CODE OF STUDENT CONDUCT
2020-2021
August, 2020

Dear Parents, Guardians and Students,

As the 2020-2021 school year begins, Hertford County Public Schools will continue to strive for academic excellence for all students. Your role as a parent, guardian or student is critical in helping us achieve this goal. We must work together to create an environment conducive to learning.

The Hertford County Board of Education does not condone behavior that is disruptive to a positive learning experience and has adopted policies to ensure safe, secure and orderly schools. Appropriate conduct is expected at all times as outlined in this manual, Code of Student Conduct, and in the Hertford County Public Schools Policy Manual.

Hertford County Public Schools will be entering year fourteen of the Student Dress Code Policy. Your cooperation in following this policy is expected and appreciated.

Please review, sign and date the Student-Parent/Guardian-School Personnel/Teacher Agreement, the Student and Parent Acknowledgment and Pledge, and the Student Behavior Contract, all of which are located inside the back cover. Return the completed forms to your child's teacher by the tenth day of school.

Thank you for taking pride in and support Hertford County Public Schools.

Sincerely,

David L. Shields, Chairman
Hertford County Board of Education
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MISSION STATEMENT

HCPS, the choice for all families, provides a safe and caring environment, which empowers and graduates globally competitive students through diverse opportunities.

VISION STATEMENT

HCPS, serving as a cornerstone of our community, will prepare graduates who are ready to meet the global challenges of education, career, and life.

It is the policy of the Hertford County Board of Education that no person shall on the basis of age, color, creed, disability, national origin, race, religion, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education policy, program, or activity within its jurisdiction. To report a discrimination concern, contact the Director of Federal Programs and/or Director of Exceptional Children. Contact phone number is 252-358-1761. Send all written concerns to: Hertford County Board of Education, P.O. Box 158, Winton, NC 27986.

Public School Laws of North Carolina govern any policy or provision in current board policies. Because policies are updated periodically, online policies will supersede policies that are printed in the Code of Student Conduct handbook.

Hertford County board policies can be found at www.hertford.k12.nc.us.

Anti-Bullying

At Hertford County Public Schools, harassment, bullying, and intimidation are serious and will not be tolerated. Report all incidents of bullying to your student’s guidance counselor. Also, anonymous bullying reporting forms are found on school websites.

ORDER OF CONTACT FOR COMMENTS/CONCERNS

- Teacher/Counselor
- AP/Principal
- Assistant Superintendent
- Superintendent
- Board of Education
STATEMENT OF EXPECTATIONS AND RESPONSIBILITIES

Students, parents, and school personnel share the responsibility to create and maintain a school environment that is conducive to learning. Clearly defined roles and responsibilities are essential for meeting these expectations. The following summary of expectations has been identified by Hertford County Public Schools.

Expectations of Students

- Attend school regularly.
- Demonstrate good citizenship.
- Dress in a manner that follows the Student Dress Code.
- Come to school prepared to learn with materials, supplies, and books.
- Prevent problems and solve them by practicing conflict resolution.
- Know the sanctions for violations of the school’s rules.
- Accept the consequences of your behavior.
- Know and follow the school’s rules and expected standards of behavior.
- Review Code of Student Conduct.
- Frequently check progress in Parent Portal.

Expectations of Parents

- Establish an attitude at home that promotes the importance of education.
- Ensure that students are dressed appropriately and respectfully.
- Teach your child (children) to respect cultural differences, rights and property of others.
- Require and monitor daily school attendance.
- Maintain regular communication with your child’s (children’s) teachers and participate in school activities.
- Review and evaluate your child’s (children’s) performance in school on a regular basis.
- Support the school’s policies and programs.
- Know the school’s rules and sanctions for violations of the rules, and discuss them with your child (children).
- Participate in policy development and implementation.
- Review Code of Student Conduct.
- Frequently check student’s progress in Parent Portal.

Expectations of School Personnel

- Maintain a safe school environment conducive to learning.
- Explain the purpose of school and the goal of education.
- Establish clear rules for acceptable behavior that include strong corrective action that is caring, but firm.
- Provide proactive counseling for all students.
- Enforce policies for violations of school rules consistently and fairly.
- Demonstrate respect for the dignity of every parent, employee, and child.
- Maintain regular and open communication with parents and students.
- Involve parents and students in the development of school rules and regulations.
- Follow the same standards of behavior we expect from our students.
- Dress appropriately and professionally.
- Maintain a professional attitude.
- Review Code of Student Conduct.
- Regularly update grades in Parent Portal.
Attendance in school and participation in class are integral parts of academic achievement and the teaching-learning process. Through regular attendance, students develop patterns of behavior essential to professional and personal success in life. Regular attendance by every student is mandatory. The State of North Carolina requires that every child in the State between the ages of 7 (or younger if enrolled) and 16 attend school. Parents and legal guardians are responsible for ensuring that students attend and remain at school daily.

**A. Attendance Records**

School officials shall keep accurate records of attendance, including accurate attendance records in each class. Attendance records will be used to enforce the Compulsory Attendance Law of North Carolina.

**B. Excused Absences**

When a student must miss school, a written excuse signed by a parent or guardian must be presented to the student’s teacher on the day the student returns after an absence. Absences due to extended illnesses may also require a statement from a physician. An absence may be excused for any of the following reasons:

1. personal illness or injury that makes the student physically unable to attend school;
2. isolation ordered by the State Board of Health;
3. death in the immediate family;
4. medical or dental appointment;
5. participation under subpoena as a witness in a court proceeding;
6. a minimum of two days each academic year for observance of an event required or suggested by the religion of the student or the student’s parent or legal guardian;
7. participation in a valid educational opportunity, such as travel or service as a legislative or Governor’s page, with prior approval from the principal;
8. pregnancy and related conditions or parenting, when medically necessary; or
9. a minimum of two days each academic year for visitation with the student’s parent or legal guardian if the student is not identified as at risk of academic failure because of unexcused absences and the student’s parent or legal guardian (a) is an active duty member of the uniformed services as defined by policy 4050, Children of Military Families, and (b) has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting.

In the case of excused absences, short-term out-of-school suspensions and absences under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school) the student will be permitted to make up his or her work. (See also policies 4110, Immunization and Health Requirements for School Admission, and 4351, Short-Term Suspension.) The teacher will determine when work is to be made up. The student is responsible for finding out what assignments are due and completing them within the specified time period.

**C. School-Related Activities**

All classroom activities are important and difficult, if not impossible, to replace if missed. Principals shall ensure that classes missed by students due to school-related activities are kept to an absolute minimum. The following school-related activities will not be counted as absences from either class or school:

1. field trips sponsored by the school;
2. job shadows and other work-based learning opportunities, as described in G.S. 115C-47(34a);
3. school-initiated and -scheduled activities;
4. athletic events that require early dismissal from school;
5. Career and Technical Education student organization activities approved in advance by the principal; and
6. in-school suspensions.

Assignments missed for these reasons are eligible for makeup by the student. The teacher will determine when work is to be made up. The student is responsible for finding out what assignments are due and completing them within the specified time period.
D. Excessive Absences

Class attendance and participation are critical elements of the educational process and may be taken into account in assessing academic achievement. Students are expected to be at school on time and to be present at the scheduled starting time for each class. Students who are excessively tardy to school or class may be suspended for up to two days for such offenses.

The principal shall notify parents and take all other steps required by G.S. 115C-378 for excessive absences. Students may be suspended for up to two days for truancy.

If a student is absent from school for five or more days in a semester, the principal or a committee established by the principal shall consider whether the student’s grades should be reduced because of the absences. The principal or committee shall review other measures of academic achievement, the circumstances of the absences, the number of absences, and the extent to which the student completed missed work. A committee may recommend to the principal and the principal may make any of the following determinations:

1. the student will not receive a passing grade for the semester;
2. the student’s grade will be reduced;
3. the student will receive the grade otherwise earned; or
4. the student will be given additional time to complete the missed work before a determination of the appropriate grade is made.

Students with excused absences due to documented chronic health problems are exempt from this policy. In addition, for students experiencing homelessness (see board policy 4125, Homeless Students), school officials must consider issues related to the student’s homelessness, such as a change of caregivers or nighttime residence, before taking disciplinary action or imposing other barriers to school attendance based on excessive absences or tardiness.

Excessive absences may impact eligibility for participation in interscholastic athletics. See policy 3620, Extracurricular Activities and Student Organizations.


Cross References: Extracurricular Activities and Student Organizations (policy 3620), Education for Pregnant and Parenting Students (policy 4023), Children of Military Families (policy 4050), Immunization and Health Requirements for School Admission (policy 4110), Homeless Students (policy 4125), Short-Term Suspension (policy 4351)

Adopted: September 23, 2013
Revised: August 24, 2015; April 25, 2016; February 26, 2018; June 26, 2018; February 24, 2020

COLLECTIONS AND SOLICITATIONS - Policy 5220

The board is committed to minimizing disruptions to instructional time and the educational environment. Collections and solicitations are discouraged and must not disrupt instructional time. Employees and students will not be required to contribute or respond to any collection or solicitation.

The superintendent shall develop regulations governing collections and solicitations. The regulations will specify the type and number of collections and solicitations permitted and an approval process for collections and solicitations subject to the following guidelines.

1. Outside organizations and/or sales representatives may not solicit individual employees or students during working hours or the school day unless prior written approval is granted by the principal or the superintendent.
2. As a general rule, students, school organizations, teachers and/or other school employees may not sell commercial products during the instructional school day or accept items of value in exchange for advertising for the donor during the instructional day except as provided in board policy.
3. Individuals and organizations must secure approval from the principal prior to conducting collections or solicitations on school grounds.
4. Fliers and other materials that are to be distributed or displayed in conjunction with an approved collection or solicitation must be approved by the principal based upon the criteria in Section D of policy 5210, Distribution and Display of Non-School Material, and/or policy 5240, Advertising in the Schools. Legal References: G.S. 14-238; 115C-36, -47
Cross References: Distribution and Display of Non-School Material (policy 5210), Advertising in the Schools (policy 5240), Crowdfunding on Behalf of the School System (policy 7360/8225)
Adopted: November 25, 2013
Revised: February 24, 2020

ALTERNATIVE LEARNING PROGRAMS/SCHOOLS - Policy 3470/4305

A. Purposes
The board is committed to the goal of providing a safe and orderly learning environment at each school. The educational program, school student behavior management plans, school improvement plans and numerous other strategies identified in board policy, are intended to create such an environment and to help each student be a successful and contributing member of the school community. As used in this policy and context, an alternative learning program or school may serve as the site to: (1) deliver educational services required by G.S. 115C-390.9 or -390.10 to a student who is serving a long-term or 365-day suspension; (2) provide concentrated support for students at risk of academic failure; and/or (3) deliver educational and other services to students who are or may be disruptive to a safe and orderly learning environment in the regular educational setting.

B. Standards for Alternative Learning Programs/Schools
Prior to implementing a new alternative learning program or school, the board will develop a program proposal that is consistent with the State Board of Education standards for alternative learning programs. The board then will submit the proposal to the State Board for its review. After the proposal has been reviewed by the State Board, the board will consider any recommendations from the State Board to modify the proposal before implementing the alternative learning program or school. The board will review on a regular basis whether the school system’s alternative learning programs and schools comply with State Board standards.

C. Transfer to Alternative Learning Programs or Schools
1. Basis for Transfer
Students generally are assigned to a school based on attendance area. However, as provided by law, the board may assign any student to a school outside of his or her attendance area in order for the student to attend a specialized school or for any other reason the board, in its sole discretion, deems sufficient. In all cases, the assignment or transfer of a student with a disability will comply with applicable federal and/or state requirements for students with disabilities. Students may be transferred to an alternative learning program or school on a voluntary or involuntary basis under any of the following circumstances.
   a. the student’s parent or guardian and the principal agree, and a multi-disciplinary team agrees, that the transfer would be in the best interest of the student and the efficient administration of the public schools;
   b. the student has been recommended for long-term suspension or expulsion;
   c. the student poses a significant disruption to the educational environment in the regular educational setting due to continuing social/behavioral problems;
   d. the student is at risk of dropping out or not meeting standards for promotion due to academic, developmental and/or behavioral problems and resources in addition to or different from those available in the regular educational setting are needed to address the issue;
   e. the student is a clear threat to the safety of other students or personnel; or
   f. the student has been charged with a felony or with any crime that allegedly endangered the safety of others, and it is reasonably foreseeable that the student’s continued presence will significantly disrupt the regular educational environment.

The board encourages parental involvement in decisions regarding the child’s education and in identifying effective options for addressing concerns regarding the child’s behavior or academic performance.

2. Responsibilities of Personnel at Referring School
In addition to any other procedures required by this policy, prior to referring a student to an alternative learning program or school, the principal of the referring school must:
  a. document the procedures that were used to identify the student as being at risk of academic failure or as being disruptive or disorderly;
  b. provide the reasons for referring the student to an alternative learning program or school; and
  c. provide to the alternative learning program or school all relevant student records, including anecdotal information.

3. Referral
   a. Students who are recommended for long-term suspension or expulsion and who receive due process through the disciplinary process for violations of the Code of Student Conduct do not require additional referral procedures prior to transfer.
   b. Prior to a transfer in circumstances where a student is experiencing academic or developmental difficulties or continuing social/behavioral problems, the principal or school-based committee of the referring school shall document the student’s behavior and academic performance and efforts to assist the student in the regular educational environment. School administrators are encouraged to meet with the student’s parents or guardians to try to reach a consensus on how to address the student’s difficulties at school.
   c. In all cases where a basis for transfer exists, other than where the student has received due process pursuant to a recommendation for long-term suspension or expulsion, the principal must refer the student to a multi-disciplinary team to determine whether the student should be transferred to an alternative school. The principal must provide in writing: (1) an explanation of the student’s behavior or academic performance that is at issue; (2) documentation or a summary of the documentation of the efforts to assist the student in the student’s regular educational setting, if applicable; and (3) documentation of the circumstances that support the referral. A copy of the referral and other documentation must be provided to the parent or guardian by certified mail or in person.

The multi-disciplinary team shall consist of the student’s parent or guardian and at least three school system employees who are informed about the student’s needs. The team shall meet to consider the principal’s referral and determine whether the student will be assigned to an alternative school and shall perform all other duties assigned to it by State Board of Education policy. The student’s parent or guardian shall be provided written notice of the time, place and date of the meeting.

At the meeting, the multi-disciplinary team shall determine whether the student will be transferred to the alternative school. The student’s parent or guardian shall be provided written notice of the team’s decision, as well as notice of the parent or guardian’s appeal and due process rights. If the student’s parent or guardian attended the team meeting, such notice shall be provided at the end of the meeting. If the student’s parent or guardian did not attend the meeting, such notice shall be provided by certified mail within one business day of the meeting. If the multi-disciplinary team approves the transfer, the principal of the regular educational setting and the principal of the alternative school shall make all necessary arrangements.

4. Responsibilities of School Personnel at the Alternative Learning Program or School
   Once a student is placed in an alternative learning program or school, the appropriate school personnel of the program or school must meet to review the student’s records and any other documentation forwarded by the referring school. Based on these records and any input provided by the parent or guardian concerning the student’s needs, the personnel at the alternative program or school shall determine the support services and intervention strategies that are recommended for the student.
   If a student who is subject to G.S. 14-208.18 is assigned to an alternative school, the student must be supervised by school personnel at all times.

5. Assignment of Student with Disabilities to Alternative Programs/Schools
   Students who receive services under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act are entitled to all of the processes and protections pursuant to the IDEA. All additional requirements specific to the assignment of students with disabilities to an alternative program or school established by State Board of Education policy shall be observed.

D. Appeals Process
   If the student’s transfer is the result of an IEP team decision for a student with a disability, parents or guardians who are dissatisfied with the decision must comply with the due process procedures set forth in Procedures Governing Policies and Services for Children with Disabilities, as adopted by the State Board of
Education. If the transfer is the result of a Section 504 team decision, the student’s parent or guardian may request an impartial hearing in accordance with the procedures established by the superintendent under policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities.

In all other cases, within three business days of receiving written notice of the decision to assign the student to an alternative program or school, the parent or guardian may appeal the decision in writing to the superintendent, who shall review the documentation and render a decision within five business days, absent extraordinary circumstances that require additional response time. Parents and guardians who are dissatisfied with the superintendent’s decision may appeal to the board. The board will hear the appeal in closed session and will follow its procedures as provided in policy 2500, Hearings Before the Board. During the period of the appeal, the student may be transferred to the alternative learning program or school, except as prohibited by the IDEA.

E. Administrative Assignments

1. Assignment During a Long-Term or 365-Day Suspension

Any student who receives a long-term or 365-day suspension must be offered alternative education services unless the superintendent provides a significant or important reason for declining to offer such services. Alternative education services include, but are not limited to, the alternative programs or schools established in this policy in accordance with G.S. 115C-105.47A.

2. Assignment of Student Sex Offenders

The board may decide, pursuant to G.S. 115C-390.11(a)(2), to assign a student who is subject to G.S. 14-208.18 to the alternative learning program or school.

F. Transition from Alternative Learning Programs or Schools

In most instances, the goal of the alternative learning program or school is to return the student to the regular educational setting with the skills necessary to succeed in that environment as soon as practicable. The personnel of the alternative learning program or school and those of the regular educational setting shall work together to help create a successful transition for the student.

If the student is not or will not be returned to the regular educational setting, the alternative learning program or school will assist in the student’s transition to other educational settings, including other programs offered by the school system or a community college or vocational school.

For students identified as eligible under the IDEA or Section 504, the student’s IEP or Section 504 team shall make all transition decisions that would result in a change in placement.

G. Assignment of Professional Staff to Alternative Learning Programs or Schools

When assigning professional personnel to an alternative learning program or school, the superintendent shall consider the experience and evaluation ratings of the individual being assigned to the school. As school system resources allow, the superintendent shall strive to avoid assigning to an alternative school or program less experienced professional personnel or professional personnel who have received unfavorable evaluations. Additionally, all school personnel at an alternative learning program should receive training so that students enrolled in such programs or schools receive appropriate educational services.

H. Evaluation of Alternative Learning Programs or Schools

1. State Accountability

The board will determine annually how each alternative school will participate in the State Alternative Schools’ Accountability Model. The superintendent shall provide for this information to be reported to the North Carolina Department of Public Instruction by August 1 of each year.

2. Information to be Reported to the Board of Education

Each year, the board will evaluate the alternative learning program or school based upon reports provided by the superintendent and any other information the board wishes to consider.

AUTHORITY OF SCHOOL PERSONNEL - Policy 4301

The principal has the authority and responsibility to investigate and take appropriate action regarding any prohibited or criminal student behavior and any other behavior appropriately referred to him or her. The principal is responsible for informing students and parents of any standards or rules that, if violated, could result in short-term or long-term suspension or expulsion.

The teacher has the authority and responsibility to manage student behavior in the classroom and when students are under his or her supervision. The teacher is expected to implement the student behavior management plan and any other school standards or rules. The teacher may develop other standards or rules consistent with the direction provided by the board, superintendent and school principal. Every teacher, student teacher, substitute teacher, voluntary teacher, teacher assistant or other school employee is required to report to the principal all acts of violence occurring in school, on school grounds or at any school-sponsored activity.

Teachers and other school personnel have the authority to manage or remove disruptive or dangerous students from the classroom and other locations within the school building. School personnel may use reasonable force to control behavior or to remove a person from the scene in those situations when necessary:
1. to correct students;
2. to quell a disturbance threatening injury to others;
3. to obtain possession of a weapon or another dangerous object on the person, or within the control, of a student;
4. for self-defense;
5. for the protection of persons or property; or
6. to maintain order on school property, in the classroom, or at a school-related activity whether on or off school property.

Except as restricted by G.S. 115C-391.1, school personnel may use appropriate seclusion and restraint techniques reasonably needed in the circumstances described above as long as such use is consistent with state law and applicable board policies and procedures. (See policy 4302, School Plan for Management of Student Behavior.)

Students must comply with all directions of principals, teachers, substitute teachers, student teachers, teacher assistants, bus drivers and all other school personnel who are authorized to give such directions during any period of time when they are subject to the authority of such personnel.

ASSAULTS, THREATS AND HARASSMENT - Policy 4331

The board will not tolerate assaults, threats or harassment from any student. Any student engaging in such behavior will be removed from the classroom or school environment for as long as is necessary to provide a safe and orderly environment for learning.

A. Prohibited Behavior
1. Assault
   Students are prohibited from assaulting, physically injuring, attempting to injure or intentionally behaving in such a way as could reasonably cause injury to any other person. Assault includes engaging in a fight.
2. Threatening Acts
   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.
Bomb and terrorist threats are also addressed in policy 4333, Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety.

3. Harassment

   Students are prohibited from engaging in or encouraging any form of harassment, including bullying and cyberbullying of students, employees or other individuals on school grounds, at school-related functions, and at any time or place where the behavior has a direct and immediate effect on maintaining order and discipline in the schools. Harassment is unwanted, unwelcome and uninvited behavior that demeans, threatens or offends the victim and results in a hostile environment for the victim. The hostile environment may be created through pervasive or persistent misbehavior or a single incident if sufficiently severe.

   Harassment and bullying are further defined in policy 1710/4021/7230, Prohibition Against Discrimination, Harassment and Bullying. Complaints of harassment will be investigated pursuant to policy 1720/4015/7225, Discrimination, Harassment and Bullying Complaint Procedure. For incidents of misbehavior that do not rise to the level of harassment, see policy 4310, Integrity and Civility, which establishes the expectation that students will demonstrate civility and integrity in their interactions with others.

B. Consequences

   The disciplinary consequences for violations of this policy shall be consistent with Section D of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy.

   A student who is long-term suspended or reassigned to alternative education services as a result of assaulting or injuring a teacher shall not return to that teacher’s classroom without the teacher’s consent.

   A student who is convicted under G.S. 14-458.2 of cyberbullying a school employee will be transferred to another school. If there is no other appropriate school within the school system, the student will be transferred to a different class or assigned to a teacher who was not involved as a victim of the cyberbullying. The superintendent may modify the required transfer of an individual student on a case-by-case basis and shall provide a written statement of this modification in the student’s record.

Adopted: September 23, 2013

BUS CONDUCT

A safe and orderly environment is critical whenever transporting students. The Student Code of Conduct and board policies on student behavior apply as provided in policy 4300, Student Behavior Policies. Refer to Hertford County Public Schools Policy 6305, Safety and Student Transportation Services, for additional information. All school behavior rules apply to students when on the bus.

CORPORAL PUNISHMENT

No school plan for managing student behavior may authorize the use of corporal punishment. Corporal punishment is the intentional infliction of physical pain upon the body of a student as a disciplinary measure. It includes, but is not limited to, spanking, paddling and slapping. The board prohibits corporal punishment, believing that other consequences are more appropriate and effective for teaching self-control. No teacher, substitute teacher, student teacher, bus driver, or other employee, contractor or volunteer may use corporal punishment to discipline any student. Reasonable force that is necessary to protect oneself or others is not considered corporal punishment.

Refer to Hertford County Public Schools Policy Code 4302, School Plan for Management of Student Behavior, for additional information.
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.

This policy applies to students while on school property or at a school-sponsored event or activity (whether on or off school property) and at any other time or place where the conduct is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment.

A. Prohibited Behavior

1. Students are prohibited from possessing, using, selling, delivering, manufacturing or being under the influence of any of the following substances:
   a. narcotic drugs;
   b. hallucinogenic drugs;
   c. amphetamines;
   d. barbiturates;
   e. marijuana;
   f. synthetic stimulants, such as MDPV and mephedrone (e.g., “bath salts”), and synthetic cannabinoids (e.g., “Spice,” “K2”);
   g. any other controlled substance;
   h. any alcoholic beverage, malt beverage, fortified or unfortified wine or other intoxicating liquor;
   i. 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; or
   j. any substance containing cannabidiol (CBD) or tetrahydrocannabinol (THC), regardless of whether it constitutes a controlled substance under state or federal law.

2. Students also are prohibited from possessing, using, selling, delivering or manufacturing counterfeit (fake) drugs.

3. Students are prohibited from possessing, using, selling, delivering or manufacturing drug paraphernalia, including but not limited to rolling papers, roach clips, lighters, matches, vaping devices, vape liquid containers, pipes, syringes and other delivery devices for prohibited substances.

4. Students are prohibited from possessing, using, selling, delivering or sharing prescription or over-the-counter drugs, except in accordance with policy 6125, Administering Medicines to Students. A student who possesses or uses a prescription or over-the-counter drug in accordance with policy 6125 does not violate this policy.

5. A student is not in violation of this policy for being under the influence of a prohibited substance following its proper use as a medication lawfully prescribed for the student by a licensed health care practitioner.

6. Students may not participate in any way in the selling or delivering of prohibited substances, regardless of whether the sale or delivery ultimately occurs on school property.

B. Consequences

As required by policy 4335, Criminal Behavior, the principal must report to the appropriate law enforcement agency any student who has used or possessed a controlled substance in violation of law while on school property.
The disciplinary consequences for violations of this policy will be consistent with Section D of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy.

Legal References: G.S. 18B-301; 20-11(n1); ch. 90 art. 5 and art. 5B; 115C-47, -276, -288, -307, -390.2

Cross References: Student Behavior Policies (policy 4300), Criminal Behavior (policy 4335), Administering Medicines to Students (policy 6125)

Adopted: September 23, 2013
Revised: February 24, 2020

GANG-RELATED ACTIVITY - Policy 4328

The board strives to create a safe, orderly, caring and inviting school environment. Gangs and gang-related activities have proven contrary to that mission and are prohibited within the schools. A gang is any ongoing organization, association or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts and having a common name or common identifying sign, colors or symbols. The violence and crime that accompany gangs pose a serious threat to the safety of students and employees of the school system. Even absent acts of violence or crime, the existence of gang-related activity within the schools creates an atmosphere of fear and hostility that obstructs student learning and achievement. Thus, the board condemns the existence of gangs and will not tolerate gang-related activity in the school system.

A. Prohibited Behavior

Gang-related activity is strictly prohibited within the schools. For the purposes of this policy, “gang-related activity” means: (1) any conduct that is prohibited by another 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. Conduct prohibited by this policy includes:

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 non-verbally (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 (see policy 4330, Theft, Trespass and Damage to Property);
4. requiring payment of protection or insurance or otherwise intimidating or threatening any person related to gang activity (see policy 4331, Assaults, Threats and Harassment);
5. inciting others to intimidate or to act with physical violence upon any other person related to gang activity (see policy 4331);
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.

B. Notice

The superintendent or designee shall regularly consult with law enforcement officials to maintain current examples of gang-related activities, including but not limited to gang names and particularized examples of potential gang indicators including symbols, hand signals, graffiti, clothing, accessories and behaviors. Each principal shall maintain a list of current examples of gang-related activities to assist students, parents and teachers in identifying gang symbols and practices. The list shall be available in an easily accessible location in the main office of the school. Parents, students and school employees may, upon request, access the list, which shall include a warning that wearing or displaying clothing, hand signs or symbols identified in the list with the intent to convey membership or affiliation in any gang may subject a student to discipline under this policy.

