harassment, who may have relevant information. The investigator will allow parties, the complainant and the harasser, the opportunity to provide relevant information and evidence and to identify witnesses.
- b. There shall be no face to face confrontations between complainant and accused harasser(s).
- c. Information will be shared only with individuals who need the information in order to appropriately investigate and address the complaint. Any requests by the complainant for confidentiality will be evaluated within the context of the legal responsibilities of the school district. Any complaints withdrawn to protect confidentiality still will be recorded in accordance with Board policy (See policy 4-7 Prohibition Against Discrimination and Harassment).

- d. In assessing whether the conduct complained of was harassment, the investigation will consider all factual information, the context in which the alleged incidents occurred, the age and maturity of the complainant, and other relevant circumstances. If the alleged harasser is a student, the investigator also will consider the age and maturity of the alleged harasser.
- e. The investigator will report to appropriate law enforcement if it appears that laws have been violated.

3. Investigator's Report

The investigator will make a written report of the findings of the investigation. The investigator will notify the complainant, in writing, of the outcome of the investigation within 15 days of receiving the complaint, unless additional time is necessary to conduct an impartial, thorough investigation. At the close of the investigation the complainant will be notified the investigation was conducted, completed and appropriate action was taken.

Information regarding conditions of behavior imposed on the accused harasser will not be given to the complainant, unless the information relates directly to the complainant (e.g., an order requiring the accused harasser not to have contact with the complainant and if the accused harasser will be out of school for a period of time).

- a. The investigator will submit the full report and investigative findings to the District Section 504 Coordinator. The report will specify:
 1. whether the complaint was substantiated;
 2. whether the accused offender violated relevant law or Board policy by his/her actions (regardless of whether the complaint as submitted is substantiated); and
 3. if the investigator determines that disability discrimination/harassment has occurred, the investigator also will specify:
 - reasonable, timely, age appropriate effective corrective action intended to end the harassment and prevent it from reoccurring;
 - as needed, reasonable steps to address the effects of the harassment on the complainant; and
 - as needed, reasonable steps to protect the complainant from retaliation as a result of communicating the complaint,
 - whether law enforcement has been notified.
- b. If the corrective steps involve actions outside the scope of the investigator's responsibilities, the Superintendent also will be notified so that responsibility for the corrective steps can be delegated to the appropriate individual.
- c. The accused harasser will be informed in writing of the results of the investigation in regard to whether the complaint was substantiated, whether the accused harasser violated Board policy or law (regardless of whether the complaint was substantiated), and what, if any, disciplinary actions or consequences will be imposed upon the accused harasser in

accordance with Board policy. The accused harasser may appeal any disciplinary action or consequences in accordance with the provisions below and law. The filing of an appeal by the alleged harasser does not preclude school officials from taking appropriate action to address the alleged harassment.

4. Appeal Of Investigator's Report

If the complainant or accused harasser is dissatisfied with the results of the investigation, an appeal may be made in writing to the District

- a. Section 504 Coordinator within five days of receiving the investigator's response. The District Section 504 Coordinator will review the investigation and make any further investigation necessary and provide a written response within ten days unless additional time is necessary to complete an investigation. If the corrective steps involve actions outside the scope of the District Section 504 Coordinator's authority, the Superintendent also will be notified so that responsibility for taking the corrective steps can be delegated to the appropriate individual.
- b. If the complainant or accused harasser is dissatisfied with the District Section 504 Coordinator's response, an appeal of the decision may be made to the Superintendent. The appeal must be made in writing within five days of receiving the District Section 504 Coordinator's response. 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 will provide a written response within 10 days after receiving the appeal, unless further investigation is necessary.
- c. If the complainant or accused harasser is dissatisfied with the Superintendent's response, an appeal of the decision may be made to the Board within five days of receiving the Superintendent's response. The Board may review the documents, direct any further investigation be conducted before making a determination or take any other steps the Board determines to be appropriate in order to respond.

The Board will hold a hearing pursuant to Board Policy 4-18 upon request of the complainant or accused harasser and at the Board's discretion. The Board will provide a written response within 30 days after receiving the complaint, unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

F. Records

Records will be maintained as required by policy (See policy 4-7 Prohibition Against Discrimination and Harassment).

G. Students will receive this policy on an annual basis.

SEXUAL HARASSMENT COMPLAINT PROCEDURE FOR STUDENTS (BOE Policy 4-7b)

The Board takes seriously all complaints of discrimination. Students and parents are encouraged to submit any complaints of discrimination on the basis of race, religion, national origin, disability, or sex (except sexual harassment) through the appeals procedure established in Board policy 4-18. The process provided in this policy is available for students who believe that they may have been sexually harassed.

A. Informal Resolution

The Board acknowledges that reports of harassment, including sexual harassment, may be addressed informally through such methods as conferences or mediation, and the Board encourages the use of such procedures to the extent possible. If an informal process is used the principal or other appropriate personnel must notify the complainant of his or her option to request formal procedures at any time and must make a copy of formal procedures at any time and must make a copy of this policy and other relevant policies available. In those circumstances where informal procedures fail or are inappropriate or where the complainant requests formal procedures, the complaints will be investigated promptly, impartially, and thoroughly according to this policy.

B. Definitions

Accused harasser: the employee, student, or visitor alleged to have harassed the complainant.

Complainant: the parent, student, or staff member reporting a complaint that the student was harassed.

Days: the working days, exclusive of Saturdays, Sundays, vacation days or holidays, as set forth in the school calendar. **In counting days, the first day will be the first full working day following receipt of the complaint. After May 1, time limits will consist of all weekdays (Monday – Friday)** so that the matter may be resolved before the close of the school term or as soon thereafter as possible.

Investigator: the school official responsible for investigating and responding to the complaint (which may be the principal, assistant superintendent, the Title IX coordinator, or another designated school official).

Sexual Harassment: Sexual harassment is one form of harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when under circumstances described in policy 4-7a. Examples of sexual harassment include, but are not limited to, deliberate, unwelcomed touching of a sexual nature or that takes on sexual connotations; suggestions or demands for sexual involvement accompanied by implied or covert 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's body; sexually degrading words or gestures used toward an individual or to describe an individual; and the display in the work place of sexually suggestive objects or pictures.

C. **Timeliness of Process**

The number of days indicated at each level should be considered a maximum. Every effort should be made to expedite the process. Failure by the investigator at any step to communicate a decision within the specified time limit will permit the complainant to appeal the complaint to the next step unless the investigator has notified the complainant of the delay and the reason for the delay, such as the complexity of the investigation or report. The investigator will make reasonable efforts to keep the complainant apprised of progress being made during any period of delay. Delays that interfere with exercise of any legal rights are not permitted.

Failure by the complainant or accused harasser at any step to appeal a decision to the next step within the specified time limit will be considered acceptance of the decision at that step, unless the complainant or accused harasser has notified the investigator of a delay, the reason for the delay and the investigator has consented in writing to the delay.

D. **General Requirements**

1. No reprisals or disciplinary action of any kind will be taken by the Board or by an employee of the school district against any complainant or other student or employee on account of his/her participation in the investigation of a complaint filed and decided pursuant to this policy, unless the complainant or participating student or employee knows or has reason to believe the report is false or knowingly provides false information.
2. All meetings and hearings conducted pursuant to this policy will be private.
3. The Board and school district will consider request to hear complaints from a group, but the Board and officials have the discretion to respond to complainants individually.
4. The complainant or accused harasser may have a representative, including an attorney, at any stage of the complaint.

E. **Process for Complaint**

1. **Reporting Complaint**

- a. A complaint must be filed as soon as possible, **but no longer than 30 days** after disclosure or discovery of the facts giving rise to the complaint. For a complaint submitted after 30 days which claims a violation, misapplication or misinterpretation of state or federal law, including discrimination, the Superintendent or designee will determine whether the complaint will be investigated after considering factors such as the reason for the delay; the extent of the delay; the effect of the delay on the ability of the school district to investigate and respond to the complaint; and whether the investigation of the complaint is necessary to meet any legal obligations. However, students and parents should recognize that delays in reporting may significantly impair the ability of the school district to investigate and respond effectively to such complaints.

