

# School Conduct and Discipline Procedures



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(Revised 2016)

The Board of Education recognizes student achievement and successes and we must ensure a safe and orderly environment. In order to achieve this goal, there must exist a climate of discipline conducive to serious study and respect for oneself, other people, and property for a school to meet satisfactorily the needs of youth. The Halifax County Board of Education assumes its responsibility to ensure every student's right to an education opportunity. The Board further assumes its responsibility to assure an atmosphere conducive to learning and the expression of individual responsibility while protecting the individual rights of all students.

Students are expected to regulate their conduct when on school property, traveling to or from school, at a school-sponsored event, or when engaged in conduct that affects the school. The district reserves the right to hold students accountable for behavior that did not occur on district property or behavior that occurred in other districts. In such cases the district may schedule a hearing to determine if the student will be allowed to enter a district school, if the student will be expelled from a district school, or if the district will honor the discipline imposed on a student while attending another school.

**Prohibited Student Conduct Includes:**

- ◇ Disruptive Conduct
- ◇ Violation of Federal, State, or Local Law
- ◇ Violation of School Policies and Rules
- ◇ Defiance of Authority; Untruthfulness
- ◇ Possession of Alcohol; Drugs; Drug Paraphernalia
- ◇ Vandalism; Littering; Destruction of Property
- ◇ Possession of Weapons or Dangerous Items
- ◇ Gang Activity or Association
- ◇ Threats; Assaults; Fighting
- ◇ Defamation
- ◇ Obscenity; Vulgarity
- ◇ Harassment
- ◇ Inappropriate Dress and Appearance
- ◇ Forgery; Cheating
- ◇ Gambling
- ◇ Initiation and Hazing
- ◇ Tampering with Emergency Alarms and Fire Control Devices
- ◇ Arson
- ◇ Unauthorized Entry
- ◇ Misrepresentation; Extortion; Theft
- ◇ Possession of Tobacco and Cigarettes
- ◇ Tardiness
- ◇ Truancy
- ◇ Endangering the Health and Safety of Others
- ◇ Violating Traffic and School Bus Rules
- ◇ Possession of Cellular Phone or Other Electronic Communication Devices

## **A. STANDARDS OF CONDUCT**

Violations of the following standards of conduct represent misbehavior that normally will result in a Superintendent Suspension, a more severe disciplinary action. Upon investigation and consideration of all relevant facts, including any extenuating circumstances, the Principal shall determine whether the misconduct in question is classified as misbehavior that should result in a Superintendent Suspension or a Principal Suspension. Students who engage in less serious misconduct shall be subject to one or more of several consequences of a Principal Suspension. These may include, but are not limited to, a Principal Suspension of ten (10) school days or fewer, notifying parents/guardians by telephone or letter of student misconduct, change of class schedule, special work assignments, loss of class or school privilege, and verbal reprimand. A Superintendent Suspension may result in a suspension of 11 to 180 school days or permanent expulsion. The exact discipline administered rests with the discretion of the school official. The standards are as follows:

### ***Standard 1. Causing Disruption of School or Any School Function***

A student shall not by use of violence, force, noise, coercion, threat, passive resistance, any device or item which disrupts learning or is prejudicial to good order and discipline, or any other conduct, cause the substantial and material disruption or obstruction of any classroom work, school activity or school function.

### ***Standard 2. Damaging School Property or Property of Others***

A student shall not cause or attempt to cause damage to the property of the district (including defacing the school or school property) or property of other persons. Repeated minor damage to school or personal property shall be the basis for a Superintendent Suspension or an expulsion from school. Damage to school property may result in the student or parent/guardian being required to pay for the damage.

### ***Standard 3. Stealing or Possessing School Property or Property of Others without Authorization***

A student shall not steal or attempt to steal the property of the district or property of others. A student shall not have in his/her possession property belonging to the district, a school employee, or another student without the permission of the owner; nor shall a student have possession of stolen property. For the purpose of these procedures, theft shall be defined as the taking of property belonging to someone else.

### ***Standard 4. Fighting, Assaulting, or Acts of School Violence or Violent Behavior***

A student shall not assault anyone by physical contact, nor shall a student commit any act of school violence or violent behavior to another person. Assault means attempting to cause injury to another person or intentionally placing a person in reasonable apprehension of imminent physical injury. Students are prohibited from fighting or entering a fight in progress and from

failing to disperse when instructed to do so. The terms “act of school violence” or “violent behavior” shall mean the exertion of physical force by a student with the intent to do serious physical injury to another person.

***Standard 5. Harassing, Bullying, Threatening, Hazing or Intimidating Others or Engaging in Hate Acts/Remarks***

A student shall not harass, bully, threaten, haze or intimidate others or engage in hate acts/remarks for any reason. Threatening others for the purpose of obtaining money or anything of value (i.e., extortion) is prohibited.

Written, verbal or symbolic comments or actions that have the effect of criticizing or belittling another’s race, color, religion, national origin, gender, disability, personal appearance, socio-economic status or sexual orientation may be classified as hate acts/remarks and, depending upon their frequency and/or severity, may be considered serious misconduct. A central office administrator designated by the superintendent may oversee the investigation of allegations of hate acts/remarks at the victim’s request or at the superintendent’s discretion.

