

Contents

Section I.

Welcome

A. Foundation and Basic Commitments

Mission Statement

Vision Statement

Motto

Goals

Values

Board of Education Policy

B. Educational Program

Goals and Objectives

Homework

Technology Responsible Use

Internet Safety

School Calendar, Time for Learning, and School Closings

School Trips

Evaluation of Student Progress

Students At Risk of Academic Failure

Testing and Assessment Program

Student Promotion and Accountability

Recognizing Excellence

Graduation Requirements

Comprehensive Health Education

Extra-Curricular Activities

C. Students and School Safety

Focus on Students

School Safety

Student/Parent Grievance Procedure

Immunization and Health Requirements for School Admission

Student Attendance

Student Discipline and Code of Student Conduct

D. Transportation Services

Student Conduct on School Buses

Driver's License Revocation

Student Drug Testing Program

E. School Nutrition Services

F. Community Relationships

Schools and the Community

Parent Organizations

School Volunteers

Visitors to the Schools

Financial Obligations

Prohibited Items

Relationship with Law Enforcement

Section II.

Annual Public Notices and Legal Information

Section III.

Optional Forms

Welcome

Welcome to the 2017-2018 school year. Transylvania County Schools is home to 9 schools and nearly 500 full-time staff members whose sole focus is meeting the needs of the nearly 3,400 public school students in our community. We believe that achieving student success is the shared responsibility of students, parents, educators, and the community. We hope this handbook provides some helpful policy and procedure information as you begin a new school year. Students and family members are encouraged to review and discuss the information in this document. Please note that this is not a comprehensive list of all school policies and procedures. Many school procedures are decided by each individual school and fall within the authority or responsibility of the principal. Please contact the school with any questions or if you need more information. We are very pleased you are a part of Transylvania County Schools and we look forward to a safe and successful school year!

A. Our Foundation and Basic Commitments

Mission Statement

The mission of Transylvania County Schools is to prepare students to become caring and productive citizens in an ever-changing society through the shared responsibility of students, parents, educators, and the community.

Vision Statement

Transylvania County Schools provides a bright and promising future for its students; both recruits and retains a professional, caring, and talented workforce; engages with parents, families and the community at large; drives economic development and opportunity for our citizens; and exists as the central point of pride in our community.

Motto

Teaching Everyone Takes Everyone

Goals

1. Every Transylvania County Schools student has a personalized education graduating from high school prepared for work, higher education, and citizenship.
2. Every Transylvania County Schools student, every day has excellent educators.
3. Every Transylvania County Schools student is healthy, safe, and responsible.

Values

- All children can learn; however, they learn differently, and we must value and understand those differences.
- High expectations will result in high achievement.
- Through the shared responsibility of students, teachers, parents, and community, we can reach our goals.
- Children are our most important resource.
- All children deserve a safe, comfortable, attractive, and inviting atmosphere that fosters learning.
- All educators, students, and parents deserve respect.
- Minds and hearts are the focus of education.

Board of Education Policy

Policies are the primary means by which the Transylvania County Board of Education (the "board") expresses its vision for the school system. In formulating specific policies, the board is guided by its duty to provide students with the opportunity to receive a sound basic education as defined by the North Carolina Supreme Court in *Leandro v. State*. It is further guided by governing principles it considers critical to meet that obligation by providing a system of excellent schools where students can succeed. These governing principles are referenced frequently in the board policies and also are set out below.

1. Student success. As its top priority, a system of excellent schools provides opportunities for individual students to succeed and overall student performance to improve.
2. Parental involvement. A system of excellent schools involves parents in decisions regarding their own children, the educational program, and the schools.
3. Safe, orderly, and inviting environment. A system of excellent schools creates and maintains a safe and orderly environment where staff and students are focused on and excited about learning.
4. School initiatives. In a system of excellent schools, each school initiates improvements to the educational program and services for students and involves staff, parents, and students in school-level decision-making processes.
5. Professional development. A system of excellent schools provides continuous professional development and training to help personnel gain the skills and knowledge needed to meet State Board and local board expectations, especially as they relate to improving student performance.
6. Removal of barriers. A system of excellent schools prohibits illegal discrimination and harassment of staff and students, encourages tolerance and respect, and seeks to eliminate or lessen other barriers that may impede a

student's ability or opportunity to learn, including economic disadvantages, poor nutrition, ill-health, and lack of transportation.

7. Stewardship of resources. A system of excellent schools conserves financial and environmental resources and operates in an efficient manner.

All board policies are available online at www.tcsnc.org/policy. For more information, see Board Policy: Series 1000.

Prohibition against Discrimination, Harassment, and Bullying

The board acknowledges the dignity and worth of all students and employees and strives to create a safe, orderly, caring, and inviting school environment to facilitate student learning and achievement. The board prohibits discrimination on the basis of race, color, national origin, sex, disability, or age and will provide equal access to the Boy Scouts and other designated youth groups as required by law. The board will not tolerate any form of unlawful discrimination, harassment, or bullying in any of its educational or employment activities or programs.

Parent and Family Engagement

A system of excellent schools involves parents in decisions regarding their own children, the educational program, and the schools. The Transylvania County Board of Education recognizes the value of family engagement in a child's academic success and believes that the education of children is an ongoing cooperative partnership between the home and the school. Parents and other family members are their children's first teachers; therefore, the continued involvement of parents and family members in the educational process is most important in fostering and improving educational achievement. School system officials shall strive to support parents and provide parents and family members with meaningful opportunities to become involved in the programs offered by all of our schools, including Title I schools. Each parent or family member is encouraged to learn about the educational program, the educational goals and objectives of the school system, and his or her own child's progress. The board also encourages parents and families to participate in activities designed by school personnel to involve them, such as parent conferences, in order to encourage effective communication. For more information, see Board Policies: Parental Involvement, Title I Parent and Family Engagement, as well as Governing Principles.

B. Educational Program

Goals and Objectives of the Educational Program

It is the goal of the Transylvania County Board of Education that every student be provided the opportunity to receive a sound basic education and graduate from high school prepared for work, further education, and citizenship. The board recognizes the critical role of parents, governmental and nonprofit agencies, businesses, and the community in helping individual students and the school system meet this goal. A successful educational program also depends on innovation at the individual school level. The board is committed to allowing administrators at individual schools to develop and implement plans necessary to ensure the educational success of their students. For more information, see Board Policy: 3000 Series.

Homework

Transylvania County Schools recognizes the importance of homework in supplementing classroom instruction and furthering the goals of the educational program. Homework reinforces learning and fosters independence, responsibility, and self-direction. Homework assignments should strengthen skills, provide practice in subjects that already have been taught in class, and improve a student's ability to work independently.

Teachers should take into consideration the differences in financial, educational, and technological resources of students and their parents or guardians when making assignments. In addition, the amount of time necessary to complete the tasks should be reasonable in light of the age and maturity of the students and other assignments given to the students. For more information, see Board Policy and Regulation: Homework.

Technology Responsible Use and Internet Safety

The use of school system technological resources, including access to the Internet, is a privilege, not a right. Individual users of the school system's technological resources are responsible for their behavior and communications when using those resources. Responsible use of school system technological resources is use that is ethical, respectful, academically honest, and supportive of student learning. Each user has the responsibility to respect others in the school community and on the Internet. Users are expected to abide by the generally accepted rules of network etiquette. General student and employee behavior standards, including those prescribed in applicable board policies, the Code of Student Conduct, and other regulations and school rules, apply to use of the Internet and other school technological resources. 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. For more information, see Board Policies: Technology Responsible Use and Internet Safety.

School Calendar, Time for Learning, and School Closings for Inclement Weather

The board recognizes that the school day and school year should be planned in such a manner as to facilitate student learning and to permit an accurate assessment of student achievement in scheduled testing periods. Interruptions of instructional time and time off task must be kept to a minimum. The principal is responsible for ensuring that instructional time is maintained and protected in the school schedule. Each teacher is responsible for ensuring optimal use of instructional time in his or her classes.

The superintendent has established procedures for the temporary closing of a school or all schools in the school system because of inclement weather or any other unforeseen occurrence that presents a threat to the safety of students and employees or causes major damage to school property. The superintendent shall notify parents, the news media, and other interested parties of a decision to close a school or schools as soon as it is feasible to do so under the circumstances. If schools are closed, notification will be made on local TV and radio, the school system website, the weather telephone hotline at 828-884-4157, as well as through the telephone notification system for parents.

School Trips

School trips designed to stimulate student interest and inquiry may be appropriate classroom extensions and may enhance learning in the classroom. School trips may help meet educational goals and objectives by connecting learning with experiences outside of the classroom environment. All eligible students will be given an opportunity to participate in school trips. No student will be denied participation because of economic hardship or because the student has a disability. A school trip occurs when a student or group of students leaves a school campus under the sponsorship of the school and under the supervision of school employees to extend the educational experiences of that student or group. This includes such trips taken by extracurricular groups but does not include trips by athletic teams to participate in athletic events or competitions that are part of the team's regular season or playoffs. The principal must approve all school trips in advance.

All students who participate in a school trip must provide signed parental consent forms to participate, unless a student is officially emancipated, in which case the student can consent on his or her own behalf. A student who fails to provide a signed consent form may be denied participation in the trip. No student's grade may be lowered or raised based on parental consent to participate in the school trip. School staff must ensure parents are given proper notice of trip details and that parents provide signed authorization and consent regarding their child's participation and care during the trip. For more information, see Board Policy: School Trips

Evaluation of Student Progress

A. Scope of Evaluation

The purpose of a grading system is to report and communicate accurately a student's progress toward achieving clearly defined learning goals. All grading practices employed by teachers in Transylvania County Schools should be designed to advance student learning and to provide for the equitable treatment of students. Grading practices should not be designed to be punitive in nature or to measure non-academic standards or behaviors.

Meaningful evaluation of student academic progress will include consideration of all activity that has occurred during the particular evaluation period. Activities to be considered include but are not limited to (1) assignments, (2) projects, (3) reports, (4) classroom work, (5) homework, and (6) quizzes, tests, or other summative assessments.

B. Grading Scales

1. Elementary School

Grades in elementary school courses will be awarded using the following grading system:

Grades K-2

The primary grades will employ a standards-based report card approved by the school district to report the progress of students toward benchmarks at the end of each quarter. While various numerical measurements and assessment data may be used to arrive at report card grades, the 100-point scale and the A-F grading scale will not be used in grading student work, assignments, or assessments. A rating of 1, 2, or 3 will be used to communicate student progress on each measured benchmark each quarter.

Grades 3-5

Standard Scale - Letter Grades/Standard Scale - Numeric Grades

90% - 100% = A

80% - 89% = B

70% - 79% = C

60% - 69% = D

≤59% = F

OR

S=Satisfactory

N=Needs Improvement

U=Unsatisfactory

2. Middle School

Grades in middle school courses will be awarded using the following grading system.

Standard Scale - Letter Grades/Standard Scale - Numeric Grades

90% - 100% = A

80% - 89% = B

70% - 79% = C

60% - 69% = D

≤59% = F

3. High School

Grades in high school courses will be issued using the following grading scale.

State Board of Education policy GCS-L-004/GRAD-009 requires the following grading scale and award of quality points.

Standard Scale - Letter Grades/Standard Scale - Numeric Grades

90% - 100% = A

80% - 89% = B

70% - 79% = C

60% - 69% = D

≤59% = F

Standard Quality Points Awarded

A = 4.0

B = 3.0

C = 2.0

D = 1.0

F = 0.0

Standard courses – Course content, pace and academic rigor follow standards specified by the North Carolina Standard Course of Study (NCSCoS). Standard courses provide credit toward a high school diploma and require the end-of-course test for those courses identified as such in the NC accountability program. Quality points for the GPA calculation are assigned according to the standard 4.0 scale and receive no additional quality points.

Honors courses – Course content, pace and academic rigor place high expectations on the student, demanding greater independence and responsibility. Such courses are more challenging than standard level courses and are distinguished by a difference in the depth and scope of work required to address the NCSCoS. These courses provide credit toward a high school diploma and require the end-of-course test for those courses identified as such in the NC accountability program. An honors review process shall be followed, as outlined in the latest edition of the North Carolina Honors Course Implementation Guide. The state course weighting system awards the equivalent of one (1) quality point to the grade earned in Honors courses. Effective with the freshman class of 2015-16, the weighting for Honors courses shall be one-half (.5) of a quality point.

Advanced Placement/International Baccalaureate (AP/IB) courses – Course content, pace and academic rigor are considered college-level as determined by the College Board or the International Baccalaureate (IB) program and are designed to enable students to earn high scores on the AP or IB test, potentially leading to college credit. These courses provide credit toward a high school diploma and require an EOC in cases where the AP/IB course is the first course taken by a student in a subject where an EOC is required by the NC accountability program. The state weighting system awards the equivalent of two (2) quality points to the grade earned in an AP/IB course. Effective with the freshman class of 2015-16, the weight for AP/IB courses shall be one (1) quality point.

College courses (“dual enrollment”) – Course content, pace and academic rigor are, by definition, college-level for these courses. College courses, which may be delivered by a community college, public university or private college or university, provide credit toward a high school diploma and may satisfy a graduation requirement or provide an elective course credit. The state weighting system adds the equivalent of one (1) quality point to the grade earned in community college courses included on the most recent Comprehensive Articulation Agreement Transfer List, and for courses taught at four-year universities and colleges.

All grades and other assessment reporting must be an accurate evaluation of the student’s academic work and mastery of clear learning goals. No student will have a grade lowered or raised or be penalized or rewarded academically as a disciplinary sanction unrelated to academic misconduct or based on other non-academic considerations. A student’s grade in a course may be lowered, however, due to the student’s excessive absences as provided in policy JE/4400, Attendance.

Teachers should provide opportunities, wherever appropriate, for students to resubmit or reattempt failed assignments. Students are expected to make up missed work. Teachers shall make every effort to obtain incomplete or missing work from students rather than record a failing grade. For more information, see Board Policy and Regulation: Evaluation of Student Progress.

Testing and Assessment Program

The board believes that an effective testing and assessment program evaluates the progress of individual students and helps ensure that educational goals and objectives are being met for every child. A testing program also assists in the continued refinement of the instructional program. In addition, data from tests and assessments provide measures of student learning that are useful for evaluating educator effectiveness. Every effort will be made to ensure that the testing program contributes to the learning process rather than detracts from it. Efforts also will be made to use only culture-free or culture-fair tests in order to ensure that measurements are reasonably accurate.

Elementary and middle school students must take all end-of-grade (EOG) tests required by the State Board of Education. High school students must take all end-of-course (EOC) tests, NC Final Exams, and Career and Technical Education State Assessments (CTE Post-Assessments) required by the State Board of Education. The results of EOC tests, NC Final Exams, and CTE Post-Assessments will count as twenty-five percent (25%) of a student’s final grade in each high school course for which there is an EOC test, NC Final Exam, or CTE Post-Assessment. This requirement does not apply to EOC tests for students following the Occupational Course of Study Pathway. For more information, see Board Policy: Testing and Assessment Program.