- b. A parent or student should report complaints of harassment to any of the following individuals:
- principal or assistant principal at the school attended by the student;
 - the assistant superintendent for human resources, or the Title IX coordinator. (See policy 4-7 Prohibition Against Discrimination and Harassment regarding coordinators for further information.)
- c. A student does not have to report an incident of harassment to trigger an investigation if a school official knows or, in the exercise of reasonable care, should have known about the harassment. Any employee, including a teacher or counselor, who has reason to believe that a student may have been harassed, including any employee who has witnessed possible harassment or has received reports by the victim or other individual will notify the principal immediately unless the principal or other school employee is the accused harasser, in which case the employee will notify the Superintendent. **An employee who fails to report possible harassment of a student may be subject to disciplinary action and/or legal action.** The principal or superintendent/designee will promptly investigate any reports and take appropriate action. The process provided in the policy will be used if at any time a complaint is made by a parent or student. Failure to appropriately investigate and/or address claims of sexual harassment will result in disciplinary action. All reports and resolutions, regardless of whether this policy is used, will be maintained in accordance with policy (See policy 4-7 Prohibition Against Discrimination and Harassment.)
- d. If the accused harasser is a student or visitor, the principal will respond to the complaint and investigate. If the accused harasser is an employee, the principal will notify the assistant superintendent for human resources immediately of the complaint.
- e. If the accused harasser is an employee, the assistant superintendent for human resources/designee will respond to the complaint and investigate.
- f. The investigator will notify the Title IX coordinator immediately of the complaint.
- g. The investigator will explain the process of investigation to the complainant and inquire as to any proposed corrective action.

2. **Investigation**

- a. The investigator will impartially, promptly, and thoroughly investigate the complaint. The investigator will interview (1) the complainant; (2) the accused harasser; and (3) any other individuals, including other possible victims of harassment, who may have relevant information.
- b. There shall be no face to face confrontations between complainant and accused harasser(s).

- c. Information will be shared only with individuals who need the information in order to appropriately investigate and address the complaint. Any requests by the complainant for confidentiality will be evaluated within the context of the legal responsibilities of the school district. Any complaints withdrawn to protect confidentiality still will be recorded in accordance with Board policy (See policy 4-7 Prohibition Against Discrimination and Harassment).
- d. In assessing whether the conduct complained of was sexual harassment, the investigation will consider all factual information, the context in which the alleged incidents occurred, the age and maturity of the complainant, and other relevant circumstances. If the alleged harasser a student, the investigator also will consider the age and maturity of the alleged harasser.
- e. The investigator will report to appropriate law enforcement if it appears that laws have been violated.

3. **Investigator's Report**

The investigator will make a written report of the findings of the investigation. The investigator will notify the complainant, in writing, of the outcome of the investigation within **15 days** of receiving the complaint, unless additional time is necessary to conduct an impartial, thorough investigation. At the close of the investigation the complainant will be notified the investigation was conducted, completed and appropriate action was taken.

Information regarding conditions of behavior imposed on the accused harasser will not be given to the complainant, unless the information relates directly to the complainant (e.g., an order requiring the accused harasser not to have contact with the complainant and if the accused harasser will be out of school for a period of time).

- a. The investigator will submit the full report and investigative findings to the Title IX coordinator. The report will specify:
 1. whether the complaint was substantiated;
 2. whether the accused offender violated relevant law or Board policy by his/her actions (regardless of whether the complaint as submitted is substantiated); and
 3. if the investigator determines that sexual harassment has occurred, the investigator also will specify:
 - reasonable, timely, age appropriate effective corrective action intended to end the harassment and prevent it from reoccurring;
 - as needed, reasonable steps to address the effects of the harassment on the complainant; and

- as needed, reasonable steps to protect the complainant from retaliation as a result of communicating the complaint,
 - whether law enforcement has been notified.
- b. If the corrective steps involve actions outside the scope of the investigator's responsibilities, the Superintendent also will be notified so that responsibility for the corrective steps can be delegated to the appropriate individual.
- c. The accused harasser will be informed in writing of the results of the investigation in regard to whether the complaint was substantiated, whether the accused harasser violated Board policy or law (regardless of whether the complaint was substantiated), and what, if any, disciplinary actions or consequences will be imposed upon the accused harasser in accordance with Board policy. The accused harasser may appeal any disciplinary action or consequences in accordance with the provisions below and law. The filing of an appeal by the alleged harasser does not preclude school officials from taking appropriate action to address the alleged harassment.

4. **Appeal Of Investigator's Report**

- a. If the complainant or accused harasser is dissatisfied with the results of the investigation, an appeal may be made in writing to the Title IX coordinator within five calendar days of receiving the investigator's response. The Title IX coordinator will review the investigation and make any further investigation necessary and provide a written response within ten days unless additional time is necessary to complete an investigation. If the corrective steps involve actions outside the scope of the Title IX coordinator's authority, the Superintendent also will be notified so that responsibility for taking the corrective steps can be delegated to the appropriate individual.
- b. If the complainant or accused harasser is dissatisfied with the Title IX coordinator's response, an appeal of the decision may be made to the Superintendent. The appeal must be made in writing within five calendar days of receiving the Title IX coordinator's response. 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 will provide a written response within 10 days after receiving the appeal, unless further investigation is necessary.
- c. If the complainant or accused harasser is dissatisfied with the Superintendent's response, an appeal of the decision may be made to the Board within five calendar days of receiving the Superintendent's response. The Board may review the documents, direct any further investigation be conducted before making a determination or take any other steps the Board determines to be appropriate in order to respond.

The Board will hold a hearing pursuant to Board Policy 4-18 upon request of the complainant or accused harasser and at the Board's discretion. The Board will provide a written response within 30 calendar days after receiving the complaint, unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

F. **Records**

Records will be maintained as required by policy (See policy 4-7 Prohibition Against Discrimination and Harassment).

G. Students will receive this policy on an annual basis.

DRESS CODE

For student dress code, please refer to the school level student handbook.

FOOD ALLERGIES (BOE Policy 4-19)

The Union County Board of Education recognizes the increasing frequency and intensity of allergic reactions to foods by certain students and the impact these reactions may have on all children in the educational environment. While it is not possible for the district to eliminate totally the risk of exposure of students with life threatening allergies to certain foods, the Union County Public Schools (UCPS) will:

- Make reasonable efforts to promote and protect the health of children in school by providing food choices that are safe as well as nutritious; and
- provide environments that reduce the risk of ingestion or contact with foods that trigger allergic reactions for students with known life-threatening food allergies.

The Superintendent will adopt administrative guidelines for how the district will develop appropriate accommodations for students with life-threatening allergies to foods.

GANGS: PROHIBITION OF GANGS AND GANG ACTIVITIES (BOE Policy 4-3c)

Introduction

One of the goals of the Union County Public Schools is to provide a safe, orderly, and caring learning environment for all students and staff. The Union County Public Schools have determined that gangs and gang-related activities materially and substantially interfere with the requirements of appropriate discipline in the operation of schools. Therefore, principals shall work with the school's Site-based Management Team to develop prevention and intervention strategies to discourage gangs and gang-related activities. Such strategies and interventions may include support groups, counseling programs, and extra-curricular activities, or other initiatives, as deemed appropriate by the Site-based Team.

- No student shall commit any act that furthers gangs or gang-related activities.

Definitions

A gang is any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts and/or violations of school policy and having a common name and/or common identifying signs, colors, or symbols.

Conduct prohibited by this policy includes:

1. Wearing, possessing, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs or other items which indicate a student's membership or affiliation with a gang.
 - If the principal determines by a reasonable suspicion that any of the items indicated above are gang-related, the principal can ban the wearing or display of such items after giving verbal and written notice to students.
2. Communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.), to convey membership or affiliation in a gang;
3. Defacing school or personal property with gang-related graffiti, symbols or slogans;
4. Extortion or requiring payment of anything of value for "protection", "insurance", or threats, intimidation or other gang-related activities involving any persons(s).
5. Inciting other students to intimidate or to act with physical violence upon any other person related to gang activity;
6. Soliciting others for gang membership; or
7. Committing any other illegal act or other violation of school district policies that relates to gang activity.

Notice of Prohibited Activity

- Schools

The Superintendent or his/her designee shall consult with law enforcement officials to obtain information about gang-related activities, including but not limited to: gang names, gang leaders, gang symbols and gang behaviors. This information shall be shared with principals. Principals shall notify faculty and students of the gangs, their symbols and behaviors prohibited by this policy.

- Business Community

The Superintendent or designee will notify the local Chamber of Commerce if certain garments are determined to be gang related.

- Parents and Community

Principals will provide information to parents and the school community relative to gang activities.

Guidelines for Discipline

If gang-related activity is associated with another act of misconduct, evidence of gang activity shall be considered an aggravating factor and may result in a recommendation for long-term

suspension, even for first offenses. In addition, law enforcement will be notified.

For a first offense, a student will receive a warning when he/she violates this policy, unless the student also violates another provision of the Student Code of Conduct at the same time. Parent notification is required. School based interventions will be initiated at this time. In situations where a violation of this policy occurs in conjunction with a violation of another provision of the Student Code of Conduct, the violation of this policy will be considered an aggravating factor.

For a second offense of this policy, students will be suspended out of school for 3 – 5 days (2 – 3 days for Condensed Academic Terms) dependent upon the nature and severity of the violation. Parent notification is required with a warning that a third such violation will result in recommendation for long-term suspension.

For a third violation/subsequent offense of this policy, students will be suspended out of school for 10 days (6 days for Condensed Academic Terms) with recommendation for long-term suspension.

Training for Staff

Union County Public Schools staff will receive training on how to recognize gangs, their symbols and activities at least annually or more often, as deemed appropriate by the Superintendent.