In addition, the Code of Student Conduct and all student handbooks (or such other similar materials distributed to parents and students in lieu of a student handbook) shall contain notice that (1) current information on gang-related activities is maintained in the main office at each school; (2) information on gang-related activities is subject to change and the principal should be consulted for updates; and (3) wearing or displaying clothing,
hand signs or symbols identified in the list with the intent to convey membership or affiliation in any gang may subject a student to discipline under this policy. The Code of Student Conduct and student handbook (or such other similar materials) also shall provide the addresses of websites that contain additional information identifying gang signs, symbols, clothing and other gang indicators.

In providing this information for students and parents, the board acknowledges that not all potential gang indicators connote actual membership in a gang.

C. Consequences

Before receiving disciplinary consequences for a violation of subsection A.1 or A.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 disciplined only if he or she previously received notice that the specific item or conduct is prohibited.

Disciplinary consequences for violations of subsections A.1, A.2 and A.6, above, shall be consistent with Section D of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of these subsections.

Violations of subsections A.3, A.4, A.5 and A.7, above, are violations of both this policy and other board policies. Disciplinary consequences for such violations shall be consistent with Section D of policy 4300 and the specific range of consequences listed in the Code of Student Conduct for the other board policy violated. That the violation was gang-related shall be an aggravating factor when determining the appropriate consequences.

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.

Legal References: G.S. 115C-390.2

Cross References: Student Behavior Policies (policy 4300), Student Dress Code (policy 4316), Theft, Trespass and Damage to Property (policy 4330), Assaults, Threats and Harassment (policy 4331), Criminal Behavior (policy 4335)

Adopted: September 23, 2013

Revised: June 26, 2018

INTEGRITY AND CIVILITY - Policy 4310

All students are expected to demonstrate integrity, civility, responsibility and self-control. This expectation is directly related to the board's educational objectives for students to learn to be responsible for and accept the consequences of their behavior and for students to respect cultural diversity and ideological differences. Integrity, civility, responsibility and self-control also are critical for establishing and maintaining a safe, orderly and inviting environment.

A. Prohibited Behavior

In addition to any standards or rules established by the schools, the following behaviors are in violation of the standards of integrity and civility and are specifically prohibited:

1. cheating, including the actual giving or receiving of any unauthorized assistance or the actual giving or receiving of an unfair advantage on any form of academic work;
2. plagiarizing, including copying the language, structure, idea and/or thought of another and representing it as one's own original work;
3. violating copyright laws, including the unauthorized reproduction, duplication and/or use of printed or electronic work, computer software, or other copyrighted material;
4. cursing or using vulgar, abusive or demeaning language toward another person; and
5. playing abusive or dangerous tricks or otherwise subjecting a student or an employee to personal indignity.
B. Consequences
The disciplinary consequences for violations of this policy shall be consistent with Section D of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy.

Cross References: Goals and Objectives of the Educational Program (policy 3000), Copyright Compliance (policy 3230/7330), Student Behavior Policies (policy 4300)
Adopted: September 23, 2013

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

A. Definitions
1. Superintendent
For purposes of this policy, superintendent includes the superintendent and the superintendent’s designee.
2. Principal
For purposes of this policy, principal includes the principal and the principal’s designee.
3. Long-Term Suspension
A long-term suspension is the disciplinary exclusion of a student from attending his or her assigned school for more than 10 school days. Neither (1) a disciplinary reassignment of a student to a full-time educational program that meets the academic requirements of the standard course of study established by the State Board of Education and that provides the student with the opportunity to make timely progress toward graduation and grade promotion nor (2) an absence under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school) is a long-term suspension requiring the due process procedures set out in this policy.
Upon the recommendation of the principal, the superintendent may impose a long-term suspension on a student who willfully engages in a serious violation of the Code of Student Conduct and the violation either (1) threatens the safety of students, staff or school visitors, or (2) threatens to substantially disrupt the educational environment. The principal may recommend long-term suspension for a minor violation if aggravating circumstances justify treating the student’s behavior as a serious violation.
If the offense leading to the long-term suspension occurred before the final quarter of the school year, the exclusion must be no longer than the remainder of the school year in which the offense was committed. If the offense leading to the long-term suspension occurred during the final quarter of the school year, the exclusion may include a period up to the remainder of the school year in which the offense was committed and the first semester of the following school year.
4. 365-Day Suspension
A 365-day suspension is the disciplinary exclusion of a student from attending his or her assigned school for 365 calendar days. The superintendent may impose a 365-day suspension only for certain firearm and destructive device violations, as identified in policy 4333, Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety.
5. 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 14 years of age or older for certain types of misbehavior as provided in policy 4325, Drugs and Alcohol, policy 4330, Theft, Trespass and Damage to Property, policy 4331, Assaults, Threats and Harassment, and policy 4333, Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety, 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 4260, 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.

B. Determination of Appropriate Consequence
1. Principal’s Recommendation
The principal may impose a short-term suspension or any other consequence that is consistent with policy 4351, Short-Term Suspension, policy 4302, School Plan for Management of Student Behavior, and the Code of Student Conduct. If the principal determines that a suspension of more than 10 days (either long-term or 365-day) or an expulsion is an appropriate consequence, the principal shall propose the disciplinary penalty
based upon a review of the student’s culpability and dangerousness and the harm caused by the student, plus any other mitigating or aggravating factors the principal finds relevant.

a. Culpability of Student – In assessing the culpability of the student for his or her behavior, the principal may consider criteria such as:
   1) the student’s age;
   2) the student’s ability to form the intent to cause the harm that occurred or could have occurred; and
   3) evidence of the student’s intent when engaging in the conduct.

b. Dangerousness of the Student – In assessing the dangerousness of the student, the principal may consider criteria such as:
   1) the student’s disciplinary or criminal record related to anti-social behavior or drugs and alcohol;
   2) whether a weapon was involved in the incident and if a weapon was involved, whether the student had the ability to inflict serious injury or death with the weapon;
   3) evidence of the student’s ability to cause the harm that was intended or that occurred; and
   4) whether the student is subject to policy 4260, Student Sex Offenders.

c. Harm Caused by the Student – In assessing the severity of the harm caused by the student, the principal may consider criteria such as whether any of the following occurred:
   1) someone was physically injured or killed;
   2) someone was directly threatened or property was extorted through the use of a weapon;
   3) someone was directly harmed, either emotionally or psychologically;
   4) educational property or others’ personal property was damaged; or
   5) students, school employees or parents were aware of the presence of a weapon or of dangerous behavior on the part of the perpetrator.

After considering the above factors, the principal shall make a recommendation to the superintendent, stating the nature of the offense, the substance of the evidence involved and the length of suspension recommended. The principal also must consider and make a recommendation as to whether any alternative education services, counseling or other programs should be part of the consequence for violating board policy, the Code of Student Conduct, school standards or school rules.

If the principal recommends a 365-day suspension, he or she must identify the type of firearm or destructive device involved and the evidence substantiating that the student brought it to school grounds or to a school activity or possessed it on school grounds or at a school activity.

If the principal recommends an expulsion, he or she shall identify the basis for determining that there is clear and convincing evidence that the student’s continued presence in school constitutes a clear threat to the safety of other students or employees.

2. Notice to the Student’s Parent

The principal must provide to the student’s parent written notice of the recommendation for long-term suspension, 365-day suspension or expulsion by the end of the workday during which the long-term suspension or expulsion is recommended when reasonably possible or as soon thereafter as practicable. The notice must be written in plain English and, when appropriate language resources are readily available, also in the parent’s native language. The notice must contain the following 10 elements:

a. the notice type, i.e., notice of long-term suspension, 365-day suspension or expulsion; *

b. a description of the incident and the student’s conduct that led to the recommendation;

c. the specific provision(s) of the Code of Student Conduct that the student allegedly violated;

d. the specific process by which the parent may request a hearing to contest the decision and the deadline for making the request; *

e. the process by which the hearing will be held, including all due process rights to be accorded the student during the hearing;

f. notice of the right to retain an attorney to represent the student in the hearing process;

g. notice that an advocate, instead of an attorney, may accompany the student to assist in the presentation of the appeal;

h. notice of the right to review and obtain copies of the student’s educational records prior to the hearing;

i. a reference to policy 4345, Student Discipline Records, regarding the expungement of disciplinary records; and

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assistant in receiving a Spanish translation of the English language information included in the document.*

*This information must be provided on the notice in both English and Spanish.

3. Superintendent’s Decision
The student or student’s parent may request a hearing before the superintendent within three days of receiving notice from the principal of the recommendation for long-term suspension, 365-day suspension or expulsion. Any hearing held will follow the hearing procedures outlined in Section A of policy 4370, Student Discipline Hearing Procedures. A decision will be rendered before the long-term suspension is imposed. If the student or parent makes a timely request for a hearing, the superintendent shall confirm that the charges against the student, if substantiated, could warrant the recommended disciplinary action and shall give the student and parent reasonable notice of the time and place of the hearing. If neither the student nor the parent appears for a scheduled hearing after being given reasonable notice of the time and place of the hearing, the student and parent are deemed to have waived the right to a hearing. If the student and parent fail to make a timely request for a hearing or if they waive the right to a hearing by failing to appear for a duly scheduled hearing, the superintendent shall review the circumstances of the recommended long-term suspension. Following this review, the superintendent (1) may impose the long-term or 365-day suspension if it is consistent with board policies and appropriate under the circumstances, (2) may impose another appropriate penalty authorized by board policy or (3) may decline to impose any penalty. If the student or parent requests a postponement of the hearing, or if the request for the hearing is untimely, the hearing will be scheduled, but the student does not have the right to return to school pending the hearing. Based on substantial evidence presented at the hearing, the superintendent shall decide whether to uphold, modify or reject the principal’s recommendation. The superintendent shall immediately inform the principal of the decision regarding the recommended disciplinary penalty of a long-term or 365-day suspension and, when applicable, of any modifications to the penalty recommended by the principal.

The superintendent shall send notice of the decision via certified mail to the student and parent. The notice must include:

a. the basis of the decision, with reference to any policies or rules that the student violated;
b. notice of what information will be included in the student’s official record pursuant to G.S. 115C-402;
c. notice of the student’s right to appeal the decision and the procedures for such appeal;
d. if the decision is to suspend the student for 365 days, notice of the student’s right to petition the board for readmission under G.S. 115C-390.12;
e. if applicable, notice that the superintendent or designee is recommending to the board that the student be expelled and any required notifications related to the expulsion if the student did not already receive such notice from the principal or designee; and
f. if the student is to be suspended, notice of the superintendent’s or designee’s decision on whether to offer alternative education services to the student during the period of suspension, and, as applicable, a description of the services to be offered or the reason justifying the superintendent’s or designee’s decision to deny such services.

Following issuance of the decision, the superintendent shall implement the decision by authorizing the student’s return to school upon the completion of any short-term suspension or by imposing the suspension reflected in the decision.
The superintendent shall offer alternative education services to any student who receives a long-term or 365-day suspension unless the superintendent provides a significant or important reason for declining to offer such services. Alternative education services are part-time or full-time programs that provide direct or computer-based instruction to allow the student to progress in one or more core academic courses. Such services may include programs described in policy 3470/4305, Alternative Learning Programs/Schools. The student may appeal to the board the superintendent’s decision not to provide alternative education services, as permitted by G.S. 115C-45(c)(2). Any appeal to the board must be made in writing within five days of receiving the superintendent’s decision. The superintendent shall inform the board chairperson of the request for an appeal and arrange in a timely manner a hearing before the board. In advance of the hearing, the superintendent shall provide to the student and parent and to the board a written explanation for the denial of services along with any documents or other information supporting the decision. The hearing will be conducted pursuant to policy 2500, Hearings Before the Board. The board will provide to the student and parent and to the superintendent written notice of its decision within 30 days of receiving the appeal.
If the superintendent determines that expulsion is appropriate, the superintendent shall submit to the board a recommendation and the basis for the recommendation along with any proposal for alternative education services.

4. Hearings Before the Board
   a. Long-Term or 365-Day Suspensions

   A student or his or her parent may appeal an imposed long-term or 365-day suspension. The student or parent must appeal to the board in writing within three days of receiving the superintendent’s decision. The superintendent shall inform the board chairperson of the request for an appeal and shall arrange in a timely manner a hearing before the board. The suspension need not be postponed pending the outcome of the appeal. The hearing will be conducted pursuant to Section B of policy 4370, Student Discipline Hearing Procedures. The board will provide to the student and parent and to the superintendent written notice of its decision not more than 30 calendar days after receiving the appeal.

   b. Expulsions

   The student or parent may request a hearing within five days of receiving notice of the superintendent’s recommendation that the student be expelled. The hearing will be scheduled with the board within five days of the superintendent’s receipt of the hearing request. The superintendent shall notify the student and parent of the date, time and place of the hearing. Any appeal of a long-term or 365-day suspension will be addressed in the same hearing. The hearing will be conducted pursuant to Section B of policy 4370.

   If a hearing is not requested by the student or parent, the superintendent shall submit written evidence to support his or her recommendation to the board. The board may elect to request a hearing or to request additional records and documents.

   When the board decides to expel a student, the board will document the basis for its determination that there is clear and convincing evidence that the student’s behavior indicates that the student’s continued presence in school constitutes a clear threat to the safety of other students or employees. The board also will consider and make a written determination of whether alternative education services are to be provided to the expelled student. Regardless of whether the school system provides alternative education services, the board expects school system administrators to work with other agencies to help the student and parent identify other types of services that may be of assistance to the student. The board will send via certified mail to the student’s parent a copy of the decision, notification of what information will be included in the student’s official record, the procedure for expungement of this information under G.S. 115C-402, and notice of the right to petition for readmission pursuant to G.S. 115C-390.12.

C. Educational Services for Students with Disabilities During Long-Term Suspension, 365-DAY Suspension or Expulsion

Students with disabilities recognized by the Individuals with Disabilities Education Act will receive educational services during periods of suspension or expulsion to the extent required by Policies Governing Services for Children with Disabilities and state and federal law.

D. Reducing Suspension and Expulsion Rates

Though the board believes that suspension or expulsion may be an appropriate and necessary consequence in certain situations, the board also recognizes that excessive use of suspension and expulsion may have a negative impact on academic achievement and graduation rates. Thus, the board encourages school administrators to find ways to reduce suspension and expulsion rates in the schools.


Cross References: Hearings Before the Board (policy 2500), Alternative Learning Programs/Schools (policy 3470/4305), Student Sex Offenders (policy 4260), School Plan for Management of Student Behavior (policy 4302), Drugs and Alcohol (policy 4325), Theft, Trespass and Damage to Property (policy 4330), Assaults, Threats and Harassment (policy 4331), Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety (policy 4333), Criminal Behavior (policy 4335), School-Level Investigations (policy 4340), Student Discipline Records (policy 4345), Short-Term Suspension (policy 4351), Student Discipline Hearing Procedures (policy 4370)

Adopted: September 23, 2013 Revised: April 25, 2016; February 26, 2018
REQUESTS FOR READMISSION OF STUDENTS
SUSPENDED FOR 365 DAYS OR EXPelled - Policy 4362

All requests for readmission of students who have been suspended for 365 days or expelled will be considered in accordance with the procedures set out below.

A. Requests by students suspended for 365 days
A student who is serving a 365-day suspension may submit a request to the superintendent for readmission any time after the 180th calendar day of his or her suspension. Upon receipt of the request, the superintendent or designee shall offer the student an opportunity for an in-person meeting to be held within five days. The student may provide documents in support of the request, such as signed statements from individuals knowledgeable about the student or documents verifying that the student is participating in or has completed counseling or rehabilitation programs. If the student demonstrates to the satisfaction of the superintendent or designee that the student’s presence in school no longer constitutes a threat to the safety of other students or employees, the superintendent must readmit the student.
Within 30 days of the student’s request, the superintendent or designee shall provide written notice of his or her decision to the student, the student’s parents and the board. If the superintendent or designee decides to readmit the student, the notice will include the date of readmission, the school or program to which the student will be assigned and any reasonable restrictions placed on the readmission. If the superintendent or designee rejects the request for readmission, the notice will advise the parents of the right to appeal the decision to the board. Any appeal to the board must be made in writing within five days of receipt of the superintendent’s or designee’s decision. The superintendent or designee shall inform the board chairperson of the request for an appeal and arrange in a timely manner a hearing before the board. The hearing will be conducted in accordance with policy 2500, Hearings Before the Board. The board will provide to the student, the student’s parent and the superintendent or designee written notice of its decision within 30 days of receiving the appeal of the superintendent’s or designee’s decision.
If the request for readmission is denied, no subsequent requests from that student will be considered during that 365-day suspension.

B. Request by Expelled Students
A student who has been expelled may submit a request to the board for readmission any time after 180 calendar days from the start date of the student’s expulsion. The board chairperson immediately will forward the request to the superintendent, who shall arrange in a timely manner a hearing before the board. The hearing will be conducted in accordance with policy 2500. After considering the student’s request and the superintendent’s or designee’s recommendation regarding readmission, if the board determines that the student has satisfactorily demonstrated that his or her presence in school no longer constitutes a clear threat to the safety of other students or employees, the board will readmit the student. The board will notify the student, the student’s parents and the superintendent in writing of its decision within 30 days of the submission of the request for readmission.
If the board decides to readmit the student, the notice will include the date of readmission, the school or program to which the student will be assigned and any reasonable restrictions placed on the readmission. If the student was expelled as a result of assaulting or injuring a teacher, the student will not be returned to that teacher’s classroom following readmission without the teacher’s consent.
If the expelled student’s request for readmission is denied, the board will not consider a subsequent request for readmission of that student until six months after the submission of the previous request.
Adopted: September 23, 2013
SHORT TERM SUSPENSION POLICY - Policy 4351

A short-term suspension is the disciplinary exclusion of a student from attending his or her assigned school for up to 10 school days. A short-term suspension does not include (1) the removal of a student from class by the classroom teacher, the principal or other authorized school personnel for the remainder of the subject period or for less than one-half of the school day, (2) the changing of a student’s location to another room or place on the school premises or (3) a student’s absence under G.S. 130A-440 for failure to submit a school health assessment form within 30 days of entering school. A student who is placed on a short-term suspension will not be permitted to be on school property or to take part in any school function during the period of suspension without prior approval from the principal.

The principal or designee has the authority to determine when a short-term suspension is an appropriate consequence and to impose the suspension, so long as all relevant board policies are followed. In accordance with G.S. 115C-390.6(e) and 115C-45(c)(1), a student is not entitled to appeal the principal’s decision to impose a short-term suspension to either the superintendent or the board unless it is appealable on some other basis.

A. Pre-Suspension Rights of the Student

Except in the circumstances described below, a student must be provided with an opportunity for an informal hearing with the principal or designee before a short-term suspension is imposed. The principal or designee may hold the hearing immediately after giving the student oral or written notice of the charges against him or her. At the informal hearing, the student has the right to be present, to be informed of the charges and the basis for the accusations against him or her, and to make statements in defense or mitigation of the charges. The principal or designee may impose a short-term suspension without first providing the student with an opportunity for a hearing if the presence of the student (1) creates a direct and immediate threat to the safety of other students or staff or (2) substantially disrupts or interferes with the education of other students or the maintenance of discipline at the school. In such cases, the principal or designee shall give the student notice of the charges and an opportunity for an informal hearing as soon as practicable.

B. Student Rights During the Suspension

A student under a short-term suspension must be provided with the following:

1. the opportunity to take textbooks home for the duration of the suspension;
2. upon request, the right to receive all missed assignments and, to the extent practicable, the materials distributed to students in connection with such assignments; and
3. the opportunity to take any quarterly, semester, or grading period examinations missed during the suspension period.

C. Notice to Parent or Guardian

When imposing a short-term suspension, the principal or designee shall provide the student’s parent or guardian with notice that includes the reason for the suspension and a description of the student conduct upon which the suspension is based. The principal or designee must give this notice by the end of the workday during which the suspension is imposed when reasonably possible, but in no event more than two days after the suspension is imposed. If English is the second language of the parent, the notice must be provided in English and in the parent’s primary language, when the appropriate foreign language resources are readily available. Both versions must be in plain language and easily understandable. The initial notice may be by telephone, but it must be followed by timely written notice. The written notice must include all of the information listed above and may be sent by fax, e-mail, or any other method reasonably designed to give actual notice. School officials also shall maintain a copy of the written notice in the student’s educational record.
Multiple short-term suspensions for a student with disabilities will be addressed in accordance with the Policies Governing Services for Children with Disabilities and other applicable state and federal law.


Cross References: School Safety (policy 1510/4200/7270), School Plan for Management of Student Behavior (policy 4302), School-Level Investigations (policy 4340), Parental Involvement in Student Behavior Issues (policy 4341), Removal of Student During the Day (policy 4352)

Adopted: September 23, 2013
Revised: August 25, 2014; April 25, 2016; February 26, 2018

STUDENT BEHAVIOR POLICIES - Policy 4300

All decisions related to student behavior are guided by the board's educational objective to teach responsibility and respect for cultural and ideological differences and by the board's commitment to creating safe, orderly and inviting schools. Student behavior policies are provided in order to establish (1) expected standards of student behavior; (2) principles to be followed in managing student behavior; (3) consequences for prohibited behavior or drug/alcohol policy violations; and (4) required procedures for addressing misbehavior.

A. Principles
The reasons for managing student behavior are to (1) create an orderly environment in which students can learn; (2) teach expected standards of behavior; (3) help students learn to accept the consequences of their behavior; and (4) provide students with the opportunity to develop self-control. The following principles apply in managing student behavior.

1. Student behavior management strategies will complement other efforts to create a safe, orderly and inviting environment.
2. Positive behavioral interventions will be employed as appropriate to improve student behavior.
3. Responsibility, integrity, civility and other standards of behavior will be integrated into the curriculum.
4. Disruptive behavior in the classroom will not be tolerated.
5. Consequences for unacceptable behavior will be designed to help a student learn to comply with rules, to be respectful, to accept responsibility for his or her behavior and to develop self-control.
6. Strategies and consequences will be age and developmentally appropriate.

B. Communication of Policies
Board policies related to student behavior are codified mainly in the 4300 series. The superintendent shall incorporate information from such policies into a Code of Student Conduct that notifies students of the behavior expected of them, conduct that may subject them to discipline and the range of disciplinary measures that may be used by school officials. At the discretion of the superintendent, the Code of Student Conduct may include additional rules needed to implement the board's student behavior policies. Each school shall create a student behavior management plan that will elaborate further on processes for addressing student misbehavior and the use of intervention strategies and consequences (see policy 4302, School Plan for Management of Student Behavior). The Code of Student Conduct must incorporate by reference any additional student behavior standards, prohibited conduct or disciplinary measures identified in individual school behavior plans developed in accordance with policy 4302, provided such measures are consistent with law and board policy. The Code of Student Conduct must not impose mandatory long-term suspension or expulsion for specific violations unless otherwise provided in state or federal law.

At the beginning of each school year, principals shall make available to each student and parent all of the following: (1) the Code of Student Conduct; (2) any board policies related to behavior that are not part of the Code of Conduct; (3) any related administrative procedures; (4) any additional discipline-related information from the school's student behavior management plan, including behavior standards, prohibited conduct or disciplinary measures; and (5) any other school rules. This information must be available at other times upon request and must be made available to students enrolling during the school year and their parents.
For the purpose of board policies related to student behavior, all references to "parent" include a parent, a legal guardian, a legal custodian or another caregiver adult authorized to enroll a student under policy 4120, Domicile or Residence Requirements.

C. Applicability

Students must comply with the Code of Student Conduct 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.

D. Consequences for Violations

Violations of the Code of Student Conduct must be dealt with in accordance with the guidelines established in the school's behavior management plan (see policy 4302, School Plan for Management of Student Behavior).

1. Minor Violations

Minor violations of the Code of Student Conduct are those less severe infractions involving a lower degree of dangerousness and harm. Examples of minor violations include the use of inappropriate or disrespectful language, noncompliance with a staff directive, dress code violations and minor physical altercations that do not involve a weapon or an injury. However, minor violations can escalate and be deemed as serious violations as provided in 4300-R Code of Student Conduct Regulation.

Minor violations of the Code of Student Conduct may result in disciplinary measures or responses up to and including short-term suspension. Further information regarding the procedures for short-term suspensions is provided in policy 4351, Short-Term Suspension. Other disciplinary measures or responses may include, but are not limited to, the following:

- a. parental involvement, such as conferences;
- b. isolation or time-out for short periods of time;
- c. behavior improvement agreements;
- d. instruction in conflict resolution and anger management;
- e. peer mediation;
- f. individual or small group sessions with the school counselor;
- g. academic intervention;
- h. in-school suspension;
- i. detention before and/or after school or on Saturday;
- j. community service;
- k. exclusion from graduation ceremonies;
- l. exclusion from extracurricular activities;
- m. suspension from bus privileges; and
- n. placement in an alternative school.

The parent or guardian is responsible for transportation that may be required to carry out a consequence. With the exception of suspension from bus privileges, if a parent or guardian is unable to provide transportation, another consequence will be substituted.

2. Serious Violations

Serious violations of the Code of Student Conduct may result in any of the consequences that may be imposed for minor violations. In addition, serious violations that threaten to substantially disrupt the educational environment may result in long-term suspension, and serious violations that threaten the safety of students, school employees or school visitors may result in long-term suspension or expulsion. Certain violations involving firearms or explosive devices may result in a 365-day suspension. Further information regarding the standards and procedures for long-term suspensions, 365-day suspensions and expulsions is provided in policies 4351, Short-Term Suspension, and 4353, Long-Term Suspension, 365-Day Suspension, Expulsion. (See also policy 4333, Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety, for information regarding 365-day suspensions for certain violations involving firearms or explosive devices.)
E. Enforcement
The superintendent is responsible for supervising the enforcement of the Code of Student Conduct to ensure that school disciplinary policies are uniformly and fairly applied throughout the school system.
Legal References: G.S. 115C-47, -276(r), -288, -307, -390.1, -390.2
Cross References: Goals and Objectives of the Educational Program (policy 3000), Counseling Program (policy 3610), Domicile or Residence Requirements (policy 4120), Student Behavior policies (4300 series)
Adopted: September 23, 2013
Revised: March 24, 2014; April 25, 2016

CODE OF STUDENT CONDUCT-Regulation Code 4300-R

Since an educated citizenry is essential to good government and can be attained only in an atmosphere conducive to teaching and learning, the Hertford County Board of Education requires the maintenance of good order in the schools.
All students shall comply with the Code of Student Conduct, state and federal laws, school board policies, and local school rules governing student behavior and conduct. This policy applies to any student who is on school property, including school bus stops, who is in attendance at any school or any school-sponsored activity; who is under the direction and supervision of school personnel; or whose conduct at any time or place, on or off campus, has a direct effect on maintaining order and discipline or protecting the safety and welfare of students or staff in the schools. This policy also applies to regular school buses, school activity buses, other school vehicles, or any private vehicle located on property owned by the Hertford County Board of Education.
It should be understood that this policy is not intended to restrict in any way the authority of principals to make such rules, not inconsistent with this code, as they are authorized by law to make for the government and operation of their respective schools or with the authority of teachers to make such rules, not inconsistent with this code, as they are authorized by law to make for their respective classes. Principals, with the prior approval of the superintendent, may, under extraordinary circumstances, including the age of the child, make exceptions to the level of punishment except when the punishment is required by law.
Students shall comply with the directions of principals, teachers, substitute teachers, student teachers, teacher assistants, bus drivers, and all other school personnel who are authorized to give such directions, during any period of time when they are subject to the authority of such school personnel.
Violations of the Code of Student Conduct, other Board policies, regulations issued by the individual school, or the North Carolina General Statutes may result in disciplinary action including suspensions for ten (10) days or less (“short-term”); suspensions between eleven (11) days and the remainder of the school year (“long-term”); suspensions for 365 calendar days; and/or expulsion. Students also may be assigned to an alternative program approved by the Board of Education for certain violations. All such assignments will be made by the superintendent on a case by case basis.
Students shall be informed of local school rules that, if violated, may result in suspension or expulsion or other disciplinary action. Parents and students shall receive a copy of the Code of Student Conduct when a child is first enrolled in the Hertford County Schools and at the beginning of each school year.