***Standard 6. Committing Sexual Harassment or Other Sexual Misconduct***

A student shall not harass other students or District employees through unwelcome or inappropriate verbal or physical conduct of sexual nature.

A student shall not participate in inappropriate or unwelcome sexual conduct toward other students or district employees. A student shall not inappropriately touch another person in any way that constitutes sexual contact, whether or not such touching occurs through clothing. Nor shall a student expose his/her sex organs or body parts under circumstances in which such conduct is likely to be offensive or otherwise inappropriate.

***Standard 7. Possessing, Using, Distributing, Selling or Being under the Influence of Alcohol, Controlled Substances, or Imitation Controlled Substances***

A student shall not possess, use, transfer, distribute, or be under the influence of any alcoholic beverage, controlled substance or imitation controlled substance. The term “controlled substance” shall include any substance defined in the Narcotic Drug Act, Section 195.010RSMo, including any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, imitation of controlled substance, chemical substance, or intoxicant of any kind. An “imitation controlled substance” shall mean a substance that is not a controlled substance as defined by North Carolina law, but which by appearance (including color, shape, size and markings) or by representations made, would lead a reasonable person to believe that the substance is a controlled substance.

Possession, use, or distribution of any tobacco products on school property or at school-sponsored activities are expressly prohibited.

The possession, distribution, and sale of drug paraphernalia on school property or at school-sponsored activities are expressly prohibited. Any attempt to possess, use, transfer, distribute,

buy, or sell alcohol or a controlled substance or imitation controlled substance, whether completed or not will be considered a violation of this standard.

Use of a drug authorized for a student with a medical prescription from a registered physician or over-the-counter medication shall not be considered a violation of this standard.

***Standard 8. Being Insubordinate or Disrespectful to Teachers, Administrators and/or Staff***

A student shall not engage in disrespectful conduct toward teachers, administrators or staff, nor shall a student be insubordinate toward teachers, administrators or staff. Disrespectful conduct is different from insubordinate conduct. Disrespectful conduct is the use of vulgar, profane speech, offensive body language or actions intended to insult, degrade or offend. Insubordination is the willful act of refusal or failure to comply with school or district guidelines or directions given by any teacher, teacher assistant, principal or other adult providing direction or instruction; refusal to respond may be in the form of a verbal response, absence of a response, an act in violation of a given directive or guideline or the absence of a required action.

***Standard 9. Possessing Firearms and Weapons***

A student shall not bring, possess or use a firearm or a weapon on school property, a school bus, or at any school activity. The term “firearm” includes, but is not limited to, such items as:

1. Any item which is a loaded or unloaded weapon, weapon frame, or weapon barrel and which is designed to, or may be readily converted to, expel a projectile by action of an explosive, or
2. Any item which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has a barrel with a bore of at least one half inch in diameter, or
3. Any explosive, incendiary, or poison gas, such as: bombs; grenades; rockets with a propellant charge of greater than four ounces; and other similar devices as recognized under federal law, or
4. Any combination of parts either designed to or intended for use in converting any device into a device as described in the paragraphs above.

The term “weapon” shall mean a firearm as defined above, and the items listed, which are defined as weapons: blackjack, concealable firearm, explosive weapon, firearm, firearm silencer, gas gun, knife, machine gun, knuckles, projectile weapon, rifle, shotgun, spring gun, or switchblade. Other weapons include mace, pepper spray or items customarily used, or which can be used, to inflict injury upon another person or property.

In accordance with federal and state law, any student who violates this standard will be suspended from school for at least one calendar year or expelled and will be referred to the appropriate legal authorities. The suspension or expulsion may be modified on a case-by-case basis by the superintendent.

A toy gun, water gun, gun replica or weapon replica is not considered a firearm or weapon under this standard. However, possession of a gun replica or weapon replica is prohibited.

***Standard 10. Posing a Threat of Harm to Himself/Herself or Others at School, as Evidenced by Prior Conduct***

A student who, due to his/her prior conduct either in school or away from school, poses a threat of harm to himself/herself or to others at school may be immediately removed from school and/or subject to disciplinary action. Prior disciplinary actions shall not be used as the sole basis for removal, suspension or expulsion of a student.

***Standard 11. Possessing Bombs or Other Dangerous Substances***

A student shall not possess an explosive or incendiary device or any item or substance which could reasonably be considered dangerous to persons or property (such as bombs, gunpowder, ammunition, fireworks, fire bombs, smoke bombs, acid, or other dangerous chemicals) in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

***Standard 12. Making False Alarms or False Bomb Threats***

A student shall not make a false statement regarding the possession or location of an explosive device or incendiary materials, nor shall a student report a fire or activate the fire alarm system when no fire exists.

***Standard 13. Setting Fires***

A student shall not set a fire, attempt to set a fire, or participate in an act, which results in a fire on school property, buses, or at a school-sponsored activity off school property.