Exam Exemptions (for high school courses without state-mandated final exams only)

1. For courses without required state exams (EOC, NC Final Exams, CTE post assessments, etc.), students must have no more than 5 absences in the course.
2. Students must have either an average of "A" or "B" in the course.
3. The student must not have been suspended (OSS or CSTOP) from school.
4. All absences (other than school-related) are counted when determining exemption status.
5. Students may take an exempted exam to better his/her grade. In this case, the final grade will not be lowered.

Student Promotion and Accountability

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 as they need to be proficient at a particular level of study. Students will be promoted to the next level of study as described in Policy 3420.

Promotion Standards

The school system has promotion standards and a process to be used in determining a student’s readiness to progress to the next level of study. The standards are based, in part, upon proficiency in reading. The standards and process provide multiple criteria for assessing a student’s readiness to progress to the next level of study, such as standardized test scores, formative and diagnostic assessments, grades, a portfolio or anthology of the student’s work, and, when appropriate, accepted standards for assessing developmental growth. The standards and process incorporate all state law and State Board of Education policy requirements, including those for the assessment and

promotion of third grade students as described in G.S. 115C-83.6 et seq. and State Board of Education Policies KNEC-002 and -003.

Principals shall ensure that the promotion 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 or retain students based upon the standards developed by the superintendent and any applicable standards set by the State Board of Education.

To receive a North Carolina high school diploma, a student must complete the requirements set forth in policy 3460, Graduation Requirements.

Appeals of Promotion Decisions

1. Appeal to the Superintendent

Within five workdays of receiving the principal's written decision to promote or retain a student, the student's parents may appeal the decision to the superintendent. The superintendent may overturn the principal's decision only upon a finding that the principal's decision was arbitrary and capricious (i.e., without a rational basis) or was otherwise an abuse of discretion. The superintendent must render a decision within 10 workdays of receiving the appeal. The superintendent may support the principal's decision, remand it back to the principal for consideration of additional issues, or reverse the decision. The superintendent's findings must be in writing and must be provided to the parents.

2. Appeal to the Board of Education

The superintendent's decision to promote or retain a student may be appealed to the board in accordance with the procedures set forth in subsection E.5 of policy 1740/4010, Student and Parent Grievance Procedure.

Reading Camps

The board will provide reading camp opportunities as required by law at no fee for students who have not yet demonstrated reading proficiency on a third grade level at the end of third grade and for first and second grade students whose demonstrated reading comprehension is below grade level. The superintendent or designee shall encourage parents of eligible students to enroll their students in a reading camp.

Promotion Standards for Students with Disabilities

To the extent possible, students with disabilities must be held to the same promotion standards as all other students. However, for students who take alternative assessments in lieu of the end-of-grade (EOG) or end-of-course (EOC) tests, promotion decisions must be based on criteria 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 those 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.

Credit by Demonstrated Mastery

The school system provides opportunities for students in grades 9 through 12 to earn course credit by demonstrating mastery of course material without first completing the regular period of classroom instruction in the course. Students in grades 6 through 8 may earn credit by demonstrated mastery for high school courses offered in middle school. To earn credit by demonstrated mastery, students must demonstrate a deep understanding of the content standards and application of knowledge through a multi-phase assessment, in accordance with standards established by the State Board of Education and any additional standards established by the superintendent.

Repeating a Previously Failed Course

As provided in State Board of Education policy CCRE-001, high school students who fail a course for credit may repeat that course. To take advantage of this option, the student must repeat the entire course. Beginning with the 2015-16 school year, when a student initially fails a high school course and successfully repeats the course for credit, the new course grade will replace the original failing grade for the course on the student's transcript and in calculations of the student's GPA, class rank, and honor roll eligibility.

Acceleration

Some students may need less time to learn the curriculum. Teachers are encouraged to challenge these students by expanding the curriculum, providing opportunities to explore subjects in greater detail, or providing different types of educational experiences. To challenge a student sufficiently, the principal may reassign the student to a different class or level of study and/or may identify concurrent enrollment or other curriculum expansion options (see policy 3101, Dual Enrollment).

Promotion and Retention

If a kindergarten, first grade, second grade, or third grade student (1) is demonstrating difficulty with reading development or (2) is not reading at grade level, the student's teacher shall provide the student's parents timely written notice advising that if the student is not demonstrating reading proficiency by the end of third grade, the student will be retained, unless exempt from mandatory retention for good cause. Parents are encouraged to help their children meet the promotion standards and will have opportunities to discuss the promotion standards and procedures with teachers and the principal. Information provided to parents should be in the parents' native language when appropriate foreign language resources are readily available.

The teacher of a student who does not meet promotion standards must notify the student's parents that the student has failed to meet the standards for progression to the next level of study and must provide the parents with information concerning retesting, intervention, review, and appeal opportunities. When a student is to be retained, the principal shall provide the student's parents written notice of the retention and, if the student will be retained in accordance with G.S. 115C-83.7(a) for failure to demonstrate reading proficiency, (1) written notice of the reason the student is not eligible for a good cause exemption as provided in G.S. 115C-83.7(b) and (2) a description of proposed reading interventions that will be provided to the student to remediate identified areas of reading deficiency. Teachers shall provide parents of students retained under G.S. 115C-83.7(a) at least monthly written reports on student progress toward reading proficiency. The evaluation of a student's progress will be based upon the student's classroom work, observations, tests, assessments, and other relevant information.

High School Credits and Grade Levels

- To be classified as a sophomore, 6 credits are necessary.
- To be classified as a junior, 13 credits are necessary.
- To be classified as a senior, 20 credits are necessary.
- To be promoted a student may not be more than one grade level behind in English.

To earn high school course credit a student must: meet attendance requirements AND earn a grade average of at least 60 in the course with required state test (EOC, NC Final Exam, CTE post-assessments, etc.) counting as 25% and the teacher grade as 75%.

Children of Military Families

As required by the Interstate Compact on Educational Opportunity for Military Children (G.S. 115C-407.5) and policy 4155, Assignment to Classes, 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.

Recognizing Excellence

The board strongly encourages programs and activities that recognize and reward excellence in student academic achievement, character, and leadership. A variety of programs, such as honor rolls, honor societies, and citizenship and leadership awards, may be implemented to recognize outstanding student achievement. The board encourages school recognition ceremonies and community recognition ceremonies to honor scholarship and distinguished character and leadership abilities. Administrators and teachers are responsible for developing and implementing various means of recognizing student achievement. Each spring, Transylvania County Schools invites the top scholars of each class to a Recognition Banquet. Selection of the scholars in grades ten through twelve is based on Transylvania County Scholars' course requirements plus a 3.8 weighted and a 3.5 unweighted GPA. The top ten percent of students in the junior class are recognized as Junior Marshals. The Junior Marshals, including the Chief Marshal, will be determined by the following criteria: The student must be in the top 10% of the class and must be a Transylvania County Scholar. Seniors will be recognized at graduation as Transylvania County Scholars and honor graduates.

Class Ranking

Class rankings are one method of measuring academic performance. The board also recognizes other means of evaluating student achievement, including grade point average, courses completed, rigorousness of curriculum, results of tests and assessments, and recommendation letters. High school principals shall provide for the compilation of class rankings to be listed on student transcripts and may make class rank information available periodically to students and their parents or guardians, and to other institutions at the request of the student or the student's parent or guardian. The board also encourages principals, with input from teachers, parents, and students, to develop alternative or additional means of recognizing academic achievement. Principals shall ensure that class ranking is computed in a fair and consistent manner as provided in State Board of Education Policy.

Graduation Requirements

The board recognizes the importance of setting rigorous graduation requirements to help ensure that students are receiving an education that will prepare them to be career and college ready and productive members of society. In order to graduate from high school, students must meet the following requirements:

1. successful completion of all course unit requirements mandated by the State Board of Education;
2. successful completion of cardiopulmonary resuscitation instruction; and
3. successful completion of all other requirements mandated by the local Board of Education.

All students must fulfill the course unit requirements of the Future-Ready Core Course of Study, unless they are approved for the Future-Ready Occupational Course of Study. Students may earn credit for certain high school courses in the Future-Ready Core Course of Study completed while in middle school, as authorized by the State Board of Education; however, such courses will not be included in the calculation of a student's high school grade point average. For more information and a detailed list of requirements, see Board Policy: Graduation Requirements.

Counseling Program

Guidance and counseling programs are provided by the school system with the ultimate aim of improving student performance by implementing strategies and activities that support and maximize student learning; helping students to grow in their personal and social development; and providing a foundation for acquiring the skills that enable students to make a successful transition from school to the world of work. School guidance counselors and other guiding adults in middle and high schools shall provide guidance and information to students about high school course selections and requirements prior to ninth grade, in order to inform them about the requirements for college entry, including accelerated preparation for college entry. The counseling program is the shared responsibility of teachers, counselors, parents, and community members, and should operate with the collaboration of all individuals involved in educating students, including those who assist children with special needs or students who are at risk of dropping out of school or not meeting performance expectations. For more information, see Board Policy: Counseling Program.

Extra-Curricular Activities

Students are encouraged to participate in opportunities available at the school, including interscholastic athletics and student organizations. All activities are open to all students attending that school unless a restriction is justified and has been approved by the principal. Participation in extracurricular activities, including student organizations and interscholastic athletics, is a privilege, not a right, and may be reserved for students in good academic standing who meet behavior standards established by the board and the school. Participation in extracurricular activities may be restricted if a student (1) is not performing at grade level as provided in policy 3400, Evaluation of Student Progress; (2) has exceeded the number of absences allowed by attendance policies; (3) has violated the student conduct standards found in policy; or (4) has violated school rules for conduct. In addition, in order to be eligible for interscholastic athletics participation, students must have been in daily attendance eighty-five percent (85%) of the previous semester and must meet all applicable eligibility standards of the North Carolina High School Athletic Association, the North Carolina Department of Public Instruction, and any locally established requirements for interscholastic athletics participation. Students in the sixth grade are eligible to participate in all interscholastic athletics except football. For more information, see Board Policy: Extra-Curricular Activities.

C. Students and School Safety

Focus on Students

To support students in their formal education, each school should strive for a learning environment in which school grounds, buildings, and classrooms are safe, orderly, clean, and inviting; students learn and practice responsible behavior; students are treated fairly; and students have input in decisions affecting them when feasible.

School Health and Safety

Staff and students share the responsibility for taking reasonable precautions and following established safety measures to create and maintain safe schools. Students must be reasonably supervised while in the care and custody of the school system. This supervision must occur throughout school hours, including during class, between classes, on the playground, and during recess or lunch periods; during authorized school field trips; and on school buses.

Alert Notifications (SchoolMessenger)

Transylvania County Schools subscribes to an alert notification system to provide instant notification for parents in cases of school closings/delays or other emergency situations. This system may also be used to provide other updates or information about school events and programs. It is imperative that parents keep the school informed of

current contact information, including cell phone numbers, at all times. Please contact your child's school with any changes to addresses, phone numbers, or email addresses whenever changes occur.

Closed Campus

Transylvania County Schools facilities operate under a closed campus policy. Students who check out prior to lunch and who are gone during the lunch period will not be allowed back on campus and in class unless they bring back documentation of a medical visit and/or other scheduled appointment. Visitors and students who return to school from an early dismissal are not to bring food from an outside vendor to be eaten on campus.

Crisis Management and Lockdowns

If necessary, school officials may lock and secure the campus to ensure the security of all staff and students in the form of a lockdown. In such cases, schools follow established lockdown procedures and students are directed to follow the directions of school staff. In the event of a lockdown announcement, any student not already in a classroom should report immediately to the nearest secure room and follow the directions of the staff member in charge there. At least one lockdown drill will be conducted during each school year.

Communicable Diseases

A student diagnosed as having a communicable disease or a related condition shall not be denied access to public schools unless it is determined that the student is too ill to attend school, presents a health risk to others, or otherwise is denied admission by North Carolina General Statutes. In all cases of severe contagious disease (e.g., HIV/AIDS, HBV, HCV), strict adherence to control regulations as defined by general statute and/or the North Carolina Department of Health and Human Resources, shall be required. All decisions regarding the educational status of a student with a severe contagious disease shall follow the steps outlined in the procedures adopted by the superintendent.

Diabetes Care Plan

All parents/guardians who have a diabetic child and desire that their child be considered for a Diabetic Care Plan must submit a written request to the principal of their school. Packets of information regarding the process are available in each school's office. If you desire additional information, please contact the school. Until the packet is returned with the necessary medical information, the school can only request the assistance of EMS (Emergency Management System) personnel.

Fire Drills and Severe Weather Drills

State Law requires tornado or severe weather drills as well as fire drills to be conducted in schools at certain intervals. When the alarm sounds, students must follow the instructions of school staff and remain quiet at all times. Familiarize yourself with the evacuation and drill procedures posted in each classroom. In the event that a fire alarm sounds between classes or at lunch, evacuate the building through the nearest exit as quickly as possible. Always assume that an alarm signals an actual emergency.

Illness or Injury

If a student suddenly becomes ill or is injured the parent/guardian or emergency contact person will be contacted to come for the student or to meet the student at a medical facility. Please keep phone numbers for parents/guardians/emergency contacts up to date. Also be sure emergency medical information (allergies, special conditions) is current. If parent/guardian or emergency contact person cannot be reached and the student needs to be taken to a medical facility, the family will be responsible for the cost of services, including EMS transportation if deemed necessary. No student will be taken home or sent home (in an emergency situation) unless a parent/guardian or someone designated by the parent/guardian is at home to accept the responsibility for the student.

Insurance

Membership in a group accident insurance program will be made available to students each year. Information on the plan will be made available through school publications. Purchase of this insurance constitutes an agreement between the student and/or parent and the insurance company. The school system is not a party to this agreement. The school system does not assume any contractual responsibility for expenses not covered by insurance. Students who choose to participate in programs that may have a higher risk of physical injury than most school activities, including off-site internship programs, football, and other interscholastic sports, are required to have accident insurance through the group plan or comparable coverage. The superintendent may designate other activities, including certain school trips, as requiring accident insurance.

Legal Custody

If a parent has a custody agreement or a current restraining order against a person, it is imperative that the school

have copies of these orders immediately. According to North Carolina law, both parents have legal custody of minor children unless a court has decreed otherwise, and either can pick up the child or remove the child from school.

Medication

School staff may administer medication to students at school only if a doctor or parent/ guardian/health care provider deems it necessary for the medication (prescription or nonprescription) to be given during school hours. The parent/guardian must make a request in writing to the school. A medication log will be maintained for each student receiving medication administered by school personnel. School personnel and the Board of Education assume no liability for complications or side effects of medication when administered in accordance with the instructions provided by the parent/guardian/health care provider or doctor.