STUDENTS CHARGED WITH/OR CONVICTED OF CRIMINAL BEHAVIOR

Principals and other school officials are authorized to involve law enforcement in serious violations in any category and are required to involve law enforcement in cases of certain alleged criminal acts. In such cases, school officials shall cooperate fully with the law enforcement agency. Internal disciplinary proceedings shall take place independently from the criminal investigation and prosecution.
If necessary, the superintendent and principal may take reasonable measures to preserve a safe, orderly environment when a student has been charged with or convicted of a serious crime, regardless of whether the alleged offense was committed on school grounds or related to school activities. Depending upon the circumstances, including the nature of the alleged crime and the child’s age, reasonable efforts may include changing a student’s classroom assignment or transferring the student to an alternative setting. The student will continue to be provided with educational opportunities unless and until the student is found to have violated board policy or school rules and is suspended or expelled in accordance with procedures established in board policy.
Level One Violations – The following conduct is prohibited as outlined below:

1. **Gambling** - Participation in any unauthorized event, action, or statement which relies on chances for the monetary advantage of one participant at the expense of others.
2. **Verbal Abuse or Disrespect** - Participation in serious or persistent verbal action that prevents an orderly and peaceful learning environment. Cursing; using vulgar, obscene, or abusive language, including slurs or insults intended to mock a person’s race, religion, sex, national origin, disability or intellectual ability; or using sexually offensive or degrading language are specifically prohibited.
3. **Peer Relations** - Engaging in behavior which is immoral, indecent, overly affectionate, or of a sexual nature while in the school setting.
4. **Integrity** - Engaging in or attempting to engage in cheating, plagiarism, falsification, forgery, alteration or falsification of official school documents, use of false identification, violation of software copyright laws, or unauthorized or prohibited computer access. Students are subject to disciplinary action as outlined in this policy and/or academic penalty.
5. **Disruption** - Using passive resistance, noise, threat, fear, intimidation, coercion, force, violence, or any other form of conduct that causes the disruption of any lawful function, mission, or process of the school, or urging any other student to engage in such conduct.
6. **Threat / False Threat** - Making any threat through written or verbal language, sign or act which conveys a serious expression of intent to cause harm or violence. Furthermore, no student shall make a false threat of harm or violence, even in jest, which causes or is reasonably likely to cause fear or a disruption to school activities.
7. **Hazing** - Requiring a fellow student to wear abnormal dress, playing abusive or ridiculous tricks on a fellow student, frightening, scolding, swearing, harassing, or subjecting a fellow student to personal indignity. Hazing also includes subjecting a fellow 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, or other similar group.
8. **Bullying and Intimidation** - Extorting or attempting to extort money, personal property, or personal services. Repeatedly inflicting or threatening to inflict physical or psychological harm, by an individual or group.
9. **Protests** - Engaging in any protest, march, picket, sit-in, or similar activity, either on or off any school campus, which has as its purpose the disruption of any lawful function, mission, or process of the school or which in fact creates such a disturbance.
10. **Boycotts** - Participating in any boycott or walk-out of any lawful school function at which attendance is required.
11. **Disruptive or Obscene Literature and Illustrations** - Possessing or distributing literature or illustrations that are obscene or that significantly disrupt the educational process.
12. **Fighting** - Hitting, shoving, scratching, biting, blocking the passage of, or throwing objects at another person. Taking any action or making comments or writing messages which might reasonably be expected to result in a fight.
13. **Theft** - Stealing, attempting to steal, or knowingly being in possession of stolen property.
14. **Damage to Property** - Intentionally damaging or attempting to damage or deface school or private property while under school jurisdiction. This level applies to damage or vandalism not exceeding $1,000, including cost of replacement, repair or restoration of property.
15. **Tobacco Products** - Using or possessing any tobacco products in any school building, on school grounds, or any school vehicle, at any school-sponsored, school authorized, or related school event during regular school hours, or during any period of time that is subject to the authority of school personnel.
16. **Trespassing** - Being on the campus of any school except the one to which the student is assigned during the school day without the knowledge and consent of the officials of that school. Students who loiter at any school after the close of the school day without special need or proper supervision are trespassers and may be prosecuted if they fail to leave when instructed to do so. A student who has been suspended or expelled from school is trespassing if he or she appears on the property of any Hertford County school or at any school-sponsored activity during the suspension or expulsion period without the express permission of the principal.
17. **Conduct on the School Bus** - Failing to follow the directives of the school bus driver and the rules and regulations of school bus safety as well as the rules of this policy while at a school bus stop, or in the school bus parking lot, or while riding on a school bus or other school vehicle. Violation of these
rules may result in temporary or permanent suspension from the privilege of school transportation services as well as from school.

18. **Skipping School or Class** Leaving school grounds or not reporting to class during the instructional day without prior approval from a site administrator, or leaving class without permission from the instructor.

19. **Dress Code** — Wearing attire or presenting a bodily appearance that is in violation of the Student Uniform Policy. For the first violation of this rule, the principal or designee may require the student to change his or her dress or appearance. A second or subsequent violation may result in disciplinary action.

20. **Gang and Gang-Related Activities** — Committing any act that furthers gang or gang-related activity as described in board policy 4328.

21. **Electronic Devices** — Using, displaying, transmitting, or having in the “on” position on school property any wireless communication device or personal entertainment device as described in board policy 4318.

Level One violations can escalate and be deemed as serious violations which include but are not limited to the following:

- Overt noncompliance,
- Continued noncompliance after being redirected,
- Verbal, nonverbal, or physical defiance after being redirected, and
- Openly smoking or ingesting tobacco products as well as electronic cigarettes, vaporizers and other electronic smoking devices even if they do not contain tobacco or nicotine.

**Penalty** - Except as otherwise noted, the first violation of any of the Level One offenses may result in short-term suspension from the Hertford County Schools for up to ten (10) days or for up to the remainder of the school year for a serious violation. A second violation of the same Level One offense during a school year may result in a long-term suspension from the Hertford County Schools for the remainder of the school year. In all cases involving a long-term suspension, the superintendent may assign the student to an alternative program approved by the Board of Education. All assignments to an alternative program will be made by the superintendent on a case by case basis and shall be done only under conditions of probation.

**Level Two Violations** - The following conduct is prohibited as outlined below:

1. **Fireworks or Ammunition** — Possessing, distributing, igniting or using any fireworks or ammunition on school premises, or in any vehicles on school premises.

2. **Assault on Another Student** — Assaulting or attacking, or causing or attempting to cause physical injury to another student or intentionally behaving in such a manner that could reasonably cause physical injury to any student.

3. **Attempted Assault on a School Employee** — Attempting to cause physical injury to a school employee or school volunteer, or behaving in such a manner that could reasonably cause physical injury to any school employee or school volunteer.

4. **Possession of Weapons other than Firearms** — Possessing, handling, transferring, or bringing on to school property any items including, but not limited to, knife, razor, BB gun, stun gun or other electronic shock weapon, pepper spray, air rifle, air pistol, bowie knife, dirk, dagger, sling shot, leaded cane, switchblade knife, blackjack, metal knuckles, razors and razor blades, or any sharp-pointed or edged instrument, or facsimile or other item that could be considered a weapon or dangerous instrument. This policy does not apply to instructional supplies, unaltered nail files and clips, razors used solely for personal shaving, or tools used solely for preparation of food, instruction, or maintenance.

5. **Fire Alarms** — Setting off, attempting to set off, or aiding and abetting anyone in giving a false fire alarm. It shall also be prohibited to interfere with or damage any part of a fire alarm, fire detection, smoke detection, or fire extinguishing system.

6. **Failure to Comply with Lawful Directive** — Failing to follow a directive after being personally notified by any school employee.

7. **Threats** — Threats of death or serious bodily injury communicated toward any student, school employee, or school volunteer by verbal, written or other communication.

8. **Damage to Property and Vandalism** — Intentionally damaging or vandalizing or attempting to damage or vandalize, or deface school property or private property. This level applies to damages or vandalism exceeding $1,000, including costs of replacement, repair, or restoration of property.
9. **Sexual Acts** - Engaging in any consensual sexual act while on school property or at a school-sponsored activity or event.

10. **Sexual Harassment (Non-physical)** - Engaging, verbally or through other non-physical means, in sexual harassment as defined in the Sexual Harassment Policy.

11. **Harassment** - Engaging in harassment as defined in the Harassment Policy.

**Penalty** – Except as otherwise noted, the first violation of any of the Level Two provisions may result in at least a short-term suspension and may result in long-term suspension from the Hertford County Schools for the remainder of the school year. A second violation of the same Level Two offense during a school year may result in long-term suspension from the Hertford County Schools for the remainder of the school year.

Any student who is fourteen years or older who commits a Level Two violation and whose behavior indicates that the student’s continued presence in school constitutes a clear threat to the safety and health of other students or employees may be expelled from school as provided by law.

In all cases involving a long-term suspension or an expulsion, the superintendent may assign the student to an alternative program approved by the Board of Education. All assignments to an alternative program will be made by the superintendent on a case by case basis and shall be done only under conditions of probation.

**Level Three Violations** - The following conduct is prohibited as outlined below:

1. **Arson** - Burning or attempting to burn any school building or property. Possessing incendiary material, (i.e., gasoline, kerosene, or other flammable liquid), for the purpose of burning or the attempted burning of school property.

2. **Use of a Weapon** - Using in a threatening or dangerous manner any weapon or other object that can reasonably be considered a weapon or a facsimile of a weapon.

3. **Sexual Harassment (Physical) or Sexual Assault** - Engaging in physical sexual harassment as defined in the Sexual Harassment Policy or offensively touching another person’s private parts, including buttocks or breasts, or forcing or attempting to force another to engage in a sexual act against his/her will.

4. **Drugs or Alcohol** - Knowingly possessing, using, distributing, selling, possessing with intent to distribute or sell, or conspiring or attempting to distribute or sell, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid, other controlled substance, any alcoholic beverage, malt beverage, fortified wine, other intoxicating liquor, drug paraphernalia, counterfeit drugs or unauthorized prescription drugs, or possessing or using any other chemicals or products with the intention of bringing about a state of exhilaration, euphoria, or of otherwise altering the student’s mood or behavior.

**Penalty** - The first violation of any of the Level Three provisions may result in long-term suspension from the Hertford County Schools for the remainder of the school year.

Any student who is fourteen years or older who commits a Level Three violation and whose behavior indicates that the student’s continued presence in school constitutes a clear threat to the safety and health of other students or employees may be expelled from school as provided by law.

In all cases involving a long-term suspension or an expulsion, the superintendent may assign the student to an alternative program approved by the Board of Education. All assignments to an alternative program will be made by the superintendent on a case by case basis.

**Level Four Violations** - The following conduct is prohibited as outlined below:

1. **Possession or Use of a Firearm** - Possessing, handling, using, transferring or bringing onto educational property, or to a school-sponsored curricular or extracurricular activity off of educational property, a gun, rifle, pistol or other firearm.

   Members of the Hertford High School shooting team may possess, handle, use, transfer or bring firearms to a school-sponsored curricular or extracurricular activity related to the shooting team off of educational property. Firearms are not allowed on school property under any circumstances or at any time.

2. **Bomb Threat or Hoax** –
   (a) Communicating by any means to any person or group of persons, a report, knowing or having reason to know the report is false, that there is located on educational property or at a school-sponsored curricular or extracurricular activity off educational property any device designed to destroy or damage property by explosion, blasting, or burning; or

   (b) With intent to perpetrate a hoax, concealing, placing, or displaying a device, machine, instrument, or artifact on educational property or at a school-sponsored curricular or extracurricular activity off educational property, so as to cause any person reasonably to
believe the same to be a bomb or other device capable of causing injury to persons or property.

3. **Explosives** - Possessing or placing on educational premises any explosive device, including, but not limited to, dynamite or dynamite cartridge, bomb, grenade, mine, nitroglycerine, or any other powerful explosive capable of causing injury or damages.

4. **Terrorist Threat or Hoax** –
   (a) Communicating by any means to any person or group of persons, a report, knowing or having reason to know the report is false, that there is located on educational property or at a school-sponsored curricular or extracurricular activity off educational property any device, substance or material designed to cause harmful or life-threatening illness or injury to another person;
   (b) With intent to perpetrate a hoax, concealing, placing, or displaying a device, machine, instrument, artifact, letter, package, material or substance on educational property or at a school-sponsored curricular or extracurricular activity off educational property, so as to cause any person reasonably to believe the same to be a substance or material capable of causing harmful or life-threatening illness or injury to another person.
   (c) Threatening to commit on educational property or at a school-sponsored curricular or extracurricular activity off educational property an act of terror that is likely to cause serious injury or death, when that threat is intended to cause a significant disruption to the instructional day or a school-sponsored activity, or causes such a disruption.
   (d) Making a report, knowing or having reason to know the report is false, that there is about to occur or is occurring on educational property or at a school-sponsored curricular or extracurricular activity off educational property, an act of terror that is likely to cause serious injury or death, when that report is intended to cause a significant disruption to the instructional day or a school-sponsored activity, or causes such a disruption.
   (e) Conspiring to make a terrorist threat or hoax within the meaning of this policy.

5. **Assaults and Serious Injuries on any Teacher or Other School Personnel** - Assaulting and causing serious injury to a teacher or school personnel or volunteer or other adult who is not a student.

6. **Other Assaults on Teachers or Other Adults who are not Students and Assaults on Another Student** –
   (a) Physically assaulting a teacher or other adult who is not a student;
   (b) Physically assaulting another student if the assault is witnessed by school personnel;
   (c) Physically assaulting and seriously injuring another student.

Penalty - A violation of numbers one (1) or three (3) of the Level Four provision shall result in suspension for 365 calendar days from the Hertford County Schools in accordance with G.S. 115C-391. The Board, on recommendation by the superintendent, may modify this suspension requirement on a case-by-case basis that includes, but is not limited to, the procedures established for the discipline of students with disabilities and may also provide, or contract, for the provision of educational services in an alternative setting or in another setting that provides educational services.

A violation of numbers two (2) or (4) of the Level Four provision may result in a long-term suspension.

For a violation of number five (5) of the Level Four provision, any student who is at least 13 years of age shall be assigned by the superintendent to an appropriate alternative educational program.

For a violation of number six (6) of the Level Four provision, any student who is at least 13 years of age may be suspended from the Hertford County Schools for a period of up to 365 calendar days, or assigned to an appropriate alternative educational program approved by the Board of Education.

For a violation of number five (5) or six (6) of the Level Four provision, any student who is under 13 years of age shall be long-term suspended from the Hertford County Schools for the remainder of the school year or assigned to an appropriate alternative educational program approved by the Board of Education.

Any student who is fourteen years or older who commits a Level Four violation and whose behavior indicates that the student’s continued presence in school constitutes a clear threat to the safety and health of other students or employees may be expelled from school, or assigned to an appropriate alternative educational program approved by the Board of Education, as provided by law.

Notice to parents for students who are expelled or suspended for more than 10 days:
If a student is expelled or suspended for more than ten (10) days, the superintendent or designee shall give notice to the student’s parent/guardian of the student’s procedural and appeal rights. Notice shall be in plain language and shall be easily understandable. The notice must be given by certified mail, telephone, telefax, email, or any other method reasonably designed to achieve actual notice of the student’s rights. If English is
the second language of the parent or guardian, the notice shall be written in the parent’s or guardian’s first language when the appropriate foreign language resources are readily available. The notice shall also be provided in English. The notice shall also identify the information to be included in the student’s official record and the procedure for expunging the information, as provided in the Maintenance, Review and Release of Student Records Policy.
Policy Adopted: March 24, 2014; Revised: February 18, 2016

STUDENT DISCIPLINE HEARING PROCEDURES - Policy 4370

A. Administrative Hearings
The rules set out below will govern hearings held by the hearing officer in assessing misbehavior and appropriate consequences. The purpose of the hearing will be to determine the facts relevant to the alleged misbehavior and the credibility of witnesses, based on the evidence presented at the hearing.

1. The hearing will be informal and conducted in private.
2. Prior to the hearing, the student and his or her parents and representative will have an opportunity to review any audio or video recordings of the incident and, consistent with federal and state student records laws and regulations, the information that may be presented as evidence against the student, including statements made by witnesses whose names are withheld in accordance with number 5, below.
3. The hearing must be attended by the superintendent and/or designee, the principal and/or assistant administrators and any persons the superintendent deems necessary. The student has the right to be present at the hearing, to be accompanied by his or her parents and to be represented by an attorney or non-attorney advocate. Witnesses should be present only when providing information.
4. The school representatives have the burden of proving the misbehavior; the violation of board policy, the Code of Student Conduct, school standards or school rules; and the appropriateness of the recommended consequence for the violation.
5. The school representatives will present the witnesses and documentary evidence against the student first. School officials may withhold witness names or other identifying information if identification of a witness could threaten the witness’s safety.
6. After the school representatives have presented their evidence, the student or his or her representative may present evidence relating to the alleged disciplinary infraction, the student’s intent at the time of the incident, any mitigating or aggravating factors involved, the disciplinary and academic history of the student and the potential benefits to the student of alternatives to suspension. Such evidence may include oral testimony by the student or witnesses, written statements and other documents.
7. Both the school representatives and the student or his or her parent or representative may examine the witnesses presented by the other side. The hearing officer has the authority to limit questioning by any person if the questioning is unproductive, unnecessarily lengthy, repetitive or irrelevant.
8. In reaching a determination in the matter, the hearing officer shall consider the documents produced in the hearing, the testimony of the witnesses and other evidence presented at the hearing. If the hearing officer determines that a violation occurred, the hearing officer also shall determine the appropriateness of the recommended consequences for the violation. Formal rules of evidence do not apply, and the hearing officer may rely on evidence that a reasonably prudent person would consider in the conduct of serious affairs.
9. Following the hearing, the superintendent shall adopt the hearing officer’s factual determination based on substantial evidence presented at the hearing and shall notify the student and parental designer his or her final decision in accordance with the requirements of policy 4353, Long-Term Suspension, 365-Day Suspension, Expulsion.
10. The superintendent or designee shall provide for making a record of the hearing, including any findings or conclusions made by the superintendent. The student will have the right to make his or her own audio recording of the hearing.
B. Board Hearings

1. Appeal of a Long-Term or 365-Day Suspension
The board will provide the opportunity for a hearing that follows the procedures established for administrative hearings, except that (1) the superintendent or designee will represent the school system and the board or a panel of the board will be the decision maker, and (2) unless the board requests otherwise or doing so would create a substantial threat of unfairness, the board will limit presentations of testimony to the student, the student’s parent and representative, and the school system’s representative and will limit documentation to the records and evidence presented at the administrative hearing. The board, at its discretion, may request additional information or evidence.

The board will review any records created by the superintendent’s decision and the record created from any administrative hearing held. The board will review the superintendent’s decision to be sure that: (1) there was a reasonable basis for determining that the student engaged in the specified misbehavior; (2) a board policy, the Code of Student Conduct, a school standard or a school rule was violated; (3) the consequence for the violation was reasonable; and (4) procedures established by board policy were followed.

2. Board Decision on Expulsion
The board will provide an opportunity for a hearing to review the superintendent’s recommendation for expulsion. The rules established for administrative hearings will be followed, except that the superintendent or designee will represent the school system and the board will be the decision maker. The board may request additional records or witnesses. A decision will be made on the superintendent’s recommendation following the standards for expulsion established in policy 4353, Long-Term Suspension, 365-Day Suspension, Expulsion.

STUDENT SEARCHES - Policy 4342

School officials have the authority to conduct reasonable searches of students and to seize students’ unauthorized materials for the purpose of maintaining a safe, orderly environment and upholding standards of conduct established by the board or school. Any searches or seizures must be conducted in accordance with the standards described in this policy and any other applicable legal requirements. All school officials carrying out a search or seizure are expected to be knowledgeable about the constitutional rights of students and the appropriate procedures for conducting the search or seizure. A search must be justified at its inception and permissible in scope. School officials shall make reasonable, good faith efforts to investigate allegations of misconduct before a student search is conducted.

This policy applies to searches conducted on school grounds, in school facilities, or at school-sponsored events.

Policy 3225/4312/7320, Technology Responsible Use, not this policy, applies to the search of school system-owned technological resources and the data located on school system-owned electronic equipment.

A. Searches Based on Individualized Reasonable Suspicion

A student or the student’s possessions may be searched when a school official has reasonable suspicion that the search will turn up evidence that the particular student has violated or is violating a specific law or school rule. This reasonable suspicion must be based upon specific and articulable facts, which have been acquired through reliable and/or corroborated information from employees, students, law enforcement officers, or other credible sources, or upon visual or other evidence (e.g., the smell of alcohol or marijuana, an alert from a metal detector or drug dog) viewed in light of the totality of the circumstances and the school official’s professional judgment. The scope of the search and the methods used to conduct the search must be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Reasonable suspicion is not required if a student freely and voluntarily consents to the search of his or her person or possessions.

In accordance with the standards described above, the board authorizes the following types of searches based on reasonable suspicion.

1. Searches of Personal Effects
   School officials may search a student’s desk, locker, and/or personal effects, including but not limited to purses, book bags, and outer clothing. Policy 4318, Use of Wireless Communication
Devices, addresses the circumstances under which searches of student cell phones and other electronic devices may be conducted.

2. Searches of Motor Vehicles
   School officials may search the interior of a student’s motor vehicle.

3. “Pat-down” Searches
   A school official may conduct a frisk or “at down” search of a student’s person. The search must be conducted in private by a school official of the same gender with an adult witness present.

4. More Intrusive Personal Searches
   More intrusive personal searches are discouraged and are to be used only in very limited circumstances. A personal search is more intrusive when it extends beyond a student’s personal effects and outer clothing and potentially exposes intimate body parts and/or undergarments. Such intrusive personal searches will be permissible only if: (1) the school official has reasonable suspicion that a search of a particular student will yield dangerous contraband (e.g., drugs or weapons); and (2) the school official has reasonable suspicion that the student has hidden the contraband in his or her undergarments. This search must be conducted in private by a school official of the same gender, with an adult witness of the same gender present, and only with the prior approval of the superintendent or designee, unless the health or safety of students will be endangered by the delay that might be caused by following these procedures. Body cavity searches and searches that require a student to completely disrobe are strictly prohibited.

5. Metal Detector Searches
   Except as provided in Section B.2, below, a metal detector may be used to search a student’s person and/or personal effects. The search must be conducted by a school official and will be done in private, when feasible.

B. Suspicion Less General Searches
   In an effort to maintain a safe, drug-free, and weapon-free learning environment, school officials may conduct certain types of general, suspicion less searches in the schools. All general searches must be conducted in a minimally-intrusive, nondiscriminatory manner (e.g., all students in randomly selected classrooms, every third individual entering a school-sponsored extracurricular activity) and may not be used to single out a particular individual or category of individuals. The searches must be conducted in accordance with standardized procedures established by the superintendent or designee. Absent exigent circumstances (e.g., a report of a weapon on campus), prior to conducting general searches, school administrators must: (1) demonstrate to the superintendent or designee the need for general searches based upon a pattern of expectation of violence, drug activity, or disruption; and (2) provide written notice to students and parents of the school policy and/or procedures governing general searches, but not of specific times when or places where searches will be conducted.

When conducted in accordance with the standards described above and any corresponding procedures, the board authorizes the following types of general, suspicion less searches.

1. Searches of Desks and Lockers
   School officials may conduct routine searches of student desks and lockers. Student desks and lockers are school property and remain at all times under the control of the school. However, students are expected to assume full responsibility for the security of their desks and lockers. Student desks and lockers may not be used to store illegal, unauthorized, or contraband materials.
   A student’s personal effects found within a desk or locker, such as a backpack, gym bag, or purse, may be searched only in accordance with the guidelines for individualized searches of personal effects described in Section A, above.

2. Point-of-Entry Metal Detector Searches
   Due to the increasing problem of weapons in schools, school officials may use metal detectors to conduct general point-of-entry searches of students and other persons for weapons.

3. Use of Trained Dogs
   With the prior approval of the superintendent, and in conjunction with local law enforcement, school officials may use trained dogs (canines) to locate illegal materials. All dogs must be accompanied by a certified and authorized trainer who is responsible for the dog’s actions and who is able to verify the dog’s reliability and accuracy in sniffing out illegal material. Trained dogs may sniff lockers, desks, book bags, motor vehicles, and other inanimate objects. Dogs may not be used to sniff students or other persons under any circumstances. No students should be
present during a dog search. Before a search occurs in a classroom, students will first be moved to a location outside the classroom.

C. Seized Items
Any illegal contraband seized by school officials must be promptly turned over to the proper law enforcement authorities.

D. Failure to Cooperate
A student’s failure to cooperate with a reasonable search or seizure as provided in this policy will be considered a violation of the expected standard of behavior, and will subject the student to appropriate consequences.

Any person who is not a student who refuses to permit a general metal detector search of his or her person and/or belongings at the point-of-entry to a school-sponsored activity may be denied entry to the activity.

E. Notice
School principals shall take reasonable steps to provide notice of this policy to students and parents at the start of each school year.


THEFT, TRESPASS AND DAMAGE TO PROPERTY - Policy 4330

The board will not tolerate theft, trespass or damage to property by any student. Any student engaging in such behavior will be removed from the classroom or school environment for as long as is necessary to provide a safe and orderly environment for learning.