“HEALTHY SCHOOLS AND HEALTHY YOUTH:”

Information to promote healthy schools and healthy youth per BOE Policy 4-12

Influenza:

What is it? Influenza is a contagious respiratory illness caused by influenza viruses and can be easily spread to others. Infection with flu viruses can result in illness ranging from mild to severe and to life-threatening complications.

What are the symptoms? Symptoms include fever (usually high), headache, extreme tiredness, dry cough, sore throat, runny or stuffy nose and muscle aches. Other symptoms such as nausea and vomiting, and diarrhea are much more common in children than adults.

How is it spread? Flu is spread when a person with the flu coughs, sneezes or speaks and sends the flu virus into the air. The virus enters the nose, throat or lungs of a person and multiplies.

Vaccine Information: The best way to prevent the flu is to get a flu shot. Vaccine against flu is available every year beginning in October through private physicians as well as the Union County Health Department.

Meningococcal Meningitis:

What is it? Meningococcal Meningitis is a form of bacteria meningitis. People sometimes refer to it as spinal meningitis. It is rare but potentially fatal bacterial infection that can cause severe swelling of the fluid around the brain and spinal cord, or a serious blood infection.

What are the symptoms? Symptoms can progress rapidly and may resemble the flu. They can include fever, severe headache, stiff neck, nausea, vomiting, confusion, sleepiness and sensitivity

to light. Some people may develop a rash mainly on their arms and legs. Children with these symptoms should be checked by a doctor right away.

How is it spread? The disease is spread from person to person through the air or by contact with saliva, usually through close, personal contact with an infected person. The disease can be spread through coughing, sneezing, or shared items like a drinking glass.

Vaccine Information: A vaccine against the most common types of the disease is available through private physicians as well as the Union County Health Department.

Additional information regarding these and other important health-related issues is available at the NC Department of Health and Human Services website at www.immunizenc.com, the Centers for Disease Control at www.cdc.gov and the Network for Immunization Information at www.immunizationinfo.org. If you do not have access to a computer, you may obtain this information from your child's school.

INTEGRATED PEST MANAGEMENT (IPM)

Pests are significant problems for people and property both inside and outside the school buildings. IPM is a comprehensive approach that combines effective, economical, environmentally sound, and socially acceptable methods to prevent and solve pest problems. Pests will be managed to:

- Reduce any potential human health hazard or to protect against a significant threat to the public safety.
- Prevent loss or damage to school resources, structures or property.
- Prevent pests from spreading in the community, or to plant and animal populations beyond the school site.
- Enhances the quality of life for students, staff, and others.

The Schoolchildren's Health Act and Union County Public Schools Board Policy (3-32) are both in place to help maintain and control pest problems as well as keeping all people in the school community safe from pest and pesticide applications.

The Schoolchildren's Health Act and UCPS Board Policy 3-32 both require notification to be done for any chemical application made in or around schools. UCPS has a scheduled application of herbicide (weed killer) that can be applied once a month. It will always be the first full week of each month that any herbicide application will be made unless unwanted weather comes into play. At the bottom of this page you will see the school years herbicide application schedule. If weather doesn't cooperate with this schedule then a 72 hour notice will be required before any application can be made. This 72 hour notification will also take place for fire ant treatments and any other unscheduled application of pesticides in or around school grounds. This notification will be done by a recorded phone message that parents, staff, and students will receive prior to application. If an emergency situation occurs then the application will take place and you will be notified after the application. All unscheduled applications will be taking place when either the students are not in the school or not in the area that needs to be treated.

The IPM Specialist for Union County Public Schools is Conrad Wright. The IPM Specialist will also help teachers, students, staff members, and parents understand what Integrated Pest Management is and how it will be safer for people and the environment. You can contact

Weed Killer Application Schedule 2014-2015 School Year

July 7-11, 2014
August 4-8, 2014
September 8-12, 2014
October 6-10, 2014
November 3-7, 2014
December 1-5, 2014
January 5-9, 2015
February 2-6, 2015
March 2-6, 2015
April 6-10, 2015
May 4-8, 2015
June 1-5, 2015
June 8-12, 2015

INTERNET USE (BOE Policy 5-20)

ACCESS TO INFORMATION SYSTEMS/ACCEPTABLE USE

The Union County Board of Education recognizes that telecommunications and other new technologies change the ways that information may be accessed, communicated and transferred by members of society. These changes will alter instruction and student learning. The Board generally supports access by students to rich information resources along with the development by staff of appropriate skills to analyze and evaluate such resources. Electronic information research skills are now fundamental to preparation of citizens and future employees in the Information Age. To enhance student learning and teaching, electronic resources will be used:

- To support the Union County Public Schools Curriculum and the North Carolina Standard Course of Study
- To provide additional information opportunities focusing on information retrieval, searching strategies, research skills and critical thinking
- To promote lifelong learning.

Students are responsible for appropriate behavior on school computers just as they are in a classroom or school hallway. Electronic communication in schools is public in nature. General school rules for behavior and communications apply as outlined in Board Policy. Computer resources are provided for students to conduct research and communicate with others. Access to computers and electronic resources will be provided to students who agree to act in a considerate and responsible manner.

Students will be allowed to use telecommunications and electronic information resources for academic purposes unless parents indicate in writing that they do not wish their children to have such access. Ultimately, parents and guardians are responsible for setting and conveying the standards that their children should follow when using information sources at home or at school.

Union County Public Schools are committed to the safety of children while using Internet resources. To this end, schools will engage the use of filtering software designed to prevent access to pornography, obscene content, and other materials that may be harmful to minors. During school, teachers will guide students toward appropriate materials. It is impossible to control all resources and the determined user may find controversial materials, racially insensitive content or information that may even be offensive to some. Although the school system provides software that blocks access to inappropriate content on the Internet, new sites appear daily.

Benefits to students of access to information resources, the practice of electronic research skills, and opportunities for collaboration far exceed the disadvantages of possibly accessing controversial materials. The system does not condone the use of such materials and takes all reasonable precautions to limit access to them by using software programs which may block them, by providing adult supervision, and by training students to use the service responsibly. Computer storage areas may be treated as school lockers. Administrators may review files and communications to maintain system integrity and insure that users are acting responsibly. Users shall not expect that files stored on school equipment will be private.

Students and parents must be aware that access to electronic resources will be withdrawn from users who do not respect the rights of others or who do not follow the rules and regulations established by the Union County Public School System and the individual schools. Individuals who use the school's electronic resources to communicate information that is protected by law, such as student or staff confidential personnel or disciplinary information, copyrighted or protected material, may forfeit all rights to further use and be subject to disciplinary as well as legal action. Students gaining access to unauthorized files will be subject to disciplinary action up to suspension and/or legal action.

INTERNET SAFETY (BOE Policy 5-21)

A. INTRODUCTION

It is the policy of the board to: (a) prevent user access via its technological resources to, or transmission of, inappropriate material on the Internet or through electronic mail or other forms of direct electronic communications; (b) prevent unauthorized access to the Internet and devices or programs connected to or accessible through the Internet; (c) prevent other unlawful online activity; (d) prevent unauthorized online disclosure, use or dissemination of personal identification information of minors; and (e) comply with the Children's Internet Protection Act.

B. DEFINITIONS

1. Technology Protection Measure

The term "technology protection measure" means a specific technology that blocks or filters Internet access to visual depictions that are obscene, child pornography or harmful to minors.

2. Harmful to Minors

The term "harmful to minors" means any picture, image, graphic image file or other visual depiction that:

- a. taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex or excretion;
- b. depicts, describes or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts or a lewd exhibition of the genitals; and
- c. taken as a whole, lacks serious literary, artistic, political or scientific value as to minors.

3. Child Pornography

The term “child pornography” means any visual depiction, including any photograph, film, video picture or computer or computer-generated image or picture, whether made or produced by electronic, mechanical or other means, of sexually explicit conduct, where:

- a. the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
- b. such visual depiction is a digital image, computer image or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or
- c. such visual depiction has been created, adapted or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

4. Sexual Act; Sexual Contact

The terms “sexual act” and “sexual contact” have the meanings given such terms in section 2246 of title 18, United States Code.

5. Minor

For purposes of this policy, the term “minor” means any individual who has not attained the age of 17 years.

C. ACCESS TO INAPPROPRIATE MATERIAL

To the extent practical, technology protection measures (or “Internet filters”) will be used to block or filter access to inappropriate information on the Internet and World Wide Web. Specifically, blocking will be applied to audio and visual depictions deemed obscene or to be child pornography or harmful to minors. Student access to other materials that are inappropriate to minors will also be restricted. The board has determined that audio or visual materials that depict violence, nudity or graphic language that does not serve a legitimate pedagogical purpose are inappropriate for minors. The superintendent, in conjunction with a school technology and media advisory committee, shall make a determination regarding what other matter or materials are inappropriate for minors. School system personnel may not restrict Internet access to ideas, perspectives

or viewpoints if the restriction is motivated solely by disapproval of the viewpoints involved.