1. Prescription medication must be in a container with pharmacist's label.
2. Non-prescription medication must be in the original container.
3. The parent/guardian must deliver medication to a school staff member. No medication will be transported on the school bus except in an emergency.
4. Medications must be removed from the school premises when medication administration has been completed. The school will dispose of medications left more than two weeks after the completion date.

Messages

All student messages will be posted or delivered to students as quickly as possible. To minimize class interruptions, arrangements for routine matters such as rides, money delivery, job times, or other personal matters should be made before arriving at school.

Parking for Students (High School)

All vehicles parked on school grounds must be registered with the Principal or his designee, and must display a valid parking permit. You are to park only in the lot designated on the permit. Parking permits may be purchased at the office when registering vehicles. Students who have their parking privilege permanently revoked will not receive a refund. Also, the principal or his designee shall have the authority to remove and/or suspend/revoke driving and parking privileges as a result of the following violations: excessive tardies, absences, and/or truancy; violations of the Transylvania County Schools Code of Student Conduct; and inadequate academic performance. The school has the authority to search students' vehicles on school grounds if there is a reasonable suspicion of alcohol, drugs, stolen items, or as part of an arrest for violating the law. Students, who drive vehicles to school, park at their own risk and need to understand that *the school nor the Board of Education cannot be held responsible for the vehicle*. A student is not to be in the parking lot during the school day unless he/she has permission from school staff or has an early dismissal.

Reporting Safety Concerns and Anonymous Tip Line

Students should notify any staff member of any acts of violence, harassment, or bullying, or any other unusual or suspicious behavior that may endanger safety. Ongoing student education efforts will aim at minimizing any fear, peer pressure, embarrassment, or other impediments to students reporting potential problems. In addition, the school system has developed and operates an anonymous tip line to receive information on internal or external risks to school buildings and school-related activities. The board encourages any student, parent, or other member of the community with information about any risk or other threat to any student, employee, school, or school activity to contact the school system's anonymous tip line by calling or sending a text message to 828-201-2796 or on the web at <https://asp.schoolmessenger.com/tcsnc/quicktip/>. For more information, see Board Policy: School Safety.

Student and Parent Grievance Procedure

Complaints or concerns that are not specifically designated to be addressed in other policies should be received and addressed at the level closest to which the complaint originated. For example, a complaint regarding a classroom issue should be heard first by the teacher. A complaint regarding the school in general should be addressed first by the principal. While the board encourages resolutions of complaints through informal means, it recognizes that, at times, a formal process may be necessary for certain types of complaints or if the informal process did not produce satisfactory results. Policy 1740/4010 provides a formal complaint procedure that may be used. Any parent or student who has questions about the options for proceeding with a complaint or concern may contact the principal for further information and copies of all applicable board policies. For more information, see Board Policy: Student and Parent Grievance Procedure.

Immunization and Health Requirements for School Admission

The board requires all students to meet the eligibility requirements for school admission established by the State and the board, including immunization and health assessments. The principal or designee shall maintain on file immunization and health assessment records for all students, and these records may be inspected by officials of the county or state health departments in accordance with state and federal law. For more information, see Board Policy: Immunization and Health Requirements for School Admission.

Student Attendance*

North Carolina Public School laws require students to attend school each day while school is in session. The Transylvania County Board of Education is committed to enforcing all state laws and regulations which relate to compulsory attendance, attendance accounting and enforcement of compulsory attendance. The Board shall adopt attendance regulations which are non-discriminatory, promote student achievement, and discourage drop-outs.

The Board believes that regular school attendance is one of the key factors related to school achievement. Responsibility for regular school attendance resides with the parent/guardian and the individual student.

Recognizing that regular school attendance is the foundation for learning and that the North Carolina Attendance Law requires attendance of students between the ages of seven (7) and sixteen (16), these regulations are intended to inform, to encourage regular attendance, and to hold students and parents responsible for attendance. Children under age seven (7) are subject to the compulsory attendance law as long as they are enrolled in public school (G.S. 115C-378).

Definitions

Attendance Defined

To be considered in attendance, a student must be present in the school for at least one-half (1/2) of the school day or at a place other than the school with the approval of the principal to attend an authorized school activity. These activities include field trips, athletic contests, student conventions, music festivals or similar activities.

Attendance Lawful

The school shall consider an absence lawful when a student provides satisfactory written evidence based on one of the following:

1. Illness or injury prevents the student from being physically able to attend school.
2. The local health officer or the State Board of Health orders the isolation of the student.
3. The student is absent due to the death of a member of the immediate family.
4. The student has a medical or dental appointment.
5. The student is a party to or is under subpoena as a witness in the proceedings of a court or administrative tribunal.
6. The student has obtained prior approval by the principal to be absent due to the observance of an event required or suggested by the religion of the student or the student's parents.
7. The student/parent obtains prior approval from the principal to take advantage of a valid educational opportunity, such as travel.

Note: All lawful and unlawful absences are included as part of the ten (10) elementary and middle school absences and five (5) high school absences allowed by this policy.

Enforcement

Each LEA must enforce the state laws and regulations that relate to compulsory attendance.

Out-of-School Suspensions

The absence of a student, which results from the suspension of that student for misconduct, will count as an absence from school and in any missed classes.

Lawful/Unlawful Absences

Absences shall be coded "lawful" or "unlawful" as determined by the principal/designee based upon available information. Absences not defined as lawful and absences for which there is no given explanation shall be coded unlawful.

One-half day is defined as one-half (1/2) of the instructional time scheduled in the student's day.

School term is defined as one-hundred eighty (180) school days.

Absence Accounting Requirements

Absences shall be reported to the State of North Carolina according to attendance regulations and procedures.

Chronic Illnesses/Conditions

A dated doctor's verification of an illness/condition that is likely to result in the frequent absence of a student shall be placed in the student's health file. Parents' notes are still required for student absences.

Elementary School Regulations

A. Reason for Absence

Parent notes and/or other verification, including doctor's notes, for student absences shall be given within two (2) school days after the student's return to school or the absence shall be coded unlawful by default.

B. Makeup Work - Lawful Absences

Students who are absent from school shall be allowed to make up work for the first 10 absences from school except for truancy. This work shall be completed within five (5) school days of the absence unless more time is granted by the principal/designee from the date of the absence(s). Arrangements for makeup work must be made with the classroom teacher and completed on the terms of the teacher involved. The principal/designee will work with students having extenuating circumstances.

- With the occurrence of the 11th absence (which must be for a lawful reason), the principal/designee will allow the student to make up work.
- The student also will be allowed to make up work for absences 12 and 13 if these absences are deemed lawful.
- At the occurrence of the 14th lawful absence, only the principal can grant permission for makeup work.
- Failure to make up work after the 10th absence will result in non-promotion.

C. Makeup Work - Educational Travel

Parents shall request prior approval for educational travel at least five (5) days in advance to allow teachers time to prepare makeup work.

D. Excessive Absences

Students exceeding ten (10) absences (lawful and/or unlawful) in one school year shall not be promoted to the next grade except by a determination of the principal/designee upon review of the student's records and/or gains derived from summer school attendance. Retention may be required when excessive absences interfere with the student's educational progress and it is determined that the child would benefit from such. If an exceptional student exceeds ten (10) absences, promotion and/or summer school attendance shall be determined by the school-based IEP Team after consultation with the principal.

E. Appeals Process

An appeals committee shall be established in each elementary school. Any parent/guardian whose child is in violation of the absence policy may seek relief through the appeals process. Any absence after the 10th school absence must be a lawful absence with valid documentation to be considered for an appeal. Any decision of the appeals committee shall be reviewed by the principal upon request from the student's parent(s).

Middle/High School Regulations

Required Attendance

Students must attend at least two-thirds (2/3) of class to be counted as present.

1. Middle School

Any student who misses more than ten (10) days (lawful and/or unlawful) in a year long class has exceeded the Transylvania County attendance policy requirements and will not receive credit for that class unless permission is granted to make up work and the following conditions are met:

- With the occurrence of the 11th, 12th, and 13th absence(s) from class, the student shall obtain permission from the principal/designee prior to making up work. The principal/designee will grant permission for makeup work only if the 11th, 12th, and 13th absence(s) are for lawful reasons. These excessive absences shall be made up hour for hour, and the student must have proper notes on file and have completed all makeup work. The assignments must be completed to the teacher's satisfaction in order to be considered for credit. All makeup work shall be completed within five (5) school days of the absence unless more time is granted by the principal.
- With the occurrence of the 14th lawful absence only the principal can grant permission for makeup work.

2. High School

Any student who misses more than five (5) days (lawful and/or unlawful absences) in any one class per semester has exceeded the Transylvania County attendance policy requirements and will not be considered for credit unless the following conditions are met:

- With the occurrence of the 6th absence, which must be for a lawful reason, the student will be required to sign an attendance contract and have the principal/designee's permission prior to making up work. All work must be made up within five (5) school days of the absence, made up hour for hour, and all assignments must be completed to the teacher's satisfaction. The attendance contract will cover makeup work for any additional lawful absences up the 8th lawful absence.
- With the 9th lawful absence, only the principal can grant permission for makeup work and will require appropriate supporting documentation for this absence.

Attendance Procedures (All Schools)

A. Reporting Attendance

1. After three (3) accumulated daily absences, a parent or guardian shall be notified by the school by mail.
2. After five (5) accumulated daily absences, a parent or guardian shall be notified by mail that there may be a violation of the Compulsory Attendance Law or Board of Education policy, as appropriate.
3. After ten (10) accumulated daily absences at the elementary and middle school levels and eight (8) accumulated absences at the high school level, the principal/designee shall review the record for compliance with [G.S. 115C-378](#) to determine if there is a prima facie case that the child's parent/guardian is responsible for the absences.
4. High school teachers will notify parents by phone when their child has accumulated three (3) absences in that teacher's class. A high school student's parent/guardian again will be notified by phone when their child has reached five (5) absences in a teacher's class.
5. Parents of all students will be notified of student absences through mid-term reports and quarterly report cards.
6. All teachers and attendance personnel are required to report attendance each day to maintain accurate attendance records.
7. Each school will determine procedures for reporting absences.
8. Students will present a written excuse from a parent or guardian within two (2) days after returning from each absence. Personnel will code absences as lawful or unlawful based on the state coding guidelines. Failure to produce a note within two (2) days shall result in the absence being coded as unlawful by default.
9. Students attending an authorized school activity, with the approval of the appropriate school official, will not be considered absent. Such activities may include field trips, athletic contests, student conventions, musical festivals, or any similar activities.

B. Makeup Work (Middle and High Schools)

1. Students with LAWFUL absences will have an opportunity to make up work and tests missed based on the provisions outlined in these regulations.

2. Students who are absent with parent permission but with UNLAWFUL cause (first 10 absences during the school year at the middle schools; first 5 absences in a semester at the high schools) may be provided makeup work with the permission of the principal/designee.

3. Students suspended from school shall be provided an opportunity to take any quarterly, semester, or grading period examinations missed during the suspension period [[G.S. 115C-392\(b\)](#)].

4. Arrangements for makeup work must be made with the classroom teacher and completed on the terms of the teacher involved within five (5) school days of the absence.

5. Students who are truant (absent without permission of the parent and knowledge of the school) shall not be provided makeup work.

6. All makeup work must be completed prior to procedural reviews (middle schools and high schools). Students having unlawful absences after exceeding the number of allowable absences (10 per year for middle schools and 5 per semester for high schools) in these regulations are not eligible for a procedural review.

Procedural Reviews (Middle Schools and High Schools ONLY)

1. At the end of the semester in high school or end of the year in middle school, all students who have exceeded the allowed number of absences (5 absences in the high schools and 10 absences in the middle schools) may have benefit of a procedural review. The student is responsible for obtaining a Procedural Review Form from the school attendance officer, having the form completed by the classroom teacher(s) where the student is in violation of this attendance policy, and returning the completed form to the attendance officer. Unlawful absences may not be appealed through the procedural review. Students violating the attendance policy because of absences resulting from a suspension may have an opportunity for the procedural review with their principal's permission. All requirements in the procedural review must be met for this student.

2. The procedural review will determine if 1) all proper notes/verification are on file; 2) all lawful absences have been made up hour for hour; 3) all work has been completed; and 4) the student has a passing grade in the class. High school students also must have their attendance contract signed and dated by the principal. Failure to satisfy any of these conditions will eliminate the student's opportunity for the procedural review.

3. Upon completion of the procedural review, the attendance officer will submit his/her recommendation to the school principal for granting credit or promotion.

4. The student and parent/guardian will be notified of the attendance officer's recommendation based on the procedural review. Within three (3) days of receiving this notification, the parent/guardian may submit a request for appeal in writing to the principal. The principal will appoint a committee and schedule an appeals hearing for final determination of the granting or denial of credit or promotion. The appeal will be heard within five (5) days of receipt of the letter. The principal will provide the results of the appeal to the parent/guardian and the student in writing.

Tardies (Middle Schools and High Schools)

1. Tardies to class are cumulative per semester in high school and per year in middle school. If a student is tardy to school, he/she must report to a designated area to receive an admit slip to class. Students who check into school late as a result of medical or dental appointments, court appearances, or reasons approved by the principal will be given a lawful tardy.

2. All tardies accumulate and accrue to absences. Three (3) tardies will equal one (1) absence. These absences will be subject to the attendance rule stated in Section A above.

**Note: Policy JE/JE-R will be converted to a new policy 4400 within the 2017-2018 school year. The new policy becomes effective when adopted and will supersede the information printed in this book.*

Student Discipline and Code of Student Conduct

The Transylvania County Board of Education is committed to teaching responsibility and respect for cultural and ideological differences and to maintaining safe, orderly, and inviting schools. Each student in Transylvania County Schools is responsible for exhibiting the highest standards of behavior. The Code of Student Conduct (the "Code") outlines system-wide expectations for student behavior designed to provide the best possible learning environment. This Code does not restrict the authority of teachers, site-based teams, or principals to make individual school or class rules not inconsistent with the procedures outlined below.

Students are encouraged to make responsible choices regarding personal behavior and to seek the support, guidance, and intervention of school officials when needed. Mediation services are available to all students as a healthy and proactive process for guiding good decision making, resolving conflicts in a peaceful manner, and maintaining healthy relationships throughout the school environment.

Applicability

Students must comply with the Code 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 school bus stop;
4. During any school-sponsored activity or extracurricular activity;
5. When subject to the authority of school employees; and,
6. At any place or time when the student's behavior has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment.

Definitions

Alternative Education Services – Part- or full-time programs, wherever situated, providing direct or computer-based instruction that allows a student to progress in one or more core courses.

Board – Transylvania County Board of Education

Day(s) – School day(s) excluding teacher workdays, holidays, vacation days, and weekends.

Destructive Device – An explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one quarter ounce, mine, or other device similar to any of the devices listed.

Expulsion – The indefinite exclusion of a student from registering, enrolling, or attending any school under the operation of the Board for disciplinary purposes. This exclusion also includes riding in a school-owned or school-operated vehicle and prohibits the student from participating in school activities or entering any school property.