A. Prohibited Behavior
1. Theft
   Students are prohibited from stealing or attempting to steal school or private property and/or from knowingly being in possession of stolen property.
2. Damage to Property
   Students are prohibited from damaging or attempting to damage school or private property.
3. Trespass
   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:
   a. 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;
   b. the student is loitering at any school after the close of the school day without any specific need or supervision; or
   c. 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.

B. Consequences
The disciplinary consequences for violations of this policy shall be consistent with Section D of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy.

Policy Adopted: September 23, 2013

TOBACCO PRODUCTS – STUDENTS - Policy 4320

The board is committed to creating safe, orderly, clean and inviting schools for all students and staff. To this end, the board supports state laws that prohibit the sale or distribution of tobacco products to minors and that prohibit the use of tobacco products by minors. The board also supports state and federal laws that prohibit the use of tobacco products in school buildings, on school campuses, and in or on any other school property owned or operated by the school board. For the purposes of this policy, the term “tobacco product” means any product that contains or that is made or derived from tobacco and is intended for human consumption, including all lighted and smokeless tobacco products, as well as electronic cigarettes, vaporizers and other electronic smoking devices even if they do not contain tobacco or nicotine.
A. Prohibited Behavior
In support of the board’s commitments and state and federal law, 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 school 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.
Nothing in this policy 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.

B. Consequences
The disciplinary consequences for violations of this policy shall be consistent with Section D of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy.
In determining appropriate consequences for violations of this policy, school officials are encouraged to identify programs or opportunities that will provide students with a greater understanding of the health hazards of tobacco use, the hazards of secondhand smoke, and the impact of tobacco use on efforts to provide a safe, orderly, clean and inviting school environment.

C. Services for Students
The administration shall consult with the county health department and other appropriate organizations to provide students with information and access to support systems and programs to encourage students to abstain from the use of tobacco products. The school system may, from time to time, provide free non-smoking programs and services to its students.

D. Notice
Students will be provided with notice of the information in this policy through the Code of Student Conduct, student handbooks or other means identified by the principal. In addition, the principal shall post signs in a manner and at locations that adequately notify students, school personnel, and visitors about prohibitions against the use of tobacco products in all school facilities, on all school grounds, and at all school-sponsored events.

Cross References: Student Behavior Policies (policy 4300), Smoking and Tobacco Products (policy 5026/7250)
Adopted: September 23, 2013
Revised: April 25, 2016; March 26, 2018

WEAPONS, BOMB THREATS, TERRORIST THREATS AND CLEAR THREATS TO SAFETY – Policy 4333

The board will not tolerate the presence of weapons or destructive devices, bomb or terrorist threats, or actions that constitute a clear threat to the safety of students or employees. 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.

A. Prohibited Behavior
1. Weapons and Weapon-Like Items
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. Weapons include, but are not limited to the following:
a. loaded and unloaded firearms, including guns, pistols and rifles;
b. destructive devices, as described in subsection B.2 of this policy, including explosives, such as dynamite cartridges, bombs, grenades and mines;
c. nuclear, biological or chemical weapons of mass destruction as defined in G.S. 14-288.21(c);
d. knives, including pocket knives, bowie knives, switchblades, dirks and daggers;
e. slingshots and slug shots;
f. leaded canes;
g. blackjacks;
h. metal knuckles;
i. BB guns;
j. air rifles and air pistols;
k. stun guns and other electric shock weapons, such as tasers;
l. icepicks;
m. razors and razor blades (except those designed and used solely for personal shaving);
n. fireworks;
o. gun powder, ammunition or bullets;
p. any sharp pointed or edged instruments except unaltered nail files and clips and tools used solely for preparation of food, instruction and maintenance; and
q. mace, pepper spray and other personal defense sprays.

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 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. Middle and high school students may also utilize the anonymous safety tip line for reporting risks to the school population.

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

2. Bomb Threats

Students are prohibited from:

a. making a bomb threat, regardless of whether the student intends to or has the means to carry out the threat;
b. perpetrating a bomb hoax against school system property by making a report, knowing or having reason to know the report is false, that a bomb or other device designed to cause damage or destruction by explosion, blasting or burning is located on school system property or at a school system event.
c. perpetrating a bomb hoax by concealing, placing or displaying any device on school system property or at a school system event, so as to cause any person reasonably to believe the same to be a bomb or similar device intended to cause injury to persons or property; and
d. knowingly or willfully causing, encouraging or aiding 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.

3. Terrorist Threats

Students are prohibited from making a terrorist threat or perpetrating a terrorist hoax by:

a. threatening to commit an act of mass violence on school property or at a school system event, regardless of whether the student intends to or has the means to carry out the threat;
b. making a report, knowing or having reason to know the report is false, that an act of mass violence is going to occur on school property or at a school system event;
c. making a report, knowing or having reason to know the report is false, that a device, substance or material designed to cause harmful or life-threatening injury to another person is located on school system property or at a school system event; or
d. concealing, placing, disseminating or displaying on school system property or at a school system event any device, substance or material, so as to cause a reasonable person to believe the same to be a weapon of mass destruction or to be intended to cause harmful or life-threatening illness or injury to another person.

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.

4. Clear Threats to Student and Employee 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:

a. theft or attempted theft by a student from another person by using or threatening to use a weapon;
b. the intentional and malicious burning of any structure or personal property, including any vehicle;
c. 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;
d. 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;
e. 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;
f. any intentional, highly reckless or negligent act that results in the death of another person;
g. 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;
h. 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;
i. 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;
j. 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;
k. 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;
l. any behavior resulting in a felony conviction on a weapons, drug, assault or other charge that implicates the safety of other persons; and
m. any other behavior that demonstrates a clear threat to the safety of others in the school environment.

B. Consequences
1. General Consequences
The disciplinary consequences for violations of this policy shall be consistent with Section D of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy.

2. Specific Consequences Mandated by Law
As required by law, 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.

A student may not be suspended for 365 days for a weapons violation except in accordance with this subsection.


Cross References: Student Sex Offenders (policy 4260), Student Behavior Policies (policy 4300), Integrity and Civility (policy 4310), Disruptive Behavior (policy 4315), Theft, Trespass and Damage to Property (policy 4330), Assaults, Threats and Harassment (policy 4331), Criminal Behavior (policy 4335)

Adopted: September 23, 2013
Revised: August 25, 2014; July 24, 2017; February 24, 2020

DISCRIMINATION, HARASSMENT AND BULLYING COMPLAINT PROCEDURE – Policy 1720/4015/7225

The board takes seriously all complaints of unlawful discrimination, harassment and bullying. The process provided in this policy is designed for those individuals who believe that they may have been discriminated against, bullied or harassed in violation of policy 1710/4021/7230, Prohibition Against Discrimination, Harassment and Bullying, or policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities. Individuals who have witnessed or who have reliable information that another person has been subject to unlawful discrimination, harassment or bullying also should use the process provided in this policy to report such violations to one of the school system officials listed in subsection C.1. In addition, the process in this policy should be used to report a violation of policy 4040/7310, Staff-Student Relations.

Any report made through the process established in this policy may be made anonymously, except mandatory employee reports. The school system will ensure that institutional interests do not interfere with the impartiality of the process for investigating and resolving complaints established in this policy.

The process set forth in this policy does not apply to allegations regarding or related to the identification, evaluation, educational placement or free appropriate public education of a student under Section 504 or the IDEA. Such allegations may be raised through the procedures established under policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities (for Section 504 complaints), or in accordance with the procedures described in the Parents Rights Handbook published by the NC Department of Public Instruction (for IDEA complaints).

A. Definitions

1. Alleged Perpetrator
The alleged perpetrator is the individual alleged to have discriminated against, harassed or bullied the complainant.

2. Complaint
A complaint is an oral or written notification made by a person who believes he or she is the victim of unlawful discrimination, harassment or bullying.

3. Complainant
The complainant is the individual complaining of being discriminated against, harassed or bullied.

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

5. Investigative Report
The investigative report is a written account of the findings of the investigation conducted in response to a complaint.

6. Investigator
The investigator is the school official responsible for investigating and responding to the complaint. The investigator must be a person free of actual or reasonably perceived conflicts of interest and biases for or against any party.

7. Report
A report is an oral or written notification that an individual, other than the reporter, is a suspected perpetrator or victim of unlawful discrimination, harassment or bullying.

B. Reporting by Employees or Other Third Parties

1. Mandatory Reporting by School Employees
Any employee who witnessed or who has reliable information or reason to believe that a student or other individual may have been discriminated against, harassed or bullied in violation of policy 1710/4021/7230 or policy 1730/4022/7231 must report the offense immediately to an appropriate individual designated in subsection C.1, below. Suspected violations of policy 4040/7310, Staff-Student Relations, should be reported directly to the superintendent or designee. An employee who does not promptly report possible discrimination, harassment or bullying or violations of policy 4040/7310 shall be subject to disciplinary action.

2. Reporting by Other Third Parties
All members of the school community including students, parents, volunteers and visitors are also strongly encouraged to report any act that may constitute an incident of discrimination, harassment or bullying.

3. Anonymous Reporting
Reports of discrimination, harassment or bullying may be made anonymously (except mandatory reports by school employees) but formal disciplinary action may not be taken solely on the basis of an anonymous report.

4. Investigation of Reports
School officials shall sufficiently investigate all reports of discrimination, harassment or bullying, even if the alleged victim does not file a complaint or seek action by school officials, to understand what occurred and to determine whether further action under this policy or otherwise is necessary. School officials shall take such action as appropriate under the circumstances, regardless of the alleged victim’s willingness to cooperate. At the option of the alleged victim, the report may be treated as a complaint by the alleged victim under this policy.

C. Complaints Brought by Alleged Victims of Discrimination, Harassment or Bullying

1. Filing a Complaint
Any individual who believes that he or she has been discriminated against, harassed or bullied is strongly encouraged to file a complaint orally or in writing to any of the following individuals:
   a. the principal or assistant principal of the school at which either the alleged perpetrator or alleged victim attends or is employed;
   b. an immediate supervisor if the individual making the complaint is an employee;
   c. the executive director of human resources if the alleged perpetrator or alleged victim is an employee of the school system (or the superintendent if the executive director of human resources is the alleged perpetrator);
   d. the Title IX coordinator for claims of sex discrimination or sexual harassment (see policy 1710/4021/7230 for contact information);
   e. the Section 504 coordinator or the ADA coordinator for claims of discrimination on the basis of a disability (see policy 1710/4021/7230 for contact information); or
   f. for claims of other forms of prohibited discrimination, the applicable civil rights coordinator as established in policy 1710/4021/7230.

2. Time Period for Filing a Complaint
A complaint should be filed as soon as possible but no later than 30 days after disclosure or discovery of the facts giving rise to the complaint. Complaints submitted after the 30-day period may be investigated; however, individuals should recognize that delays in reporting may significantly impair the ability of school officials to investigate and respond to such complaints.

3. Informal Resolution
The board acknowledges that many complaints may be addressed informally without a full investigation and/or hearing, through such methods as conferences or mediation. The board encourages the use of informal procedures such as mediation to the extent possible in appropriate cases and when all parties voluntarily agree after receiving a full disclosure of the allegations and the option for formal resolution; however, mediation or other informal procedures will not be used to resolve complaints alleging sexual assault or sexual violence, complaints by a student of sexual harassment perpetrated by an employee, or when otherwise deemed inappropriate by the investigator or applicable civil rights coordinator.

If an informal process is used, the principal or other designated personnel must (1) notify the complainant that he or she has the option to end the informal process and begin formal procedures at any time and (2) make a copy of this policy and other relevant policies available to the complainant. Any informal process should be completed within a reasonable period of time, not to exceed 30 days unless special circumstances necessitate more time. If informal procedures fail to resolve the matter in a reasonable period of time or are inappropriate, or if the complainant requests formal procedures, the complaints will be investigated promptly, impartially and thoroughly according to the procedures outlined in the remainder of this policy.

4. Other Resources
Individuals may also contact the Office for Civil Rights at the U.S. Department of Education:
4000 Maryland Ave, SW
Washington, DC 20202-1475
Telephone: 202-453-6020 TDD: 800-877-8339
FAX: 202-453-6021 Email: OCR.DC@ed.gov

D. Process for Addressing Complaints of Alleged Incidents of Discrimination, Harassment or Bullying

1. Initiating the Investigation
   a. Whoever receives a complaint of discrimination, harassment or bullying pursuant to subsection C.1 shall immediately notify the appropriate investigator who shall respond to the complaint and investigate. The investigator of a complaint is ordinarily determined as follows; however, the superintendent may determine that individual circumstances warrant the assignment of a different investigator.

      1) If the alleged incident occurred under the jurisdiction of the principal, the investigator is the principal or designee, unless the alleged perpetrator is the principal, the executive director of human resources, the superintendent or a member of the board. If the alleged perpetrator is any other employee, the principal or designee shall conduct the investigation in consultation with the executive director of human resources or designee.

      2) If the alleged perpetrator is the principal, the executive director of human resources or designee is the investigator.

      3) If the alleged incident occurred outside of the jurisdiction of a principal (for example, at the central office), the executive director of human resources or designee is the investigator unless the alleged perpetrator is the executive director of human resources, the superintendent or a member of the board.

      4) If the alleged perpetrator is the executive director of human resources, the superintendent or designee is the investigator.

      5) If the alleged perpetrator is the superintendent, the board attorney is the investigator. (In such cases, whoever receives a complaint of discrimination, harassment or bullying shall immediately notify the executive director of human resources who shall immediately notify the board chair. The board chair shall direct the board attorney to respond to the complaint and investigate.)

      6) If the alleged perpetrator is a member of the board, the board attorney is the investigator. (In such cases, whoever receives a complaint of discrimination,
harassment or bullying shall immediately notify the superintendent who shall direct
the board attorney to respond to the complaint and investigate. Unless the board chair
is the alleged perpetrator, the superintendent shall also notify the board chair of the
complaint.

b. As applicable, the investigator shall immediately notify the Title IX, Section 504,
ADA or other relevant coordinator of the complaint, and, as appropriate, may
designate the coordinator to conduct or assist with the investigation.

c. The applicable coordinator and the investigator shall jointly assess the need for
interim measures of support for either party and, as necessary, shall implement
appropriate measures in a timely manner and monitor the effectiveness of the
measures during the pendency of the investigation. Interim measures that restrict the
ability of either party to discuss the investigation (“gag orders”) may not be used.

d. The investigator shall explain the process of the investigation to the complainant
and inquire as to whether the complainant would like to suggest a course of corrective
action.

e. Written documentation of all reports and complaints, as well as the school system’s
response, must be maintained in accordance with policy 1710/4021/7230.

f. Failure to investigate and/or address claims of discrimination, harassment or
bullying shall result in disciplinary action.

2. Conducting the Investigation
The investigator is responsible for determining whether the alleged act(s) constitutes a
violation of policy 1710/4021/7230, policy 1730/4022/7231 or policy 4040/7310. In so doing,
the investigator shall impartially, promptly and thoroughly investigate the complaint. In
complaints alleging sexual misconduct between students, each party will receive notice and
access to information consistent with guidance from the U.S. Department of Education, Office
for Civil Rights.

a. The investigator shall interview all individuals who may have relevant information,
including (1) the complainant; (2) the alleged perpetrator(s); (3) individuals identified as
witnesses by the complainant or alleged perpetrator(s); and (4) any other individuals,
including other possible victims, who may have relevant information. The investigation will
include a review of all evidence presented by the complainant or alleged perpetrator.

b. If the investigator, after receipt of the complaint, an interview with the complainant,
and consultation with the board attorney, determines that the allegations submitted, even if
factual, do not constitute discrimination, harassment or bullying as defined in policy
1710/4021/7230 or policy 1730/4022/7231, school officials will address the matter outside the
scope of this policy. Information regarding the investigator’s determination and the process
for addressing the complaint will be provided to the complainant.

c. The complaint and investigation will be kept confidential to the extent possible.
Information may be shared only with individuals who need the information in order to
investigate and address the complaint appropriately and those with a legal right to access the
information. Any requests by the complainant for further confidentiality will be evaluated
within the context of the legal responsibilities of the school system. Any complaints
withdrawn to protect confidentiality must be recorded in accordance with policy
1710/4021/7230.

d. The investigator shall review the factual information gathered through the
investigation to determine whether, based on a preponderance of the evidence, the alleged
conduct constitutes discrimination, harassment or bullying, giving consideration to all factual
information, the context in which the alleged incidents occurred, the age and maturity of the
complainant and alleged perpetrator(s), and any other relevant circumstances. The
investigator shall submit a written investigative report to the superintendent and, as applicable,
to the Title IX, Section 504, ADA or other coordinator.

3. Notice to Complainant and Alleged Perpetrator
a. The investigator shall provide written notification to the complainant of the results of the
investigation within 15 days of receiving the complaint, unless additional time is necessary to
conduct an impartial, thorough investigation. The investigator shall specify whether the complaint was substantiated and, if so, shall also specify:

1) reasonable, timely, age-appropriate, corrective action intended to end the discrimination, harassment or bullying and prevent it from recurring;

2) as needed, reasonable steps to address the effects of the discrimination, harassment or bullying on the complainant; and

3) as needed, reasonable steps to protect the complainant from retaliation as a result of communicating the complaint.

b. If required by federal law, information regarding specific disciplinary action imposed on the alleged perpetrator(s) will be given to the complainant, such as when the information relates directly to the complainant (e.g., an order requiring the perpetrator not to have contact with the complainant). School officials are encouraged to consult with the superintendent and board attorney before releasing such information, however.

c. If the investigator determines that the complaint was substantiated, the perpetrator(s) shall be subject to discipline or other corrective steps, as described in policy 1710/4021/7230. If the corrective steps involve actions outside the scope of the investigator’s authority, the superintendent will be notified so that responsibility for taking the corrective steps may be delegated to the appropriate individual.

d. Each alleged perpetrator will be provided with a written summary of the results of the investigation in regard to whether the complaint was substantiated, whether the alleged perpetrator violated relevant law or board policies by his or her actions, and what, if any, disciplinary actions or consequences will be imposed upon the perpetrator in accordance with board policy. The perpetrator may appeal any disciplinary action or consequence in accordance with board policy and law. However, an appeal by the perpetrator of disciplinary action does not preclude school officials from taking appropriate action to address the discrimination, harassment or bullying.

4. Appeal

a. If the complainant is dissatisfied with the results of the investigation, he or she may appeal the decision to the superintendent (unless the alleged perpetrator is the executive director of human resources or the superintendent, in which cases the complainant may appeal directly to the board in accordance with the procedure described in subsection D.4.b below). The appeal must be submitted in writing within five days of receiving the notice of the results of the investigation. The superintendent may review the documents, conduct any further investigation necessary or take any other steps the superintendent determines to be appropriate in order to respond to the complaint. The superintendent shall provide a written response within 10 days after receiving the appeal, unless further investigation is needed.

b. If the complainant is dissatisfied with the superintendent’s response, he or she may appeal the decision to the board within five days of receiving the superintendent’s response. The board will review the documents, direct that further investigation be conducted if necessary and take any other steps that the board determines to be appropriate in order to respond to the complaint. Upon request of the complainant, the board will hold a hearing pursuant to policy 2500, Hearings Before the Board. The board will provide a written response within 30 days after receiving the appeal, unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

E. Timeliness of Process

The school system will make a good faith effort to conduct a fair, impartial investigation in a timely manner designed to provide all parties with a prompt and equitable resolution. The number of days indicated at each step of the process should be considered a maximum. Every effort should be made to expedite the process. The school system reserves the right to extend any deadline contained in this policy for good cause with written notice to the parties of the delay and the reason for the delay.

If any school official charged with investigating the complaint or reviewing the investigation fails at any step in the process to communicate a decision within the specified time limit, the complainant will be entitled to appeal the complaint to the next step unless the official has notified the complainant of the delay and the reason for the delay, such as the complexity of the investigation, review or report. The school official shall make reasonable efforts to keep the complainant apprised of progress being made during any period of delay. Delays that interfere with the exercise of any legal rights are not permitted.
Failure by the complainant at any step in the process to appeal a complaint to the next step within the specified time limit will be considered acceptance of the decision at that step, unless the complainant has notified the investigator of a delay and the reason for the delay and the investigator has consented in writing to the delay.

**F. General Requirements**

1. No reprisals or retaliation of any kind will be taken by the board or by an employee of the school system against the complainant or other individual on account of his or her filing a complaint or report or participating in an investigation of a complaint or report filed and decided pursuant to this policy, unless the person knew or had reason to believe that the complaint or report was false or knowingly provided false information.

2. All meetings and hearings conducted pursuant to this policy will be private.

3. The board and school system officials will consider requests to hear complaints from a group, but the board and officials have the discretion to hear and respond to complainants individually.

4. The complainant may be represented by an advocate, such as an attorney, at any meeting with school system officials. Should the complainant choose to be represented by an attorney, the complainant should notify school officials in advance so that an attorney for the school system may also be present.

5. Should, in the judgment of the superintendent or designee, the investigation or processing of a complaint require that an employee be absent from regular work assignments, such absences shall be excused without loss of pay or benefits. This shall not prevent the superintendent or designee from suspending the alleged perpetrator without pay during the course of the investigation.

**G. Records**

Records will be maintained as required by policy 1710/4021/7230.


Cross References: Prohibition Against Discrimination, Harassment and Bullying (policy 1710/4021/7230), Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231), Student and Parent Grievance Procedure (policy 1740/4010), Hearings Before the Board (policy 2500), Staff-Student Relations (policy 4040/7310), Assaults, Threats and Harassment (policy 4331)

Adopted: June 17, 2013

Revised: February 23, 2015; May 23, 2016; April 24, 2017; June 26, 2018
The board takes seriously all complaints of unlawful discrimination, harassment and bullying. The process provided in this policy is designed for those individuals who believe that they may have been discriminated against, bullied or harassed in violation of policy 1710/4021/7230, Prohibition Against Discrimination, Harassment and Bullying, or policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities. Individuals who have witnessed or who have reliable information that another person has been subject to unlawful discrimination, harassment or bullying also should use the process provided in this policy to report such violations to one of the school system officials listed in subsection C.1. In addition, the process in this policy should be used to report a violation of policy 4040/7310, Staff-Student Relations. Any report made through the process established in this policy may be made anonymously, except mandatory employee reports. The school system will ensure that institutional interests do not interfere with the impartiality of the process for investigating and resolving complaints established in this policy. The process set forth in this policy does not apply to allegations regarding or related to the identification, evaluation, educational placement or free appropriate public education of a student under Section 504 or the IDEA. Such allegations may be raised through the procedures established under policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities (for Section 504 complaints), or in accordance with the procedures described in the Parents’ Rights Handbook published by the NC Department of Public Instruction (for IDEA complaints).

A. Definitions

1. Alleged Perpetrator
The alleged perpetrator is the individual alleged to have discriminated against, harassed or bullied the complainant.

2. Complaint
A complaint is an oral or written notification made by a person who believes he or she is the victim of unlawful discrimination, harassment or bullying.

3. Complainant
The complainant is the individual complaining of being discriminated against, harassed or bullied.

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

5. Investigative Report
The investigative report is a written account of the findings of the investigation conducted in response to a complaint.

6. Investigator
The investigator is the school official responsible for investigating and responding to the complaint. The investigator must be a person free of actual or reasonably perceived conflicts of interest and biases for or against any party.

7. Report
A report is an oral or written notification that an individual, other than the reporter, is a suspected perpetrator or victim of unlawful discrimination, harassment or bullying.

B. Reporting by Employees or Other Third Parties

1. Mandatory Reporting by School Employees
Any employee who witnessed or who has reliable information or reason to believe that a student or other individual may have been discriminated against, harassed or bullied in violation of policy 1710/4021/7230 or policy 1730/4022/7231 must report the offense immediately to an appropriate individual designated in subsection C.1, below. Suspected violations of policy 4040/7310, Staff-Student Relations, should be reported directly to the superintendent or designee. An employee who does not promptly report possible discrimination, harassment or bullying or violations of policy 4040/7310 shall be subject to disciplinary action.
2. Reporting by Other Third Parties
All members of the school community including students, parents, volunteers and visitors are also strongly
couraged to report any act that may constitute an incident of discrimination, harassment or bullying.

3. Anonymous Reporting
Reports of discrimination, harassment or bullying may be made anonymously (except mandatory reports by
school employees) but formal disciplinary action may not be taken solely on the basis of an anonymous report.

4. Investigation of Reports
School officials shall sufficiently investigate all reports of discrimination, harassment or bullying, even if the
alleged victim does not file a complaint or seek action by school officials, to understand what occurred and to
determine whether further action under this policy or otherwise is necessary. School officials shall take such
action as appropriate under the circumstances, regardless of the alleged victim’s willingness to cooperate. At
the option of the alleged victim, the report may be treated as a complaint by the alleged victim under this
policy.

C. Complaints Brought by Alleged Victims of Discrimination, Harassment or Bullying

1. Filing a Complaint
Any individual who believes that he or she has been discriminated against, harassed or bullied is strongly
couraged to file a complaint orally or in writing to any of the following individuals:
   a. the principal or assistant principal of the school at which either the alleged perpetrator or
      alleged victim attends or is employed;
   b. an immediate supervisor if the individual making the complaint is an employee;
   c. the executive director of human resources if the alleged perpetrator or alleged victim is an
      employee of the school system (or the superintendent if the executive director of human resources is
      the alleged perpetrator);
   d. the Title IX coordinator for claims of sex discrimination or sexual harassment (see policy
      1710/4021/7230 for contact information);
   e. the Section 504 coordinator or the ADA coordinator for claims of discrimination on the
      basis of a disability (see policy 1710/4021/7230 for contact information); or
   f. for claims of other forms of prohibited discrimination, the applicable civil rights coordinator
      as established in policy 1710/4021/7230.

2. Time Period for Filing a Complaint
A complaint should be filed as soon as possible but no later than 30 days after disclosure or discovery of the
facts giving rise to the complaint. Complaints submitted after the 30-day period may be investigated;
however, individuals should recognize that delays in reporting may significantly impair the ability of school
officials to investigate and respond to such complaints.

3. Informal Resolution
The board acknowledges that many complaints may be addressed informally without a full investigation
and/or hearing, through such methods as conferences or mediation. The board encourages the use of informal
procedures such as mediation to the extent possible in appropriate cases and when all parties voluntarily agree
after receiving a full disclosure of the allegations and the option for formal resolution; however, mediation or
other informal procedures will not be used to resolve complaints alleging sexual assault or sexual violence,
complaints by a student of sexual harassment perpetrated by an employee, or when otherwise deemed
inappropriate by the investigator or applicable civil rights coordinator.

If an informal process is used, the principal or other designated personnel must (1) notify the complainant that
he or she has the option to end the informal process and begin formal procedures at any time and (2) make a
copy of this policy and other relevant policies available to the complainant. Any informal process should be
completed within a reasonable period of time, not to exceed 30 days unless special circumstances necessitate
more time. If informal procedures fail to resolve the matter in a reasonable period of time or are inappropriate,
or if the complainant requests formal procedures, the complaints will be investigated promptly, impartially and
thoroughly according to the procedures outlined in the remainder of this policy.