Subject to staff supervision, technology protection measures may be disabled during use by an adult for bona fide research or other lawful purposes.

D. INAPPROPRIATE NETWORK USAGE

All users of school system technological resources are expected to comply with the requirements established in Policy 5-20 Computers, Networks and Related Technologies. In particular, users are prohibited from: (a) attempting to gain unauthorized access, including “hacking”, and engaging in other similar unlawful activities; and (b) engaging in the unauthorized disclosure, use or dissemination of personal identifying information regarding minors.

E. EDUCATION, SUPERVISION AND MONITORING

To the extent practical, steps will be taken to promote the safety and security of users of the school system’s online computer network, especially when they are using electronic mail, chat rooms, instant messaging and other forms of direct electronic communications. It is the responsibility of all school personnel to educate, supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy, the Children’s Internet Protection Act, the Neighborhood Children’s Internet Protection Act and the Protecting Children in the 21st Century Act.

Procedures for the disabling or otherwise modifying any technology protection measures are the responsibility of the technology director or designated representatives.

The technology director or designated representatives shall provide age-appropriate training for students who use the school system’s Internet services. The training provided will be designed to promote the school system’s commitment to educating students in digital literacy and citizenship, including:

1. the standards and acceptable use of Internet services as set forth in Policy 5-20 Computers, Networks and Related Technologies;
2. student safety with regard to safety on the Internet, appropriate behavior while online, including behavior on social networking websites and in chat rooms, and cyberbullying awareness and response; and
3. compliance with the E-rate requirements of the Children’s Internet Protection Act.
4. Following receipt of this training, the student must acknowledge that he or she received the training, understood it and will follow the provisions of Policy 5-20 Computers, Networks and Related Technologies.

The superintendent shall develop any regulations needed to implement this policy and shall submit any certifications necessary to demonstrate compliance with this policy.

MEDICATION (BOE Policy 4-6)

PART I

- A. The Board of Education discourages the use and administration of medication at school but realizes that sometimes it is necessary for the health of the student.
- B. All medications that can be given outside school hours without adversely affecting the health of the student should not be administered at school during school hours. Reasonable efforts should be made by the parent or guardian to obtain physician permission to adjust the dosages of medication prescribed so it can be given at home before and/or after school hours.
- C. Pursuant to N.C. Gen. Stat. § 115C-375.1, the Board of Education authorizes teachers, substitute teachers, student teachers, instructional assistants, school secretaries and office personnel, guidance counselors, assistant principals, and principals to administer medications prescribed by a health care provider upon written request of a parent or guardian or to administer non-prescription medications upon the request of a parent or guardian as provided in this policy. Each principal will designate the person(s) responsible for giving medication at his/her school. The person(s) will receive annual training in safe, accurate medication administration procedures with the school nurse.

Students who are at risk for a medical emergency will have an Individual Medical Plan on file in their cumulative folder with a copy kept in an accessible, central location, describing the nature of the problem and the intervention and equipment needed to manage such an emergency. The Individual Medical Plan must be signed by the parent/guardian and the principal. All other supervisory personnel will be advised of the contents and implementation of the plan.

- D. When medication is to be administered in school, school personnel shall communicate with the student's parent or guardian about its administration at school and explain the Board's policy and its procedures for the administration of medications at school.
- E. The responsibilities of the parent or guardian are:
 - 1. Obtain and return to school a medication consent form signed by the doctor and parent/guardian for all medications to be administered at the school (including prescription and over the counter)
 - 2. Medication shall be hand-delivered by the parent/guardian to the school in the original prescription bottle or the original over the counter packaging.
- F. No medication may be administered by school personnel to students without the written authorization of the student's parents or guardian. However, oral approval may be accepted in an emergency, if:
 - 1. It is determined to be in the best interests of the child;
 - 2. The oral authorization is witnessed by two school employees;
 - 3. A written record of the date, time, and specifics of the verbal authorization, with the signatures of the witnesses, shall be made on the medication log; and
 - 4. A written authorization is provided by the parent or guardian within 24 hours.

- G. A locked storage area will be provided at each school for the storage of medication. Exceptions may be made for medication requiring refrigeration. A staff member appointed by the principal shall be responsible for the security and administration of medication. An alternative person shall be identified to fill in when needed.
- H. A daily medication log shall be maintained by the trained designated individual for each student receiving medication. The individual shall record on the log the name of medication, date, dosage, and time of each administration. The log also shall reflect whether or not the medication was prescribed and whether it was "as scheduled" or "as needed". All controlled tablets/capsules received at school for students will be counted and the number will be recorded. School staff that are called upon to administer medication in unusual circumstances (ie. during testing, field trips, etc.) should meet with the nurse for instruction in handling medications before the specific event occurs.
- I. All notes, forms and individual student logs will be kept together in the student's Individual Health Record. Short-term medication logs will be kept at the school for a period of three (3) years.
- J. The school nurse will review the medication log and forms authorizing the administration of the medications at school periodically and will serve as a consultant to the school.
- K. Change in dosage of medication can be made with a written note or fax from the health care provider. Consent Forms sent by fax are acceptable.
- L. It is the intent of this policy to discourage students from bringing prescription and non-prescription drugs to school and administering such drugs to themselves without the assistance of school officials. Neither the Board of Education nor any of its employees are responsible for the improper self-administration of non-prescription or prescription drugs at school.
- M. No student can possess, use or transmit any drug or counterfeit drug prohibited by board policy. No medications will be sent home with children (exception: emergency medicines, i.e. epi pen, inhaler).

PART II.

Possession and self-administration of asthma medication by students with asthma or students subject to anaphylactic reactions, or both.

A student with asthma or a student subject to anaphylactic reactions, or both, may possess and self-administer asthma or another prescribed medication on school property during the school day, at school-sponsored activities, or while in transport to or from school or school-sponsored events as provided by N.C. Gen. Stat. § 115C-375.2 and this policy. As used in this policy, "asthma medication" means a medicine prescribed for the treatment of asthma or anaphylactic reactions and includes a prescribed asthma inhaler or epinephrine auto-injector.

- A. Pursuant to state law and this policy, the student's parent or guardian is required to provide to the school:

1. Written authorization from the student's parent or guardian for the student to possess and self-administer asthma medication.
 2. A written statement from the student's health care practitioner verifying that the student has asthma or an allergy that could result in an anaphylactic reaction, or both, and that the health care practitioner prescribed medication for use on school property during the school day, at school-sponsored activities, or while in transit to or from school or school-sponsored events.
 3. A written statement from the student's health care practitioner who prescribed the asthma medication that the student understands, has been instructed in self-administration of the asthma medication, and has demonstrated the skill level necessary to use the asthma medication and any device that is necessary to administer the asthma medication.
 4. A written treatment plan and written emergency protocol formulated by the health care practitioner who prescribed the medicine for managing the student's asthma or anaphylaxis episodes and for medication use by the student.
 5. A statement provided by the school and signed by the student's parent or guardian acknowledging that the Union County Public Schools and its employees and agents are not liable for an injury arising from a student's possession and self-administration of asthma medication.
 6. Any other items necessary to comply with State and federal laws.
- B. The student must demonstrate to the school nurse, or the nurse's designee, the skill level necessary to use the asthma medication and any device that is necessary to administer the medication.
- C. The student's parent or guardian shall provide to the school backup asthma medication that shall be kept at the student's school in a location to which the student has immediate access in the event of an asthma or anaphylaxis emergency.
- D. Information provided to a school by the student's parent or guardian shall be kept on file at the student's school in a location easily accessible in the event of an asthma or anaphylaxis emergency.
- E. If a student uses asthma medication prescribed for the student in a manner other than as prescribed and in violation of the Board's policies and administrative guidelines, a school administrator may impose on the student disciplinary action according to the Board's student discipline policies. A school administrator may not impose disciplinary action that limits or restricts the student's immediate access to the asthma medication.
- F. The requirement that permission granted for a student to possess and self-administer asthma medication shall be effective the current school year and must be renewed annually.
- G. Pursuant to N.C. Gen. Stat, § 115C-375.2, no local Board of Education, nor its members, employees, designees, agents, or volunteers, shall be liable in civil damages to any party for any act authorized by this subsection, or for any omission relating to that act, unless that act or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing.

- H. Written information maintained by the school or school personnel regarding a student's medical and health needs is confidential. Parents and students must be accorded all rights provided by the Family Educational Rights and Privacy Act and state confidentiality laws. Any employee who violates the confidentiality of the records may be subject to disciplinary action.
- I. Students with special needs will be afforded all rights provided by federal and state law as enumerated in the Procedures Governing Programs and Services for Children with Special Needs. Students with disabilities also will be accorded all rights provided by antidiscrimination laws, including Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

STUDENT PROMOTION AND ACCOUNTABILITY (BOE Policy 5-12)

A. PURPOSE

The board believes that students should progress to the next level of study only after they are proficient in their knowledge and application of the current curriculum level. To the extent reasonably possible, students should be given as much time or as little time needed to be proficient at a particular level of study. Each placement decision shall consider the best interests of the child and the school system. Local and state student standards and performance guidelines are based on the need to provide early intervention and ongoing assistance to students who are not performing on a proficient level.