Firearm – Includes (1) a weapon, including a starter gun, which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; (2) the frame or receiver of any such weapon; and, (3) any firearm muffler or firearm silencer. The term "firearm" does not include an inoperable antique firearm, BB gun, stun gun, air rifle, or air pistol.

Long-Term Suspension – Exclusion from the school to which the student was assigned at the time of the disciplinary action and from participation in school activities or events for a period in excess of ten days but not to exceed the remainder of the school year, except that if the offense leading to the long-term suspension occurs in the final quarter of the school year, the exclusion may extend to the end of the first semester of the following school year.

Parent – Includes the natural parent, legal guardian, legal custodian, or other caregiver adult who is acting in the place of a parent and is entitled under state law to enroll the student in school.

Principal – Includes the Principal and the Principal's designee

School Personnel – Includes (1) any Board employee; (2) any person working on school grounds or at a school function under a contract or written agreement with the school system to provide educational or related services to students; and, (3) any person working on school grounds or at a school function for another agency providing educational or related services to students.

Short-Term Suspension – Exclusion from school and participation in school activities or events for up to ten days.

Superintendent – Includes the Superintendent and the Superintendent's designee

Interrogation and Searches of Students

As outlined in Board Policy JFG, "Interrogations of Students," and Board Policy JFGA, "Searches of Students," students may be questioned and/or searched if it is necessary to maintain a safe and orderly school environment. The Board believes that students should be free from unreasonable search and seizure by school officials. School

officials may search a student when a reasonable suspicion exists that the student has violated a school rule or broken a law.

Since student lockers are school property, they may be inspected at any time.

When law enforcement authorities have initiated the search, or are directly involved in the search, the search will be conducted under criminal law standards rather than under the provisions of this policy. The Board will not prohibit law enforcement agents from attempting to question students at school if any of the following conditions exist:

1. Parental consent;
2. A court order involving the student(s); or,
3. A warrant involving the student(s).

Any of these three stated conditions provide sufficient justification for law enforcement agents to escort students to other locations for questioning. Should a law enforcement agent present a court order or warrant for a student, reasonable efforts will be made to contact the parents if they have not been previously notified.

Reports to Law Enforcement

As outlined in Board Policy JFCA, "Criminal Behavior," principals shall report to law enforcement certain criminal offenses that occur on school property when the principal has personal knowledge, actual notice, or a reasonable belief that the following criminal acts have occurred, regardless of the age or grade of the perpetrator or victim: (1) assault resulting in serious personal injury; (2) sexual assault; (3) sexual offense; (4) rape; (5) kidnapping; (6) indecent liberties with a minor; (7) assault involving the use of a weapon; (8) possession of a firearm in violation of the law; (9) possession of a weapon in violation of the law; and, (10) possession of a controlled substance in violation of the law. Additionally, the principal may notify law enforcement of any other potential criminal conduct or incident which may jeopardize the safety, security, or well-being of the school environment.

The principal shall notify the superintendent in writing or by e-mail of any report made to law enforcement. Such notice must occur by the end of the workday in which the incident occurred, when reasonably possible, but not later than the end of the following workday. The superintendent must inform the Board of any such reports. In addition, the principal must notify the parents or guardians of students who are alleged to be victims of any reported offenses. Certain crimes must be reported to the State Board of Education in accordance with State Board of Education Policy HRS-A-000.

Consequences and Behavioral Interventions

Violation of Board policies, the Code, regulations issued by the individual school or an individual teacher, or North Carolina law may result in disciplinary action. Principals shall inform students at the beginning of each school year of the contents of the Code and any school rules that may result in discipline. Most disciplinary consequences can occur with the student remaining in an educational environment. Illustrative examples of in-school disciplinary consequences available to principals include, but are not limited to:

1. Parental involvement, such as conferences;
2. Isolation or time-out for short periods of time;
3. Behavior improvement agreements;
4. Instruction in conflict resolution and anger management;
5. Mediation;
6. Individual or small group sessions with the school counselor;
7. Academic intervention;
8. In-school suspension;
9. Detention before and/or after school or on Saturday;
10. Community service;
11. Exclusion from graduation ceremonies;
12. Exclusion from extracurricular activities;

13. Suspension from bus privileges; and,
14. Placement in an alternative school.

As outlined in Board Policy JGA, "Corporal Punishment," the Board prohibits corporal punishment, believing other consequences are more appropriate and effective for teaching self-control. No employee, student teacher, or volunteer may use corporal punishment with any student. The use of reasonable force as permitted by law, including force necessary to protect oneself or others, is not considered corporal punishment.

When, in the judgment of the school principal, a student's behavior warrants an out-of-school suspension, the principal may impose a short-term suspension or, for more serious violations of the Code, may recommend a long-term suspension, a 365-day suspension, or expulsion. Suspensions of greater than ten days are reserved for serious misconduct that either threatens the safety of others within the school or threatens to substantially disrupt the educational environment.

In determining the appropriate consequence for a violation of this Code, principals shall consider all aggravating or mitigating circumstances they deem relevant. Examples of aggravating or mitigating circumstances that may be considered include, but are not limited to:

1. The student's age;
2. The student's intent;
3. The student's disciplinary history, including number of infractions and prior discipline for the same violation;
4. The student's academic history;
5. Whether the conduct caused a threat to safety;
6. Whether school property or personal property was damaged;
7. Whether the conduct caused a substantial disruption of the educational environment; and,
8. Whether a weapon was involved and whether any injury resulted.

The Code is leveled to indicate the severity of the violation and the type of consequence. The principal shall inform students of local school rules that, if broken, may result in suspension from school.

Level I rule violations should generally result in in-school interventions in lieu of out-of-school suspensions. In cases where a student refuses to participate in the in-school interventions or engages in persistent violations of a Level I rule, or other aggravating factors are present, the principal may impose a short-term suspension. The procedures established by Board Policy JGD, "Short-Term Suspension," shall be followed when disciplinary consequences for a Level I rule violation include suspension for fewer than ten (10) days. Any short-term suspension for truancy or tardiness shall not exceed two (2) school days and shall only occur following documented interventions. Level I rule violations may not result in long-term suspension.

Level II rule violations involve more serious misconduct that may warrant short-term suspension. The procedures established by Board Policy JGD, "Short-Term Suspension," shall be followed when disciplinary consequences for a Level II rule violation include suspension for fewer than ten (10) days. Principals may recommend a long-term suspension based upon the presence of aggravating factors. The procedures established by Board Policy JGDA, "Long-Term Suspension, 365-Day Suspension, and Expulsion," shall be followed when disciplinary consequences for a Level II rule violation include the principal's recommendation for suspension in excess of ten (10) days.

Level III rule violations are more severe in nature and support long-term suspension. The procedures established by Board Policy JGDA, "Long-Term Suspension, 365-Day Suspension, and Expulsion," shall be followed when disciplinary consequences for a Level III rule violation include the principal's recommendation for suspension in excess of ten (10) days. The principal may impose a short-term suspension based on mitigating factors. The procedures established by Board Policy JGD, "Short-Term Suspension," shall be followed when disciplinary consequences for a Level III rule violation include suspension for fewer than ten (10) days.

Level IV rule violations compromise the safety and welfare of students and staff and require a suspension of a specific length under the North Carolina General Statutes. In such cases, the procedures established by Board Policy JGDA, "Long-Term Suspension, 365-Day Suspension, and Expulsion," shall be followed.

Level V allows for expulsion of a student, as provided by state law, for a violation of the Code, if (1) the student is fourteen years of age or older, (2) the student's behavior indicates that his or her continued presence in school constitutes a clear threat to the safety of other students or employees, and (3) the Board determines that there is no appropriate alternative education program. Additionally, any student who is a registered sex offender under N. C. Gen. Stat. § 14-208 may be expelled consistent with state law. The procedures established by Board Policy JGDA, "Long-Term Suspension, 365-Day Suspension, and Expulsion," shall be followed.

VIOLATIONS AND CONSEQUENCES

Level I violations result in in-school disciplinary consequences or possible short-term suspension due to aggravating factors, and include:

I-1 Inappropriate Language. Cursing and the use of vulgar, profane, or obscene language is prohibited.

I-2 Attendance. Students shall attend school regularly. Students shall be considered truant and subject to discipline whenever they are absent from school without a valid excuse or not in class or an approved instructional activity during the school day. Arriving late to class, skipping class or school, leaving the school campus without permission, and being in an unauthorized area on the school campus are prohibited.

I-3 Cheating. Cheating includes the actual giving or receiving of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work.

I-4 Plagiarism. Plagiarism includes the copying of the language, structure, idea and/or thought of another and representing it as one's own original work. Plagiarism may include a grade of zero (0) for the assignment or paper in addition to other disciplinary consequences.

I-5 Falsification. Falsification includes the verbal or written statement of any untruth.

I-6 Compliance with Directions. Students shall comply with all reasonable directions of principals, teachers, substitute teachers, student teachers, teacher assistants, bus drivers, and all other school personnel who are authorized to give such directions.

I-7 Disrespect of Other Students. Students shall not mistreat fellow students or act in a way that interferes with the ability of other students to learn in a peaceful and safe environment.

I-8 Disruptive Behavior. A student may not use any means to interrupt or interfere with teaching or orderly conduct of school activities.

I-9 Wireless Communication and Electronic Devices. As outlined in Board Policy JI, "Wireless Communication and Electronic Devices," the Board regards the possession of a wireless communication and/or electronic device as a privilege. The use of these devices can also be a disruption to the instructional process and create a safety hazard.

Students and parents assume the risk of loss when an electronic device is brought onto school grounds for any reason. The school system is not responsible for the loss of, theft of, or damage to any wireless communication and/or electronic device, including any such device confiscated by school personnel. Nothing in this policy shall prevent a principal from immediately banning from school the possession of any item or device when used in the violation of a specific provision of the Code for which a more stringent punishment is warranted.

No elementary student shall have in their possession on school property any wireless communication and/or electronic device, including but not limited to cell phones, laser pointers, paging devices, two-way radios, iPods, any devices possessing photographic capabilities, CD/MP3 players, electronic games, PDAs, Bluetooth devices, or other communication and/or electronic devices not specified capable of the same or similar functions.

Except as provided below, no high school or middle school students shall use, have in view, or have on their person or in their personal belongings during the instructional day (from the beginning school bell until the dismissal bell) any wireless communication and/or electronic device, including but not limited to cell phones, laser pointers, paging devices, two-way radios, iPods, any devices possessing photographic capabilities, CD/MP3 players, electronic

games, PDAs, Bluetooth devices, or other communication and/or electronic devices not specified capable of the same or similar functions. All such devices must be stored in locked cars or locked lockers during the instructional day. Devices in lockers must be in the "off" position and shall be stored in such a manner as to make them inaccessible during the instructional day.

High school and/or middle school students, with permission from their principal, may have wireless communication and/or electronic devices in their possession on yellow school buses. However, all such devices must be in the "off" position and shall be stored in such a manner as to make them inaccessible during the bus ride. The use of such devices on white activity buses is at the discretion of the sponsor/coach in charge of the white activity bus.

School administrators have the right to conduct searches of students upon reasonable suspicion to ensure the enforcement of this policy. Any school staff member witnessing a violation of this policy at his/her school shall report it to a school administrator immediately.

An "offense" shall occur each time this policy is violated, regardless of the specific device or devices involved. However, the possession of multiple devices at one time shall be regarded as one offense. The consequences for violation of this policy are:

1. **First Offense** – The device will be confiscated and a parent conference with the principal will be held. A contract must be signed by the parent/legal guardian, student, and principal.
2. **Second Offense** – The device will be confiscated and a parent conference with the principal will be held. At the discretion of the principal, the student may receive either a three-day in-school or out-of-school suspension. The device will be returned to the parent after a maximum of forty-five (45) calendar days or sooner at the discretion of the principal.
3. **Third Offense** – The device will be confiscated and a parent conference with the principal will be held. At the principal's discretion, the student may receive either a five-day in-school or out-of-school suspension. The device will be returned to the parent after a maximum of ninety (90) calendar days or sooner at the discretion of the principal.
4. **Possession of a wireless communication and/or electronic device during a test or quiz** – In addition to the above consequences, a grade of zero (0) will be assigned for the test or quiz. Any student who has a visible cell phone or one that rings during a test will be considered cheating on that test. In addition, any student who has a visible cell phone or one that rings during a test will go to the second offense outlined in this section, even if the student has no prior history of being caught with a cell phone.

Any student not following the directives of a school employee during the confiscation of any device is subject to disciplinary action at the discretion of the principal.

The principal may give special approval (at the request of the teacher) for the possession and/or use of electronic devices by a student(s) for special instructional activities during the school day(s).

The use of a wireless communication/electronic device in a criminal act will result in prosecution.

I-10 Student Dress Code. As outlined in Board Policy JFCE, "Student Dress Code," Transylvania County Schools' student dress code is established to teach grooming and hygiene, instill discipline, prevent disruption, avoid safety hazards, and teach respect for authority.

Students in an educational setting shall be modestly dressed and groomed in a manner that is clean and neat and that will not be a health hazard to themselves or others. The Board prohibits clothing or grooming that, in the principal's judgment, may be lewd, offensive, vulgar, suggestive, obscene, or may reasonably be expected to cause disruption or interfere with normal school operations. Also prohibited are items of clothing with slogans that promote or encourage the use of tobacco products, alcoholic beverages, or illegal drugs. Students should dress for success. Therefore, pajamas, slippers, and excessively casual or tight fitting attire should not be worn. Caps, hats, and other head coverings may not be worn indoors at the elementary or middle schools. Caps may be worn only in the hallways at the high school level.

THE CLOTHING DESCRIBED BELOW IS ACCEPTABLE AND APPROPRIATE. If the clothing is NOT described below, then it is considered unacceptable and will constitute a violation of the dress code:

1. Pants, shorts, skirts, and dresses must be knee-length. Holes, slits, or tears in garments above knee length are not acceptable.

2. All tops must be loose-fitting, must have sleeves, and must have an appropriate neckline that is not revealing. Cleavage cannot be visible at any time.
3. All students must have shirts that are tucked in or long enough to cover the midsection when standing, leaning, bending, or sitting.
4. Undergarments cannot be inappropriately visible at anytime.
5. No other type of headgear may be worn in the building (e.g., bandanas, do-rags).
6. Pants must be worn at the natural waistline.
7. Trench coats are not to be worn.
8. **All shorts and pants must be loose-fitting and modest. Tight fitting pants such as leggings, yoga pants, “jeggings” should not be worn unless with a suitable length shirt or dress covering to the mid-thigh.**

Consequences for Violations of the Dress Code Policy

1. **First Offense** – Students will be warned and directed to change clothes or correct the violation.
2. **Second Offense** – Students will be assigned to lunch detention and directed to change clothes or correct the violation.
3. **Third Offense** – Students will be referred to the office for insubordination and directed to change clothes or correct the violation.