4. Other Resources
Individuals may also contact the Office for Civil Rights at the U.S. Department of Education:
4000 Maryland Ave, SW
Washington, DC 20202-1475
Telephone: 202-453-6020 TDD: 800-877-8339
FAX: 202-453-6021 Email: OCR.DC@ed.gov

D. Process for Addressing Complaints of Alleged Incidents of Discrimination, Harassment or Bullying
1. Initiating the Investigation
   a. Whoever receives a complaint of discrimination, harassment or bullying pursuant to subsection C.1 shall immediately notify the appropriate investigator who shall respond to the complaint and investigate. The investigator of a complaint is ordinarily determined as follows; however, the superintendent may determine that individual circumstances warrant the assignment of a different investigator.

      1) If the alleged incident occurred under the jurisdiction of the principal, the investigator is the principal or designee, unless the alleged perpetrator is the principal, the executive director of human resources, the superintendent or a member of the board. If the alleged perpetrator is any other employee, the principal or designee shall conduct the investigation in consultation with the executive director of human resources or designee.

      2) If the alleged perpetrator is the principal, the executive director of human resources or designee is the investigator.

      3) If the alleged incident occurred outside of the jurisdiction of a principal (for example, at the central office), the executive director of human resources or designee is the investigator unless the alleged perpetrator is the executive director of human resources, the superintendent or a member of the board.

      4) If the alleged perpetrator is the executive director of human resources, the superintendent or designee is the investigator.

      5) If the alleged perpetrator is the superintendent, the board attorney is the investigator. (In such cases, whoever receives a complaint of discrimination, harassment or bullying shall immediately notify the executive director of human resources who shall immediately notify the board chair. The board chair shall direct the board attorney to respond to the complaint and investigate.)

      6) If the alleged perpetrator is a member of the board, the board attorney is the investigator. (In such cases, whoever receives a complaint of discrimination, harassment or bullying shall immediately notify the superintendent who shall direct the board attorney to respond to the complaint and investigate. Unless the board chair is the alleged perpetrator, the superintendent shall also notify the board chair of the complaint.)

   b. As applicable, the investigator shall immediately notify the Title IX, Section 504, ADA or other relevant coordinator of the complaint, and, as appropriate, may designate the coordinator to conduct or assist with the investigation.

   c. The applicable coordinator and the investigator shall jointly assess the need for interim measures of support for either party and, as necessary, shall implement appropriate measures in a timely manner and monitor the effectiveness of the measures during the pendency of the investigation. Interim measures that restrict the ability of either party to discuss the investigation (“gag orders”) may not be used.

   d. The investigator shall explain the process of the investigation to the complainant and inquire as to whether the complainant would like to suggest a course of corrective action.

   e. Written documentation of all reports and complaints, as well as the school system’s response, must be maintained in accordance with policy 1710/4021/7230.

   f. Failure to investigate and/or address claims of discrimination, harassment or bullying shall result in disciplinary action.

2. Conducting the Investigation
   The investigator is responsible for determining whether the alleged act(s) constitutes a violation of policy 1710/4021/7230, policy 1730/4022/7231 or policy 4040/7310. In so doing, the investigator shall impartially, promptly and thoroughly investigate the complaint. In complaints alleging sexual misconduct between students, each party will receive notice and access to information consistent with guidance from the U.S. Department of Education, Office for Civil Rights.

   a. The investigator shall interview all individuals who may have relevant information, including (1) the complainant; (2) the alleged perpetrator(s); (3) individuals identified as witnesses by the complainant or alleged perpetrator(s); and (4) any other individuals, including other possible victims, who may have relevant information. The investigation will include a review of all evidence presented by the complainant or alleged perpetrator.

   b. If the investigator, after receipt of the complaint, an interview with the complainant, and consultation with the board attorney, determines that the allegations submitted, even if factual, do not
constitute discrimination, harassment or bullying as defined in policy 1710/4021/7230 or policy 1730/4022/7231, school officials will address the matter outside the scope of this policy. Information regarding the investigator’s determination and the process for addressing the complaint will be provided to the complainant.

c. The complaint and investigation will be kept confidential to the extent possible. Information may be shared only with individuals who need the information in order to investigate and address the complaint appropriately and those with a legal right to access the information. Any requests by the complainant for further confidentiality will be evaluated within the context of the legal responsibilities of the school system. Any complaints withdrawn to protect confidentiality must be recorded in accordance with policy 1710/4021/7230.

d. The investigator shall review the factual information gathered through the investigation to determine whether, based on a preponderance of the evidence, the alleged conduct constitutes discrimination, harassment or bullying, giving consideration to all factual information, the context in which the alleged incidents occurred, the age and maturity of the complainant and alleged perpetrator(s), and any other relevant circumstances. The investigator shall submit a written investigative report to the superintendent and, as applicable, to the Title IX, Section 504, ADA or other coordinator.

3. Notice to Complainant and Alleged Perpetrator
   a. The investigator shall provide written notification to the complainant of the results of the investigation within 15 days of receiving the complaint, unless additional time is necessary to conduct an impartial, thorough investigation. The investigator shall specify whether the complaint was substantiated and, if so, shall also specify:

      1) reasonable, timely, age-appropriate, corrective action intended to end the discrimination, harassment or bullying and prevent it from recurring;
      2) as needed, reasonable steps to address the effects of the discrimination, harassment or bullying on the complainant; and
      3) as needed, reasonable steps to protect the complainant from retaliation as a result of communicating the complaint.

   b. If required by federal law, information regarding specific disciplinary action imposed on the alleged perpetrator(s) will be given to the complainant, such as when the information relates directly to the complainant (e.g., an order requiring the perpetrator not to have contact with the complainant). School officials are encouraged to consult with the superintendent and board attorney before releasing such information, however.

c. If the investigator determines that the complaint was substantiated, the perpetrator(s) shall be subject to discipline or other corrective steps, as described in policy 1710/4021/7230. If the corrective steps involve actions outside the scope of the investigator’s authority, the superintendent will be notified so that responsibility for taking the corrective steps may be delegated to the appropriate individual.

d. Each alleged perpetrator will be provided with a written summary of the results of the investigation in regard to whether the complaint was substantiated, whether the alleged perpetrator violated relevant law or board policies by his or her actions, and what, if any, disciplinary actions or consequences will be imposed upon the perpetrator in accordance with board policy. The perpetrator may appeal any disciplinary action or consequence in accordance with board policy and law. However, an appeal by the perpetrator of disciplinary action does not preclude school officials from taking appropriate action to address the discrimination, harassment or bullying.

4. Appeal
   a. If the complainant is dissatisfied with the results of the investigation, he or she may appeal the decision to the superintendent (unless the alleged perpetrator is the executive director of human resources or the superintendent, in which cases the complainant may appeal directly to the board in accordance with the procedure described in subsection D.4.b below). The appeal must be submitted in writing within five days of receiving the notice of the results of the investigation. The superintendent may review the documents, conduct any further investigation necessary or take any other steps the superintendent determines to be appropriate in order to respond to the complaint. The superintendent shall provide a written response within 10 days after receiving the appeal, unless further investigation is needed.

   b. If the complainant is dissatisfied with the superintendent’s response, he or she may appeal the decision to the board within five days of receiving the superintendent’s response. The board will review the documents, direct that further investigation be conducted if necessary and take any other steps that the board determines to be appropriate in order to respond to the complaint. Upon request of the complainant, the board
will hold a hearing pursuant to policy 2500. Hearings Before the Board. The board will provide a written response within 30 days after receiving the appeal, unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

E. Timeliness of Process
The school system will make a good faith effort to conduct a fair, impartial investigation in a timely manner designed to provide all parties with a prompt and equitable resolution. The number of days indicated at each step of the process should be considered a maximum. Every effort should be made to expedite the process. The school system reserves the right to extend any deadline contained in this policy for good cause with written notice to the parties of the delay and the reason for the delay.

If any school official charged with investigating the complaint or reviewing the investigation fails at any step in the process to communicate a decision within the specified time limit, the complainant will be entitled to appeal the complaint to the next step unless the official has notified the complainant of the delay and the reason for the delay, such as the complexity of the investigation, review or report. The school official shall make reasonable efforts to keep the complainant apprised of progress being made during any period of delay. Delays that interfere with the exercise of any legal rights are not permitted.

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

F. General Requirements
1. No reprisals or retaliation of any kind will be taken by the board or by an employee of the school system against the complainant or other individual on account of his or her filing a complaint or report or participating in an investigation of a complaint or report filed and decided pursuant to this policy, unless the person knew or had reason to believe that the complaint or report was false or knowingly provided false information.

2. All meetings and hearings conducted pursuant to this policy will be private.
3. The board and school system officials will consider requests to hear complaints from a group, but the board and officials have the discretion to hear and respond to complainants individually.
4. The complainant may be represented by an advocate, such as an attorney, at any meeting with school system officials. Should the complainant choose to be represented by an attorney, the complainant should notify school officials in advance so that an attorney for the school system may also be present.
5. Should, in the judgment of the superintendent or designee, the investigation or processing of a complaint require that an employee be absent from regular work assignments, such absences shall be excused without loss of pay or benefits. This shall not prevent the superintendent or designee from suspending the alleged perpetrator without pay during the course of the investigation.

G. Records
Records will be maintained as required by policy 1710/4021/7230.

NOTIFICATION OF INTENT TO USE PHOTOGRAPHIC & ELECTRONIC MEDIA

The Hertford County School District reserves the right to use photographs and names of all students in the release of news releases, marketing, publicity and other publications of the district. Those uses include, but are not limited to, stories delivered to newspaper, radio and television and those stories posted on the World Wide Web. This permission also extends to any news media outlet invited to schools or school-related events by the superintendent, principal, or other authorized personnel.

Anyone objecting to the use of such information should notify the Hertford County Public Schools Administrative Office in writing no later than 30 days after the first day of school. Notification should be mailed to:

Hertford County Public Schools
Post Office Box 158
Winton, NC 27986

TECHNOLOGY RESPONSIBLE USE - Policy 3225/4312/7320

The board provides its students and staff access to a variety of technological resources. These resources provide opportunities to enhance learning and improve communication within the school community and with the larger global community. Through the school system’s technological resources, users can observe events as they occur around the world, interact with others on a variety of subjects and acquire access to current and in-depth information.

The board intends that students and employees benefit from these resources while remaining within the bounds of safe, legal and responsible use. Accordingly, the board establishes this policy to govern student and employee use of school system technological resources. This policy applies regardless of whether such use occurs on or off school system property, and it applies to all school system technological resources, including but not limited to computer networks and connections, the resources, tools and learning environments made available by or on the networks, and all devices that connect to those networks.

A. Expectations for Use of School Technological Resources

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.

In addition, anyone who uses school system computers or electronic devices or who accesses the school network or the Internet using school system resources must comply with the additional rules for responsible use listed in Section B, below. These rules are intended to clarify expectations for conduct but should not be construed as all-inclusive.

Before using the Internet, all students must be trained about appropriate online behavior as provided in policy 3226/4205, Internet Safety.

All students and employees must be informed annually of the requirements of this policy and the methods by which they may obtain a copy of this policy. Before using school system technological resources, students and employees must sign a statement indicating that they understand and will strictly comply with these requirements and acknowledging awareness that the school system uses monitoring systems to monitor and detect inappropriate use of technological resources. Failure to adhere to these requirements will result in disciplinary action, including revocation of user privileges.
Willful misuse may result in disciplinary action and/or criminal prosecution under applicable state and federal law.

**B. Rules for Use of School Technological Resources**

1. School system technological resources are provided for school-related purposes only. Acceptable uses of such technological resources are limited to responsible, efficient, and legal activities that support learning and teaching. Use of school system technological resources for commercial gain or profit is prohibited. Student personal use of school system technological resources for amusement or entertainment is also prohibited. Because some incidental and occasional personal use by employees is inevitable, the board permits infrequent and brief personal use by employees so long as it occurs on personal time, does not interfere with school system business, and is not otherwise prohibited by board policy or procedure.

2. Under no circumstance may software purchased by the school system be copied for personal use.

3. Students and employees must comply with all applicable laws, including those relating to copyrights and trademarks, confidential information, and public records. Any use that violates state or federal law is strictly prohibited. Plagiarism of Internet resources will be treated in the same manner as any other incidents of plagiarism, as stated in the Code of Student Conduct.

4. No user of technological resources, including a person sending or receiving electronic communications, may engage in creating, intentionally viewing, accessing, downloading, storing, printing, or transmitting images, graphics (including still or moving pictures), sound files, text files, documents, messages, or other material that is obscene, defamatory, profane, pornographic, harassing (including any form of cyber bullying), abusive or considered to be harmful to minors.

5. The use of anonymous proxies to circumvent content filtering is prohibited.

6. Users may not install or use any Internet-based file sharing program designed to facilitate sharing of copyrighted material.

7. Users of technological resources may not send electronic communications fraudulently (i.e., by misrepresenting the identity of the sender).

8. Users must respect the privacy of others. When using e-mail, chat rooms, blogs, or other forms of electronic communication, students must not reveal personal identifying information or information that is private or confidential, such as the home address or telephone number, credit or checking account information, or social security number of themselves or fellow students. For further information regarding what constitutes personal identifying information, see policy 4705/7825, Confidentiality of Personal Identifying Information. In addition, school employees must not disclose on school system websites or web pages or elsewhere on the Internet any personally identifiable, private or confidential information concerning students (including names, addresses, or pictures) without the written permission of a parent or guardian or an eligible student, except as otherwise permitted by the Family Educational Rights and Privacy Act (FERPA) or policy 4700, Student Records. Users also may not forward or post personal communications without the author’s prior consent.

9. Users may not intentionally or negligently damage computers, computer systems, electronic devices, software, computer networks or data of any user connected to school system technological resources. Users may not knowingly or negligently transmit computer viruses or self-replicating messages or deliberately try to degrade or disrupt system performance. Users must scan any downloaded files for viruses.

10. Users may not create or introduce games, network communications programs, or any foreign program or software onto any school system computer, electronic device, or network without the express permission of the technology director or designee.

11. Users are prohibited from engaging in unauthorized or unlawful activities, such as “hacking” or using the computer network to gain or attempt to gain unauthorized or unlawful access to other computers, computer systems or accounts.

12. Users are prohibited from using another individual’s ID or password for any technological resource without permission from the individual. Students must also have permission from the teacher or other school official.

13. Users may not read, alter, change, block, execute or delete files or communications belonging to another user without the owner’s express prior permission.
14. Employees shall not use passwords or user IDs for any data system (e.g., the state student information and instructional improvement system applications, time-keeping software, etc.) for an unauthorized or improper purpose.

15. If a user identifies a security problem on a technological resource, he or she must immediately notify a system administrator. Users must not demonstrate the problem to other users. Any user identified as a security risk will be denied access.

16. Teachers shall make reasonable efforts to supervise students’ use of the Internet during instructional time.

17. Views may be expressed on the Internet or other technological resources as representing the view of the school system or part of the school system only with prior approval by the superintendent or designee.

C. Restricted Material on the Internet

The Internet and electronic communications offer fluid environments in which students may access or be exposed to materials and information from diverse and rapidly changing sources, including some that may be harmful to students. The board recognizes that it is impossible to predict with certainty what information on the Internet students may access or obtain. Nevertheless school system personnel shall take reasonable precautions to prevent students from accessing material and information that is obscene, pornographic, or otherwise harmful to minors, including violence, nudity, or graphic language that does not serve a legitimate pedagogical purpose. The superintendent shall ensure that technology protection measures are used as provided in policy 3226/4205, Internet Safety, and are disabled or minimized only when permitted by law and board policy. The board is not responsible for the content accessed by users who connect to the Internet via their personal mobile telephone technology (e.g., 3G, 4G service).

D. Parental Consent

The board recognizes that parents of minors are responsible for setting and conveying the standards their children should follow when using media and information sources. Accordingly, before a student may independently access the Internet, the student’s parent must be made aware of the possibility that the student could obtain access to inappropriate material while engaged in independent use of the Internet. The parent and student must consent to the student’s independent access to the Internet and to monitoring of the student’s Internet activity and e-mail communication by school personnel.

In addition, in accordance with the board’s goals and visions for technology, students may require accounts in third party systems for school related projects designed to assist students in mastering effective and proper online communications or to meet other educational goals. Parental permission will be obtained when necessary to create and manage such third party accounts.

E. Privacy

Students, employees, visitors and other users have no expectation of privacy in anything they create, store, send, delete, receive or display when using the school system’s network, devices, Internet access, email system or other technological resources owned or issued by the school system, whether the resources are used at school or elsewhere, and even if the use is for personal purposes. Users should not assume that files or communications created, transmitted or displayed using school system technological resources or stored on servers or on the storage mediums of individual devices will be private. The school system may, without notice, (1) monitor, track and/or log network access, communications and use; (2) monitor and allocate fileserver space; and (3) access, review, copy, store, delete or disclose the content of all user files, regardless of medium, the content of electronic mailboxes and system outputs, such as printouts, for any lawful purpose. Such purposes may include, but are not limited to, maintaining system integrity, security or functionality, ensuring compliance with board policy and applicable laws and regulations, protecting the school system from liability and complying with public records requests. School system personnel shall monitor online activities of individuals who access the Internet via a school-owned device.

By using the school system’s network, Internet access, email system, devices or other technological resources, individuals consent to have that use monitored by authorized school system personnel as described in this policy.

F. Use of Personal Technology on School System Property

Each principal may establish rules for his or her school site as to whether and how personal technology devices (including, but not limited to smart phones, tablets, laptops, etc.) may be used on campus. Students’ devices are governed also by policy 4318, Use of Wireless Communication Devices. The school system assumes no responsibility for personal technology devices brought to school.
**G. Personal Websites**

The superintendent may use any means available to request the removal of personal websites that substantially disrupt the school environment or that utilize school system or individual school names, logos or trademarks without permission.

1. **Students**

Though school personnel generally do not monitor students’ Internet activity conducted on non-school system devices during non-school hours, when the student’s online behavior has a direct and immediate effect on school safety or maintaining order and discipline in the schools, the student may be disciplined in accordance with board policy (see the student behavior policies in the 4300 series).

2. **Employees**

Employees’ personal websites are subject to policy 7335, Employee Use of Social Media.

3. **Volunteers**

Volunteers are to maintain an appropriate relationship with students at all times. Volunteers are encouraged to block students from viewing personal information on volunteer personal websites or online networking profiles in order to prevent the possibility that students could view materials that are not age-appropriate. An individual volunteer’s relationship with the school system may be terminated if the volunteer engages in inappropriate online interaction with students.

**Legal References:** [U.S. Const. amend. I; Children’s Internet Protection Act, 47 U.S.C. 254(h)(5); Electronic Communications Privacy Act, 18 U.S.C. 2510-2522; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; 17 U.S.C. 101 et seq.; 20 U.S.C. 7131; G.S. 115C-325(e) (applicable to career status teachers), -325.4(applicable to non-career status teachers)]

**Cross References:** Curriculum and Instructional Guides (policy 3115), Technology in the Educational Program (policy 3220), Internet Safety (policy 3226/4205), Web Page Development (policy 3227/7322), Use of Personal Technology to Conduct School Business (policy 3228/7323), Copyright Compliance (policy 3230/7330), Student Behavior Policies (all policies in the 4300 series), Student Records (policy 4700), Confidentiality of Personal Identifying Information (policy 4705/7825), Public Records – Retention, Release and Disposition (policy 5070/7350), Use of Equipment, Materials and Supplies (policy 6520), Network Security (policy 6524), Staff Responsibilities (policy 7300), Employee Use of Social Media (policy 7335)

**Adopted:** July 22, 2013

**Revised:** August 25, 2014; March 30, 2015; October 23, 2017; February 24, 2020

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**USE OF WIRELESS COMMUNICATION DEVICES - Policy No. 4318**

The board recognizes that cellular phones and other wireless communication devices have become an important tool through which parents communicate with their children. Therefore, students are permitted to possess such devices on school property so long as the devices are not activated, used, displayed or visible during the instructional day or as otherwise directed by school rules or school personnel. Wireless communication devices include, but are not limited to, cellular phones, electronic devices with internet capability, paging devices, two-way radios and similar devices.

**A. Authorized Use**

Administrators may authorize individual students to use wireless communication devices for personal purposes when there is a reasonable need for such communication. Teachers and administrators may authorize individual students to use the devices for instructional purposes, provided that they supervise the students during such use.

Although use generally is permitted before and after school, use of cellular phones and other wireless communication devices may be prohibited on school buses when noise from such devices interferes with the safe operation of the buses. In addition, elementary and middle school students who participate in after-school programs are prohibited from using wireless communication devices during such programs.

**B. Consequences for Unauthorized Use**

School employees may immediately confiscate any wireless communication devices that are on, used, displayed or visible in violation of this policy. Absent compelling and unusual circumstances, confiscated wireless communication devices will be returned only to the student’s parent or to the student at the end of the school day at the principals’ discretion.

The disciplinary consequences for violations of this policy shall be consistent with Section D of policy 4300,
Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy. The following factors should be considered when determining appropriate consequences: whether the wireless communication device was used (1) to reproduce images of tests, obtain unauthorized access to school information or assist students in any aspect of their instructional program in a manner that violates any school board policy, administrative regulation or school rule; (2) to bully or harass other students; (3) to send illicit text messages; (4) to take and/or send illicit photographs; or (5) in any other manner that would make more severe disciplinary consequences appropriate.

C. Search of Wireless Communication Devices
In accordance with policy 4342, Student Searches, a student’s wireless communication device and its contents, including, but not limited to, text messages and digital photos, may be searched whenever a school official has reason to believe the search will provide evidence that the student has violated or is violating a law, board policy, the Code of Student Conduct or a school rule. The scope of such searches must be reasonably related to the objectives of the search and not excessively intrusive in light of the nature of the suspected infraction.

D. Liability
Students are personally and solely responsible for the security of their wireless communication devices. The school system is not responsible for the theft, loss or damage of a cellular phone or other personal wireless communication device.

Adopted: September 23, 2013

ADMINISTERING MEDICINES TO STUDENTS – Policy 6125

The board recognizes that students may need to take medication during school hours. School personnel may administer medication prescribed by a health care practitioner upon the written request of a student’s parent. In limited circumstances, a student may be authorized to self-administer medications. To minimize disruptions to the school day, students should take medications at home rather than at school whenever feasible. School officials may deny a request to administer any medication that could be taken at home or when, in the opinion of the superintendent or designee in consultation with school nursing personnel, other treatment options exist and the administration of the medication by school personnel would pose a substantial risk of harm to the student or others.

For purposes of this policy, all references to “parent” include parents, legal guardians and legal custodians. In addition, for purposes of this policy, the term “health care practitioner” is limited to licensed medical professionals who are legally authorized to prescribe medications under North Carolina law, such as doctors of medicine, doctors of osteopathic medicine, physician assistants and nurse practitioners. Unless otherwise indicated, the terms “medication” and “medicine” include any substance intended for use in the diagnosis, cure, mitigation, treatment or prevention of any disease. The term includes all prescription medications and all such substances available over-the-counter without a prescription, such as drugs, herbs, alternative medicines and supplements (hereinafter “over-the-counter drugs”). The administration of any prescription or over-the-counter drug to students by school employees is prohibited except when performed in accordance with Section A. The self-administration of any prescription or over-the-counter drug by students at school is prohibited and constitutes a violation of policy 4325, Drugs and Alcohol, except in the limited circumstances described in Section C.

The administration, including by parents, school employees or self-administration, of any substance containing cannabidiol (CBD) or tetrahydrocannabinol (THC) at school is prohibited unless (1) authorized by and administered by a caregiver in accordance with G.S. 90-94.1 and G.S. 90-113.101 for the treatment of intractable epilepsy, or (2) the CBD or THC product is available by prescription only and has been approved by the U.S. Food & Drug Administration (FDA); and all requirements of this policy are met.

A. Medication Administration by School Employees
1. Conditions for Administering Medication

Authorized school employees may administer medication to students when all of the following conditions are met. These conditions apply to all medications, including those available over-the-counter without a prescription.

a. Parental Consent: The student’s parent must make a signed, written request that authorizes school personnel to administer the medication to the student.
b. Medication Authorization/Order: A health care practitioner must prescribe the medication for use by the student and provide explicit written instructions for administering the medication.

c. Certification of Necessity: The student’s health care practitioner must certify that administration of the medication to the student during the school day is necessary to maintain and support the student’s continued presence in school.

d. Proper Container/Labeling: If the medication to be administered is available by prescription only, the parent must provide the medication in a pharmacy-labeled container with directions for how and when the medicine is to be given. If the medication is available over-the-counter, it must be provided in the original container or packaging, labeled with the student’s name.

e. Proper Administration: The employee must administer the medication pursuant to the health care practitioner’s written instructions provided to the school by the student’s parent, and in accordance with professional standards.

The board of education and its employees assume no liability for complications or side effects of medication when administered in accordance with the instructions provided by the parent and health care practitioner.

2. Procedures for Administering Medications

The superintendent shall develop procedures for the implementation of this policy. The procedures and a copy of this policy must be made available to all students and parents each school year. The superintendent’s procedures should be developed according to the guidelines listed below.

a. The health and welfare of the student must be of paramount concern in all decisions regarding the administration of medication.

b. Procedures for medication administration must be consistent with recommendations of the School Health Unit of the Children & Youth Branch of the N.C. Division of Public Health, as described in the North Carolina School Health Program Manual.

c. Students with special needs are to be afforded all rights provided by federal and state law as enumerated in the Policies Governing Services for Children with Disabilities. Students with disabilities also are to be afforded all rights provided by anti-discrimination laws, including Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

d. Except as permitted by this policy, no student may possess, use, sell, deliver or manufacture any drug or counterfeit drug prohibited by policy 4325, Drugs and Alcohol, nor be under the influence of any drug in violation of that policy.

e. The board generally encourages school personnel to administer medication from a centralized location. However, in all instances, whether administered from a centralized location or multiple locations, any medications kept at school for a student must be kept in a locked and secure place. An exception to the requirement for locked storage may be made for emergency medications that must be immediately accessible.

f. All school personnel who will be administering medications must receive appropriate training.

g. Only medications clearly prescribed for the student may be administered by school personnel. At the time a parent brings a medication to school for administration, if school personnel have concerns regarding the appropriateness of the medication or dosage for a student, a confirmation should be obtained from the student’s health care practitioner or another health care practitioner prior to administering the medication or allowing a student to self-administer the medication.

h. Although efforts should be made not to disrupt instructional time, a parent has the right to administer medication to his or her child at any time while the child is on school property, unless otherwise prohibited by this policy.

i. Written information maintained by school personnel regarding a student’s medicinal and health needs is confidential. Parents and students must be accorded all rights provided by the Family Educational Rights and Privacy Act and state confidentiality laws. Any employee who violates the confidentiality of the records may be subject to disciplinary action.
B. Emergency Medication
Students who are at risk for medical emergencies, such as those with diabetes, asthma or severe allergies, must have an emergency health care plan developed for them to address emergency administration of medication. Students must meet the requirements of subsection A.1, above, including providing authorization and instructions from the health care practitioner and written consent of the parent, in order for emergency medication to be administered by school personnel while the student is at school, at a school sponsored activity and/or while in transit to or from school or a school-sponsored event.