B. STANDARDS FOR PROGRESSION

The superintendent shall establish standards and a process for determining a student's readiness to progress to the next level of study. The standards must provide multiple criteria for assessing the student's readiness, such as standardized tests, grades, a portfolio or anthology of the student's work and, when appropriate, consideration of accepted standards for assessing developmental growth. Principals shall ensure that the standards are used by teachers and school administrators in assessing each student's readiness to progress to the next level of study. Principals have the authority to promote and to retain students based upon the standards set by the local board and the State Board of Education.

C. STUDENT ACCOUNTABILITY AND PROMOTION STANDARDS

In addition to any other promotion standards established by the board and/or superintendent, students must also meet the following promotion and accountability standards, as set forth by the North Carolina State Board of Education, including the following specific requirements for promotion.

1. Kindergarten

Kindergarten students start school with a wide range of prior experiences and background. Therefore, it is especially important to assess the growth from the beginning to the end of the year. Growth is documented on an ongoing basis using multiple formal and informal assessments along with teacher observations. If a student is not making expected progress in the content areas, intervention and ongoing support should begin immediately, and a Personal Education Plan (PEP) including intervention strategies must be developed. Parents shall be invited to

participate in the PEP development. Absences can impact promotion decisions. Retention should be considered as a last resort.

2. Grades 1 & 2

Students in first and second grade are administered formal and informal assessments in reading, writing, and mathematics on a regular basis. Instruction is differentiated to meet individual needs. When a student is not making adequate progress as determined by system benchmarks, intervention and ongoing support should begin immediately, and a PEP to address intervention strategies must be developed or revised. Parents shall be invited to participate in the PEP development/revision. Absences can impact promotion decisions. Retention should be considered as a last resort.

3. Grade 3

To be promoted to the next grade level, students in grade three must score at least an Achievement Level III on end-of-grade tests in both reading and mathematics, unless otherwise determined by the school principal in accordance with Subsection F of this policy or the Superintendent pursuant to state law. When a student is not making adequate progress as determined by system benchmarks, intervention and ongoing support should begin immediately. Students who do not score at Level III or above on the first administration of EOG tests will be retested, when a retest is available, in accordance with State Board of Education policy. The superintendent shall develop, in accordance with State Board policy, procedures addressing personalized education plans and promotion requests for students who fail to score at Level III or above. Parents shall be invited to participate in the PEP development/revision. Absences and previous retentions can also impact promotion decisions.

4. Grade 4

To be promoted to the next grade level, students in grade four must score at least an Achievement Level III on end-of-grade tests in both reading and mathematics. When a student is not making adequate progress as determined by system benchmarks, intervention and ongoing support should begin immediately. Students who do not meet the promotion standards will be required to receive remediation and retesting, when a retest is available. Students who do not score an Achievement Level III in reading and mathematics after receiving remediation and retesting may not be promoted, unless otherwise determined by the school principal in accordance with Subsection F of this policy. A PEP must be developed for these students to address targeted interventions. Parents shall be invited to participate in the PEP development/revision. Absences and previous retentions can also impact promotion decisions.

5. Grade 5

To be promoted to the next grade level, students in grade five must score at least an Achievement Level III on end-of-grade tests in both reading and mathematics. When a student is not making adequate progress as determined by system benchmarks, intervention and ongoing support should begin immediately.

Students who do not score at Level III or above on the first administration of EOG tests will be retested, when a retest is available, in accordance with State Board of Education policy. The superintendent shall develop, in accordance with State Board policy, procedures addressing personalized education plans and promotion requests for students who fail to score at Level III or above. Parents shall be invited to participate in the PEP development/revision. Students who do not score an Achievement Level III in reading and mathematics after receiving remediation and retesting may not be promoted, unless otherwise determine by the school principal in accordance with Subsection F of this policy. Absences and previous retentions can also impact promotion decisions.

6. Grade 6

A PEP must be developed for students who do not score at least an Achievement Level III on the end-of-grade tests in reading or mathematics in grade five. Parents shall be invited to participate in the PEP development/revision.

To be promoted to the next grade level, students in grade six must score at least an Achievement Level III on the end-of-grade tests in both reading and mathematics, unless otherwise determined by the school principal in accordance with Subsection F of this policy. When a student is not making adequate progress as determined by system benchmarks, intervention and ongoing support should begin immediately. Students who do not meet the promotion standards will be required to receive remediation and retesting, when a retest is available. Students who do not score an Achievement Level III in reading and mathematics after receiving remediation and retesting may not be promoted, unless otherwise determined by the school principal in accordance with Subsection F of this policy. Attendance and past retentions can also impact promotion decisions.

7. Grade 7

A PEP must be developed for students who do not score at least an Achievement Level III on the end-of-grade tests in reading or mathematics in grade six. Parents shall be invited to participate in the PEP development/revision.

To be promoted to the next grade level, students in grade seven must score at least an Achievement Level III on the end-of-grade tests in both reading and mathematics. When a student is not making adequate progress as determined by system benchmarks, intervention and ongoing support should begin immediately. Students who do not meet the promotion standards will be required to receive remediation and retesting, when a retest is available. Students who do not score an achievement Level III in reading and mathematics after receiving remediation and retesting may not be promoted, unless otherwise determined by the school principal in accordance with Subsection F of this policy. Attendance and past retentions can also impact promotion decisions.

8. Grade 8

A PEP must be developed for students who do not score at least an Achievement Level III on the end-of-grade tests in reading or mathematics in grade seven. Parents shall be invited to participate in the PEP development/revision. When a

student is not making adequate progress as determined by system benchmarks, intervention and ongoing support should begin immediately. To be promoted to the next grade level, students in grade eight must score at least an Achievement Level III on the end-of-grade tests in both reading and mathematics, unless otherwise determined by the school principal in accordance with Subsection F of this policy. Students who do not score at Level III or above on the first administration of EOG tests will be retested, when a retest is available, in accordance with State Board of Education policy. The superintendent shall develop, in accordance with State Board policy, procedures addressing personalized education plans and promotion requests for students who fail to score at Level III or above. Attendance and past retentions can also impact promotion decisions.

Note: Generally, no student should be retained more than once in grades K-3, 4-6, or 7-8. Retention, as a general rule, should be used as a last resort after remediation, re-teaching, and retesting. Principals shall retain the statutory authority to grade and classify students.

9. High School End-of-Course Tests

Students enrolled in all End-of-Course (EOC) courses must score at least an Achievement Level III or above. In addition, students who do not score at Level III or above on the first administration of EOC tests will be retested, when a retest is available, in accordance with State Board of Education policy. For courses where there is not an EOC test, there will be a Common Core Exam, district made and/or teacher made examination.

When a student is not making adequate progress as determined by system benchmarks, intervention and ongoing support should begin immediately. The superintendent shall develop, in accordance with State Board policy, procedures addressing personalized education plans and promotion requests for students who fail to score at Level III or above or otherwise earn a passing score. Students must also meet all other course requirements (attendance, written work, test scores, homework, etc.) in order to receive credit for the courses.

The End of Course (EOC) test, Common Core Exam and other Exam results shall count as twenty- five percent (25%) of a student's final grade in each class.

10. Diploma Standards (effective beginning with class of 2003)

To receive a North Carolina high school diploma, all students must meet all existing local and state graduation requirements.

11. UCPS Diploma Standards (effective beginning with class of 2010)

Students entering the ninth grade for the first time in 2006-07 and beyond must meet UCPS exit standards. The exit standards will apply to all students except for those enrolled in the Occupational Course of Study. Students will be required to perform at Achievement Level III (with one error of measurement) or above on three End-of-Course (EOC) assessments:

- Biology
- English II
- Algebra I

Students following the Occupational Course of Study must meet rigorous exit standards as outlined in State Board of Education Policy HSP-N-004 (16 NCAC 6D. 0503).

Beginning in the 2014-2015 school year, students will be required to successfully complete cardiopulmonary resuscitation instruction.

Remediation

Careful review of the student's previous school record will identify students who need special assistance in meeting the test standards. Each school must provide remediation before school hours, after school hours, during the school day, on Saturday, and/or during the summer-consistent with its own School Improvement Plan.

12. Teacher Responsibilities

The teacher is responsible for early assessment of a student's ability and providing opportunities for remediation during the school year. The teacher shall be responsible for early notification to parents that their student is in danger of failure. The teacher will also inform parents if their child fails to meet the test standards and must notify them of opportunities for retesting.