***Standard 14. Misuse of Network Access, Internet Access, or Electronic Equipment***

Students are responsible for good behavior on school computer networks just as they are in a classroom or school hallway. A student shall not engage in inappropriate behavior on a school computer or the district computer network. The following acts represent the kinds of conduct considered inappropriate:

- Hacking and other unlawful activities
- Sending or displaying offensive messages or pictures
- Using obscene language
- Harassing, insulting, or attacking others
- Accessing material that advocates illegal acts or violence
- Damaging computers, computer systems, or computer networks
- Violating copyright laws
- Using another's password
- Trespassing in another's folders, work, or files

- Employing the network for commercial purposes
- Unauthorized disclosure, use, and dissemination of personally identifiable information

### ***Roles and Responsibilities***

**Superintendent:** The superintendent shall establish guidelines and directives to carry out these procedures; hold all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents/guardians.

**Principal:** The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce these procedures, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of these procedures. The principal shall consult with parents/guardians of students conducting themselves in a manner contrary to procedure. The principal shall also involve other staff in the disposition of behavior referrals and shall make use of those agencies appropriate for assisting students and parents/guardians.

**Teachers:** All teachers shall be responsible for providing a well-planned teacher/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the discipline policy.

**Other school district personnel:** All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent or designee.

**Parents or legal guardians:** Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the behavior of their children.

**Students:** All students shall be held individually responsible for their behavior and for knowing and obeying the policies and procedures and any applicable building rules and regulations.

#### **Disciplinary Action Levels**

*Consequences range from Level 1 to Level 7*

Students who break rules are subject to disciplinary action by teachers, administrators or other school personnel. There are seven levels of disciplinary actions.

#### **Level 1: Conference**

Staff members may conduct a conference among any combination of the following:

Teacher/Student  
Teacher/Parent

Administrator/Parent  
Telephone Conference with Administrator/Parent

Teacher/Counselor Telephone Conference with Teacher/Parent  
 Teacher/Student/Administrator Other parties deemed necessary  
 Teacher/Student/Counselor/Parent/Administrator/Student

**Level 2: Intervention**

Any of the following interventions:

Referral	To School Counselor, Student Assistance Coordinator, Support Team, Attendance Staff (Social Worker), and/or outside agency
Time Out	The temporary denial of a student’s right to attend class; The student will be assigned for a period of one (1) to six (6) hours
Detention	Detaining a student for disciplinary reasons before or after hours
Staffing	A meeting of school personnel and other individuals to the behavior of the student and make recommendation
Contract with Student/Parent	A statement is written listing steps to be taken to improve. The statement also describes the support to be provided by school staff and/or parent/guardian as well as the date when contract will be reviewed
Restricted Activity	The denial of participation in school activities and events or the use of common areas or other parts of the school
Removal for Conference	Separation of student from class/school for up to one (1) day for conference
In-School Intervention	May include but not limited to Saturday School, work behavior essays, transportation restriction
Substance Education	Student Assistance Program
Probationary Period	A write-up for the discipline offense with a defined period of behavior to prevent suspension
Mediation	Referral to conflict mediation

**Level 3: Suspension of 1 – 5 days**

**Level 4: Suspension of 6 – 10 days**

**Level 5: Suspension of 10 days**

**Level 6: Long-Term Suspension**

The dismissal of a student for more than ten days but not to exceed the time remaining in the school year.

**Level 7: Expulsion**

The dismissal of a student from School in accordance with the North Carolina General Statute 115C-391 (d).



Serious or repeated violations of one or more rules would suggest a need for strong parent-administrator communication, coordination, consideration of outside assistance, and may result in suspension and a possible recommendation for expulsion.

School personnel will take disciplinary action against any student who violates one or more of these rules in accordance with the consequences stated. Disciplinary action may include, but is not limited to reprimand, after-school work, repayment for damages, cleanup, and restitution, revocation of privileges associated with school activities, and/or suspension or expulsion.

### **Student Responsibilities**

1. To be aware of and abide by system-wide policies and procedures, regulations and school guidelines regarding acceptable behavior.
2. To be responsible for one's own behavior.
3. To conduct oneself in a manner which is conducive to learning and does not interfere with the teacher's right to teach or the student's right to learn.
4. To respect the personal, civil and property rights of all members of the school community.
5. To refrain from the use of physical force, verbal abuse or harassment, blackmail, stealing, vandalism, and other illegal activities.
6. To seek clarification from school personnel concerning the appropriateness of action or behavior.
7. To attend school and classes regularly, on time and prepared with the necessary learning materials.
8. To know and follow the policies and regulations for every event considered part of the school program regardless of the time or place.
9. To immediately comply with any staff member's reasonable request to carry out school rules.

### **Parent(s)/Guardian(s) Responsibilities**

1. To assume legal responsibility for the behavior of the child as determined by law and to ensure that the child is familiar with school regulations and the discipline policy and procedures.
2. To teach the child self-discipline, respect for authority and respect for the rights of others.
3. To make sure that the child attends school regularly and that the school receives written notification regarding the reason for absences.
4. To work to the best of his or her ability to provide the materials and a positive home learning environment necessary for the child to succeed in school.
5. To maintain communication with the school through conferences with teachers, school administrators, PTO membership, Booster Club membership and others.
6. To provide the school with a current telephone number where he or she may be reached during the school day.
7. To respond quickly to remove the child from the school when called upon.
8. To be available for conferences when requested or as soon as possible.