C. Student Self-Administering Medications
The board recognizes that students with certain health conditions like diabetes or asthma, or an allergy that could result in an anaphylactic reaction may need to possess and self-administer medication on school property in accordance with their individualized health care plan or emergency health care plan. Students are prohibited from self-administering medication at school unless (1) the medicine has been prescribed for the treatment of diabetes, asthma or anaphylactic reactions, including insulin or a source of glucose, a prescribed asthma inhaler or a prescribed epinephrine auto-injector; (2) the medicine is administered in accordance with the student’s individualized health care plan or emergency health care plan and any relevant administrative regulations; and (3) the requirements of this section are met. The superintendent shall develop procedures for the possession and self-administration of such medication by students on school property, during the school day, at school-sponsored activities and/or while in transit to or from school or school-sponsored events.

1. Authorization to Self-Administer Medication
Before a student will be allowed to self-administer medication pursuant to this section, the student’s parent must provide to the principal or designee all of the documents listed below:
   a. written authorization from the student’s parent for the student to possess and self-administer the medication;
   b. a written statement from the student’s health care practitioner verifying that:
      1) the student has diabetes or asthma or an allergy that could result in anaphylactic reaction;
      2) the health care practitioner prescribed the medication for use on school property during the school day, at school-sponsored activities, or while in transit to or from school or school-sponsored events; and
      3) the student understands, has been instructed in self-administration of the medication, and has demonstrated the skill level necessary to use the medication and any accompanying device;
   c. a written treatment plan and written emergency protocol formulated by the prescribing health care practitioner for managing the student’s diabetes, asthma or anaphylaxis episodes and for medication use by the student;
   d. a statement provided by the school system and signed by the student’s parent acknowledging that the board of education and its employees and agents are not liable for injury arising from the student’s possession and self-administration of the medication; and
   e. any other documents or items necessary to comply with state and federal laws.

Prior to being permitted to self-administer medication at school, the student also must demonstrate to the school nurse, or the nurse’s designee, the skill level necessary to use the medication and any accompanying device.

It is recommended the student’s parent provide to the school backup medication that school personnel are to keep in a location to which the student has immediate access in the event the student does not have the required medication.

All information provided to the school by the student’s parent must be reviewed by the school nurse and kept on file at the school in an easily accessible location. Any permission granted by the principal or designee for a student to possess and self-administer medication will be effective only for the same school for 365 calendar days. Such permission must be renewed each school year.

2. Responsibilities of the Student
A student who is authorized in accordance with this policy to carry medication for self-administration must carry the medication in the original labeled container with the student’s name on the label.
3. Consequences for Improper Use
A student who uses his or her medication in a manner other than as prescribed or who permits another person to use the medication may be subject to disciplinary action pursuant to the school disciplinary policy. However, school officials shall not impose disciplinary action on the student that limits or restricts the student’s immediate access to the diabetes, asthma or anaphylactic medication. The board does not assume any responsibility for the administration of medication to a student by the student, the student’s parent or any other person who is not authorized by this policy to administer medications to students.


Cross References: Parental Involvement (policy 1310/4002), Drugs and Alcohol (policy 4325), Emergency Epinephrine Auto-Injector Devices (policy 5024/6127/7266)


Adopted: November 25, 2013
Revised: November 24, 2014; February 26, 2018; April 23, 2018; March 25, 2019; February 24, 2020

COMPREHENSIVE HEALTH EDUCATION PROGRAM - Policy 3540

The board is committed to a sound, comprehensive health education program that provides students with accurate information and encourages them to be responsible for their own health and behavior. The board recognizes the primary role of parents in providing for the health and well-being of their children and seeks to involve parents as provided in this policy. The comprehensive health education program provided by the school system will meet the requirements of state law and the objectives established by the State Board of Education. The board may, in its discretion, expand on the subject areas to be included in the program and on the instructional objectives to be met.

A. Comprehensive Health Education Program
A comprehensive health education program must be taught to students from kindergarten through ninth grade. As required by law, the health education program must include age-appropriate instruction on bicycle safety, nutrition, dental health, environmental health, family living, consumer health, disease control, growth and development, first aid and emergency care, mental and emotional health, drug and alcohol abuse prevention, prevention of sexually transmitted diseases (STDs), including HIV/AIDS and other communicable diseases, and reproductive health and safety education.

As required by law and beginning in seventh grade, reproductive health and safety education will include age-appropriate instruction on sexual abstinence until marriage, STDs, the human reproductive system, preventable risks for preterm birth in subsequent pregnancies, the effectiveness of contraceptive methods in preventing pregnancy, awareness of sexual assault and sexual abuse and sex trafficking prevention and awareness.

B. Parental Opportunities to Review Materials and Withhold Consent for Student Participation
Each year before students participate in reproductive health and safety education or in other separate instruction on the prevention of STDs, including HIV/AIDS, or the avoidance of out-of-wedlock pregnancy, the principal or designee shall notify parents of the opportunity to review the materials and objectives that will be used in instruction. A copy of all objectives and materials will be available for review in the media center of each school where these subjects will be taught.

The principal or designee shall also notify parents of the right to withhold or withdraw consent for their child’s participation in all reproductive health and safety education instruction or in specific topics such as STDs, the effectiveness and safety of contraceptive methods, awareness of sexual assault and sexual abuse and sex trafficking prevention and awareness. Parents may also withhold consent to student participation in other separate instruction on the prevention of STDs, including HIV/AIDS, or the avoidance of out-of-wedlock pregnancy. Any parent wishing to withhold consent must do so in writing to the principal.
C. Standards for Instruction
For reproductive health and safety education, teachers shall follow the instructional objectives and only use the age-appropriate materials that have been made available to parents for review in accordance with this policy. Information conveyed during instruction will be objective and based upon scientific research that is peer reviewed and accepted by professionals and credentialed experts in the field of sexual health education or other field authorized by law.
A determination of what is an appropriate education for a student with disabilities must be made in accordance with the student’s individualized education plan, following all procedures as provided in the North Carolina Policies Governing Services for Children with Disabilities.

Legal References: G.S. 115C art. 9; 115C-36, -81.25, -81.30; Policies Governing Services for Children with Disabilities, State Board of Education Policy EXCP-000; State Board of Education Policy SCOS-007

Cross References: Adopted: July 22, 2013
Revised: August 25, 2014; May 23, 2016; February 26, 2018; March 26, 2018

CONCUSSION AND HEAD INJURY - Policy 4270/6145

The board recognizes that concussions and other head injuries may be serious and potentially life threatening and that such injuries may result in serious consequences later in life if managed improperly. The board is committed to practices that reduce the potential for short-term or long-term effects from such injuries. In support of this commitment, the board directs school employees to comply with the concussion safety requirements for interscholastic athletic competition established by G.S. 115C-12(23) as amended in the Gfeller-Waller Concussion Awareness Act of 2011, and to implement and follow all concussion safety requirements set forth in State Board of Education rules and policies. The superintendent or designee shall develop plans consistent with state requirements and shall implement and monitor compliance with this policy. The superintendent is authorized to investigate the use of baseline testing for student-athletes and require that student-athletes undergo such testing prior to their participation in any interscholastic athletic competition.

A. Definition of Concussion
A concussion is a traumatic brain injury caused by a direct or indirect impact to the head that results in disruption of normal brain function, which may or may not result in a loss of consciousness.

B. School Head Injury Information Sheet
Each year, all coaches, school nurses, athletic directors, first responders, volunteers, student-athletes, and parents of student-athletes must be provided with a concussion and head injury information sheet that meets the requirements of the State Board. Before any student, school employee, volunteer or first responder will be allowed to participate in interscholastic athletic activities, including tryouts, practices, or competitions, he or she must sign the head injury information sheet and return it to the coach. Parents also must sign the sheet and return it to the coach before their children may participate in any interscholastic athletic activity. The principal of each school shall ensure that a complete and accurate record of the returned signed sheets is maintained in accordance with law and State Board policy.

C. Removal from and Return to Play
Any student-athlete who is exhibiting signs or symptoms consistent with a concussion must be removed from athletic activity immediately. Further, the student-athlete must not be allowed to return to play or practice that day or on any subsequent day until he or she has been evaluated and has received written clearance for participation that complies with the requirements of G.S. 115C-12(23) and any other applicable law or State Board policy.

D. Return to Learning
The superintendent or designee shall develop a plan that meets all the requirements of the State Board of Education for addressing the needs of students in grades pre-K through 12 who suffer concussions. The superintendent or designee shall also arrange for information and professional development to be provided annually to all teachers and other school personnel on return-to-learn issues and other concerns related to concussion and brain injuries. Parents and students must be offered the opportunity annually to provide information related to any head injury or concussion the student may have incurred during the past year on the health history and emergency medical information update form.
E. Emergency Action Plans
Each principal or designee shall develop a venue-specific emergency action plan to respond to serious medical injuries and acute medical conditions in which the condition of the injured student may deteriorate rapidly. All such plans must include a delineation of roles, methods of communication, available emergency equipment, and a plan for emergency transport. The plans must be (1) in writing, (2) reviewed by an athletic trainer who is licensed in North Carolina, (3) approved by the principal if developed by a designee, (4) distributed, posted, reviewed, and rehearsed in accordance with G.S. 115C-12(23), and (5) compliant with any other requirements of state law and State Board policy.

F. Athletic Trainers and First Responders
Each high school principal shall designate at least one licensed athletic trainer or first responder who meets the requirements of state law and State Board of Education policy. The principal shall monitor each athletic trainer’s or first responder’s compliance with the duties assigned to the position by the State Board and any additional duties assigned by the superintendent or designee, including, but not limited to, attendance at football games and practices and compliance with all applicable training and certification requirements. To the extent funding and resources are available, the superintendent shall work toward having a licensed athletic trainer or first responder available for all school practices and games of all high school and middle school sports.

G. Recordkeeping
The superintendent shall require each principal to maintain complete and accurate records of actions taken in his or her school to comply with this policy and applicable legal authority. Records shall include accounts of any education or training as may be required by law or State Board of Education policy. The superintendent’s annual report to the board on compliance with laws and policies related to student wellness shall include a report on the system’s compliance with laws and policies related to concussions and head injuries. (See Section G of policy 6140, Student Wellness.)

Legal References: G.S. 115C-12(23); S.L. 2011-147; Article 34 Chapter 90; State Board of Education Policies ATHL-000, ATHL-003, SHLT-001
Cross References: Student Wellness (policy 6140)

Adopted: September 23, 2013
Revised: August 25, 2014; May 23, 2016; February 26, 2018; February 24, 2020

MAINTENANCE OF SCHOOL HEALTH RECORDS

The health information of a student is confidential and will be maintained separately from the educational record while the student is enrolled in Hertford County Public Schools. Health information will be maintained in locked storage area and/or on password protected Health Master computerized documentation software. Access to the records by authorized staff will be available during regular school hours. Access to computerized health information will be accessible only by secured password. Access to health records will be limited to person(s) who have a direct guidance, teaching or supervisory responsibility for the student or those who have a specific need to know in order to protect the safety of the student or others. Form PPS-2P (student’s permanent health record) and kindergarten physical are not part of the health record and will be maintained in the cumulative folder.

The individual health record will move with the student within Hertford County Public Schools and transfer of the record will be completed according to current procedure. In the event that the student transfers to another school system, a summary of the individual health record will be forwarded. Upon graduation or withdrawal from Hertford County Public Schools, the individual health record will not be merged with the cumulative record, and retention, storage and retrieval of the record, including computerized health records, will be completed according to Hertford County Public Schools’ policy and procedure.
STUDENT HEALTH SERVICES - Policy 6120

The board will provide health services to students as required by law. School employees may administer drugs or medication prescribed by a doctor only upon the written request of the parents; give emergency health care when reasonably apparent circumstances indicate that any delay would seriously worsen the physical condition or endanger the life of the student; and perform any other first aid or life-saving technique in which training has been provided to school employees. A registered nurse also will be available to provide assessment, care planning and ongoing evaluation of students with special health care service needs in the school setting. The superintendent may develop procedures or delegate the development of procedures to each school principal for providing these health services and meeting the board requirements listed below.

1. The principal shall determine at the beginning of each school year prior to the beginning of classes, and thereafter as circumstances require, which employees will be selected to participate in the health services program. The principal shall inform his or her staff about which health services duties are delegated to which employees.

2. The principal is responsible for designating staff members at the school site as school first responders for emergency care. A copy of the first responders list shall be given to the school nurse. First responders will be American Red Cross or American Heart Association trained in cardiopulmonary resuscitation (CPR) and first aid. Each coach will be CPR certified. The principal and nurse shall maintain a list of all staff members with current training/certification to be reviewed and updated annually.

Procedure: Teacher will notify principal and health staff of incidents, document on appropriate form and call parent(s)/guardian(s).

3. Any employee designated to provide health care services must receive appropriate training.

4. Health manuals prepared by the governing state agencies must be followed in developing appropriate procedures and for determining which tasks must be performed by registered nurses.

5. Procedures must be consistent with all related board policies, including policy 4230, Communicable Diseases – Students, and policy 6125, Administering Medicines to Students.

6. Procedures must be consistent with state and federal law for students with disabilities, including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act. The Policies Governing Services for Children with Disabilities will be followed, as applicable.

7. Procedures must be consistent with guidelines adopted by the State Board of Education under G.S. 115C-12(31) to serve students with diabetes, including developing and implementing individual diabetes care plans for such students and providing information and training to school personnel to appropriately support and assist such students, in accordance with their individual diabetes care plans.

8. Written information maintained by the school or school personnel regarding a student’s medicinal and health needs is confidential. Parents and students must be accorded all rights provided by the Family Educational Rights and Privacy Act (FERPA) and state confidentiality laws. Any employee who violates the confidentiality of the records may be subject to disciplinary action.

9. School personnel must obtain parental consent for medical services as required by law. Parents will be notified of their rights in accordance with policy 1310/4002, Parental Involvement.

10. Health professionals will be consulted in the development of health services. Opportunities also will be provided for input from staff, parents and students on the health services provided.


Cross References: Parental Involvement (policy 1310/4002), Communicable Diseases – Students (policy 4230), Student Records (policy 4700), Administering Medicines to Students (policy 6125)

Adopted: March 24, 2014

Revised: May 23, 2016; February 26, 2018; March 26, 2018; February 24, 2020
Parents:

Beginning with the 2020-21 school year, students entering 12th grade will be required to have a booster (second) dose of meningococcal conjugate vaccine if they have not already received one.

An up-to-date immunization record indicating that your student has received the required immunization is due by the first day of attendance at school. If proof of immunization is not provided within 30 calendar days after school entry, your student will not be allowed to attend school until it is provided, as required by law.

Please contact your health care provider or local health department if your child needs this vaccine. For additional information about the vaccine, the disease it protects against, and other recommended vaccines your teen may need, visit the Centers for Disease Control and Prevention’s website at https://www.cdc.gov/vaccines/parents/by-age(years-13-18.html) (or scan the QR code below).

If you have any questions, please contact Student Services at (252) 358-8437 or your child’s school nurse.

Sincerely,
Student Services
NC BACK TO SCHOOL
Immunization Requirements

Grade Level Entry Vaccine Requirements*

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<thead>
<tr>
<th>Grade Level</th>
<th>Vaccine</th>
<th>Doses</th>
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<tbody>
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<td>Polio</td>
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<td>Hib (4-YEAR-OLDS ONLY)</td>
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<td>MMR (or 2 measles, 2 mumps, 1 rubella)</td>
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<td>Hepatitis B</td>
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<td>Varicella</td>
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<td>Pneumococcal conjugate (4-YEAR-OLDS ONLY)</td>
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<td></td>
<td>Hepatitis B</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Varicella</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Tdap</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Meningococcal conjugate (EFFECTIVE 2020-21 SCHOOL YEAR)</td>
<td>2</td>
</tr>
</tbody>
</table>

* At all ages and grades, the number of doses required may vary by a child’s age and when they were vaccinated.
**Requisitos de vacunación para ingresar al año escolar**

<table>
<thead>
<tr>
<th>Grado</th>
<th>Vacuna</th>
<th>Dosis</th>
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</thead>
<tbody>
<tr>
<td>Kindergarten</td>
<td>DTaP (contra difteria-tétanos-los farina)</td>
<td>5 doses</td>
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<tr>
<td></td>
<td>contra la polio</td>
<td>4 doses</td>
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<tr>
<td></td>
<td>Hib (contra la influenza tipo B) (SOLO PARA NIÑOS DE 4 AÑOS)</td>
<td>3-4 doses</td>
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<tr>
<td></td>
<td>MMR (2 contra sarampión, 2 contra paperas y 1 contra rubéola)</td>
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</tr>
<tr>
<td></td>
<td>contra la hepatitis tipo B</td>
<td>3 doses</td>
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<td></td>
<td>contra la varicela</td>
<td>2 doses</td>
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<td></td>
<td>antineumocócica conjugada (SOLO PARA NIÑOS DE 4 AÑOS)</td>
<td>4 doses</td>
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<td>7º</td>
<td>DTaP (contra difteria-tétanos-los farina)</td>
<td>5 doses</td>
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<td>contra la polio</td>
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<td>MMR (2 contra sarampión, 2 contra paperas y 1 contra rubéola)</td>
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<td>contra la hepatitis tipo B</td>
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<td>contra la varicela</td>
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<td>Tdap (refuerzo contra difteria-tétanos-los farina)</td>
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<td>antineumocócica conjugada</td>
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<td>12º</td>
<td>DTaP (contra difteria-tétanos-los farina)</td>
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</tr>
<tr>
<td></td>
<td>antineumocócica conjugada (A PARTIR DEL AÑO ESCOLAR 2020-21)</td>
<td>2 doses</td>
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* A cualquier edad y grado escolar, el número de dosis requerida puede variar dependiendo de la edad del menor y cuándo fue vacunado.
Vaccines for Preteens: What Parents Should Know

Why does my child need vaccines now?
Vaccines aren’t just for babies. Some of the vaccines that babies get can wear off as kids get older. And as kids grow up they may come in contact with different diseases than when they were babies. There are vaccines that can help protect your preteen or teen from these other illnesses.

What vaccines does my child need?

Tdap Vaccine
This vaccine helps protect against three serious diseases: tetanus, diphtheria, and pertussis (whooping cough). Preteens should get Tdap at age 11 or 12. If your teen didn’t get a Tdap shot as a preteen, ask their doctor or nurse about getting the shot now.

Meningococcal Vaccine
Meningococcal conjugate vaccine protects against some of the bacteria that can cause meningitis (swelling of the lining around the brain and spinal cord) and sepsis (an infection in the blood). Preteens need the first meningococcal shot when they are 11 or 12 years old. They need a second meningococcal shot at age 16.

HPV Vaccine
Human papillomaviruses (HPV) vaccines help protect both girls and boys from HPV infection and cancer caused by HPV. All 11- and 12-year-olds should receive two shots of HPV vaccine 6-12 months apart. Preteens and teens who haven't started or finished the HPV vaccine series should ask the doctor or nurse about getting them now.

Flu Vaccine
The annual flu vaccine is the best way to reduce the chances of getting seasonal flu and spreading it to others. Even healthy preteens and teens can get very sick from the flu and spread it to others. While all preteens and teens should get a flu vaccine, it’s especially important for those with chronic health conditions such as asthma, diabetes, and heart disease to get vaccinated. The best time to get the flu vaccine is as soon as it’s available in your community, ideally by October. While it’s best to be vaccinated before flu begins causing illness in your community, flu vaccination can be beneficial as long as flu viruses are circulating, even in January or later.

When should my child be vaccinated?
A good time to get these vaccines is during a yearly health checkup. Your preteen or teen can also get these vaccines at a physical exam required for sports, school, or camp. It’s a good idea to ask the doctor or nurse every year if there are any vaccines that your child may need.

What else should I know about these vaccines?
These vaccines have all been studied very carefully and are safe. They can cause mild side effects, like soreness or redness in the arm where the shot was given. Some preteens and teens might faint after getting a shot. Sitting or lying down when getting a shot and then for about 15 minutes after the shot, can help prevent fainting. Serious side effects are rare. It is very important to tell the doctor or nurse if your child has any serious allergies, including allergies to yeast, latex, or chicken eggs, before they receive any shots.

How can I get help paying for these vaccines?
The Vaccines for Children (VFC) program provides vaccines for children ages 18 years and younger who are uninsured, Medicaid-eligible, American Indian or Alaska Native. You can find out more about the VFC program by going online to www.cdc.gov and typing VFC in the search box.

Where can I learn more?
Talk to your child’s doctor or nurse about what vaccines they may need. You can also find more information about these vaccines on CDC’s Vaccines for Preteens and Teens website at www.cdc.gov/vaccines/teens.
What is HPV?

HPV (human papillomavirus) is a common virus that is spread from one person to another by skin-to-skin contact in the genital area. HPV can be spread even if there is no sexual intercourse.

Human papillomavirus is the name of a group of viruses that includes more than 100 different strains or types. More than 30 of these viruses are sexually transmitted, and they can infect the genital area of men and women. Some types of HPV can cause cervical cancer in women. Other types of HPV can cause genital warts.

Many sexually active people (at least 50 percent) get HPV at some time in their lives, although most never know it because HPV usually has no symptoms and goes away on its own. However, while a person is infected with HPV, they can spread the virus to other sex partners. HPV is most common in young women and men who are in their late teens and early 20s.

How do you get HPV?

HPV is spread through any type of sexual activity and can infect anyone who is sexually active. Both males and females can get it and pass it on to their sex partners without even realizing it.

What are the signs and symptoms of HPV infection?

The virus lives in the body and usually causes no symptoms. Some people will develop visible growths or bumps in the genital area (genital warts), but most men and women who have HPV do not know they are infected.

How is HPV related to cancer?

Some types of HPV can infect a woman’s cervix (lower part of womb) and cause the cells to change. Most of the time, HPV goes away on its own. When HPV is gone, the cervix cells go back to normal. But sometimes, HPV does not go away. Instead, it stays in the body and continues to change the cells on a woman’s cervix. These cervical cell changes (also called cervical dysplasia) can lead to cancer over time, if they are not treated. HPV can also cause other types of cancer, such as vulvar, vaginal, penile, anal, and oropharyngeal (cancers of the back of throat including base of tongue and tonsils).

How can my child be protected from getting HPV?

The only sure protection from HPV is lifelong abstinence or a monogamous relationship with an uninfected partner. However, vaccines are now available that can protect females and males (ages 9 to 26) from some of the major types of HPV.

Does the HPV vaccine prevent all types of human papillomavirus?

No, but the HPV vaccine can prevent most cases of cervical cancer and/or most genital warts. There are currently two HPV vaccines in the United States:

- The quadrivalent HPV vaccine (Gardasil) – which protects against the four types of HPV that cause most cervical and anal cancers and genital warts. This vaccine is available for males and females.
- The bivalent HPV vaccine (Cervarix) – which protects against the types of HPV that cause most cervical cancers. This vaccine is only available for females at this time.

Who should get the HPV vaccine?

Both of the HPV vaccines licensed are safe and effective for females ages 9 through 26 years. CDC recommends that the following individuals receive the HPV vaccine:

- Routine vaccination is recommend for 11 and 12 year old girls and boys. The vaccines can also be started as early as age 9.
- The vaccine is also recommended for males and females 13-26 years of age who did not receive it when they were younger.
Why is HPV vaccine recommended for such young girls and boys?

For the HPV vaccine to work best, it is very important to get all three doses (shots) before being exposed to HPV. Someone can be infected with HPV the very first time they have sexual contact with another person. It is also possible to get HPV even if sexual contact only happens one time. Ideally, males and females should get the vaccine before they ever consider becoming sexually active.

How is the vaccine given?

The vaccine is given as a series of three shots over six months. The best protection is achieved after all three shots are given.

Is the vaccine safe and effective?

Yes. Studies show that the vaccine is extremely safe. The most common side effects are redness and soreness where the shot was given. Recipients should also be aware of reports of fainting directly after receiving the vaccine. The CDC recommends patients wait 15 to 30 minutes after receiving the vaccine before leaving the office. Studies have also found the vaccine to be almost 100 percent effective in preventing diseases (such as cervical cancer and genital warts) caused by the HPV types covered by the vaccine.

Do men and women who have received the HPV vaccine still need to worry about sexually transmitted infections?

Yes. When vaccinated girls are older, they will still need to get regular Pap tests since the vaccine does not protect against all types of HPV that cause cervical cancer nor does it protect against other sexually transmitted infections.

How much does the vaccine cost?

The vaccine can be very expensive, around $390 for all three injections. However, if your child is insured, the insurance may cover the costs. If your child is 18 years of age or younger and meets one of the following qualifications, he or she is eligible to receive the vaccine from the state at no cost:

- Is eligible for Medicaid,
- Has no health insurance,
- Is Native American or Alaskan Native, or
- Has health insurance, but it does not cover any of the vaccine cost.

What if my child is uninsured? How can I get help paying for vaccine administration fees and other health care services my child needs?

Your child may be eligible for Health Check/ Medicaid or NC Health Choice – free or low cost health insurance for children and teens. Even children in a family of four with working parents may qualify. Both programs offer a rich package of benefits. If you are uninsured, apply through your local department of social services to find out if you qualify. To learn more about these child health insurance programs, go to www.NCHealthyStart.org.

What can I do?

If you would like to have your child vaccinated, please contact your doctor, health care provider or local health department to schedule an appointment.

Contact your insurance company to determine if they will cover the cost of the vaccine. If you are uninsured, apply through your local department of social services to find out if you qualify for Health Check / NC Health Choice insurance.

For more information about HPV, please contact the Centers for Disease Control and Prevention (CDC) at:

- 1-800-232-4636 (1-800-CDC-INFO);
- www.cdc.gov/std/hpv
  and www.cdc.gov/vaccines;

or visit the NC Immunization Branch’s website at www.immunize.nc.gov.
Good health manners
Fact sheet: Tips for preventing the spread of germs

Cough and fever during “cold and flu season” might get you a mask

During the cough, cold and “flu” season, there are some simple tips that will keep respiratory infections from spreading. Respiratory infections affect the nose, throat and lungs. They include influenza (the “flu”), colds, pertussis (whooping cough), and severe acute respiratory syndrome (SARS). The germs (viruses and bacteria) that cause these infections are spread from person to person in droplets from the nose, throat and lungs of someone who is sick.