Records of any student who fails to meet the standards of the policy must be reviewed by an accountability review committee comprised of school-based staff who do not currently teach the student to determine if the student is eligible for a waiver. Waivers are based on other evidence of on-grade level performance, previous retentions, exceptional children's status, or Limited English Proficiency.

13. Parent Responsibilities

Parents are responsible for contacting the teacher regarding their child's progress and teacher expectations. They will also be expected to sign an agreement to be a partner in their child's education.

D. OPPORTUNITIES FOR RETESTING, IF AVAILABLE, TO MEET STUDENT ACCOUNTABILITY STANDARDS

1. Grades 3 through 8

Students in grades 3 through 8 who score below Level III on the state end-of-grade reading and mathematics tests must be provided intervention in the area(s) of deficiency. Following remediation, students must be given a second test, when a retest is available, within 21 days from the receipt of test results, but before the end of the school year. If a student has achieved at Level III (or Level II with one standard error) or better in both reading and mathematics after retest one, the

student shall be promoted, provided that other promotion criteria also=are met. If the student does not score at Level III with at least one standard error on the second test in the area(s) of deficiency, the student again will be referred to the accountability review committee.

2. Class of 2010 and Beyond

- If a student passes the course and scores below Achievement Level III on an end-of-course test (i.e. standard administration with or without accommodations) the student must be given a retest, when a retest is available, no later than three weeks from the receipt of test results.
- Following intervention/remediation, the retest/evaluation, when a retest is available, occurs.
- If the student does not score Achievement Level III or above on the second retest/evaluation, when a retest is available, documentation (e.g. a portfolio) of the student's performance in the EOC course must be updated.
- The student's documentation (e.g. portfolio) is reviewed by an accountability review committee to determine if the exit standard for that course has been met. The accountability review committee must consist of school-based staff who do not teach the student during the current semester. An Exceptional Children's (EC) teacher must be present if the student has exceptional needs. A Limited English Proficient (LEP) teacher must be present if the student is identified as LEP. The accountability review committee has the option of recommending that the student (1) retake the course, (2) be provided additional remediation, or (3) based on the documentation, has met the requirements for the UCPS exit standard associated with the course.
- The principal reviews the recommendation by the committee and makes the final decision regarding the student meeting the UCPS exit standard for the course.

3. High School Diploma Standards

- a. High school students must meet the graduation requirements for North Carolina.
- b. The standards are effective with the class of 2010.

- Test Requirements

Students must pass (Level III or IV) three EOC exams. Students must be given one retest opportunity.

- Algebra I
- Biology

E. INTERVENTION FOR STUDENTS NOT MEETING PROMOTION STANDARDS

The goal of the school district is to identify as early as possible students who are unlikely to meet the standards for progression to the next level of study so that the school can provide appropriate intervention. Intervention must be provided for any student who does not meet grade level proficiencies established by the State.

1. Intervention Plans

By the end of the first school month, each school must submit to the superintendent/designee the school's plan for intervention. Schools also must include in the school improvement plan the types of intervention strategies that will be offered at the school. At a minimum, the intervention plan must address the following elements:

- a. identification of an intervention for students at-risk of failing the student accountability standards;
- b. intervention for students retaking the student accountability tests prior to the end of the school year;
- c. differentiated instruction for students who have been retained; and
- d. meeting individual students' needs.

2. Intervention Strategies

Intervention involves identifying strategies specifically designed to increase grade level proficiency. Strategies used outside the school day may include, but are not limited to, alternative learning models, smaller classes, ad hoc grouping, year-round schools, modified instructional programs, small or large group counseling sessions, individualized instruction or goals, or remedial instruction.

Strategies used in the classroom may include, but are not limited to, special homework, tutorial sessions, extended school day, Saturday school, parental involvement, summer school instruction, participation in or restriction of participation in extracurricular activities, the option for teacher to progress with students to the next grade level. Retention should be considered as a last resort when intervention strategies have not succeeded.

A personalized education plan must be developed by the students' teachers for every situation in grades 3 through 8 who is not promoted after the second administration of the accountability tests (when a second administration/retest is available). Additionally, a personalized education plan must be developed for every student in grades K-2 who is not making expected growth. Each plan must include diagnostic evaluation, intervention strategies and monitoring strategies.

Supplemental instructional opportunities must reinforce and extend regular classroom instruction. The school must seek to involve parents and the student in discussing intervention strategies when possible. Students must participate in the intervention strategies and demonstrate acceptable growth and achievement before being promoted to the next grade.

F. WAIVER OF STUDENT ACCOUNTABILITY STANDARDS

1. Review Process

Within five (5) working days of receiving tests scores, teachers or parents may request a waiver of student accountability standards for students scoring below Level III on the end-of-grade test in grades three through eight after the second administration of the test (when a second administration/retest is available). Teachers must provide documentation of the student's performance during a review process. Documentation may include:

- Student work samples;
- Other test data;
- Information supplied by parents;
- For students with disabilities, information that is included in the individualized education program; and
- Other information that verifies that a student is at grade level or, for students with disabilities or limited English proficiency, is making adequate progress to meet grade level requirements.

2. Principal Waiver Review Committee

The principal or his/her designee must appoint a Waiver Review Committee to review student waiver requests. The committee must be composed of teachers and administration from the school who do not currently teach the student. Special education personnel must be on the committee if a student with a disability is being considered for a waiver. English as a Second Language teaching staff must be on the committee if a student with limited English proficiency is being considered for a waiver. Upon request, the parents of any student being presented for review must have the right to be a non-voting participant of the Review Committee and to speak on behalf of their child.

The committee must consider and provide written findings on the following issues:

- a. Whether the student previously was retained and, if so, how many times;
- b. Whether the student is performing at grade level in spite of the EOC, EOG or other required test results;
- c. If working below grade level, whether the student could reasonably be expected to be able to "catch up" to grade level and/or be successful at the next grade level in spite of the deficiencies;
- d. Why the committee believes its recommendation to promote or not to promote is in the best interests of the student; and

- e. If promotion is recommended, what additional or special instruction or resources would be necessary to provide the student with a reasonable opportunity for success in the next grade level.

Within five (5) working days after receiving a waiver request, the committee must make a recommendation to the principal about whether the student should be promoted, based upon documentation provided by the student's teacher(s). Within five (5) days after receiving the committee's recommendation, the principal must review the recommendation and decide whether to promote or retain the student. The principal must consider the committee's written findings and may promote the student if he/she determines that the student can reasonably be expected to be successful at the next grade level and/or that promotion is in the best interests of the student. The principal must make written findings about why he/she believes the student should be promoted or retained. The principal must promptly notify the student's parent(s) of his/her decision and provide the parent(s) with copies of his/her written findings and the Review Committee report. The principal has the statutory authority to make final decision regarding promotion/retention.

Parents who disagree with the principal's decision may refer to Policy 4.18 Appeals Policy.

G. PROMOTION STANDARDS FOR STUDENTS WITH DISABILITIES

To the extent possible, students with disabilities will be held to the same promotion standards as all other students. All intervention and other opportunities, benefits and resources that are made available to students without disabilities shall be made available to students with disabilities who participate in the student promotion standards. Such opportunities must be in addition to the special education services provided to the student.

However, for students who take alternative assessments in lieu of the EOG or the EOC tests, promotion decisions shall be based on criteria as recommended by the IEP team.

All intervention strategies and other opportunities, benefits and resources that are made available to students without disabilities must be made available to students with disabilities who are subject to the student promotion standards. Such opportunities must be in addition to the special education services provided to the student.

- North Carolina's statewide testing policy, effective with the 2000-01 school year, requires all students with disabilities to participate in the statewide testing program by taking the State-mandated tests under standard conditions, taking State mandated tests with available accommodations, or by participating in North Carolina alternate assessment(s). This policy is in accordance with the IDEA Reauthorization of 2004. Results from student performance in each of these categories are reported in The North Carolina State Testing Results reports generated and published annually by the NCDPI.

H. ACCELERATION

Some students may need less time to master the curriculum. Teachers are encouraged to challenge these students by expanding the curriculum, providing opportunities to explore the subject in greater detail or providing different types of educational experiences. To sufficiently challenge a student, the principal may reassign the student to a different class or level of study, and/or may identify community resources, such as college classes. The principal must involve teachers and other appropriate staff in making this decision.

The principal, after consulting with the professional staff and parents, may determine that skipping a grade level is appropriate. If permitted by state law or State Board policy, credit toward high school graduation may be awarded for a student's advancing or placing out of a high school course. The superintendent will provide any additional criteria necessary to make the determination as to whether credit may be awarded.

I. CHILDREN OF ACTIVE DUTY MILITARY PERSONNEL

For students entering the Union County Public Schools who are children of parents who:

1. Are active duty members of the uniformed services, including members of the national Guard and Reserve on active duty orders pursuant to 10 U. S. C. Sections 1209 and 1211; or
2. Are members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement; or
3. Are members of the uniformed services who die on active duty for a period of one (1) year after death.