9. To cooperate with the school staff to develop strategies to benefit the child.

### **Principal and Assistant Principal Responsibilities**

1. To maintain a safe physical environment at his/her school including monitoring the building and grounds, monitoring access to the campus and providing adequate communication devices and procedures to respond to security violations.
2. To discipline students and to assign duties to teachers with regard to discipline.
3. To exercise discipline over students of the school pursuant to the General Statutes of North Carolina and the policies and procedures adopted by the Halifax County Board of Education.
4. To report certain acts to law enforcement officials when the principal has reasonable belief that an act in violation of the law has occurred on school property.
5. To assign duties and responsibilities to an assistant principal designated by the Halifax County Board or to an acting principal designated by the principal.
6. To assume the overall responsibility for the implementation of procedures and rules that are necessary to establish standards of acceptable student and staff behavior in the school.
7. To be readily available to handle disruptive behavior, discipline and emergency situations.
8. To communicate effectively to parents and students the expectations of the school discipline program and the role of the parent in supporting the efforts of the school in providing a safe school environment.
9. To develop a strategic plan that will mobilize community resources/agencies to provide additional services and support to the school discipline program.
10. To conduct a needs assessment and coordinate in-service to teachers and parents on issues related to a sound disciplinary program including intervention strategies, establishing effective rules and consequences, legal issues, etc.
11. To develop a viable communication network that informs the community, parents and staff of the status and modifications of the school's discipline policies and procedures.
12. To promote a school climate of mutual respect, acceptance and affiliation among all stakeholders that is free of threats and intimidation.
13. To provide academic variety and extracurricular programming.
14. To ensure parental and community involvement in school operations.
15. To include all staff in the safe school plan of operation including the student resource officer, bus drivers, before/after school daycare workers, substitute teachers, cafeteria staff, secretarial staff and custodial staff.
16. To outline an individual school plan for safety.

### **Teacher Responsibilities**

1. To help maintain a safe physical environment at his/her school.
2. To provide opportunities for all students to develop self-discipline and respect for the rights of others.
3. To accept shared responsibility for control and discipline of students throughout the school building and property.

4. To establish and inform students of individual classroom behavior expectations and to maintain discipline within the classroom.
5. To consider the physical, social, intellectual and emotional development of students.
6. To provide appropriate learning opportunities for all students.
7. To confer with support personnel for possible solutions to inappropriate student behavior and attend conferences upon request.
8. To be aware of and abide by system-wide policies and regulations and school guidelines for safety and discipline.
9. To use positive reinforcement, whenever possible, and not ridicule or use negative comparison when correcting a student.
10. To report to the parent/guardian at regular reporting periods and at other times when appropriate regarding unacceptable student behavior.
11. To utilize all reasonable classroom strategies in addressing disruptive behavior prior to referring a student for out of class disciplinary action.
12. To refer in writing a disruptive student to the principal or his/her designee when appropriate teacher-initiated strategies have been unsuccessful or the severity of the offense makes it necessary.
13. To attend staff development seminars/workshops that address student discipline/behavior and safe school issues.

**Instructional Support for Personnel Responsibilities**  
*(for adults working at a school other than teachers)*

1. To help maintain a safe physical environment at his/her assigned school.
2. To provide opportunities for all students to develop self-discipline and respect for the rights of others.
3. To accept shared responsibility for control and discipline of students throughout the school building and property.
4. To establish and inform students of individual classroom behavior expectations and to maintain discipline within the classroom.
5. To consider the physical, social, intellectual and emotional development of students.
6. To provide appropriate learning opportunities for all students.
7. To confer with support personnel for possible solutions to inappropriate student behavior and attend conferences upon request.
8. To be aware of and abide by system-wide policies and regulations and school guidelines for safety and discipline.
9. To use positive reinforcement, whenever possible, and not ridicule or use negative comparison when correcting a student.
10. To report to teachers and school administrators when inappropriate student behavior is observed.
11. To utilize all reasonable classroom strategies in addressing disruptive behavior prior to referring a student for out of class disciplinary action.
12. To refer in writing a disruptive student to the teacher and/or the principal to his/her designee when appropriate teacher-initiated strategies have been unsuccessful or the severity of the offense makes it necessary.

13. To attend staff development seminars/workshops that address student discipline/behavior and safe school issues.

### **Central Office Staff Responsibilities**

1. To report any and all observed safety issues and/or violations to the chief school administrator.
2. To provide technical assistance to principals and/or schools in the development and coordination of in-service activities for teachers and staff relative to their discipline problems.
3. To coordinate activities and/or act as a liaison between the school system and community agencies.

### **Attendance Violations**

#### **Rule 1. Attendance:**

Student is to attend school (including all classes) each day of the school year. In addition, a student is to report to school and all classes on time. A student of compulsory school age does not attend school is in violation of the law, and the student and his/her parent(s)/guardian are subject to its penalties. Efforts will be made to communicate with parents/guardian of absent or truant students.