Year-round, you can help stop the spread of these germs by practicing “respiratory etiquette” — good health manners — by covering your nose and mouth every time you sneeze, cough or blow your nose; putting used tissues in the trash; and washing your hands well and often whenever you or someone you are close to is sick. Clinics and hospitals may also give you a face-mask to wear in waiting areas and exam rooms if you have a fever and cough or rash, so be prepared!

Here are some tips to keep from spreading your germs to others, and to keep from catching someone else’s germs.

Keep your germs to yourself:

- Cover your nose and mouth with a tissue when sneezing, coughing, or blowing your nose.
- Throw out used tissues in the trash as soon as you can.
- Always wash your hands after sneezing, blowing your nose or coughing, or after touching used tissues or handkerchiefs. Wash hands often if you are sick.
- Use warm water and soap, or alcohol-based hand sanitizers, to wash your hands.
- Try to stay home if you have a cough and fever.
- See your doctor as soon as you can if you have a cough and fever, and follow their instructions, including taking medicine as prescribed and getting lots of rest.
- If asked to, use face-masks provided in your doctor’s or clinic waiting room and follow their instructions to help stop the spread of germs.

Keep the germs away:

- Wash your hands before eating and before touching your eyes, nose, or mouth.
- Wash your hands after touching anyone else who is sneezing, coughing, blowing their nose, or whose nose is running.
- Don’t share things like cigarettes, towels, lipstick, toys, or anything else that might be contaminated with respiratory germs.
- Don’t share food, utensils or beverage containers with others.

For more information, see the Centers for Disease Control and Prevention (CDC) flu website at www.cdc.gov/flu and the N.C. Division of Public Health’s “Keep Illness from Spreading” page at http://epi.publichealth.nc.gov/cd/diseases/infection_control.html

N.C. Department of Health and Human Services – Division of Public Health
7/2012
Safe Surrender of Newborns

What everyone needs to know about North Carolina’s Law

Why is there such a law? The risk of homicide on the first day of life is 10 times greater than the rate during any other time of life. Every year, several babies are either killed or left to die in North Carolina by a parent in crisis, who may feel they have no other choice. The law hopes to provide such parents a way to surrender their unwanted newborn safely and anonymously.

Who can receive an infant through safe surrender? The law states that a baby may be surrendered to “any responsible adult.” Some people are especially cited: on-duty health care provider, law enforcement officer, social services worker or emergency medical services worker. However, “any responsible adult” could mean just about anyone.

What happens to these babies? An adult who receives the baby is required to keep it safe and warm, and to call 911 or the local department of social services right away. They should know that the surrendering parent is not required to give any identifying information. The goal is to have the baby adopted into a safe and loving home as quickly as possible.

How big a problem is infanticide and child homicide? In our state, an average of two infants are killed or left unprotected to die every year. Every two weeks, a North Carolina child is killed by a parent or caregiver in some form of child abuse.

Has the law worked? No official numbers exist, but since the law was enacted in 2001, at least two newborns have been highlighted in the media as having been safely surrendered. However, at the same time, a number of newborns have also been abandoned unsafely or killed (six have died). Public awareness is crucial to help parents know this option exists, and also to alert the public that receiving a surrendered newborn is legal. Help us spread the word by copying and distributing this fact sheet.

What about fathers? Don’t they have rights too? There is a natural concern that a woman may have a baby and surrender it without the father knowing it exists. Any man who hears of a surrendered infant and believes it may be his should come forward.

Is Safe Surrender the same as Safe Haven? Many states have what are called Safe Haven laws. These designate places where a baby may be surrendered. North Carolina’s law is unique in that it designates people, not places.

In an emergency: 911

What is the new Safe Surrender Law? An infant up to 7 days old may be left with a responsible adult, legally and anonymously. This is North Carolina state law, properly called the “Infant Homicide Prevention Act.”
Rendición segura de los recién nacidos

Información para mujeres en crisis

¿Qué dice la ley de rendición segura? Un niño de hasta 7 días de edad puede ser entregado a un adulto responsable, legal y anónimamente.

Tengo un bebé que no quiero. Me aterra que alguien se entere. ¿Qué puedo hacer? La rendición segura es para las mujeres que están asustadas, que quieren mantener su identidad desconocida, y que no están dispuestas o son capaces de tomar ventaja de las otras opciones disponibles para ellos. Es legal encontrar un adulto responsable y entregarles el bebé. Pueden ser un proveedor de cuidado de la salud, oficial de la ley, trabajador de servicios sociales o personal médico de emergencia, o puede ser cualquiera que parezca ser responsable.

¿Qué otras opciones están disponibles para una mujer que tiene un bebé que no quiere? Siempre ha habido maneras de que las mujeres den a sus bebés de una manera segura y amable. Las agencias pueden ayudarle con el cuidado prenatal, arreglando para el nacimiento, y arreglando para la adopción de su niño a un hogar seguro y cariñoso. Comuníquese con su Departamento de servicios sociales, Departamento de salud del Condado, o busque en las páginas amarillas bajo "adopción".

¿Qué pasa si me gustaría proporcionar salud u otra información sobre el bebé? Una de las preocupaciones con la rendición segura es que los niños crecerán sin saber nada acerca de su historia o paternidad. Es por ello que se prefieren las formas más convencionales de adopción. Sin embargo, un padre que se rinde puede ayudar a responder las preguntas naturales de su hijo sobre el patrimonio familiar y la historia de la salud. La información se puede dar al adulto que recibe al bebé, o puede ser enviado en una carta al Departamento de servicios sociales del condado.

¿Cuál es el Consejo para las mujeres que están escondiendo un embarazo? Buscar atención prenatal. Habla con alguien en quien confíes para darte un buen consejo. Si usted no tiene seguro de salud, su Departamento de salud local o el Departamento de servicios sociales le pueden decir si usted es elegible para Medicaid (que cubre más del 40 por ciento de todos los nacimientos en el estado). Plan para el nacimiento. Tener un bebé solo o con alguien que no esté entrenado médicamente puede causar lesiones graves a usted o a su hijo. También es una experiencia aterradora para dar a luz solo.

En caso de emergencia:

Tuve un bebé y ahora no puedo dejar de sangrar. Además tengo fiebre. ¿Estoy en peligro? Si usted tiene alguno de los siguientes síntomas, busque atención médica de inmediato: sangrado vaginal que no disminuye cuando usted descansa, un mal olor a la sangre vaginal, una fiebre de 101 o más, dolores de cabeza severos, dolor en el abdomen o área vaginal, visión borrosa , o una sensación de ardor al orinar.

Tuve un bebé y ahora no puedo dejar de sangrar. Además tengo fiebre. ¿Estoy en peligro? Si usted tiene alguno de los siguientes síntomas, busque atención médica de inmediato: sangrado vaginal que no disminuye cuando usted descansa, un mal olor a la sangre vaginal, una fiebre de 101 o más, dolores de cabeza severos, dolor en el abdomen o área vaginal, visión borrosa , o una sensación de ardor al orinar.

Departamento de salud y servicios humanos del NC
PARENTAL INSPECTION OF AND OBJECTION TO INSTRUCTIONAL MATERIALS - Policy 3210

In policy 3200, Selection of Instructional Materials, the board establishes a process for the selection of instructional materials to meet State Board of Education requirements and the educational goals of the board. That process provides an opportunity for parental input in the selection of materials. The board recognizes that despite the opportunity to participate in the selection of materials, parents still may have concerns about instructional materials used in the school system. Thus, to further involve parents in the education of their children, the board also provides opportunities for parents to review instructional materials and a process for parents to use when they object to instructional materials.

A. Parental Right to Inspect Materials

Parents have a right under federal law to inspect all instructional materials which will be used in connection with any survey, analysis or evaluation as part of any applicable federally funded programs. Parents ordinarily also may review all other instructional materials following procedures provided by the school or superintendent. The term “instructional materials” does not include academic tests or assessments. Some materials available through the Internet and used in individual classes to provide up-to-date information or information on current events may not be available for advance review; however, all materials used in reproductive health and safety education shall be available for review as provided in policy 3540, Comprehensive Health Education Program.

B. Parental Objection to Materials

Parents may submit an objection in writing to the principal regarding the use of particular instructional materials. The principal may establish a committee to review the objection. While input from the community may be sought, the board believes professional educators are in the best position to determine whether a particular instructional material is appropriate for the age and maturity of the students and for the subject matter being taught.

If the principal or the committee determines that any material violates constitutional or other legal rights of the parent or student, the principal or the committee shall either remove the material from instructional use or accommodate the particular student and parent. Before any material is removed, the principal or the committee shall ensure that the curriculum is still aligned with current statewide instructional standards and articulated from grade to grade. If an objection made by a parent or student is not based upon constitutional or legal rights, the principal or the committee may accommodate the objection after considering the effect on the curriculum; any burden on the school, teacher or other students that the accommodation would create; and any other relevant factors. Books and other instructional materials may be removed from the school media collection only for legitimate educational reasons and subject to the limitations of the First Amendment.

The decision of the committee or principal may be appealed to the superintendent. The decision of the superintendent may be appealed to the board. The superintendent shall develop the necessary administrative procedures to implement this policy.


Cross References: Goals and Objectives of the Educational Program (policy 3000), Curriculum Development (policy 3100), Selection of Instructional Materials (policy 3200), Comprehensive Health Education Program (policy 3540)

Adopted: July 22, 2013
Revised: March 26, 2019

PEST MANAGEMENT

Hertford County Public Schools inspects the facilities weekly to determine if a pest control application is needed. Hertford County Public Schools applies pesticides only as needed. Anyone desiring notification of a nonscheduled pesticide application should notify the Hertford County Public Schools Administrative Office in writing no later than 30 days after the first day of school. Notification should be mailed to:

Hertford County Public Schools
P.O. Box 158
Winton, NC 27986
A. Options for Resolving Complaints
The board strives to resolve concerns and complaints of students and parents whenever possible. To this end, the board has provided opportunities for students and parents to express their concerns through processes established in board policies. Policy 1742/5060, Responding to Complaints, identifies these different processes, including a mechanism for resolving complaints in an informal manner. 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. This policy provides a complaint procedure that may be used as described below. Any parent or student who has questions about the options for proceeding with a complaint or concern may contact the principal or superintendent for further information and copies of all applicable board policies.

B. Definitions

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

2. Final Administrative Decision
A final administrative decision is a decision of a school employee from which no further appeal to a school administrator is available.

3. Grievance
A grievance is a formal complaint regarding specific decisions made by school personnel that alleges that such decisions have adversely affected the person making the complaint. A grievance includes, but is not limited to, circumstances such as when a student or parent believes that board policy or law has been misapplied, misinterpreted or violated. The term "grievance" does not include any matter for which the method of review is prescribed by law, for which there is a more specific board policy providing a process for addressing the concern, or upon which the board is without authority to act. Claims of discrimination, harassment or bullying must be processed under policy 1720/4015/7225, Discrimination, Harassment and Bullying Complaint Procedure.

4. Grievant
The grievant is the parent, student or group of parents or students submitting the grievance.

5. Official
The official is the school system employee hearing and responding to the grievant.

C. Timeliness of Process
The number of days indicated at each step of the grievance process should be considered a maximum, and every effort should be made to expedite the process. Failure by the official at any step to communicate a decision within the specified time limit will permit the grievant to appeal the grievance to the next step unless the official has notified the grievant of the delay and the reason for the delay, such as the complexity of the investigation or report. The official shall make reasonable efforts to keep the grievant apprised of progress being made during any period of delay. Delays that interfere with the exercise of the grievant's legal rights are not permitted. Failure by the grievant at any step of the process to appeal a grievance to the next step within the specified time limit will be considered acceptance of the decision at the current step, unless the grievant has notified the official of a delay and the reason for the delay and the official has consented in writing to the delay.

D. General Requirements

1. No reprisals of any kind will be taken by the board or by an employee of the school system against any grievant or other student or employee because of his or her participation in a grievance filed and decided pursuant to this policy.
2. All meetings and hearings conducted pursuant to this policy will be private.
3. The board and school system officials will consider requests to hear grievances from a group of grievants, but the board and officials have the discretion to hear and respond to grievants individually.
4. The grievant may have a representative, including an attorney, at the review of the findings of the investigation starting at the school level. However, if the grievant intends to be represented by legal counsel, he or she must notify the appropriate school official in advance so that school personnel also will have the opportunity to be represented by legal counsel.
E. Process for Grievance

1. Filing a Grievance
   a. Whenever a student or parent or guardian believes that he or she has been adversely affected by a decision of a school employee, the student or parent or guardian may file a grievance as provided in this policy.
   b. A grievance must be filed as soon as possible but no later than 30 days after disclosure or discovery of the facts giving rise to the grievance. For a grievance submitted after the 30 day period that claims a violation, misapplication or misinterpretation of state or federal law, the superintendent or designee shall determine whether the grievance will be investigated after considering factors such as the reason for the delay; the extent of the delay; the effect of the delay on the ability of the school system to investigate and respond to the complaint; and whether the investigation of the complaint is necessary to meet any legal obligations. However, students, parents and guardians should recognize that delays in filing a grievance may significantly impair the ability of the school system to investigate and respond effectively to such complaints.
   c. A student or parent or guardian who has a grievance must provide the following information in writing to the principal: (1) the name of the school system employee or other individual whose decision or action is at issue; (2) the specific decision(s) or action(s) at issue; (3) any board policy, state or federal law, state or federal regulation, or State Board of Education policy or procedure that the parent or guardian or student believes has been misapplied, misinterpreted or violated; and (4) the specific resolution desired. If there is not a specific decision or action at issue and no concern that state or federal law has been misapplied, misinterpreted or violated, then the procedure established in policy 1742/5060 is appropriate, and the principal shall address the concern following that policy.
   d. Even if the principal is the employee whose decision or action is at issue, the student must submit the grievance first to the principal in order for the principal to address the issue within the formal process. If, however, the grievance claims that a state or federal law has been misapplied, misinterpreted or violated, the student may submit the grievance directly to the superintendent or designee.
   e. If a student wants to initiate a formal grievance regarding a decision by the superintendent that directly and specifically affects the student, the general process described in this policy will be used, except that the grievance will be submitted to the assistant superintendent of human resources, who shall forward the grievance to the board chairperson.

2. Investigation
   a. The principal shall schedule and hold a meeting with the student and/or parent or guardian within five school days after the grievance has been filed with the principal. The student may be accompanied by a parent, legal guardian or other person who is in a position of loco parentis to the student.
   b. The principal shall conduct any investigation of the facts necessary before rendering a decision.

3. Response by Principal
   a. The principal shall provide a written response to the written grievance within 10 days of the meeting. The response will include the principal’s decision regarding resolution of the grievance and the basis for the decision. In responding, the principal may not disclose information about other students or employees that is considered confidential by law.
   b. A copy of the grievance and the principal’s response will be filed with the superintendent.

4. Response by Superintendent
   a. If the grievant is dissatisfied with the principal’s decision, the grievant may appeal the decision to the superintendent. The appeal must be made in writing within five days of receiving the principal’s decision.
   b. The superintendent may review the written documents and respond or the superintendent may schedule and hold a conference with the grievant, principal and any other individuals the superintendent determines to be appropriate within five school days after receiving the appeal. The student may be accompanied by a parent, legal guardian or other person who is in a position of loco parentis to the student.
c. The superintendent shall provide a written response within 10 days after receiving the appeal. In responding, the superintendent may not disclose information about other students or employees that is considered confidential by law.

5. Appeal to the Board
If the grievant has alleged a violation of a specified federal or state law, federal or state regulation, State Board of Education policy or procedure, or local board of education policy or procedure, the grievant will have the right to appeal a final administrative decision to the board of education (see subsection E.5.a, Mandatory Appeals, below). If a grievant has not alleged such specific violations, he or she may request a board hearing, which the board may grant at its discretion (see subsection E.5.b, Discretionary Appeals, below).

a. Mandatory Appeals
1) If the grievant is dissatisfied with the superintendent's response to his or her grievance and has alleged a violation of a specified federal or state law, federal or state regulation, State Board of Education policy or procedure, or local board of education policy or procedure, the grievant may appeal the decision to the board within five days of receiving the superintendent's response.
2) A hearing will be conducted pursuant to policy 2500, Hearings Before the Board.
3) The board will provide a final written decision within 30 days of receiving the appeal unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

b. Discretionary Appeals
1) If the grievant is dissatisfied with the superintendent's response to his or her grievance but has not alleged a violation of a specified federal or state law, federal or state regulation, State Board of Education policy or procedure, or local board of education policy or procedure, then within five days of receiving the superintendent's response, the grievant may submit to the superintendent a written request for a hearing before the board of education.
2) If the full board will be meeting within two weeks of the request for a hearing, the board will decide at that time whether to grant a hearing. Otherwise, the board chairperson will appoint a three-person panel to review the request and determine whether to (1) deny the appeal; (2) review the superintendent's decision on the written record only; or (3) grant a hearing. The panel will report the decision to the board. The board may modify the decision of the panel upon majority vote at a board meeting.
3) If the board denies the appeal, the decision of the superintendent will be final and the grievant will be notified within five days of the board's decision.
4) If the board decides to grant a hearing, the hearing will be conducted pursuant to policy 2500.
5) The board will provide a final written decision within 30 days of the decision to grant an appeal, unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

F. Notice
The superintendent or designee is responsible for providing effective notice to students, parents and school system employees of the procedures for reporting and investigating grievances.

G. Records
Appropriate records shall be maintained in accordance with state and federal law.
Legal References: G.S. 115C-45(c); 126-16; 150B-43 et seq.
Cross References: Prohibition Against Discrimination, Harassment and Bullying (policy 1710/4021/7230), Discrimination, Harassment and Bullying Complaint Procedure (policy 1720/4015/7225), Responding to Complaints (policy 1742/5060), Hearings Before the Board (policy 2500), Student Behavior Policies (4300 series)
Adopted: June 17, 2013
According to the ESSA of 2015 Title I Federal Legislation, S. 1177 section 2002, all parents who have children attending any school receiving Title I funds may request in writing, and the school system will provide in writing upon parent request, information regarding the professional qualifications of the student’s classroom teacher, including, at a minimum, the following:

1. Whether the teacher has met the state qualifications and licensing criteria 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 or licensing criteria have been waived;
3. The baccalaureate degree major of 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 para-professionals and if so, their qualifications.

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

• **Consent** before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)—
  1. Political affiliations or beliefs of the student or student’s parent;
  2. Mental or psychological problems of the student or student’s family;
  3. Sex behavior or attitudes;
  4. Illegal, anti-social, self-incriminating, 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.

• **Receive** notice and an opportunity to opt a student out of—
  1. Any other protected information survey, regardless of funding;
  2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
  3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

• **Inspect**, upon request and before administration or use—
  1. Protected information surveys of students;
  2. Instruments used to collect personal information from students for any of the above marketing, sales or other distribution purposes; and
  3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

Hertford County Public Schools has developed procedures regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Hertford County Public Schools will directly notify parents and students of these policies at least annually at the start of each school year and after any substantive changes. Hertford County Public Schools will also directly notify, such as through U.S. Mail, parents of students who are scheduled to participate in specific activities or surveys and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. Hertford County Public Schools will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For
surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of
the planned activities and surveys and be provided an opportunity to opt their child out of such activities and
surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of
the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not found in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

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

NOTIFICATION OF STUDENT AND PARENT RIGHTS UNDER
THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)
Hertford County Public Schools

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who have reached 18
years of age or emancipated minors (“eligible students”) certain rights with respect to the student’s education
records. These rights are outlined below:

1. The right to inspect and review the student’s education records within 45 days of the day the District
receives a request for access: Parents or eligible students should submit to the school principal [or
appropriate school official] a written request that identifies the record(s) they wish to inspect. The
principal will make arrangements for access and notify the parent or eligible student of the time and
place where the records may be inspected.

2. The right to request the amendment of the student’s education records that the parent or eligible
student believes are inaccurate or misleading: Parents or eligible students may ask the Hertford
County Board of Education to amend a record that they believe is inaccurate or misleading. They
should write the school principal [or appropriate school official], clearly identify the part of the record
they want changed, and specify why it is inaccurate or misleading. If the District decides not to
amend the record as requested by the parent or eligible student, the District will notify the parent or
eligible student of the decision and advise them of their right to a hearing regarding the request for
amendment. Additional information regarding the hearing procedures will be provided to the parent
or eligible student when notified of the right to a hearing. If the final decision is not to amend records,
parent or eligible student has the right to place a statement in the records stating why he or she
disagrees.

3. The right to consent to disclosures of personally identifiable information contained in the student’s
education records, except to the extent that FERPA authorizes disclosure without consent: The
exceptions which permit disclosure of personally identifiable information without consent are:
   - To school officials with legitimate educational interests. A school official is a person
     employed by the School as an administrator, supervisor, instructor, or support staff member
     (including health or medical staff and law enforcement unit personnel); a person serving on
     the School Board; a person or company with whom the School has contracted to perform a
     special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or
     student serving on an official committee, such as disciplinary or grievance committee, or
     assisting another school official in performing his or her tasks. 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.
   - To officials of another school district in which a student seeks or intends to enroll.
   - To Federal, State, and local educational authorities conducting an audit, evaluation, or
     enforcement of education programs.
   - In connection with financial aid, such as a college loan
   - To organizations conducting studies on behalf of school
   - To parents of a dependent student
   - To comply with a judicial order or subpoena
• In a health or safety emergency
• Directory information
• To state and local officials in connection with serving the student under the Juvenile Justice System.

4. The right to refuse the disclosure of student directory information: The parent must notify the school in writing within thirty (30) days after the beginning of the school year that he or she does not want any or all of the information designated as directory information to be disclosed.

Directory information relating to a student includes the following:

• Student’s name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received and the most recent previous educational agency or institution attended by the student.

• Federal Law requires schools to provide military recruiters and institutions of higher education upon request with three directory information categories, unless a parent has advised the school that they do not want their child’s information disclosed without their prior written consent. The three categories are: name, address, and telephone listing.

STUDENT DRESS CODE - Policy 4316

The board believes that the dress and personal appearance of students greatly affect their academic performance and their interaction with other students. The board requests that parents outfit their children in clothing that is conducive to learning. Generally, dress and grooming standards as determined by the student and his or her parents will be deemed acceptable.

A. All Schools Except Early College High School

A safe and disciplined learning environment is the first requirement of a good school. Young people who are safe and secure and who learn basic values and essentials of a good citizenship are better students. The Hertford County Board of Education believes that school uniforms are a positive and creative way to reduce discipline problems, increase school safety and improve student achievement. We expect that the wearing of uniforms will help our students, parents and schools. School uniforms will:

• help minimize disruptive behavior
• promote respect for teachers and fellow students
• build group spirit/school pride
• increase student attendance
• help schools maintain academic standards through uniformity
• ease the strain on parental budgets
• de-emphasize socioeconomic differences
• allow for easy identification of intruders on campus
• encourage students to concentrate on learning rather than on what to wear
• raise student expectations because they feel confident in the way that they look
• support the connection between school, learning and future success

It is the responsibility of the superintendent or designee to adequately communicate to principals and schools all information concerning the uniform policy, including general guidelines for implementation.

Uniform Description

Shirts:

Colors: Black, White, Navy, or Gold (yellow)
• Shirts must have buttons only (2 to 4 for polo style shirts)
• Male shirts must be collared (turtlenecks are permitted)
• Female shirts must be collared (turtlenecks are permitted)
• Shirts must be a solid color
• Shirts must have sleeves – they may be long-sleeved, short-sleeved or ¾ sleeved
• Shirts must be tucked in at all times
• Midriffs and undergarments cannot be visible
• Form-fitting spandex material, nylon and denim are prohibited
• Logos on shirts must be 1” or less in diameter
Pants/Capri’s:
Colors: Solid Khaki or Solid Navy Blue or Solid Black
- Students must wear belts if the garment has manufactured belt loops.
- No over-sized, undersized or tight-fitting pants.
- Pants must be worn above the hips at all times.
- Pants must have zippers, buttons or snaps with the exception of Pre-K-3 students.
- Pants cannot have frays and must be hemmed and not dragging the floor.
- Undergarments cannot be visible.
- Form-fitting spandex material, nylon and denim and sweat pants are prohibited.
- Pants cannot be rolled up to simulate Capri pants.
- Pants cannot have a slit that exceeds four inches from the bottom of the pant leg.
- Capri pants cannot have a manufactured slit that goes above the knee.
- Logos on pants/Capri’s must be 1” or less in diameter.

Skirts/Dresses/Shorts/Skirts:
Colors: Solid Khaki, Solid Navy Blue, or Solid Black
- Must be no shorter than three inches above the knee.
- Form fitting spandex material, nylon, and denim are prohibited.
- Garments cannot have more than two slits and the slits cannot exceed four inches above the knee.
- One piece jumpsuits are not allowed.
- Logos on skirts/dresses/shorts/skorts must be 1” or less in diameter.

Belts:
- Student must wear belts if the garment was manufactured with belt loops.
- Belts must be black or brown.
- Graphic belts/buckles with metal decorations (grommets, studs, etc.) are prohibited.
- Belts must be an appropriate length and not hang below the straddle.

Socks:
- If worn, both socks must match.
- Socks must be worn in a manner that does not undermine the integrity of the uniform.
- Socks must be white, black, brown, khaki or navy.
- Socks may not be worn over the pant legs.

Shoes/Footwear:
- Shoes/Footwear must be worn at all times.
- Shoe laces must be tied at all times and must not be dragging on the floor.
- Bedroom shoes, flip flops, shower shoes and spike heels are prohibited.

Hair:
- Hair must be clean and neatly groomed, and in a style that is not conspicuous.
- Abnormal hair color will not be allowed (i.e., sprayed blue, green, orange, etc.). Hair color must be a natural hair color.
- Bandana, Satin Skull Caps, and “durags” will not be allowed to be worn on school property, or to any school function.
- Hats, headbands, and sunglasses will not be worn inside the school building.

Jewelry:
- There shall be no jewelry affixed to student’s nose, lips, tongue, cheek, or eyebrow. Jewelry with sharp edges, such as collars, waistbands, or chokers with spikes, wallet chains or other such items is inappropriate.

Outerwear:
- Lightweight jackets, sweaters, or sweatshirts may be worn during the day during the cold weather as long as they are of the approved solid shirt colors. (Collared shirt must be worn underneath.)
- Hoods cannot be worn on the head while in the buildings.
- Lightweight jackets, sweaters, or sweatshirts cannot have any labels, artwork or graphics or insignias of any kind.
- Overcoats may be worn to school, but must be removed once the student is inside the building.
Students may dress in other uniforms for their required curriculum: JROTC, Allied Health, Early Childhood, etc. on selected days. Students must wear t-shirts and shorts of regular uniform colors during Physical Education classes. After school hours, students will be allowed to dress in accordance with the after-school activity. Requests for exemptions to the School Uniform policy will be considered by the superintendent for School Spirit Days, etc.