The school will review school records from the sending school to ensure that the student is placed consistent with the status at the sending school until appropriate evaluation of the student can be made. This includes, but is not limited to, waiving course requirements for promotion/graduation, providing alternative assessments to the EOC/EOG's, and senior year transfer issues as appropriate as provided by the Interstate Compact on Educational Opportunity for Military Children.

If, after considering all alternatives, a student in his/her senior year will be ineligible to graduate in the receiving district, the sending district will be contacted to facilitate graduation from the sending district if so eligible in the sending district.

As required by the Interstate Compact on Educational Opportunity for Military Children (G.S. 115C-407.5), school administrators have the authority to exercise flexibility in waiving course or program prerequisites or other preconditions for the placement of children of military families in courses or programs offered by the school system.

J. REPORTING REQUIREMENTS

1. Superintendent's Report to Board

At least on an annual basis, the superintendent must provide the board with the following information for each school:

- aggregate student performance scores on state-mandated tests and any other standardized tests used by a school or the school district;

- the proportion of students not meeting standards for grade level; and
- remedial or additional educational opportunities provided by the school district and the success of these efforts in helping students to meet promotion standards.

2. Superintendent's Report to Department of Public Instruction

Pursuant to standards established by the Department of Public Instruction, the superintendent must provide the Department with all required information regarding student performance.

K. RESOURCES

Consistent with the objective of improving student performance, the board will provide maximum flexibility to schools in the allocation of state funds. Schools are expected to budget financial resources in a manner which will meet the standards established in this policy. The board will consider requests to transfer funds from other funding allotment categories to intervention strategies as a part of the School Improvement Plan submitted by a school. All funds must be used in a fiscally sound manner in accordance with Fiscal Management Standards (policy 2-7).

L. NOTIFICATION TO PARENTS

The superintendent must ensure that a copy of this policy is provided to all students and parents. In addition, the teacher(s) of a student who does not meet the standards in this policy must notify the student's parents that the student has failed to meet the test standards and must provide the parents with information concerning retesting and intervention opportunities.

M. TIME FOR LEARNING

The board believes that time is of utmost importance in the educational process and the children may need different amounts of instructional time.

1. Interruption of instructional time must be kept to an absolute minimum. Visitors, including parents, who engage in conduct which disrupts, or attempts to disrupt, the orderly education environment, of the school may be removed from the premises and have their access to the school restricted.
2. Every school must provide a minimum of 1,025 hours of instructional time within the academic year.
3. The principal is responsible for ensuring that instructional time is maintained and protected in the school schedule.
4. Each teacher is responsible for ensuring maximum use of instructional time in his/her classes.
5. An extended school year, a year-round school, or non-traditional program may be included as part of the School Improvement Plan. Modified programs that

include, but are not limited to, Extended School Year, Year Round Schools, and Multi-tracking, must seek and receive Board approval.

N. TRANSITION PLANS

Transitions in the school environment can be stressful experiences that pose academic, social and emotional challenges for students. Addressing students' academic, social and emotional needs to create successful transitions provides students with a better chance of academic success. A comprehensive and coordinated transition plan will be implemented for students who are at risk of academic failure in order to facilitate their educational transitions between elementary school and middle school and between middle school and high school.

The superintendent shall appoint a transition team to design, implement and evaluate a school system transition plan. This team will be comprised of stakeholders who can identify the needs of students at the different developmental levels and implement plans that produce positive results for students at risk of academic failure. Such stakeholders may include principals, teachers, support staff and other school system employees, parents of students in the school system, and local business and community leaders such as civic group leaders, health department personnel, preschool and Head Start program personnel, faith community leaders, and personnel from local colleges, universities and community colleges. At each school, the principal shall lead a school transition team or an existing school-based leadership team in using the school system transition plan to design a school-based transition plan tailored to meet the specific needs of that school's population.

The transition plans should be designed to encourage successful transitions that foster respect for individual differences, encourage understanding of the whole child, create a sense of trust and belonging, and reduce child and family anxiety about school. The plans must include an on-going evaluation process to verify that the outcomes established for the different transition levels are being accomplished and that these goals are updated as student data and environmental changes occur.

SECLUSION AND RESTRAINT (BOE Policy 4-3)

PERMISSIBLE USE OF SECLUSION AND RESTRAINT (N.C.G.S. 115C-391.1)

A. It is the policy of the State of North Carolina to:

1. Promote safety and prevent harm to all student, 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 procedures” 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 student 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 and 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 or modifies the rules and procedures governing discipline under G.S. 115C-391(a).
- 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 any local board of education, its agents or employees, or any institutions of teacher education or their agents or employees or to create a criminal offense.

STUDENT RECORDS (BOE Policy 4-14)

All student records will be current and maintained with appropriate measures of security and confidentiality. The principal is responsible for meeting all legal requirements pertaining to the maintenance, review and release of records retained at the school.

A. Annual Notification of Rights

The superintendent/designee is responsible for providing parents or eligible students (those at least 18 years old or married) with annual notification of their rights under the Family Educational Rights and Privacy Act (FERPA). The notice must contain all information required by federal law and regulations, including the following:

1. the right to inspect and review the student's educational records and the procedure for exercising this right;

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

The school district does not have to individually notify parents or eligible students of their rights, but must provide the notice in a reasonable manner likely to inform the parents and eligible students of their rights. Effective notice must be provided to parents or eligible students who are disabled or whose primary or home language is not English.

B. Review, Release of Records to Parent, Guardian or Eligible Student

A parent or eligible student will be allowed access to the student's records upon proper request. A formal review of a student's complete records will be conducted only in the presence of the principal/designee and must be conducted within 45 days of the written request. School personnel will not destroy any educational records if there is an outstanding request to inspect or review the records.

A parent or eligible student has the right to challenge an item in the student record believed to be inaccurate, misleading or otherwise in violation of the student's privacy rights. The principal shall examine a request to amend the student record and respond in writing to the person who challenges the record. If the final decision is that the information in the record is not accurate, misleading or otherwise in violation of the privacy rights of the student, the principal shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in

the record or stating why s/he disagrees with the decision of the school system.

C. Release of Records to Others

Student's records will be released promptly when a student transfers to another school and in other circumstances specifically permitted by law. Student's official record will also include notice of any suspension for a period of more than 10 days (6 days for Condensed Academic Terms) or of any expulsion under General Statute 115C-391 and the conduct for which the student was suspended or expelled. Written permission by a parent or eligible student is required for the release of a student's records in any other circumstance. Such release must specify the records to be released, the purpose of the release and to whom they are to be released.

Directory information on students may be utilized by the school district, individual schools or organizations and parental permission is not required for the release of directory information provided that the parent or eligible student has received proper notice and the opportunity to object. The following information is considered to be directory information:

1. student's name
2. address
3. telephone listing
4. date and place of birth
5. participation in officially recognized activities and sports
6. weight and height of members of athletic team
7. dates of attendance
8. diplomas, certification and awards received
9. electronic mail address
10. photograph
11. grade level
12. most recent previous school or education at institution attended by the student
13. pictures or videos taken on buses, school grounds, in school buildings and at school activities unless the picture or video may reveal confidential information about a student.

The board strongly discourages the release of directory information to any outside organizations which have requested the information for their own purposes, including commercial organizations. Decisions to provide directory information to outside organizations must be approved by the superintendent/designee.

As required by law, the names addresses and telephone numbers of secondary school students shall be released, upon request, to military recruiters or institutions of higher learning, whether or not such information is designated as directory information by the school system. Students and/or their parents, however, may request that the student's name, address and telephone number not be released without prior written parental consent. Through the provision of a copy of this policy parents are notified of the option to make a request and that the school system shall comply with any requests made.

Students with recognized exceptionalities will be accorded all rights in regards to their records as provided by state and federal law, including the Individuals with Disabilities Act.

Records cannot be withheld from a valid request by a parent, eligible student or school for any reason, including in order to collect fines assessed to the parent or student.

Students or their parents, however, may request that the student's directory information not be released without parental consent. Such request should be made in writing annually to the school principal within the first month of school.

D. Procedures to Expunge a Discipline Record

To have a suspension of greater than ten days (6 days for condensed academic terms) or an expulsion expunged from a student's official record, one of the following persons must submit a written request to the Superintendent or his/her designee:

1. The student's parent, legal guardian, or custodian; or
2. The student, if the student is at least 16 years old or is emancipated.

The Superintendent/ designee shall expunge from the record the notice of suspension or expulsion if the following criteria are met:

1. The student either graduates from high school or is not expelled or suspended again during the two year period commencing on the date of the student's return to school after the expulsion or suspension.
2. The Superintendent/ designee determines that the maintenance of the record is no longer needed to maintain safe and orderly schools.
3. The Superintendent/ designee determines that the maintenance of the record is no longer needed to adequately serve the child.

In the absence of a request as outlined above, the Superintendent may expunge from a student's official record any notice of suspension or expulsion provided all of the above criteria are met.