- A. Tardiness:** Failure to be in a place of instruction at the assigned time without valid excuse. **(Level 1-2; Grade PK-12)**
- B. Class Cutting:** Failure to report to class without proper permission, knowledge, or excuse by the school or teacher. **(Level 1-3; Grade PK-12)**
- C. School Cutting:** Failure to report to school without prior permission, knowledge, or excuse by the school or the parent. **(Level 1-3; Grade PK-12)**
- D. Excessive Absences or Tardies:** Excused or unexcused absences, which are felt to affect adversely the student's education. **(Level 1-2; Grade PK-12)**

### **Discipline Violations**

#### **Rule 2. Food//beverages:**

A student will not eat in unauthorized areas of the school.

#### **Rule 3. Medication:**

PK-5 students must have written instructions, signed by the parent or guardian and licensed health care provider, before any medication is administered. All medication at elementary schools is administered by school personnel except for inhalers, insulin or epinephrine. Students who are in sixth grade and above who have developed the competency and are learning self-care behavior may be allowed, with written parent permission, to manage their own medication,

including over-the-counter medication. No controlled substances will be self-managed by students **(Level 1-2; Grade PK-5) (Level 1-3; Grade 6-12)**

**Rule 4. Student Dress:**

A student will maintain personal attire and grooming standards that promote safety, health, and acceptable standard of social conduct. Student dress that disrupts the school environment or clothing that indicates gang identification or reflects gang symbols will not be tolerated **(Level 1-3; Grade PK-12)**

**Rule 5. Personal Property:**

A student will not bring or possess any object that has no educational purpose and may distract from teaching and learning. **(Level 1-3; Grade PK-12)**

- A. Toy:** Possession of any toys, games, etc., without permission of the administration. **(Level 1-3; Grade PK-12)**
- B. Radio:** Possession of radio, walk-man, etc., without permission of the administration. **(Level 1-3; Grade PK-12)**
- C. Tape recorder:** Possession of tape recorder or similar device without permission of the administration. **(Level 1-3; Grade PK-12)**
- D. Cellular telephone (car phone):** Possession of a telephone or similar device on school property without permission of the administration. *Exclusions may apply to athletes and participants of extra-curricular activities as deemed by the school administration.* **(Level 1-3; Grade PK-12)**
- E. Beeper, pager, and similar device:** Possession of these devices on school property without permission of the administration. **(Level 1-3; Grade PK-12)**
- F. Other:** Possession of any object that could disrupt the normal course of school to include but not limited to personal security alarms, look-a-like beepers, etc. **(Level 1-3; Grade PK-12)**

*All items will be confiscated and the administration will not be liable for lost items.*

**Rule 6. Misrepresentation:**

A student will not lie or cheat. For example:

- A. Altering report cards or notes:** Tampering with report cards, official passes and notes in any manner, including changing grades or forging names to excuses. **(Level 1-3; Grade PK-12)**
- B. False information:** Making false statements, written or oral, to any one in authority. **(Level 1-3; Grade PK-12)**
- C. Cheating:** Violating rules of honesty, such as plagiarism, copying another student's test, assignment, etc. **(Level 1-3; Grade PK-12)**

**Rule 7. Disrespect:**

A student will behave in a respectful manner. Examples of disrespectful behaviors are: **(Level 1-4; Grade PK-12)**

- A. **Walking away:** Leaving while a staff member is talking to you. **(Level 1-4; Grade PK-12)**
- B. **Talking back:**  
Responding orally in a rude manner to a staff member. **(Level 1-4; Grade PK-12)**

**Rule 8.**

**Insubordination:**

A student will obey the lawful direction of any authorized staff member during the time the student is in school, participating in a school activity, or on school property. For example: **(Level 1-4; Grade PK-12)**

- A. **Failure to comply with proper and authorized direction or instruction of a staff member:** Failure to follow any authorized direction given by a staff member. **(Level 1-3; Grade PK-12)**
- B. **Refusal to work in class:** Failing to do assigned work during class. **(Level 1-3; Grade PK-12)**
- C. **Refusal to Detention:** Failure to report to after school detention as directed by staff member. **(Level 1-3; PK-12)**
- D. **Refusal to participate in in-school alternatives:** Failure to report to in-school alternatives as directed by a staff member. **(Level 1-4; Grade PK-12)**
- E. **Refusal to report to office:** Failure to report to the administrative office as directed by a staff member. **(Level 1-3; Grade PK-12)**

**Rule 9.**

**Profanity/Obscenity:**

A student will not use profane or obscene language or make obscene gestures. For example:

- A. **Swearing:** Saying anything that conveys an offensive, racial, obscene or sexually suggestive message. **(Level 1-5; Grade PK-12)**
- B. **Obscene/Offensive Gestures:** Making any sign that conveys an offensive, racial, obscene or sexually suggestive message. **(Level 1-5; Grade PK-12)**
- C. **Derogatory written materials:** Having any written material or pictures that convey an offensive, racial, obscene, or sexually suggestive message. **(Level 1-3; Grade PK-3)(Level 1-5; Grade 4-12)**
- D. **Directed at staff members:** Writing, saying, or making gestures that convey an offensive, racial, obscene, or sexually suggestive message toward a staff member. **(Level 1-5; Grade PK-12)**