This policy does not apply to school-sanctioned uniforms and costumes approved by the principal for athletic, choral, or dramatic performances.

I-11 Gambling. Students shall not participate in any unauthorized games of chance in which money or other items of value may be won or lost.

I-12 Disruptive or Indecent Images, Literature, or Illustrations. The possession or distribution of images, literature or illustrations that are vulgar, indecent, or obscene or that significantly disrupt the educational process is prohibited.

I-13 Use of Tobacco. As outlined in Board Policy Board Policy GBK, “Tobacco-Free Schools,” students are prohibited from using or possessing any tobacco product: (1) in any school building, on any school campus, and in or on any other school property owned or operated by the Board, including school vehicles; (2) at any school-related activity, including athletic events; or, (3) at any time when the student is subject to the supervision of school personnel, including during school trips. For purposes of this provision, “tobacco product” means any product that contains or that is made or derived from tobacco and is intended for human consumption, including electronic cigarettes and all lighted and smokeless tobacco products. No tobacco use is allowed in buildings, on campus, in school vehicles (or vehicles used for school related transportation), or at school sponsored events. No student may possess tobacco products, matches, or lighters.

Nothing herein prohibits the use or possession of tobacco products for an instructional or research activity conducted in a school building, provided that the activity is conducted or supervised by a faculty member and that the activity does not include smoking, chewing, or otherwise ingesting tobacco.

Consequences for Tobacco Possession and/or Use

1. **First Offense** – One (1) day of in-school suspension or C-STOP. The student will be provided with educational materials regarding tobacco cessation.
2. **Second Offense** – Two (2) days of in-school suspension or C-STOP
3. **Third Offense** – One (1) day of out-of-school suspension
4. **Fourth Offense** – Two (2) days of out-of-school suspension

I-14 Misconduct on a School Vehicle. As outlined in Board Policy JFCC, “Student Conduct on School Buses,” the Board recognizes the importance of safety on school buses as related to student welfare and an efficient transportation system. Misbehavior in any form on a bus is a safety hazard and will not be tolerated. See the section below in this book “Student Conduct on School Buses” for more information and the range of consequences.

I-15 Inappropriate displays of affection. As outlined in Board Policy JFCK, “Student Public Display of Affection,” the Board believes that an atmosphere must be established that promotes an optimum learning environment for all students. Appropriate social behaviors in an educational setting contribute to a positive learning

environment for all students. Learning and practicing socially acceptable behavior are important aspects of the students' education. The Board explicitly prohibits public display of affection except for hand holding at the high school level.

Level II violations result in short-term suspension, the principal's recommendation for long-term suspension with aggravating factors, or in-school disciplinary consequences with mitigating factors, and include:

II-1 Verbal Abuse. Students may not direct toward any school employee cursing, threats, or language that is abusive or threatening. Using profane, indecent, or threatening language to any person over the telephone; annoying or harassing by repeated telephoning; or, making false statements over the telephone is prohibited. Serious infractions may be considered Level III violations resulting in more severe consequences.

II-2 Threat/False Threat. As outlined in Board Policy JFC, "Student Conduct/Discipline," students are prohibited from directing toward any other person any language that threatens force, violence, or disruption or any sign or act that constitutes a threat of force, violence, or disruption. See also Rule III-5 and Rule III-7 in this Code for additional information regarding bomb threats and terrorist threats.

II-3 Bullying and Harassment. As outlined in Board Policy ACB, "Interpersonal Human Relations and Student Grievance Procedures," and Board Policy JFC, "Student Conduct/Discipline," the Board will not tolerate inappropriate behavior or language which results in harassment, bullying, or discrimination based on race; color; religion; ancestry; national origin; gender; sex; age; socioeconomic status; academic status; gender identity; physical appearance; sexual orientation; pregnancy; 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. Any student who believes he has been the victim of such behavior should report it to the principal, who will investigate and determine further appropriate action. All matters involving interpersonal human relations complaints shall remain confidential. Acts of retaliation against a student for filing a report under the provisions of this policy will not be tolerated.

II-4 Sexual Harassment. No student shall engage in any conduct prohibited by Board Policy AACA, "Sexual Harassment."

II-5 Fighting/Physical Aggression. No student may intentionally hit, shove, scratch, bite, block the passage of, or throw objects at a student or other person. No student shall take any action or make any comments or written messages intended to cause others to fight or which might reasonably be expected to result in a fight.

A student who is attacked may use reasonable force in self-defense, but only to the extent necessary to get free from the attack and notify proper school authorities. A student who exceeds reasonable force may be disciplined even though someone else provoked the fight.

Fighting at the elementary school level will result in the following disciplinary consequences:

1. **First Offense** – The student will be placed in in-school suspension for one (1) day. The principal will consult the School Resource Officer, and offenders may be charged.
2. **Second Offense** – The student will be placed in in-school suspension for three (3) days. A behavior contract will be developed for the student. The principal will consult the School Resource Officer, and offenders may be charged.
3. **Third Offense** – The student will be placed in in-school suspension for five (5) days. The principal will consult the School Resource Officer, and offenders may be charged.

Fighting at the middle and high school level will result in the following disciplinary consequences:

1. **First Offense** – The student may be suspended for up to three (3) days. The parent will be notified to pick up the student. The principal will consult the School Resource Officer, and offenders may be charged.
2. **Second Offense** – The student may be suspended for three (3) to five (5) days. The parent will be notified to pick up the student. Law enforcement officials will be notified, and offenders may be charged. A behavior contract will be developed for the student.
3. **Third Offense** – The student may be suspended for up to ten (10) days, and the principal may recommend the student's long-term suspension to the superintendent. The parent will be notified to pick up the student. Law enforcement will be notified, and offenders may be charged.

Parents will be encouraged to meet with the School Resource Officer to discuss the consequences of any possible criminal charges.

II-6 Hazing. N. C. Gen. Stat. § 14-35 defines *hazing* as “subjecting another student to physical injury as part of an initiation, or as a prerequisite to membership into any organized school group, including any society, athletic team, fraternity or sorority or other similar group.” No group or individual shall require a student to wear abnormal dress, play abusive or ridiculous tricks on him/her, frighten, scold, swear, harass or subject him/her to personal indignity.

II-7 Theft or Damage to Property. As outlined in Board Policy JFC, “Student Conduct/Discipline,” students are prohibited from stealing or attempting to steal school or private property and/or from knowingly being in possession of stolen property. Students are also prohibited from damaging or attempting to damage school or private property.

II-8 Arson. Starting a fire or attempting to start a fire on school property is prohibited unless specifically authorized by school officials.

II-9 False Fire Alarms. No student shall falsely set off, attempt to falsely set off, or aid and abet anyone in falsely setting off a fire alarm at school.

II-10 Trespassing. As outlined in Board Policy JFC, “Student Conduct/Discipline,” students are prohibited from trespassing on school property. A student will be considered a trespasser and may be criminally prosecuted in any of the following circumstances:

1. The student is on the campus of a school to which he or she is not assigned during the school day without the knowledge and consent of the officials of that school;
2. The student is loitering at any school after the close of the school day without any specific need or supervision; or,
3. The student has been suspended from school but is on the property of any school during the suspension period without the express permission of the principal.

II-11 School Transportation Disturbance. Any physical or verbal disturbance that occurs on a school transportation vehicle and that interrupts or interferes with the safe and orderly operation of the vehicle is prohibited. Violations of this rule may result in removal from school transportation in addition to other disciplinary consequences available under this policy. (See also Rule I-14 in this Code and Board Policy JFCC, “Student Conduct on School Buses” for additional information.)

II-12 Computer Misuse. Individual users of school-provided Internet service and computers are expected to abide by Board Policy 3225/4312/7320 “Technology Responsible Use”. In addition to the provisions of that policy, the following behaviors are specifically prohibited:

1. Sending or displaying offensive, vulgar, crude, or threatening messages or pictures;
2. Using obscene language;
3. Harassing, insulting or attacking others;
4. Damaging computers, computer systems, software, or computer networks;
5. Violating copyright laws;
6. Using another's ID and/or password;
7. Illegal use of data in folders or work files;
8. Intentionally wasting limited resources, including distributing mass email messages, creating and participating in unauthorized newsgroups, and storing files on file servers without proper authorization; and,
9. Employing the network for commercial purposes.

Disciplinary consequences for violations of Board 3225/4312/7320 “Technology Responsible Use” include restitution of costs incurred through damage, including loss and/or repair; limitation or cancellation of user privileges; criminal prosecution; and, short-term suspension. Nothing in this section shall inhibit the principal's authority to recommend long-term suspension for computer misuse that violates other rules established by the Code.

Level III violations may result in the principal's recommendation for long-term suspension or possible short-term suspension with mitigating factors, and include:

III-1 Assault on School Personnel. As outlined in Board Policy GBEEA-R, “Staff Protection,” the Board values its employees and will prosecute to the fullest extent of the law anyone who assaults an employee. Job-related assault will be defined as any verbal assault, physical assault, or battery upon an employee which takes place at any time during an employee's performance of work-related duties, either on educational property or off.

An assault on school personnel by a student shall result in a minimum ten (10) day short-term suspension from school. The assault of a school bus driver by a student shall result in a minimum one-hundred eighty (180) day suspension from the bus and a minimum ten (10) day short-term suspension from school. The principal may recommend long-term suspension as a result of aggravating factors. If a teacher is assaulted or injured by a student and as a result the student is long-term suspended, expelled, or assigned to alternative education, then the student shall not be returned to that teacher's classroom unless the teacher consents.

III-2 Assault on Another Student. No student may cause or attempt to cause serious physical injury to another student.

III-3 Coercion or Extortion. No student may use force or violence or threat of force or violence to obtain money, property, or personal services from another student.

III-4 Weapons. As outlined in Board Policy JGDC, "Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety," the Board will not tolerate the presence of weapons. Any student who violates this policy will be removed from the classroom or school environment for as long as is necessary to provide a safe and orderly environment for learning. Students are prohibited from possessing, handling, using, or transmitting, whether concealed or open, any weapon or any instrument that reasonably looks like a weapon or could be used as a weapon, including loaded and unloaded firearms, including guns, pistols, and rifles; destructive devices such as explosives, dynamite cartridges, bombs, grenades, and mines; knives, including pocket knives, bowie knives, switchblades, dirks, and daggers; slingshots and slungshots; leaded canes; blackjacks; metal knuckles; BB guns; air rifles and air pistols; stun guns and other electric shock weapons such as tasers; icepicks; razors and razor blades (except those designed and used solely for personal shaving); fireworks; and, any sharp pointed or edged instruments except unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance. Examples of other objects that may be considered weapons are box cutters and other types of utility blades and blowguns.

No student may knowingly or willfully cause, encourage, or aid another student to possess, handle, or use or transmit 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 person with such an item, or who becomes aware that another student or other person intends to possess, handle, or use such an item must notify a teacher or the principal immediately.

This section does not apply to Board-approved and Board-authorized activities for which the Board has adopted appropriate safeguards to protect student safety.

A student who in any way encourages another student to bring weapons to school also endangers the safety of others. No student shall knowingly or willfully cause, encourage, or aid any other student to possess, handle, or transmit any of the weapons or facsimiles of weapons listed above.

Please refer to **Level IV** violations for additional information regarding firearms and destructive devices.

III-5 Bomb Threats. As outlined in Board Policy JGDC, "Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety," students are prohibited from making, aiding, and/or abetting in making a bomb threat or perpetrating a bomb hoax against school system property by making a false report that a device designed to cause damage or destruction by explosion, blasting, or burning is located on school property. No student may knowingly or willfully cause, encourage, or aid another student to make a bomb threat or perpetrate a bomb hoax. Any student who becomes aware that another student or other person intends to use a bomb, make a bomb threat, or perpetrate a bomb hoax must notify a teacher or the principal immediately.

III-6 Drugs and Alcohol. As outlined in Board Policy JGDB, "Drugs and Alcohol," unauthorized or illegal drugs and alcohol are a threat to safe and orderly schools and will not be tolerated. The superintendent is responsible for ensuring that this policy is consistently applied throughout the school system. Students are prohibited from possessing, using, transmitting, selling or being under the influence of any of the following substances:

1. Narcotic drugs;
2. Hallucinogenic drugs;
3. Amphetamines;
4. Barbiturates;
5. Marijuana or any other controlled substance;

6. Synthetic stimulants, such as MDPV and mephedrone (e.g., "bath salts"), and synthetic cannabinoids (e.g., "Spice," "K2");
7. Any alcoholic beverage, malt beverage, fortified or unfortified wine, or other intoxicating liquor; or,
8. Any chemicals, substances, or products procured or used with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student's mood or behavior.

Students also are prohibited from possessing, using, transmitting, or selling drug paraphernalia or counterfeit (fake) drugs. Students may not participate in any way in the selling or transmitting of prohibited substances, regardless of whether the sale or transmission ultimately occurs on school property.

Possession or use of prescription and over-the-counter drugs is not in violation of this policy if such drugs are possessed and used in accordance with Policy JHCD, "Administering Medicines to Students." The principal may authorize other lawful uses of substances that are otherwise prohibited by this policy, such as for approved school projects.

As required by Policy JFCA, "Criminal Behavior," the principal must report to the appropriate law enforcement agency any student who has used or possessed prohibited substances in violation of this policy. All prohibited behaviors outlined in this policy are deemed to constitute "serious violations" pursuant to Board Policy JFC, "Student Conduct/Discipline," and the disciplinary consequences for those prohibited behaviors shall be consistent therewith. The Board is concerned for the well-being of students who are substance abuse offenders and recognizes their need to remain in school and continue their education. Therefore, voluntary participation in Transylvania County Schools' Substance Abuse Offenders Program may be provided, in conjunction with other disciplinary consequences, as an alternative to long-term suspension for first-time substance abuse offenders. Please see Board Policy JGDB, "Drugs and Alcohol," for additional information about the Substance Abuse Offenders Program

III-7 Terrorist Threats. As outlined in Board Policy JGDC, "Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety," students are prohibited from making, aiding, conspiring, and/or abetting in making a terrorist threat or perpetrating a terrorist hoax against school system property by making a false report that a device, substance, or material designed to cause harmful or life-threatening injury to another person is located on school property.

No student may knowingly or willfully cause, encourage, or aid another student to make a terrorist threat or perpetrate a terrorist hoax. Any student who becomes aware that another student or other person intends to use a device, substance, or material designed to cause harmful or life-threatening illness or injury to another person, make a terrorist threat, or perpetrate a terrorist hoax must notify a teacher or the principal immediately.