E. Surveys

The school system must obtain prior consent of a parent or eligible student before the student is required to participate in any Department of Education-funded survey, analysis or evaluation that reveals information concerning the following "protected topics":

1. political affiliations or beliefs of the student or the student's parent;
2. mental or psychological problems of the student or the student's family;
3. sex behavior and attitudes;
4. illegal, antisocial, self-incriminating and/or demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
7. religious practices, affiliations, or beliefs of the student's parent; or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance for such program).

Parents will be informed by the school at the beginning of the year of any survey instrument being distributed to students of which they are aware, however at the very least no fewer than ten-10 days in advance. Such notification will include information regarding students' rights in not answering questions related to the eight-(8) above items and safeguards to protect student privacy should the survey instrument include any of those items. Collection, disclosure, or use of directory information of students and/or parents will not be for purposes of marketing or selling beyond the school community (i.e. PTSA, Booster Clubs, Student Council, etc.). The school system will take measures to protect the identification and privacy of students participating in any survey concerning any of the protected topics.

Parents may inspect, upon request, any survey instrument created by a third party before the survey is administered or distributed to students. Parents may opt for their students not to participate in such surveys. Parents may also inspect such survey instruments after they are administered.

F. Definition of Parent and Eligible Student

For purposes of this policy, the term parent includes a natural parent or guardian or an individual acting as a parent in the absence of a parent or guardian.

If the parents of a student are separated or divorced, both parents have access to the student's records as provided in this policy, unless the school district has been provided with evidence that there is a court order, state statute, or legally binding document that specifically revokes these rights.

For purposes of this policy, an eligible student means a student who has reached 18 years of age or is attending an institution of postsecondary education. The rights afforded to parents under this policy transfer to an eligible student. However, parents may still have access to the records as long as the student is "dependent" (i.e., claimed by the parent for federal income tax purposes). Eligible students wishing to prevent access to records by their parents must furnish to the principal information verifying that the student is not a dependent of his/her parents. If a parent of a student who is at least 18 and no longer attending a school within the district wishes to inspect and review the student's records, he/she must provide information verifying that the student is a dependent for federal income tax purposes.

A student under age 18 may have access to student records only upon consent of his/her parents.

G. Records of Missing Children

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 provide notice of the request to the superintendent and the agency that notified the school that the child was missing. The principal shall provide the agency with a copy of any written request for information concerning the missing child's record. Any information received indicating that a student transferring into the system is a missing child must be reported to the superintendent and the North Carolina Center for Missing Children.

H. Records Received from the Department of Social Services

The Department of Social Services may disclose confidential information to the school system in order to protect a juvenile from abuse or neglect. Any confidential information disclosed under these circumstances must remain confidential and may only be redisclosed for purposes directly connected with carrying out the school system's mandated education responsibilities.

I. Records of Students Participating in the North Carolina Address Confidentiality Program

Records of students participating in the North Carolina Address Confidentiality Program must show only the substitute address provided by the Address Confidentiality Program and must not be released to any third party other than a school to which the student is transferring, or as otherwise provided by law. When transferring the record of a student participating in the North Carolina Address Confidentiality Program to a school outside of the system, the transferring school may send the files to the Address Confidentiality Program participant (parent or guardian) via the substitute address provided by the Address Confidentiality Program.

J. Record of Access

The principal or designee will maintain a record in each student's file indicating all persons who have requested or received personally identifiable information from a student's record and the legitimate reason(s) for requesting or obtaining the information. This requirement does not apply to requests by or disclosure to parents, eligible students, school officials, parties seeking directory information, a party seeking or receiving the records under a court order or subpoena that prohibits disclosure, or those individuals with written parental consent.

K. Destruction of Records

School officials may only destroy student records in accordance with state and federal law and the *Records Retention and Disposition Schedule for Local Education Agencies*. Upon notifying parents, student records may be destroyed when they are no longer needed to provide educational services to the student or to protect the safety of the student or others. Student records must be destroyed if the parent or eligible student requests their destruction and such records are no longer needed to provide educational services to the student or to protect the safety of the student or others. Student records may not be destroyed if there is an outstanding request to inspect the particular records.

L. Records of Military Children

School administrators shall comply with any regulations pertaining to the records of military children developed by the Interstate Commission on Educational Opportunity for Military Children.

In addition, children of military families, as defined by law, are entitled to the following:

1. For Students Leaving the School System

In the event that official educational records cannot be released to the parents of military children who are transferring away from the school system, the custodian of records shall prepare and furnish to the parent a complete copy of unofficial educational records containing uniform information as determined by the Interstate Commission. When a request for a student's official records is received from the student's new school, school officials shall process and furnish the official records to the new school within 10 days or within such time as is reasonably determined by the Interstate Commission.

2. For Students Enrolling in the School System

Upon receiving an unofficial education record from the student's previous school, school administrators shall enroll the student and place him/her in classes as quickly as possible based upon the information in the unofficial records, pending validation by the official records. Simultaneous with the enrollment and conditional placement of the student, school administrators shall request the official records from his/her previous school

M. Juvenile Records

Any information received from law enforcement or the Department of Juvenile Justice and Delinquency Prevention regarding a felony charge or placement on the sex offender registry will be maintained in a separate, confidential location by the school principal and shall be destroyed once the principal is notified that the court no longer has jurisdiction over the student or if the court grants a petition for expunction of the records. The principal may share juvenile records with individuals who have (a) direct guidance, teaching or supervisory responsibility for the student and (b) a specific need to know in order to protect the safety of the student and others. Persons provided access to juvenile records must indicate in writing that they have read the documents and agree to maintain confidentiality of the records.

N. Longitudinal Data System

School system administrators will comply with the data requirements and implementation schedule for the North Carolina Longitudinal Data System (NCLDS) and will transfer designated student record data to the system in accordance with the NCLDS data security and safeguarding plan and all other requirements of state law, provided that doing so does not conflict with the requirements of FERPA.

TOBACCO POLICY (BOE Policy 3-5a)

The use of tobacco products is a health, safety, and environmental hazard for students, employees, visitors, and school facilities. In order to promote positive role models in schools and provide a healthy learning and working environment, the Board adopts the following policy.

No one is permitted to use any tobacco product at any time including non-school hours - in any building, property, or vehicle owned, leased, rented or contracted by the school district; on school grounds, athletic grounds, or parking lots; or at any school-sponsored event off campus. Signs will be posted on all school campuses forbidding the use of tobacco products at any time,

by any person, on school grounds. This prohibition pertains to all persons on school property, including but not limited to students, employees and other persons performing services or activities on behalf of the district, volunteers, contractors, visitors and parents.

Tobacco products may be displayed for a legitimate instructional or pedagogical purpose, conducted or supervised by a staff member. The activity may not include smoking, chewing or otherwise ingesting the tobacco product.

The Board strongly encourages students and staff to participate in school and community programs designed to prevent and cure tobacco addiction (see below).

For purposes of this policy, “tobacco product” is defined to include cigarettes, electronic or smokeless cigarettes, cigars, pipes, chewing tobacco, snuff, and any other items containing or reasonably resembling tobacco or tobacco products. “Tobacco use” includes smoking, chewing, dipping, or any other use of tobacco products.

Students and employees who violate this policy are subject to disciplinary action (see cross references below for applicable policies). All newly hired employees will receive a copy and explanation of this policy. The policy will be reviewed with all employees on a yearly basis.

SCHOOL TOBACCO EDUCATION PROGRAM

Tobacco Education Program

The one-hour Tobacco Education Program is part of a comprehensive approach to preventing and reducing tobacco use in our school system. It helps make students aware that smoking or chewing tobacco has dire consequences and that tobacco use is the leading preventable cause of death in our country.

Alternative to Suspension (ATS)

Alternative to Suspension (ATS) is a four-session education program for students who have violated the school tobacco policy. Typically, sessions are conducted after school. This program covers:

- Tobacco use and decision making
- Effects of tobacco use
- Experimentation and addiction
- Thinking about quitting

ATS helps schools send a clear message to a student that says:

1. Smoking at school is against school rules, state and federal law, and is unacceptable behavior;
2. Exposing others to tobacco smoke at school is unacceptable behavior; and
3. Tobacco use at school violates the federal Pro-Children Act of 1994. These behaviors carry consequences.

Teen Smoking Cessation Not On Tobacco (N-O-T) - Developed by The American Lung Association

Not on Tobacco (N-O-T) is a ten-session school-based adolescent smoking cessation program. It offers a "total health approach" by focusing on overall health and improving life management skills. Objectives of the program are to help adolescents:

- Quit smoking
- Reduce the number of cigarettes used by young people who are unable to quit
- Increase healthy lifestyle behaviors in physical activity and nutrition
- Enhance their sense of self-control
- Improve life skills such as stress management, decision making, coping, and interpersonal skills.

Adult Cessation Program

Union County Public Schools (UCPS) Safe and Drug-Free Schools Coordinator will provide a tobacco use cessation class to interested employees.