**Rule 10.**

**Disruption:**

No student may disrupt the class, school, or bus activity. Examples include:

- A. **Chronic talking:** Repeated talking in the classroom without permission. **(Level 1-3; Grade PK-12)**
- B. **Throwing objects:** Throwing any object in any part of the school, bus, or school grounds, unless directed by a staff member pursuant to instructional purposes. **(Level 1-3; Grade PK-12)**
- C. **Horse-playing:** Rough or noisy play or pranks. **(Level 1-3; Grade PK-12)**

- D. **Teasing/Bullying:** Pestering or tormenting other students. **(Level 1-3; Grade PK-12)**
- E. **Refusing to remain in seat:** Getting out of seat or moving seat without permission of staff member. **(Level 1-3; Grade PK-12)**
- F. **Rude noises:** Making any unnecessary noise. **(Level 1-3; Grade PK-12)**
- G. **Leaving without permission:** Leaving the classroom, building, or assigned area without obtaining approval of the teacher and/or administrator. **(Level 1-3; Grade PK-12)**
- H. **Chronic lack of supplies:** Repeatedly reporting to the class lacking necessary materials such as books, class supplies, etc. **(Level 1-3; Grade PK-12)**
- I. **Shoving and/or kicking:** Willfully pushing and/or kicking anyone. **(Level 1-5; Grade PK-12)**
- J. **Throwing objects at someone:** Willfully throwing anything that could serve to harass or harm another. **(Level 1-4; Grade PK-12)**
- K. **Hitting, biting, spitting, pinching, which causes harassment to another student or adult:** Hitting, biting, or spitting at a student or adult for the purpose of harassment, or which could cause harm. **(Level 1-3; Grade PK-3) (Level 1-5; Grade 4-12)**
- L. **Other:** Any other action that disrupts or interferes with educational activities or the school environment. **(Level 1-4; Grade PK-12)**

**Rule 11. Tobacco:** (Subject to tobacco policy)  
A student may not have or use tobacco products on school premises. **(Level 2-3; Grade PK-12)**

**Rule 12. Threatening: (Subject to bullying policy)**  
A student will not threaten another student or staff member. For example:

- A. **Against a staff member:** Threatening to strike, attack or harm any staff member. **(Level 1-4; Grade PK-5)(Level 1-7; Grade 6-12)**
- B. **Against a student:** Threatening to strike, attack or harm any student or other person. **(Level 1-4; Grade PK-5)(Level 1-7; Grade 6-12)**

**Rule 13. Fighting:**  
Exchanging mutual physical contact between students by pushing, shoving or hitting with or without injury is prohibited. **(Level 1-4; Grade PK-5)(Level 1-7; Grade 6-12)**

*A second fighting offense may carry a penalty of long-term suspension or expulsion.*

**Note on Self Defense:** Reasonable force may be used in self-defense only to the extent that it is necessary to free oneself from attack and report the offense to a school official. Anyone exceeding this form of self-defense may be suspended even though he/she did not provoke the fight.

## **Law Violations**

*Parents will be notified. The police may be called and arrest warrants may be issued.*

### **Rule 14. Trespassing:**

A student will not enter any school property or school facility without proper authority (including entering any school during a period of suspension or expulsion.)(Level 1-4; Grade PK-12)

### **Rule 15. Reckless Vehicle Use:**

A student will not operate any motorized or self-propelled vehicle on school grounds in a manner that is a threat to health or safety, or a disruption to the educational process. (Level 3-7; Grade 8-12)

### **Rule 16. Vandalism:**

A student will not willfully or maliciously damage or destroy property belonging to another including school or private property. A student or parent/guardian will be held financially responsible, as allowed by North Carolina law, for willful or malicious destruction of property. For example:

**A. Writing on school equipment:** wall, mirrors, desks, lockers, or any other school equipment. (Level 1-4; Grade PK-5)(Level 1-7; Grade 6-12)

**B. Damaging another person's clothing.**  
(Level 1-4; Grade PK-5)(Level 1-4; Grade 6-12)

**C. Graffiti:** Willful or malicious defacing of public or private property.  
(Level 1-4; Grade PK-5) (Level 1-7; Grade 6-12)

### **Rule 17. Gambling:**

A student will not play games of chance for money or property.  
(Level 1-4; Grade PK-5)(Level 1-7; Grade 6-12)

### **Rule 18. Alcohol and Other Drugs: (Subject to drug policy)**

A student will not use, purchase, sell, distribute, be under the influence of or possess any kind of alcoholic beverage or any kind of controlled substance as defined by state law. This prohibition includes, but is not limited to, anabolic steroids, counterfeit or imitation controlled substances, and drug paraphernalia. For example:

## **Alcohol**

- A. Use/Under the influence:** Drinking any alcoholic beverage in school, on school grounds, to and from school, on school bus, or at any school function, or coming to school or school activities after consumption.