III-8 Clear Threats to Student and Employee Safety. As outlined in Board Policy JGDC, "Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety," students are prohibited from engaging in behavior that constitutes a clear threat to the safety of other students or employees. Behavior constituting a clear threat to the safety of others includes, but is not limited to:

1. Theft or attempted theft by a student from another person by using or threatening to use a weapon;
2. The intentional and malicious burning of any structure or personal property, including any vehicle;
3. An attack or threatened attack by a student against another person wherein the student uses a weapon or displays a weapon in a manner found threatening to that person;
4. An attack by a student on any employee, adult volunteer, or other student that does not result in serious injury but that is intended to cause or reasonably could cause serious injury;
5. An attack by a student on another person whereby the victim suffers obvious severe or aggravated bodily injury, such as broken bones, loss of teeth, possible internal injuries, laceration requiring stitches, loss of consciousness, or significant bruising or pain; or whereby the victim requires hospitalization or treatment in a hospital emergency room as a result of the attack;
6. Any intentional, highly reckless, or negligent act that results in the death of another person;
7. Confining, restraining, or removing another person from one place to another, without the victim's consent or the consent of the victim's parent, for the purpose of committing a felony or for the purpose of holding the victim as a hostage, for ransom, or for use as a shield;
8. The possession of a weapon on any school property, including in a vehicle, with the intent to use or transmit for another's use or possession in a reckless manner so that harm is reasonably foreseeable;
9. Taking or attempting to take anything of value from the care, custody, or control of another person or persons, by force, threat of force, or violence, or by putting the victim in fear;

10. Any unauthorized and unwanted intentional touching, or attempt to touch, by one person of the sex organ of another, including the breasts of the female and the genital areas of the male and female;
11. The possession, manufacture, sale or delivery, or any attempted sale or delivery, of a controlled substance in violation of Chapter 90 of the North Carolina General Statutes;
12. Any behavior resulting in a felony conviction on a weapons, drug, assault or, other charge that implicates the safety of other persons; and,
13. Any other behavior that demonstrates a clear threat to the safety of others in the school environment.

III-9 Gangs and Gang Activities. As outlined in Board Policy JFCB, "Gang-Related Activity," gang-related activity is strictly prohibited within the schools. As it is used within this Code, "gang-related activity" means (1) any conduct that is prohibited by Board policy and is engaged in by a student on behalf of an identified gang or as a result of the student's gang membership, or (2) any conduct engaged in by a student to perpetuate, proliferate, or display the existence of any identified gang. Prohibited behaviors include, but are not limited to:

1. Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs, or other items with the intent to convey membership or affiliation in a gang;
2. Communicating either verbally or nonverbally (gestures, handshakes, slogans, drawings, etc.) with the intent to convey membership or affiliation in a gang;
3. Tagging, or otherwise defacing school or personal property with symbols or slogans intended to convey membership or affiliation in a gang;
4. Requiring payment of protection, insurance, or otherwise intimidating or threatening any person related to gang activity;
5. Inciting others to intimidate or to act with physical violence upon any other person related to gang activity;
6. Soliciting others for gang membership; and,
7. Committing any other illegal act or other violation of school system policies in connection with gang-related activity.

Current information on gang-related activities is maintained in the main office at each school. This information is subject to change, and the principal should be consulted for updates. Additional information identifying gang signs, symbols, clothing, and other gang indicators may be found on the website of the *Partnership for a Gang Free North Carolina* at <http://www.ncgangcops.org/gfnc.html> or by contacting the School Resource Officer in any school.

Before being punished for a violation of subsection 1 or 2 above, a student shall receive an individualized warning as to what item or conduct is in violation of this policy and shall be permitted to immediately change or remove any prohibited items. A student may be punished only if he or she previously received notice that the specific item or conduct is prohibited.

In a situation where a student has violated this policy or is otherwise suspected of gang affiliation through other circumstantial evidence, the principal shall conduct an intervention involving the principal and/or assistant principal, the student and the student's parent. Such intervention also may include the school resource officer and others as appropriate. The purpose of an intervention is to discuss school officials' observations and concerns and to offer the student and his or her parents information and an opportunity to ask questions or provide other information to the school officials.

This policy shall be applied in a non-discriminatory manner based on the objective characteristics of the student's conduct in light of the surrounding circumstances.

III-10 License Revocation for Serious Infractions. Students shall lose their driver's license due to suspension from school for more than ten (10) consecutive days, or placement in an alternative learning program for more than ten (10) days, for the following:

1. Possession or sale of alcoholic beverages or an illegal controlled substance on school property;
2. Possession or use on school property of a weapon or firearm that resulted in disciplinary action under N. C. Gen. Stat. § 115C-391(d1) or that could have resulted in that disciplinary action if the conduct had occurred in a public school; or,
3. The physical assault on a teacher or other school personnel or school property.

Students suspended for ten (10) or fewer consecutive days for one of the above offenses will not be eligible to enroll in driver's education classes for one year from the date of the suspension. This provision applies to any student at least fourteen (14) years old or in the eighth grade. The student will be ineligible to hold a driving permit/license or attend driver's education classes for one (1) full year from the time of the offense.

Level IV violations shall result in mandatory suspensions required under State law, and include:

IV-1 Firearms and Destructive Devices. As required by State law and outlined in Board Policy JGDC, “Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety,” a student who brings or possesses a firearm or destructive device on school property or at a school-sponsored event must be suspended for 365 days, unless the superintendent modifies, in writing, the required 365-day suspension for an individual student on a case-by-case basis. The superintendent shall not impose a 365-day suspension if the superintendent determines that the student (1) took or received the firearm or destructive device from another person at school or found the firearm or destructive device at school, (2) delivered or reported the firearm or destructive device as soon as practicable to a law enforcement officer or school personnel, and (3) had no intent to use the firearm or destructive device in a harmful or threatening way.

For the purpose of this subsection, a firearm is (1) a weapon, including a starter gun that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive, (2) the frame or receiver of any such weapon, or (3) any firearm muffler or firearm silencer. A firearm does not include an inoperable antique firearm, a BB gun, a stun gun, an air rifle or an air pistol. For the purposes of this subsection, a destructive device is an explosive, incendiary, or poison gas (1) bomb, (2) grenade, (3) rocket having a propellant charge of more than four ounces, (4) missile having an explosive or incendiary charge of more than one-quarter ounce, (5) mine, or (6) similar device.

Level V violations shall result in expulsion.

An expulsion is the indefinite exclusion of a student from school enrollment for disciplinary purposes. Upon the recommendation of the superintendent, the Board may expel a student who is fourteen (14) years of age or older if the student’s continued presence in school constitutes a clear threat to the safety of other students or employees. Additionally, a student who is subject to Policy JFCL, “Student Sex Offenders,” may be expelled if the student’s continued presence in school constitutes a clear threat to the safety of other students or employees. During the expulsion, the student is not entitled to be present on educational property and is not considered a student of the school system. Please refer to Board Policy JGDA, “Long-Term Suspension, 365-Day Suspension, and Expulsion,” and Board Policy JGDD, “Requests for Readmission of Students Suspended for 365 Days or Expelled,” for additional information.

All Board policies referenced in this Code are available online at www.tcsnc.org/policy. Individuals without Internet access may obtain hard copies of these policies in the main office of each school in the district and at the Morris Education Center, located at 225 Rosenwald Lane in Brevard, NC.

D. School Transportation Services

Student Conduct on School Buses

The board recognizes the importance of safety on school buses as related to student welfare and an efficient transportation system. Misbehavior in any form on a bus is a safety hazard and will not be tolerated. Minor offenses will merit a warning, and repeated minor offenses or serious misbehavior will result in parent notification, punishment, and possible removal from the bus for extended periods of time. A student could lose bus privileges immediately for a serious misbehavior. A student who damages or defaces a bus must pay for the damage in addition to receiving appropriate disciplinary action. Illustrative examples of inappropriate behavior as a bus passenger include, but are not limited to:

1. Pushing or shoving;
2. Hand(s), arm(s), or leg(s) out window;
3. Getting off at an unauthorized stop;
4. Indecent language;
5. Not keeping assigned seat;
6. Use of tobacco and/or illegal substance on bus;
7. Boisterous and/or distracting behavior;
8. Eating and/or drinking on bus;
9. Fighting at bus stop or on bus;
10. Throwing objects out of window;
11. Tampering with and/or damage to any part of the bus, including the emergency door;
12. Refusal to adhere to a reasonable request of a bus driver, including failure to sit up and face forward in bus seats and/or discontinue loud talking;
13. Spitting on the bus and/or out of the window;
14. Use of cigarette lighter and/or matches on the bus;
15. Providing a substitute driver with false information;

16. Indecent physical expression and/or indecent exposure; and,
17. Other inappropriate behavior that could create a safety hazard or dangerous situation.

Elementary and Middle School Consequences

First Offense – Warning and/or other appropriate disciplinary action, including suspension from the bus for three (3) or more days for a first offense deemed to be extreme and/or dangerous

Second Offense – Three-day suspension from the bus or other appropriate disciplinary action

Third Offense – Five-day suspension from the bus or other appropriate disciplinary action

Fourth Offense – Ten-day suspension from the bus or other appropriate disciplinary action

Fifth Offense – Suspension from the bus for the remainder of the school year. If the suspension occurs prior to October 1, then the student may be permitted to ride again beginning January 1 if deemed appropriate by the principal.

High School Consequences

First Offense – Three-day suspension from the bus

Second Offense – Five-day suspension from the bus

Third Offense – Ten-day suspension from the bus

Fourth Offense – Suspension from the bus for the remainder of the school year. If the suspension occurs prior to October 1, then the student may be permitted to ride again beginning January 1 if deemed appropriate by the principal.

In addition to imposing bus disciplinary consequences, the principal may also impose school-level disciplinary consequences if specific circumstances warrant additional disciplinary action. (See also Rule II-11 in the Code of Student Conduct for additional information.) Nothing in this section prohibits the principal from imposing a long-term bus suspension for severe violations of the Code that threaten the health, safety, or welfare of school bus passengers. Parents shall be notified concerning inappropriate behavior and disciplinary action taken.

Driver's License Revocation

Students who have a NC Driver's License or a NC Learning Permit may have their permit/license revoked by the Division of Motor Vehicles for any of the following reasons:

- Failure to demonstrate adequate academic progress (failing 2 or more classes in any semester).
- Dropping out of school prior to the 18th birthday.

Suspension from school for more than 10 consecutive days, or placement in an alternative learning program for more than 10 days, for the following:

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

Students suspended for 10 or fewer consecutive days for one of the above offenses will not be eligible to enroll in driver's education classes for one year from the date of the suspension. This provision applies to any student at least 14 years old or in the 8th grade. The student will be ineligible to hold a driving permit/license or attend driver's education classes for one full year from the time of the offense. Students losing their license because of failing grades can have the license reinstated at the end of the next semester by passing 70% of their courses.

Student Drug Testing

All students participating in a competitive extra-curricular activity at the middle schools and high schools and/or students issued high school parking permits will be subject to random and suspicionless drug testing. Students participating in extra-curricular activities will be subject to random drug testing during the competitive/sports season in which they participate in the activity. Students having high school parking permits will be subject to random drug testing throughout the school year. The test shall detect illegal drugs and other controlled substances in which it is illegal for a student to possess or consume. Students will be allowed to indicate the prescription drugs that they are taking under the care of a physician. A student will not be suspended from the competitive extra-curricular activity nor have his/her parking privileges suspended for taking a drug prescribed to him/her by a medical doctor, and taken as directed. For more information, see Board Policy: Student Drug Testing.

E. School Nutrition Services

School Meals

Breakfast is free to all students K-12. Breakfast is served 7:30-8:15 am. Students in grades K-8 are served in the classroom while students in grades 9-12 have breakfast available in the cafeteria.

Lunch is \$.40 cents for Reduced Price Lunch, \$2.25 for grades K-5, and \$2.50 or \$2.75 for grades 6-12. All meals meet USDA Dietary Guidelines and NSLP-HHFKA regulations for calorie, fat, sodium, whole grain and nutrient content.

Students may not leave campus during lunch shifts. Parents may not bring food from restaurants for students to eat on campus. Students may charge only two lunches on their accounts. Charges for extra items are not allowed. Parents are responsible for debts owed to the cafeteria. Debts are paid in the cafeteria. Theft from the cafeteria will result in disciplinary action.

Free and Reduced Lunch applications are available at www.tcsnc.org or by contacting the school. A form should be submitted at the beginning of each school year. Applications are accepted any time during the year and approval is good for the remainder of the current school year. Completed forms should be submitted to the school office, the cafeteria or faxed to School Nutrition Services at 828-885-7395. All information remains confidential.

Transylvania County Schools & School Nutrition Services is an equal opportunity provider. Please refer to web page for complete Civil Rights non-discrimination statement.

Home Made Foods for Classroom or School-Based Celebrations

Due to the significant increase in food allergies and food-borne illness, only commercially prepared items with a list of ingredients shall be used for classroom or school-based celebrations during the school day.

Lunch with Students

Parents are invited to join their children for lunch in the cafeteria. We ask that you participate in the school lunch program and enjoy the meal prepared by our cafeteria staff. They have worked very hard to provide a delicious and nutritious meal. We thank you in advance of dining with us. Outside foods from restaurants will not be allowed.

F. Community Relationships

Schools and the Community

The board recognizes that the public schools are an integral part of the community and that the public has a vested interest in having students develop into productive members of the workforce and of society. The board encourages the community to be involved in the school system and to assist the school system in the goal of providing every student with the opportunity to receive a sound basic education.

Each year the board will ensure that the report card issued for the school system by the State Board of Education receives widespread distribution to the local press or to other local channels of news and information. In addition, the school system will publish on its website all information required by law, including assessment and performance information and information on how state funds have been used to address local educational priorities.

Parent Organizations

The board recognizes that parent organizations are an effective means of involving parents in their child's school. The superintendent and school administrators shall inform parent organizations of specific goals for each school and shall help these organizations identify opportunities to assist the school in achieving these goals. Parent organizations, including PTAs, PTOs, and booster clubs, are not considered a part of the school system. However, because these organizations and their activities reflect upon the school system, all parent organizations must comply with the conditions outlined in policy in order to operate in conjunction with the schools. Parents are encouraged to get involved in any parent organizations that operate to support your child's or children's school. For more information, see Board Policy: Parent Organizations.

School Volunteers

The board recognizes the valuable contributions that school volunteers make to the learning process and the educational goals of the school system. Instructional programs are enhanced through the contributions of students' parents, community members, and local business and industry. These volunteers contribute time, resources, and expertise that assist the school system to reach the goal of providing a sound basic education to all children. All school volunteers are expected to be professional and dependable in their volunteer activities and must comply with

all screening, criminal history checks, visitor policies, and any additional training requirements as directed. For more information, see Board Policy: School Volunteers.

Visitors to the Schools

While the school board welcomes visitors to the schools, the paramount concern of the board is to provide a safe and orderly learning environment in which disruptions to instructional time are kept to a minimum. The superintendent and each principal shall establish and enforce reasonable rules to address this concern in addition to the general rules outlined below.

