

STUDENT CONDUCT/DISCIPLINE

FILE: JFC-R

The offenses listed below are not intended to cover all possible situations that could arise. Any act that has a direct detrimental effect on the educational process or jeopardizes the health and/or safety of students, school personnel or school property may result in disciplinary action. Authorized school officials should consult with proper law enforcement personnel in cases where there is a question concerning violation of local, state, or federal law.

CATEGORY I - May result in expulsion or long-term suspension (longer than ten school days):

In determining appropriate interventions for each individual who commits an act listed in Category I (Items 1-5) or Category II, the building principal shall give the following factors full consideration:

- The degree of harm caused by the incident(s).
 - The surrounding circumstances.
 - The nature and severity of the behavior.
 - The relationship between the parties involved, including the degree to which there is an imbalance of power.
 - Past incidences or continuing patterns of behavior.
1. Acts causing material and substantial disruption to the educational process.
 2. Willful and/or persistent disobedience and/or disregard of school rules.
 3. Assault or battery or threatening conduct toward school personnel, students, or any other person.
 4. Harassment or bullying (or aiding or assisting in harassment or bullying):
 - A. Harassment can be a type of unlawful discrimination. Harassment is unwanted, unwelcome and uninvited behavior that demeans, threatens, or offends the victim and results in a hostile environment for 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, slurs, lewd propositions, assault, impeding or blocking movement, offensive touching or physical interference with normal work or movement, and visual insults such as derogatory posters or cartoons. Legitimate age-appropriate pedagogical techniques are not considered harassing behavior.

Harassment may occur at various levels: 1) between fellow students or co-workers, 2) between supervisors and subordinates, 3) between employees and students, or 4) imposed by non-employees, including visitors, on employees and/or students (Reference ACB and ACB-R).

- B. Bullying is a form of harassment. Bullying is the repeated intimidation or injury 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.
- 5. Theft, attempted theft or possession of stolen property, or intentional damage or attempted damage of school property or private property while under school jurisdiction.
- 6. The possession, use, transmission, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, or any alcoholic beverage, malt beverage or fortified wine, or other intoxicating liquor; or possession, use, or transmission of drug paraphernalia or counterfeit drugs, or the inhalation or ingestion of any chemicals or products with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student's mood or behavior. The use of a drug authorized by a medical prescription from a registered physician shall follow the procedures outlined in Policy JHCD.

Procedures for substance abuse offenders are outlined in Policy JGDB.

- 6. Any principal who reasonably believes a student has brought a weapon onto educational property shall immediately report the incident to the appropriate law enforcement agency. "Educational property" is defined as any public or private school building or bus, public or private school campus, grounds, recreational area, athletic field or other property owned, used or operated by any board of education.

A. Firearm/Explosive

Any student who possesses or carries a firearm or powerful explosive onto educational property will be suspended for 365 days, unless the superintendent recommends and the board approves a modification. A firearm includes any gun, rifle, pistol, or other weapon used for firing a projectile by means of an explosive charge. A powerful explosive includes a dynamite cartridge, blasting cap, trinitrotoluene (TNT), nitroglycerin, grenade or mine. A student who brings a firearm or powerful explosive to school also will be referred to the criminal justice or juvenile delinquency system.

B. Other Weapon(s)

Any student possessing or carrying a weapon as defined in N.C.G.S. 14-269.2(e) on educational property, whether openly or concealed, or at any time when a student is subject to the authority of school personnel, will be suspended from school for the remainder of the school year. Weapons that shall result in a misdemeanor charge and suspension for the remainder of the school year include but are not limited to: BB gun, air rifle, air pistol, bowie knife, dirk, dagger,

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slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades (except solely for personal shaving), and any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clips, and tools used solely for preparation of food, instruction and maintenance on educational property.

(Legal Reference N.C.G.S. 14-269.2; 115C-288, -391)

Suspension procedures for weapons offenders are outlined in Policy JGDC.

CATEGORY II - May result in short-term suspension or corporal punishment:

1. Disobedience and/or disregard of school rules.
2. Failure to identify oneself to a member of the faculty on request.
3. Failure to follow reasonable instructions of a staff member.
4. Harassment or bullying (or aiding or assisting in harassment or bullying).
5. Use or possession of any tobacco product, cigarette lighter or matches.
6. Profanity or vulgarity.
7. Disorderly, disruptive or dangerous acts in school buildings, on educational property, or when students are subject to the authority of school personnel.
8. Skipping class
9. Truancy
10. Persistent tardiness
11. Sexual harassment
12. Behavior or language that insults or degrades any individual or race, gender, handicap, physical condition, ethnic group, or religion.

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