**Compliance Measures:**
Each school shall develop incentives and positive reinforcement measures to encourage full compliance with the student uniform policy. Each school should strive to achieve full compliance through the use of incentives and positive reinforcement measures and should resort to disciplinary action only when positive measures fail to ensure compliance. In addition, schools will communicate with parents so that expectations, rationale and benefits are fully understood by the student and his or her family.

If necessary, disciplinary action may be taken to ensure compliance with the policy. Non-compliance with the policy could result in suspension or expulsion.

Disciplinary action will be taken as follows:

- **1st offense** - Parent notification and/or conference
- **2nd offense** - Parent brings clothing
- **3rd offense** - Student returns home.
- **4th offense** - 3-day suspension and parent notification and/or conference
- **5th offense** - 5-day suspension and parent notification and conference
- **6th offense** - 10-day suspension with recommendation for long-term suspension

In order to ensure a smooth transition to the mandatory student uniform policy, disciplinary action for failure to abide by the policy shall be in the discretion of the principal for the first five days of the school year. Students transferring in from other school districts will have a grace period of 30 school days in which to comply with the policy. Exemptions may be allowed for extenuating circumstances on a case by case basis.

Disciplinary action may be taken if a student’s dress or appearance is such that it constitutes a threat to the health or safety of others, distracts the attention of other students or staff from their work, or otherwise violates this student uniform policy.

Students who object to the student uniform policy, based upon sincerely held religious beliefs may appeal to the superintendent for an exemption. The superintendent shall exempt a student from wearing a school uniform when wearing the uniform would impose a substantial burden on the exercise of a sincerely held religious belief. A parent, guardian, or person in loco parentis of a student shall submit to the superintendent a written statement explaining the religious belief and how it is affected by the student uniform policy and may submit examples of other circumstances in which the sincerity of the religious belief has been demonstrated. A decision to deny the exemption shall be subject to review by the board of education.

It is the responsibility of ALL staff members to monitor and enforce the Student Uniform Dress Code. All faculty/staff members will report any violations to the principal or his or her designee.

**B. Early College High School**

Clothing must be age appropriate, not disruptive to the teaching-learning process, and cannot be provocative, revealing, indecent, vulgar, or obscene. Clothing will not be allowed which promotes alcoholic beverages, tobacco, the use of controlled substances, depicts violence, is of a sexual nature, or is of a disruptive nature. Clothing is not to be sheer or mesh and cannot have excessive holes. Clothing must be worn appropriately (nothing inside out, backwards, rolled up pant legs, unfastened bib overalls, belts must be buckled and worn at the waist, not hanging, etc.). Clothing will not be allowed that is intentionally shredded or torn. Clothing articles which provoke others to act violently or be intimidated by fear or violence shall not be worn on the campus or at any school activity, such as, but not limited to, gloves, bandanas, unstrapped overalls, excessively long belts, “in memory of” (that portrays gang activity) shirts, all sports’ teams clothing or jewelry commonly recognized as being related to a group or gang. Regular sports jerseys are allowed.

- **Dresses and skirts** shall not be conspicuous or indecent. They will be no higher than 3 inches above the knee and the splits should not be high enough to be inappropriate or provocative.
- **Tops** (shirt, blouse, sweater) shall not be indecent. No tank tops or spaghetti straps. Sleeveless tops must not show cleavage or undergarments. All tops must cover the waist, midriff, and go past the waistline. Form-fitting and stretch material may not be worn as an outer garment. Shirts must be free of graphics and labels.
- **Pants** of any type must be neat and clean. Pants with holes are unacceptable. Form-fitting, stretch material may not be worn as an outer garment. Tights and leggings may be worn only under garments,
which meet the dress code. Tight clothing such as knit or spandex bicycle/biker pants or overly tight pants are not allowed. Pants must be worn at the waist (no sagging). Pant legs must be down, not rolled up. Undergarments are not to be visible.

- **Shorts** may be no higher than 3 inches above the knee. Shorts made of stretch material may not be worn as an outer garment. No sagging shorts or those that have splits on the sides.

- **Hair** must be clean and neat, and worn in a style that is not conspicuous. Abnormal hair color will not be allowed (sprayed blue, green, orange, pink, etc.). Hair must appear to be a *natural* color. Bandanas, Satin Skull Caps, and “durags” will not be allowed to be worn on school property, or to any school function. Hats, headbands, and sunglasses will not be worn inside the school buildings.

- **Footwear** must be shoes or sandals. Bedroom shoes and shower shoes are not acceptable. All footwear must be properly tied or fastened.

- **Jewelry** shall not be affixed to student’s nose, lips, tongue, cheek, or eyebrow. Jewelry with sharp edges, such as collars, waistbands, or choker with spikes, wallet chains, or other such items are inappropriate.

- **Insignias, monograms, or Patches:** Lettering or any type of sewn-on patch, decal, insignia, etc., which is suggestive, vulgar or refers to alcohol, tobacco, or drugs is not allowed. No dress or attire will be acceptable that shows disrespect to the American flag or that shows disrespect to any cultural or ethnic group(s), (i.e. Confederate flag, swastikas, etc.)

**Consequences**

*First Violation:* Review of the policy with the student, call parent(s) or guardian and require a change of clothing. If student does not receive a change of clothing, student may be returned home.

*Second Violation:* Notify parent(s) or guardian of second violation and require change of clothes. One (1) day suspension.

*Third Violation:* Three (3) day suspension and parent notification and/or conference.

*Fourth and Consecutive Violations:* Student will be suspended from school for up to ten (10) days and parent(s) or guardian(s) will be notified. Repeated violations could result in failure of classes/grades due to excessive number of absences from school.

Students who participate in extracurricular activities at Hertford County High School are required to be in compliance with the school’s dress code when on the main campus.

**It is the responsibility of ALL staff members to monitor and enforce the Student Uniform Dress Code. All faculty/staff members will report any violations to the principal or his/her designee.**

Hertford County Public Schools
Authorization for Medication Administration in School

TO BE COMPLETED BY PHYSICIAN

Name of Student: ____________________________________________ School: ____________________________________________

Medication: ____________________________________________ Dosage: ____________________________________________

Purpose of Medication:
____________________________________________________________________________________________________________________________________________________

Time(s) medication is to be given: a.m. __________ p.m. __________

To be given from: August 1, (year) _____________ to July 31, (year) ____________

Significant Information (include side effects, toxic reactions, omission reactions): ____________________________________________
____________________________________________________________________________________________________________________________________________________

Contraindications for Administration: ____________________________________________
____________________________________________________________________________________________________________________________________________________

If an emergency situation occurs or if the student becomes ill, school officials are to:

a. Contact me at my office ____________________________ Telephone ____________________________

b. Take child immediately to the emergency room at__________________________

FOR SELF-ADMINISTRATION ONLY -

☐ Student has demonstrated understanding of and ability to self-administer asthma medication, diabetes medication, or medicine for anaphylactic reactions and may carry and self-administer as prescribed. [Asthma/allergic reaction □MDI (*Medicated Dose inhaler) □MDI with spacer * □Epinephrine auto-injector □diabetes – insulin] *Parent/guardian must provide an extra inhaler to be kept at school in case of emergency

Student must have a self-medication treatment agreement.

All medication for use at school will be furnished by parent or guardian in a container properly labeled by a pharmacist with identifying information, (e.g., name of child, medication dispensed, dosage prescribed, and the time it is to be given or taken).

__________________________________________  ____________________________
Physician’s Printed Name  Office Phone Number

__________________________________________  ____________________________
Physician’s Signature  Date

PARENT’S PERMISSION

I hereby give my permission for my child (named above) to receive medication at school. This medication has been prescribed by a licensed physician. I hereby release the School Board and their agents and employees from all liability that may result from my child taking the prescribed medication. This consent is good for the school year, unless revoked.

__________________________________________  ____________________________
Parent or Guardian’s Signature  Telephone Number  Date

(Please complete information on the back of this page if student will be carrying medication at school)
Hertford County Public Schools
Student Agreement for Self-Carried Medication

Student: ___________________________ Grade: ___________ School: __________________________

Parent: ___________________________ Telephone Number: __________________________

Licensed Health Care Provider: _______________ Telephone Number: __________________________

Medication: ___________________________ Dose and Time: __________________________

Medication is permitted in accord with district policy. Both student’s health care provider and parent/guardian must complete Medication Authorization Form. Student’s name must appear on inhaler/container.

RESPONSIBILITIES

I plan to keep my inhaler, equipment, diabetic supplies and/or Epinephrine auto injector with me at school.

I agree to use my inhaler, equipment, diabetic supplies and/or Epinephrine auto injector in a responsible manner, in accordance with my licensed health care provider’s orders.

I will notify the school staff (i.e., teacher, nurse) if I am having more difficulty than usual with my health condition.

I will not allow any other person to use my inhaler, equipment, diabetic supplies, and/or Epinephrine auto injector. If I use the medication in a manner other than as prescribed, the school may impose disciplinary action according to the school’s disciplinary policy.

Student’s signature: ___________________________ Date: __________________________

_____ Emergency Action Plan complete and on file at school.
_____ Demonstrates correct use/administration.
_____ Recognizes proper and prescribed timing for medication.
_____ Agrees to carry medication or keep in established location.
_____ Knows health condition well.
_____ Keeps a second labeled container in health office or main office.
_____ Will not share medication or equipment with others.

Comments: ______________________________________________________________________
________________________________________________________________________________

School Nurse Signature: ___________________________ Date: __________________________
Medical Statement for Students with Unique Mealtime Needs for School Meals

When completed fully, this form gives schools the information required by the U.S. Department of Agriculture (USDA), U.S. Office for Civil Rights (OCR), and U.S. Office of Special Education and Rehabilitative Services (OSERS) for meal modifications at school. See “Guidance for Completing Medical Statement for Students with Unique Mealtime Needs for School Meals” (previous page) for help in completing this form.

<table>
<thead>
<tr>
<th>PART A</th>
<th>(To be completed by PARENT/GUARDIAN)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STUDENT INFORMATION</strong></td>
<td>Last Name:</td>
</tr>
<tr>
<td>School:</td>
<td>Grade</td>
</tr>
<tr>
<td><strong>SELECT the school-provided meals and/or snacks in which this student will participate:</strong></td>
<td>☐ School Breakfast Program</td>
</tr>
<tr>
<td></td>
<td>☐ Afterschool Supper Program</td>
</tr>
<tr>
<td><strong>PARENT/GUARDIAN CONTACT INFORMATION</strong></td>
<td>Printed Name of PARENT/GUARDIAN:</td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>City:</td>
</tr>
<tr>
<td>Work Phone:</td>
<td>Home Phone:</td>
</tr>
</tbody>
</table>

Please describe the concerns you have about your student’s nutritional needs at school:

Please describe the concerns you have about your student’s ability to safely participate in mealtime at school?

**Does the student already have an Individualized Education Program (IEP)?**
☐ YES  ☐ NO  

**Does the student already have a 504 Plan?**
☐ YES  ☐ NO

**PARENT/GUARDIAN Consent**
I agree to allow my child’s health care provider and school personnel to communicate as needed regarding the information on this form.

Parent/Guardian Signature  Date

**NOTE:** Unique mealtime needs for students without an IEP, 504 or disability, but with general health concerns, are addressed within the meal pattern at the discretion of the School Nutrition Administrator and policies of the school district.
**PART B** *(To be completed by a RECOGNIZED MEDICAL AUTHORITY, i.e., Licensed physicians, physician assistants, and nurse practitioners)*

Describe the student’s physical or mental impairment:  
Explain how the impairment restricts the student’s diet:

<table>
<thead>
<tr>
<th>Major life activities affected:</th>
<th>Walking</th>
<th>Seeing</th>
<th>Hearing</th>
<th>Speaking</th>
<th>Performing manual tasks</th>
<th>Other (please specify):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Select all that apply.</td>
<td></td>
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</tr>
</tbody>
</table>

Is this a Food Allergy?  
☐ YES  ☐ NO

Is this a Food Intolerance?  
☐ YES  ☐ NO

If student has life threatening allergies* check appropriate box(es):

*Students with life threatening food allergies must have an emergency action plan in place at school.

☐ Ingestion  ☐ Contact  ☐ Inhalation

Specify any dietary restrictions or special diet instructions for accommodating this student in school meals:

For any special diet, list specific foods to be omitted and the recommended substitutions. *(You may attach a separate care plan)*

<table>
<thead>
<tr>
<th>Foods to be Omitted</th>
<th>Recommended Substitutions</th>
<th>Foods to be Omitted</th>
<th>Recommended Substitutions</th>
</tr>
</thead>
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Please return this fully completed Medical Statement with signatures from both parent/guardian and medical authority, to your child’s teacher, principal, nurse, Special Education case manager, or Section 504 case manager, School Nutrition Administrator, or the school staff person who gave you the blank form.

Designate safest consistency requirement for FOOD:

☐ Pureed  ☐ Mechanical Soft  ☐ Other (please specify):

☐ Ground  ☐ Chopped  ☐ Clear Liquid  ☐ Nectar-thick  ☐ Other (please specify):

☐ Other (please specify):  ☐ Full Liquid  ☐ Honey-thick  ☐ Pudding-thick

Other comments about the child’s eating or feeding patterns, including tube feeding if applicable:

*NOTE* If your assessment of the child does not yield sufficient data to fully complete the above sections applicable to the student’s mealtime needs, please refer the child/family to the appropriate health care professional for completion of the assessment.

Signature of Recognized Medical Authority*  
Printed Name  
Phone Number (          )  
Date

* A recognized medical authority in N.C. includes licensed physicians, physician assistants and nurse practitioners.
<table>
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<tr>
<th>PART C (To be completed by SCHOOL DISTRICT ADMINISTRATORS)</th>
<th>NOTES: (School Nutrition or other School Program staff)</th>
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<tbody>
<tr>
<td>School Nutrition Administrator’s Signature: Date:</td>
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<tr>
<td>IEP/504 Coordinator Signature: Date:</td>
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Guidance for Completing the Medical Statement for Students with Unique Mealtime Needs for School Meals

PART A - PARENT/GUARDIAN
The Medical Statement for Students with Unique Mealtime Needs for School Meals helps schools provide meal modifications for students who require them. Schools cannot change food textures, make food substitutions, or alter a student’s diet at school without proper documentation from the healthcare providers. Completion of all items will allow your child’s school to create a plan with you for providing safe, appropriate meals and snacks to your child while at school.

Your participation in this process is very important. The sooner you provide this signed and completed form to your child’s school, the sooner the School Nutrition Program and their staff can prepare the food your child needs. Your signature is required for your school to take action on the Medical Statement.

Follow these steps to get started:
1) Complete all sections of PART A of the Medical Statement.
2) Take the Medical Statement to your child’s pediatrician or family doctor/nurse practitioner/physician’s assistant and have him/her complete PART B.
3) RETURN THE FULLY COMPLETED MEDICAL STATEMENT WITH SIGNATURES FROM BOTH PARENT/GUARDIAN AND MEDICAL AUTHORITY, TO YOUR CHILD’S TEACHER, PRINCIPAL, NURSE, SPECIAL EDUCATION CASE MANAGER, OR SECTION 504 CASE MANAGER, SCHOOL NUTRITION ADMINISTRATOR, OR THE SCHOOL STAFF PERSON WHO GAVE YOU THE BLANK FORM.
4) Ask the school when a team, including you, the school system’s School Nutrition Administrator and others, will meet to consider the information provided on the form. You may also invite people from the community who are knowledgeable about your child’s feeding and nutrition issues to the meeting. These would be people who could help school staff design a school mealtime plan for your child, like your child’s pediatrician, nurse, speech-language pathologist, occupational therapist, registered dietitian or personal care aide.

PART B – RECOGNIZED MEDICAL AUTHORITIES
(Licensed physician, physician assistant, and nurse practitioner)
A Recognized Medical Authority’s signature is required for students with a disability. Schools cannot change food textures, make food substitutions, or alter a student’s diet at school without proper documentation from the healthcare providers. Meal modifications are implemented based on medical assessment and treatment planning and must be ordered by a recognized medical authority.

Please consider the following as you complete PART B of the Medical Statement:
1) Complete all sections of PART B. Completion of all items will streamline efficient care of the student at school.
2) Be as specific as possible about the nature of the student’s physical or mental impairment, its impact on the student’s diet and major life activities that are affected. In the case of food allergy, please indicate if the student’s condition is a food intolerance, an allergy that would affect performance and participation at school (e.g., severe rash, swelling, and discomfort), or a life-threatening allergy (e.g., anaphylactic shock).
3) If your assessment of the child does not yield sufficient data to make a determination about food substitutions, consistency modifications, or other dietary restrictions, please refer the child/family to the appropriate health care professional for completion of the assessment. Schools do not routinely have instrumentation and/or staff trained for a comprehensive nutrition and feeding assessment and must partner with community providers to meet a student’s unique feeding and nutrition needs.
4) Attach any previous and/or existing feeding/nutrition evaluations, care plans, or other pertinent documentation housed in the student’s medical records to the Medical Statement for parent/guardian delivery to the school.
5) Consider being available to consult with the student’s mealtime planning team as it implements the feeding/nutrition care plan.

PART C – SCHOOL NUTRITION ADMINISTRATOR and IEP/504 REPRESENTATIVE
Please consider the following as you complete PART C of the Medical Statement:
Signature of the School Nutrition Administrator and 504 Coordinator or IEP Case Manager/EC Program representative indicates the medical statement has been received, reviewed, and a plan to address the student’s unique mealtime needs is being developed/implemented.

USDA Nondiscrimination Statement
In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA. Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov

This institution is an equal opportunity provider.
Hertford County Public Schools
Student/Parent Technology Responsible Use Agreement

STUDENT AGREEMENT

I have read policy 3225/4312/7320, Technology Responsible Use. I understand that the policy governs the use of all school system technological resources both on and off school property. By signing below, I agree to strictly comply with that policy, including the provisions of the policy summarized below:

- I agree to respect others in the school community and on the Internet by following the generally accepted rules of network etiquette.
- I agree to follow the rules set by my principal regarding whether and how personal technology devices (including, but not limited to smart phones, tablets, laptops, etc.) may be used on campus.
- If I notice a security problem on a school technological resource, I will immediately notify my teacher, a principal, or other school administrator, and I will not show this problem to other students.
- I will not:
  - Use school system technological resources to make money, to play games that are not school-related, or for other entertainment purposes that are not school-related.
  - Copy, for personal use, software purchased by the school system.
  - Use school technological resources to plagiarize another’s work or otherwise violate state or federal law.
  - Create, transmit, or intentionally view or access material that is obscene, defamatory, profane, pornographic, harassing, or abusive.
  - Attempt to bypass the school system’s content filtering software with anonymous proxies is prohibited.
  - Install or use any Internet-based file sharing program designed to allow sharing of copyrighted material.
  - Send email or other electronic communications fraudulently, such as by misrepresenting the identity of the sender.
  - Reveal personally identifying information or information that is private or confidential when using e-mail, chat rooms, blogs, or other forms of electronic communication.
  - Forward or post personal communications without the consent of the person who wrote it.
  - Deliberately damage school system computers or other technological resources, transmit computer viruses or self-replicating messages, or deliberately try to degrade or disrupt performance of the school system network.
  - Create or load any games or software onto any school system computer, electronic device, or network without permission.
  - Use the computer network to try to gain unauthorized access to other computers, computer systems, or accounts.
  - Use someone else’s ID or password without permission from that person and a teacher or school official.
  - Read, change, block, execute, or delete files or communications belonging to another user without the owner’s express prior permission.
- I understand that nothing I create, store, send, delete, receive, or display when using the school system’s network, devices, Internet access, email system, or other technological resources owned or issued by the school system is private. I understand that this applies whether the resources are used at school or elsewhere and even if the use is for personal purposes.
- I understand that the school system reserves the right to monitor, track, and log for any lawful purpose (1) my network access, communications, and use; (2) the content of my user files, electronic mailboxes, and systems outputs (such as printouts); and (3) my online activities when accessing the Internet with a school-owned device.
I understand that failure to follow these requirements will result in disciplinary action, including revocation of user privileges and, in the event of willful misuse, possible criminal prosecution. I also understand that while school personnel generally do not monitor my Internet activity on a personal device during non-school hours, I may be disciplined when my online behavior has a direct and immediate effect on school safety or maintaining order and discipline in the schools, even if no school system technological resources are used.

Student Name (please print): _____________________________________ Grade: ________

Student Signature: _________________________________________ Date: _______________
PARENT AGREEMENT

As the parent/guardian of this student, I have read policy 3225/4312/7320, Technology Responsible Use. By signing below, I affirm that I understand that this policy governs my child’s use of all school system technological resources both on and off school property, and I accept full responsibility for my child’s compliance with this policy. I also consent to school personnel monitoring my child’s Internet activity, email communication, and any other use of school system technological resources. I understand that the school system takes reasonable efforts to filter inappropriate content on the Internet accessible through school system devices but that the school system is not responsible for Internet content accessed by my child via his/her personal mobile technology (e.g. 3G, 4G service).

☐ By checking this box, I GRANT permission for my student to independently access the Internet. In addition, I acknowledge that while school system personnel will take reasonable precautions to prevent my child from accessing inappropriate material, it is possible that my child will access inappropriate material while engaged in independent use of the Internet.

All students will be granted supervised access to the Internet, third party systems used for school-related projects designed to meet certain educational goals, and other school system technological resources.

☐ By checking this box, I DENY permission for my student to independently access the Internet. I understand that while my child will not be able to use the Internet independently, he/she will be granted supervised access to the Internet, third party systems used for school-related projects designed to meet certain educational goals, and other school system technological resources.

Note: If the above box is to DENY permission is not checked, your child WILL be granted independent access to the Internet. While school system personnel will take reasonable precautions to prevent your child from accessing inappropriate material, it is possible that your child will access inappropriate material while engaged in independent use of the Internet.

Parent Name (please print): ____________________________________________________

Parent Signature: ___________________________ Date: __________
STUDENT - PARENT/GUARDIAN - SCHOOL PERSONNEL/TEACHER
CONDUCT AGREEMENT

This agreement is designed to help us understand the expectations for doing our part to maintain superior safe schools. Each student, parent, and school employee can play a valuable role in assuring the best education and the safest learning environment possible.

Parent/guardians, please take a moment to discuss and answer the following statements with your child. After you finish, please remove and sign this page, and return it to the students’ school office as soon as possible.

STUDENT’S NAME ____________________________________________

STUDENT AGREEMENT:

It is important that I work to the best of my ability; therefore, I will strive to do the following:

- Attend school regularly
- Demonstrate good citizenship
- Dress in a manner which does not degrade oneself or disrespect the rights of others
- Come to school prepared to learn with materials, supplies, and books
- Prevent problems and solve them by practicing conflict resolution
- Know the sanctions for violations of the schools’ rules
- Accept the consequences of my behavior
- Know and follow the school’s rules and expected standards of behavior
- Review the Code of Student Conduct

_________________________________________ ______________________
Student’s Signature Date

PARENT/GUARDIAN AGREEMENT

I want my child to succeed; therefore, I will do the following:

- Establish an attitude at home that promotes the importance of education
- Insure that my child is dressed appropriately and respectfully
- Teach my child (children) to respect cultural differences, rights and property of others
- Require and monitor daily school attendance
- Maintain regular communication with my child’s (children’s) teacher/teachers and participate in school activities
- Review and evaluate my child’s (children’s) performance in school on a regular basis
- Support the school’s policies and programs
- Know the school’s rules and sanctions for violations of the rules, and discuss them with my child (children)
- Participate in policy development and implementation
- Review the Code of Student Conduct

_____________________________ ___________________________________
Parent’s Printed Name Parent’s Signature Date

(Please see additional information on the back of this page.)
SCHOOL PERSONNEL/TEACHER AGREEMENT:

I want all children to succeed; therefore, I will do the following:

- Maintain a safe school environment conducive to learning
- Explain the purpose of school and the goal of education
- Establish clear rules for acceptable behavior that include strong corrective action that is caring, but firm
- Provide proactive counseling for all students
- Enforce policies for violations of school rules consistently and fairly
- Demonstrate respect for the dignity of every parent, employee, and child
- Maintain regular and open communication with parents and students
- Involve parents and students in the development of school rules and regulations
- Follow the same standards of behavior I expect from the students
- Dress appropriately and professionally
- Maintain a professional attitude
- Review the Code of Student Conduct

________________________________________________________________________

Teacher’s Printed Name                      Teacher’s Signature                      Date
The *Code of Student Conduct* has been developed to help your child receive quality instruction in an orderly educational environment. The school needs your cooperation in this effort. Therefore, please (1) review and discuss the *Code of Student Conduct* with your child and (2) sign and return this sheet to your child’s school. Should you have any questions when reviewing the *Code of Student Conduct*, please contact your child’s school principal. You may access an electronic copy of the handbook on the HCPS website: [www.hcps.k12.nc.us](http://www.hcps.k12.nc.us). You may also access a paper copy at your child’s school.

**NOTE: FAILURE TO RETURN THIS ACKNOWLEDGEMENT AND PLEDGE WILL NOT RELIEVE A STUDENT OR THE PARENT/GUARDIAN FROM BEING RESPONSIBLE FOR KNOWING OR COMPLYING WITH THE RULES CONTAINED WITHIN THE CODE OF STUDENT CONDUCT.**

I have reviewed the *Code of Student Conduct*, and I understand the rights and responsibilities contained therein.

Parent (Print): __________________________________________

Parent (Signature): _______________________________________

Date: ___________________________________________________________________

To help keep my school safe, I pledge to show good character, work to the best of my ability and adhere to the guidelines established within the *Code of Student Conduct*.

Student (Print): __________________________________________

Student (Signature): _______________________________________

Date: ___________________________________________________________________

*Please return this Student and Parent Acknowledgement and Pledge back to your child’s Homeroom teacher.*
Hertford County Public Schools

Student Behavior Contract

_________________________________________ Student
_________________________________________ School/grade
_________________________________________ Administrator

Description of the unacceptable behavior:
_______________________________________________________________________________________________
_______________________________________________________________________________________________

Description of the desired replacement behavior:
_______________________________________________________________________________________________
_______________________________________________________________________________________________

Strategies that will be used to teach the replacement behavior:
_______________________________________________________________________________________________
_______________________________________________________________________________________________

Reinforcements/rewards for appropriate behavior:
_______________________________________________________________________________________________
_______________________________________________________________________________________________

Consequences for violation of this Behavior Contract:
_______________________________________________________________________________________________
_______________________________________________________________________________________________

My administrator has reviewed with me the Code of Student Conduct and the behavior expectations of my school. I acknowledge that my behaviors were not consistent with the expectations of my school. I agree to abide by the terms of the Code of Student Conduct and any additional behavior guidelines developed by my school. Most importantly, I will not engage in the inappropriate behavior listed above. When I feel that I am unable to adhere to the behavior standards discussed today, I will seek the assistance of a staff member. I understand the consequences for violating this Behavior Contract.

Date: ___________________________________________________________________

Student Printed Name: _____________________________________________________________

Student Signature: _______________________________________________________________

Administrator Signature: ___________________________________________________________