1. All school visitors during the school day must report immediately to the administrative office at the school to request and receive permission to be in the school
2. School visitors are expected to comply with all school rules and school board policies, including policy 5025, Prohibition of Alcoholic Beverages; policy 5026/7250, Smoking and Tobacco Products; and policy 5027/7275, Weapons and Explosives Prohibited.
3. Persons who are subject to policy 5022, Registered Sex Offenders, must comply with the provisions of that policy.
4. Personal deliveries to students, such as commercial deliveries of balloons, flowers, or other gifts, are prohibited.

Financial Obligations

North Carolina law makes a pupil's parent or guardian liable for (1) damage fees for abuse or loss of textbooks, (2) damage to school buildings and furnishings and, (3) for any gross negligence or willful damage or destruction of school property to the extent of \$5,000. Other liabilities of the student include lunch charges, library fines, parking fines, and sales' obligations derived from school-sponsored projects. Financial obligations should be taken care of immediately. Failure to do so will result in a "due bill" at the end of the year. Outstanding due bills will be placed in a student's file and will have to be paid before he/she graduates.

Prohibited Items

All employees and other persons performing services or activities on behalf of the school system, including volunteers, and contractors, as well as students and visitors, are prohibited from using any tobacco products at any time in any school building, in any school facility, on school campuses, and in or on any other school property owned or operated by the school board.

The board prohibits the possession or consumption of alcoholic beverages, including beer, malt liquor, and wine, on property owned or occupied by the school system. Any person who violates this policy will be asked to leave the school property immediately and, if he or she fails to do so, will be arrested and prosecuted for criminal trespass, disorderly conduct, or any other charge that may be appropriate.

The board is committed to providing a safe school environment that is free from violence, to the maximum extent possible. Except as otherwise specified or permitted by law, employees, visitors, and other persons are prohibited from possessing, carrying, using, or threatening to use, or encouraging another person to possess, carry, use, or threaten to use, weapons or explosives on school property or while attending curricular or extracurricular activities sponsored by the school system. This policy applies to weapons or explosives carried openly or concealed. Any visitor or other person who violates this policy will be escorted from the premises and/or school activity immediately. The superintendent or principal shall immediately report any violation of this policy to law enforcement officials.

Relationship with Law Enforcement

The board recognizes the importance of law enforcement authorities in providing safe schools and desires an effective working relationship with law enforcement. To this end, the superintendent and principals are expected to communicate the needs of the schools and work with law enforcement officials in developing joint programs and in establishing protocols for handling situations in which the assistance of law enforcement is helpful or necessary. School resource officers will be assigned duties as specified in a written understanding between the law enforcement agency and the school system.

2017-18 ANNUAL PUBLIC NOTICES AND LEGAL INFORMATION

A. Student Records: Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act ("FERPA"), a federal law, gives parents and students over eighteen (18) years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

- The right to inspect and review your child's education records within forty-five (45) days of the day the school receives a request for access. You should submit to the school principal a written request that identifies the record(s) you wish to inspect. The principal will make arrangements for access and notify you of the time and place where the records may be inspected.
- The right to request an amendment of your child's education records that you believe are inaccurate or misleading. You should write the school principal, clearly identify the part of the record you want changed and specify why it is inaccurate or misleading. If the school decides not to amend the record as requested, the school will notify you of the decision and advise you of your right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to you when you are notified of the right to a hearing.
- The right to consent to disclosures of personally identifiable information contained in your child's education records. FERPA requires that the school obtain your written consent prior to the disclosure of any such information with certain exceptions. School Officials with a legitimate educational interest are an exception and do not need parental consent. For a complete list of the disclosures that elementary and secondary schools may make without parental consent see 34 CFR Part 99.37.
- A School Official includes any of the following when that person has a "legitimate educational interest" in having access to the information:
 - a. Any administrator, certified staff member, or support staff member (including health, medical, safety, and security staff) employed by the school district;
 - b. A school board member;
 - c. A contractor, consultant, volunteer, or other party to whom the school district has outsourced services or functions, such as (but not limited to) an attorney, auditor, cloud storage provider, consultant, expert witness, hearing officer, law enforcement unit, investigator, insurer/insurance company adjuster, investigator, or any other claims representative, medical providers or consultants, or counselors/therapists, provided that the person is performing a service or function for which the school district would otherwise use employees, is under the direct control of the school district with respect to the use and maintenance of education records, and is subject to FERPA requirements governing the use and re-disclosure of PII from education records;
 - d. A person serving on a committee appointed by the school board or by the administration of the school district, such as a disciplinary or grievance committee or other review committee.

A school official has a "legitimate educational interest" if the official needs to review an education record in order to fulfill his or her professional responsibility.

- The School District may release "directory information" about a student unless you have advised the school to the contrary. The School District has designated the following information as directory information:

Student's Name	Degrees, honors, and awards received
Address	Date and place of birth
Telephone listing	Electronic mail address
Photograph	Participation in officially recognized activities and sports
Major field of study	Weight and height of members of athletic teams
Grade level	Most recent educational agency or institution attended
Dates of attendance	Enrollment status

- The primary purpose of directory information is to allow the school to include this type of information from your child's education records in certain school publications. Examples include:
 - i. A playbill, showing your student's role in a drama production;
 - ii. The annual yearbook;
 - iii. Honor roll or other recognition lists;
 - iv. Graduation programs; or
 - v. Sports activity sheets, showing weight and height of team members.

- Directory information may also be disclosed to outside organizations without your prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.
- In addition, under federal law, we are required to provide military recruiters and institutions of higher education, upon their request, with the names, addresses and telephone numbers of high school students unless the student or parent has advised the school that they do not want such information disclosed without their prior written consent.
- If you do not want the school to disclose some or all of the directory information described above from your child's education records to all or certain recipients without your prior written consent, the School District must be notified in writing within fourteen (14) days of the beginning of the school year or within fourteen (14) days of your enrolling in the School District. For your convenience, a form that can be used for this purpose is provided at the end of this Notice. An "opt out" is perpetual and can only be rescinded in writing.
- The right to file a complaint with the U.S. Department of Education concerning alleged failures of the School District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

B. Non-Discrimination: Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; The Rehabilitation Act of 1973 (Section 504); and The Americans with Disabilities Act of 1990 (ADA)

It is the School District's policy not to discriminate on the basis of race, color, national origin, sex, disability, religion, age, genetic information or veteran's status in its educational programs, activities or employment policies.

For inquiries or complaints or to request a copy of the School District's grievance procedures, please contact:

Alan Justice Title IX Coordinator 225 Rosenwald Lane Brevard, NC 28712 828-884-6173	Kerry Putnam 504/ADA Coordinator 225 Rosenwald Lane Brevard, NC 28712 828-884-6173
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C. Students with Disabilities: Individuals with Disabilities Act (IDEA)

Pursuant to the IDEA, a federal law, the School District must provide special education services to all children residing in the school district who are between the ages of three (3) and twenty-one (21) who have been diagnosed with or are suspected to have mental, physical or emotional disabilities and who are unable to benefit from a regular school program without special assistance. If your child or a child you know may qualify for such special assistance, please contact:

Kerry Putnam Exceptional Children Program Director 225 Rosenwald Lane Brevard, NC 28712 828-884-6173
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D. Homeless Students: McKinney-Vento Homeless Assistance Act

For information concerning the educational rights of homeless students, please consult Board Policy 4125 and/or contact:

Beth Branagan, School Social Worker Davidson River School 828-884-9567
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E. Protection of Pupil Rights Amendment

The Protection of Pupil Rights Amendment requires that the School District notify you and obtain consent or allow you to opt-out your child from participating in certain school activities. These activities include a student survey, analysis or evaluation that concerns one or more of the following eight areas:

1. Political affiliates or beliefs of the student or student's parent;
2. Mental or psychological problems potentially embarrassing to the student and/or student's family;
3. Sexual behavior or attitudes;
4. Illegal, anti-social, self-incrimination or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors or ministers;
7. Religious practices, affiliations or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

This requirement also applies to the collection, disclosure or use of student information for marketing purposes and certain physical exams or screenings except for hearing, vision, scoliosis or any physical exam or screening permitted or required under State law.

The School District will, within a reasonable period of time prior to the administration of the surveys and activities, provide notice of said surveys and activities and give you or your son/daughter, if he/she is eighteen (18) years old or older, the opportunity to opt-out.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

F. Student Health: N.C.G.S. § 115C-375.4

With the passage of N.C.G.S. 115C-375.4, the School District must provide families with information on Influenza and Meningococcal diseases and the vaccines that are available to prevent each. Influenza ("flu") is caused by a virus that spreads from infected persons to the nose or throat of others. Influenza can cause fever, sore throat, chills, coughs, headache and muscle aches.

Anyone can get influenza. Most people are ill with flu for only a few days, but some get much sicker and may need to be hospitalized. Influenza causes an average of 36,000 deaths each year in the U.S., mostly among the elderly.

Influenza vaccine is available in two types. Inactivated (killed) flu vaccine, given as a shot, has been used in the U.S. for many years. A live, weakened vaccine, FluMist, was licensed in 2003. It is sprayed into the nostrils. It is available for persons age 5-49 years of age. Influenza viruses change often. Therefore, influenza vaccine is updated every year. Protection develops in about 2 weeks after getting the shot and may last up to a year. The best time to get the vaccine is in October or November. Contact your local health department or physician for more details on cost and time vaccine will be available.

Meningococcal disease is a serious illness, caused by bacteria. It is the leading cause of bacterial meningitis in children 2-18 years old in the United States. Meningitis is an infection of the brain and spinal cord coverings. Meningococcal disease can also cause blood infections. About 2,600 people get meningococcal disease each year in the U.S. Ten to fifteen percent of these people die, in spite of treatment with antibiotics. Of those who live, another 10% have chronic complications. It is most common in infants less than one year of age, international travelers, and people with certain medical conditions. College freshmen, particularly those who live in dormitories, have a slightly increased risk of getting meningococcal disease.

Learn more about these vaccines by consulting with your family doctor or nurse or contacting the Transylvania County Department of Public Health at 828-884-3135 or contacting the Centers for Disease Control and Prevention (CDC) at 1-800-232-2522 (English) or 1-800-232-0233 (Spanish) or visiting <http://cdc.gov/vaccines/>.

G. Student Health: N.C.G.S. § 115C-47(51)

North Carolina General Statute § 115C-47(51) requires schools to provide information concerning cervical cancer, cervical dysplasia and human papillomavirus and the vaccines available to prevent these diseases. This section is only applicable to students in grades 5-12.

Information on these diseases and the vaccines can be found at www.cdc.gov/vaccines/vpd-vac. Those individuals without internet access can contact a school nurse or Transylvania County Department of Public Health at 828-884-3135.

H. North Carolina Safe Surrender Law

Pursuant to N.C.G.S. §7B-500(b), a female may legally surrender her newborn baby to a responsible adult without fear of criminal prosecution. While any responsible adult may receive a newborn, School Social

Workers, School Nurses, counselors and law enforcement agents are examples of responsible adults who are familiar with this law. More information can be found at <http://www.ncdhhs.gov/assistance/pregnancy-services/safe-surrender>. Those individuals without internet access can contact a school nurse or social worker.

I. Asbestos Hazard Emergency Response Act

This notice is provided to you with information regarding the Asbestos Hazard Emergency Response Act (AHERA) Management Plan for the Transylvania County Schools. AHERA is a provision of the Toxic Substance Control Act and was passed by Congress in 1986. It requires schools to "ensure that workers and building occupants, or their legal guardians, are informed at least once each school year about inspections, response actions, and post-response action activities, including periodic re-inspection and surveillance activities that are planned or in progress as well as the availability of the AHERA Management Plan for public review." (§763.84(c))

The AHERA Management Plan contains documents of the initial AHERA inspection, 6-month periodic Surveillances, Triennial re-inspections, employee training and Operations and Maintenance procedures.

If you have any questions regarding the AHERA Management Plan for this school district, you can contact Director of Business Services at 828-884-6173.

J. Use of Pesticides: N.C.G.S. § 115C-47(47)

With the passage of N.C.G.S. § 115C-47(47), the School District must provide notification regarding pesticide use on school property. For more information, please consult Board Policy 9205 and/or contact:

Transylvania County Schools Plant Operations 749 Country Club Road Brevard, NC 28712 828-884-3152
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K. Student Restraint/Seclusion/Isolation

The School District has adopted Board Policy JGB/4302 as required by N.C.G.S. § 115C-391.1. Board Policy JGB/4302, as well as N.C.G.S. § 115C-39.1.1, are fully set out herein.

Transylvania County Board of Education Policy JGB Student Seclusion/Restraint/Isolation

Physical Restraint

Physical restraint is defined as the use of physical force to restrict the free movement of all or a portion of a student's body. Physical restraint shall be allowed by Transylvania County Schools personnel as a reasonable use of force under the following circumstances in accordance with [N.C.G.S. §115C-391.1](#):

- 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. Students should only be physically escorted when it is deemed safe or if the current setting conditions pose hazards for the student or staff. Escorts should only be conducted in accordance with training procedures adopted by the system.
- F. If used as provided for in a student's Individualized Education Plan (IEP) or Section 504 Plan or Behavior Intervention Plan as a brief intervention strategy to assist the student in regaining self-control.
- G. As reasonably needed to prevent imminent destruction to school or another person's property.

Physical restraint shall not be considered a reasonable use of force if used solely as a disciplinary consequence.

Mechanical Restraint

Mechanical restraint is defined as the use of any device or material attached or adjacent to a student's body that restricts freedom of movement or normal access to any portion of the student's body and that the student cannot easily remove. Mechanical restraint shall be allowed only in the following circumstances in accordance with [N.C.G.S. §115C-391.1](#):

- A. When properly used as an assistive technology device included in the student's IEP or as otherwise prescribed for the student by a medical or related services provider.
- B. When using seat belts or other safety restraints to secure student 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. If used for the purpose of preventing self-injurious behavior, the use of mechanical restraints should be included in the IEP as part of a Behavior Intervention Plan.

Nothing in the policy prevents the use of physical or mechanical restraint by School Resource Officers or other sworn law enforcement officials in the lawful exercise of their law enforcement duties.

Physical restraint in Transylvania County Schools shall follow the prescribed methods taught by either CPI (Crisis Prevention Intervention) or NCI (Nonviolent Crisis Intervention). All personnel who are in positions in which physical restraint may be necessary shall be trained to use CPI or NCI. All schools should identify a minimum of one team of five to seven employees trained to intervene in crisis prevention and physical restraint. In no case should employees use an intervention that involves either a prone or chair restraint.

Seclusion

Seclusion is defined as 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; or
- B. Not capable of leaving due to physical or intellectual capacity.

Seclusion is prohibited in Transylvania County Schools except in the following settings and 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 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/others or imminent substantial destruction or school or another person's personal property.
- E. When used in accordance with the student's IEP or Section 504 Plan or Behavior Intervention Plan, the following conditions should be met:
 - 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.
 - 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.
 - The space in which the student is confined has been approved for such use by the school principal.
 - The space is appropriately lighted.
 - The space is appropriately ventilated and heated or cooled.
 - The space is free of objects that unreasonably expose the student or others to harm.