**(Level 2-4; Grade PK-5)(Level 5-7; Grade 6-12)**

- B. Possession:** Possessing any alcoholic beverages in school, on school grounds, to and from school, on school bus, or at any school function. **(Level 2-4; Grade PK-5)(Level 5-7; Grade 6-12)**
- C. Sale/Distribution:** Distributing or attempting to distribute any alcoholic beverage in school, on school grounds, to and from school, on school bus, or at any school function. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**

### **Other Drug Offenses**

- D. Use/Under the influence:** Using any narcotics, illegal or controlled drug, anabolic steroid or any illegal substance, on school grounds, to and from school, on school bus, or at any school function, or coming to school or school activities after consumption. **(Level 2-4; Grade PK-5)(Level 5-7; Grade 6-12)**
- E. Possession/Attempted:**  
Possessing or attempting to possess any illegal or controlled substance or any action that contributes to the possession of any illegal or controlled substance. **(Level 2-4; Grade PK-5)(Level 5-7; Grade 6-12)**
- F. Paraphernalia:**  
Possessing, distributing or using any drug related paraphernalia. **(Level 2-4; Grade PK-5)(Level 5-7; Grade 6-12)**
- G. Inhalants:**  
Possessing, distributing or inhaling any substance/product (off-the-shelf, controlled or illegal) or mind-altering effects. **(Level 2-4; Grade PK-5)(Level 5-7; Grade 6-12)**
- H. Sale/Distribution/Purchase/Attempt:**  
Distributing, selling or purchasing any illegal or controlled substance; attempting to sell, distribute or purchase any illegal or controlled substance; or any action that contributes to the possession of any illegal or controlled substance. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**

### **Rule 19. Sexual Offenses:**

A student will not engage in sexual behavior.

**(Level 1-4; Grade PK-5)(Level 1-7; Grade 6-12)**

- A. Offensive touching:** Inappropriate fondling: Placing of hands on another person's private parts. **(Level 1-4; Grade PK-5)(Level 1-7; Grade 6-12)**
- B. Sexual harassment:** Verbal or physical abuse of a sexual nature, or any other unwanted behaviors sexual nature. **(Level 2-4; Grade PK-5)(Level 4-7; Grade 6-12)**
- C. Consensual sex:** Sexual activity involving willing participants. **(Level 2-4; Grade PK-5)(Level 4-7; Grade 6-12)**
- D. Indecent exposure:** Intentional exposure of private parts of one's body (Including "mooning"). **(Level 2-4; Grade PK-5)(Level 4-7; Grade 6-12)**

**E. Rape or attempted rape:** Unlawful sexual intercourse or attempted sexual intercourse by force, threat or fear. **(Level 4-7; Grade PK-12)** *Note: A student must receive due process.*

**Rule 20. Computer misuse:**

A student will not misuse a computer or computer network with the intent to do any of the following: **(Level 2-4; Grade PK-5)(Level 5-7; Grade 6-12)**

- A. Data removal or alternation:** Remove or disable any computer data. **(Level 2-4; Grade PK-5)(Level 5-7; Grade 6-12)**
- B. System malfunction:** Cause a computer or computer system to malfunction **(Level 2-7; Grade PK-5)(Level 5-7; Grade 6-12)**
- C. Property damage:** Physical damage to computer or computer systems to the school or to another **(Level 2-4; Grade PK-5)(Level 5-7; Grade 6-12)**

**Rule 21: Theft:**

A student will not steal or possess stolen property.

- A. School property:** Unlawfully taking and/or carrying away property belonging to Halifax County Schools. **(Level 2-4; Grade PK-5)(Level 5-7; Grade 6-12)**
- B. Staff property:** Unlawfully taking and/or carrying away property belonging to a staff member. **(Level 2-4; Grade PK-5)(Level 2-7; Grade 6-12)**
- C. Student property:** Unlawfully taking and/or carrying property belonging to another student. **(Level 2-4; Grade PK-5)(Level 2-7; Grade 6-12)**
- D. Student locker:** Removing any property from a locker other than the one assigned. **(Level 2-4; Grade PK-5)(Level 2-7; Grade 6-12)**
- E. Possession of stolen property:** Having in one's possession property obtained without the permission of the owner. **(Level 2-4; Grade PK-5)(Level 5-7; Grade 6-12)**

**Rule 22. Burglary:**

A student will not break into school board property for the purpose of stealing.

- A. Attempted:** Unlawfully attempting entry into a school. **(Level 2-4; Grade PK-5)(Level 2-7; Grade 6-12)**
- B. Actual:** Unlawfully entry into a school with the intent of committing a felony, or to steal and/or take away the property of another. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**

**Rule 23. Robbery:**

A student will not take another person's property by force or violence.