Isolation

Isolation is defined as a behavior management technique in which a student is placed alone in an enclosed space from which the student is not prevented from leaving. Transylvania County Schools personnel may use isolation provided that:

- A. The space used for isolation is appropriately lighted, ventilated, and heated or cooled.
- B. The duration of the isolation is reasonable in light of the purpose of the isolation.
- C. The student is reasonably monitored while in isolation.
- D. The isolation space is free of objects that unreasonably expose the student or others to harm.

Aversive Procedures

Aversive procedures are defined as the systematic physical or sensory intervention for modifying behavior of students with disabilities that causes or reasonably may be expected to cause significant physical harm, serious psychological impairment to the student, or obvious repulsion to observers of the intervention due to procedures that do not follow acceptable, standard practice. Transylvania County Schools prohibits the use of aversive procedures as defined herein by its employees, volunteers, or personnel permitted in schools in accordance with interagency agreements.

Time-out

Time-out is defined as a behavior management technique in which a student is separated from other students for a period of time in a monitored setting.

Notice, Reporting, and Notification

Pursuant to North Carolina law, school personnel shall promptly notify the principal/designee of any use of aversive procedures, any improper use of physical restraint resulting in observable physical injury to a student, prohibited use of mechanical restraint, or any prohibited use of seclusion or seclusion lasting more than 10 minutes or the time specified on a student's Behavior Intervention Plan. When a principal/designee has personal knowledge or actual notice of these incidents, he/she shall promptly notify the parent/guardian by the end of that workday, but in no event later than the end of the following workday, and provide the name of a school employee they can contact regarding the incident.

In addition, the parent/guardian of the student shall be provided with a written incident report of any incident covered by this section within a reasonable period of time, but in no event later than 30 days after the incident. The written documentation shall include:

- A. The date, time of day, location, duration, and description of the incident and interventions used.
- B. The event 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/guardian can contact regarding the incident.

E. In the case of seclusion incidents, the school personnel supervising the seclusion shall maintain a log of observations of the student, which shall be available for inspection upon request by the parent/guardian.

F. All incidents of physical restraint and seclusion required to be reported pursuant to [N.C.G.S. §115C-391.1\(j\)\(4\)](#) shall be reported as part of the Safe Schools reporting process, which shall be reported annually to the State Board of Education.

Transylvania County Schools policy requires prompt notification to parents/guardians regarding all occurrences of physical restraint resulting in observable physical injury to a student. Prompt notification means by the end of that workday during which the incident occurred, but in no event later than the end of the following workday.

Notice

All employees and parent/guardians shall be provided a copy of [N.C.G.S. §115C-391.1](#) and a copy of this policy at the beginning of each school year.

Training of Personnel

Transylvania County Schools will provide pre-service training as soon as possible for all new certified employees in:

- A. The identification and education of children with disabilities.
- B. Positive management of student behavior.
- C. Effective communication techniques for defusing and de-escalating disruptive or dangerous student behavior.
- D. Safe and appropriate use of seclusion and restraint.

As soon as possible, all Transylvania County Schools personnel who are most likely to be called upon to prevent or address disruptive or dangerous student behavior, including but not limited to school administrators, teachers and teacher assistants, bus drivers, School Resource Officers, school psychologists, and school counselors shall receive training in:

- A. Positive management of student behavior.
- B. Effective communication for defusing and de-escalating disruptive or dangerous behavior.
- C. Safe and appropriate use of seclusion and restraint.

Compliance by Community Agency Personnel

All personnel working within Transylvania County Schools in accordance with interagency agreements shall adhere to the above policies. In all circumstances in which a community agency employee is assigned to work with a student or students in a Transylvania County school, an intervention plan which describes the crisis prevention and intervention procedures to be utilized must be developed by a team that includes parents, school and agency personnel.

Legal Notices

Nothing in this policy modifies the rights of school personnel to use reasonable force as permitted under [N.C.G.S. §115C-390](#) or modifies the rules and procedures governing discipline under [N.C.G.S. §115C-391\(a\)](#). Nothing in this policy is intended to prohibit or regulate the use of "time-out" as a behavior management technique where a student is separated from other students for a limited period of time in a monitored setting.

Nothing in this policy shall be construed to create a private cause of action against any local board of education, its agents or employees, or to create a criminal offense.

Approved by Board and Effective 6/5/06

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 students, staff, and visitors in the public schools.
 - (2) Treat all public school students with dignity and respect in the delivery of discipline, use of physical restraints or seclusion, and use of reasonable force as permitted by law.
 - (3) Provide school staff with clear guidelines about what constitutes use of reasonable force permissible in North Carolina public schools.
 - (4) Improve student achievement, attendance, promotion, and graduation rates by employing positive behavioral interventions to address student behavior in a positive and safe manner.
 - (5) Promote retention of valuable teachers and other school personnel by providing appropriate training in prescribed procedures, which address student behavior in a positive and safe manner.
- (b) The following definitions apply in this section:
 - (1) "Assistive technology device" means any item, piece of equipment, or product system that is used to increase, maintain, or improve the functional capacities of a child with a disability.
 - (2) "Aversive procedure" means a systematic physical or sensory intervention program for modifying the behavior of a student with a disability which causes or reasonably may be expected to cause one or more of the following:
 - a. Significant physical harm, such as tissue damage, physical illness, or death.
 - b. Serious, foreseeable long-term psychological impairment.
 - c. Obvious repulsion on the part of observers who cannot reconcile extreme procedures with acceptable, standard practice, for example: electric shock applied to the body; extremely loud auditory stimuli; forcible introduction of foul substances to the mouth, eyes, ears, nose, or skin; placement in a tub of cold water or shower; slapping, pinching, hitting, or pulling hair; blindfolding or other forms of visual blocking; unreasonable withholding of meals; eating one's own vomit; or denial of reasonable access to toileting facilities.
 - (3) "Behavioral intervention" means the implementation of strategies to address behavior that is dangerous, disruptive, or otherwise impedes the learning of a student or others.
 - (4) "IEP" means a student's Individualized Education Plan.
 - (5) "Isolation" means a behavior management technique in which a student is placed alone in an enclosed space from which the student is prevented from leaving.

- (6) "Law enforcement officer" means a sworn law enforcement officer with the power to arrest.
 - (7) "Mechanical restraint" means the use of any device or material attached or adjacent to a student's body that restricts freedom of movement or normal access to any portion of the student's body and that the student cannot easily remove.
 - (8) "Physical restraint" means the use of physical force to restrict the free movement of all or a portion of a student's body.
 - (9) "School personnel" means:
 - a. Employees of a local board of education.
 - b. Any person working on school grounds or at a school function under a contract or written agreement with the public school system to provide educational or related services to students.
 - c. Any person working on school grounds or at a school function for another agency providing educational or related services to students.
 - (10) "Seclusion" means the confinement of a student alone in an enclosed space from which the student is:
 - a. Physically prevented from leaving by locking hardware or other means.
 - b. Not capable of leaving due to physical or intellectual incapacity.
 - (11) "Time-out" means a behavior management technique in which a student is separated from other students for a limited period of time in a monitored setting.
- (c) Physical Restraint:
- (1) Physical restraint of students by school personnel shall be considered a reasonable use of force when used in the following circumstances:
 - a. As reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person.
 - b. As reasonably needed to maintain order or prevent or break up a fight.
 - c. As reasonably needed for self-defense.
 - d. As reasonably needed to ensure the safety of any student, school employee, volunteer, or other person present, to teach a skill, to calm or comfort a student, or to prevent self-injurious behavior.
 - e. As reasonably needed to escort a student safely from one area to another.
 - f. If used as provided for in a student's IEP or Section 504 plan or behavior intervention plan.
 - g. As reasonably needed to prevent imminent destruction to school or another person's property.
 - (2) Except as set forth in subdivision (1) of this subsection, physical restraint of students shall not be considered a reasonable use of force, and its use is prohibited.
 - (3) Physical restraint shall not be considered a reasonable use of force when used solely as a disciplinary consequence.
 - (4) Nothing in this subsection shall be construed to prevent the use of force by law enforcement officers in the lawful exercise of their law enforcement duties.
- (d) Mechanical Restraint:
- (1) Mechanical restraint of students by school personnel is permissible only in the following circumstances:
 - a. When properly used as an assistive technology device included in the student's IEP or Section 504 plan or behavior intervention plan or as otherwise prescribed for the student by a medical or related service provider.
 - b. When using seat belts or other safety restraints to secure students during transportation.
 - c. As reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person.
 - d. As reasonably needed for self-defense.
 - e. As reasonably needed to ensure the safety of any student, school employee, volunteer, or other person present.
 - (2) Except as set forth in subdivision (1) of this subsection, mechanical restraint, including the tying, taping, or strapping down of a student, shall not be considered a reasonable use of force, and its use is prohibited.
 - (3) Nothing in this subsection shall be construed to prevent the use of mechanical restraint devices such as handcuffs by law enforcement officers in the lawful exercise of their law enforcement duties.
- (e) Seclusion:
- (1) Seclusion of students by school personnel may be used in the following circumstances:
 - a. As reasonably needed to respond to a person in control of a weapon or other dangerous object.
 - b. As reasonably needed to maintain order or prevent or break up a fight.
 - c. As reasonably needed for self-defense.
 - d. As reasonably needed when a student's behavior poses a threat of imminent physical harm to self or others or imminent substantial destruction of school or another person's property.
 - e. When used as specified in the student's IEP, Section 504 plan, or behavior intervention plan; and
 - 1. The student is monitored while in seclusion by an adult in close proximity who is able to see and hear the student at all times.
 - 2. The student is released from seclusion upon cessation of the behaviors that led to the seclusion or as otherwise specified in the student's IEP or Section 504 plan.
 - 3. The space in which the student is confined has been approved for such use by the local education agency.
 - 4. The space is appropriately lighted.
 - 5. The space is appropriately ventilated and heated or cooled.

6. The space is free of objects that unreasonably expose the student or others to harm.
 - (2) Except as set forth in subdivision (1) of this subsection, the use of seclusion is not considered reasonable force, and its use is not permitted.
 - (3) Seclusion shall not be considered a reasonable use of force when used solely as a disciplinary consequence.
 - (4) Nothing in this subsection shall be construed to prevent the use of seclusion by law enforcement officers in the lawful exercise of their law enforcement duties.
- (f) Isolation – Isolation is permitted as a behavior management technique provided that:
 - (1) The space used for isolation is appropriately lighted, ventilated, and heated or cooled.
 - (2) The duration of the isolation is reasonable in light of the purpose of the isolation.
 - (3) The student is reasonably monitored while in isolation.
 - (4) The isolation space is free of objects that unreasonably expose the student or others to harm.
- (g) Time-out – Nothing in this section is intended to prohibit or regulate the use of time-out as defined in this section.
- (h) Aversive Procedures – The use of aversive procedures as defined in this section is prohibited in public schools.
- (i) Nothing in this section modifies the rights of school personnel to use reasonable force as permitted under G.S. 115C-390.3 or modifies the rules and procedures governing discipline under G.S. 115C-390.1 through G.S. 115C-390.12
- (j) Notice, Reporting, and Documentation.
 - (1) Notice of Procedures – Each local board of education shall provide to school personnel and parents or guardians at the beginning of each school year copies of this section and all local board policies developed to implement this section.
 - (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 ten 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 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 higher education or their agents or employees or to create a criminal offense.

L. Parental Information for Title I Schools

All elementary schools (grades K-5) in this District receive federal funding through Title I. These funds are used to provide supplemental instruction to students who are in need of assistance in the area of reading and, on occasion, in the area of mathematics. Our goal is to provide early intervention to struggling learners.

Federal guidelines require that school districts provide a process by which parents may request the qualifications of their child's teacher, insuring that the teacher meets Highly Qualified standards. As a parent of a student in a Title I school, you have the right to know the following information:

1. Whether the teacher has met state qualifications for the grade levels and subject areas in which the teacher provides instruction;
2. Whether the teacher is teaching under emergency or other provisional status through which state qualifications have been waived;
3. The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree;
4. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

To request this information, please contact the school's principal or designee.

- M. Free or Reduced School Lunch**
A free or reduced lunch application form will be sent home with your child at the beginning of the school year. Please complete the form and return it to your child's teacher. After submitting a form, you will be notified if your child(ren) qualifies for free or reduced meal prices. All information is strictly confidential. For more information on participation in the Free or Reduced School Lunch program or questions about breakfast and summer lunch programs, please contact: Carolyn Barton, Child Nutrition Director at 828-884-6173.
- N. Student Discipline Policies**
Pursuant to N.C.G.S. § 115C-390.2(i), schools must make available all policies, rules and regulations regarding student discipline. For the Board's policies and regulations regarding student discipline, consult the Board's online policy manual at www.tcsnc.org. All other student discipline information will be printed in student handbooks or made available on the school's website at the beginning of the year available at www.tcsnc.org.
- O. Student and Parent Complaint and Grievance Procedures**
For information concerning student and parent complaint and grievance procedures, see Board Policies 1742/5060 and 1740/4010.
- P. Equal Access to Facilities**
The school system provides equal access to its facilities. For more information about accessing school facilities, consult with Board Policy 5030 available at www.tcsnc.org.
- Q. Information Regarding Advanced Courses**
Pursuant to N.C.G.S. § 115C-83.4A(d), schools must provide information to students and parents on available opportunities and the enrollment process for student to take advanced courses. This information will be made available on the school's website at the beginning of the year available at www.tcsnc.org.
- R. School Bullying/Cyber-Bullying Policies**
Pursuant to N.C.G.S. § 115C-407.16(d), school principals shall provide the local board of education's policy prohibiting bullying and harassing behavior, including cyber-bullying, to staff, students and parents. A copy of these policies is available at www.tcsnc.org and will be printed in student handbooks and made available to employees. Hard copies of the policies are available from the school principal upon request.
- S. Student Testing Information**
For information concerning the dates of system-wide and state-mandated tests that students will be required to take during the school year, how the results from the test will be used and whether each test is required by the State Board of Education or the local Board of Education, contact Tom Sweet, District Testing Coordinator at 828-884-6173.
- T. School Annual Report Card Grade**
Pursuant to N.C.G.S. § 115C-47(58), you will be notified of the most recent grade of the school your child is attending, as issued by the State Board of Education, if the school received a grade of "D" or "F".
- U. Student Wellness Policy**
For information concerning the District's student wellness policy, see Board Policy 6140.
- V. School Health Education Program**
You have the right to opt-out your child's participation in curricula related to: (a) prevention of sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS); (b) avoidance of out-of-wedlock pregnancy; or (c) reproductive health and safety education. A copy of the materials that will be used in these curricula will be available in the school media center during the school year and at other times that the media center is available to the public. Materials also may be made available for review in the central office.