- A. Attempted:** Attempting to take property from a person by force or violence. **(Level 2-4; Grade PK-5)(Level 5-7; Grade PK-6-12)**
- B. Actual:** Taking property from a person by force or violence. **(Level 2-4; Grade PK-5)(Level 5-7; Grade PK-6-12)**

- Rule 24. Extortion:**  
A student will not take or threaten to take the property of others through intimidation. **(Level 2-4; Grade PK-5)(Level 5-7; Grade 6-12)**
- A. Attempted:** Use of threats or intimidation to obtain money or property from another. **(Level 2-4; Grade PK-5)(Level 2-7; Grade 6-12)**
- B. Actual:** Use of threats or intimidation to obtain money or property from another. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**
- Rule 25. False Alarm:**  
Calling 911, or signaling or setting off an automatic signal falsely indicating the presence of a fire or an emergency is prohibited. This includes making statements/phone calls that such an emergency exists in the school. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**
- Rule 26. Arson:**  
A student will neither set fire nor attempt to set fire to school property. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**
- Rule 27. Failure to Disperse:**  
A student will not fail to leave a congregated area immediately when ordered to do so by school or law enforcement official. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**
- Rule 28. Affray:**  
A student will not engage in a brawl or a fight on school grounds, adjacent to school grounds, or during any school activity. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**
- Rule 29. Disorderly Conduct:**  
A student will neither create nor attempt to create a public disturbance which interferes with the operation of school, including: **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**
- A. Abusive display:** Making or using any utterance, gesture, or abusive behavior which is intended to provoke violent retaliation. **(Level 2-4; Grade PK-5)(Level 2-7; Grade 6-12)**
- B. Fighting:** Engaging in fighting or other violent conduct creating the threat of imminent violence. **(Level 2-4; Grade PK-5)(Level 2-7; Grade 6-12)**
- Rule 30. Initiating a Riot:**  
A student will not willfully instigate or urge others to engage in a riot.
- A. Attempted:** Attempting to engage others in a public disturbance involving violence, confusion, or disorder in the school or on school grounds. **(Level 2-4; Grade PK-5)(Level 5-7; Grade 6-12)**

- B. Actual:** Engaging others in public disturbance involving violence, confusion, or disorder in the school or on school grounds. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**

**Rule 31. Assault and Battery:**

A student will not assault and/or commit a battery upon another person (student, staff member, or any other person). For example, **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**

- A. Against a student:** Unlawful threatening or beating: any physical force or violence against another student to include tearing clothes, threatening to seize or strike another student, either alone or in combination with another student(s). **(Level 2-4; Grade PK-5)(Level 5-7; Grade 6-12)**
- B. Against staff:** Unlawful threatening or beating; any physical force or violence against a staff member, to include tearing clothes, threatening to seize or strike a staff member. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**
- C. Other:** Unlawful threatening or beating; any physical force or violence against any other person while under the jurisdiction of school authority; to include tearing clothes, threatening to seize or strike. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**

**Rule 32. Weapons and Dangerous Instruments/Objects:**

A student will not possess, handle, transport, or use any weapon, dangerous object, object that can reasonably be considered a weapon, or substance that could cause harm or irritation to another individual. (This rule does not apply to normal school supplies unless they are used as weapons). For example: **(Level 2-4; Grade PK-5)(Level 5-7; Grade 6-12)**

**A. Bomb/Bomb Threats:**

Any device brought to school that contains combustible material, or making statements that such a device exists in school. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**

**B. Explosive:**

Any devices containing combustible material and a fuse. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**

**C. Knife:**

Possession of any size or shape of knife including blades or other sharp devices. **(Level 2-4; Grade PK-5)(Level 5-7; Grade 6-12)**

**D. Toy knife:**

Possession of any size or shape toy knife. **(Level 2-4; Grade PK-5)(Level 5-7; Grade 6-12)**

**E. Razor blade/box cutter:**

Possession of a razor blade, box cutter or similar device for cutting.

**(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**

**F. Ammunition:**

Possession of any bullets or shells or any objects that could be considered to be ammunition or resemble ammunition. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**

**G. Fireworks, small explosives:**

Possession of firecrackers or small explosive devices including caps and snapper pops. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**

**H. Antipersonal spray:**

Possession of chemical (such as mace) or pepper sprays. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**

**I. Possession of an instrument or device that resembles or looks like a pistol, revolver or other weapon not capable of propelling a missile:**

May include but not be limited to a cap pistol, water pistol or any look alike gun. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**

**J. Other:**

Possession of any object or substance that could cause injury, including but not limited to sling shots, ice picks, multi-finger rings, metal knuckles, nun-chucks, clubs, or stun guns; the use of any object or any substance that will potentially cause harm, irritation or bodily injury to students or any other person. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**

**K. Cigarette lighter (Level 1-4; Grade PK-5)(Level 1-7; Grade 6-12)**

*All items will be confiscated and the administration will not be liable for lost items.*

**Rule 33. Firearms:**

A student will not possess, handle, or transport any pistol, revolver, firearm, or any other weapon designed or intended to propel a missile of any kind.

**A. Possession of a pistol, revolver, or any other firearm (loaded or unloaded).** See note below **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**

**B. Possession of any other weapon or device other than Item A above:**

Examples may include, but are not limited to, starter pistol, BB gun or flare gun. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**

*All items will be confiscated and the administration will not be liable for lost items.*

*NOTE: N. C. General Statute #115C-391 requires the total cessation of all educational services for a period of 365 days unless the superintendent decides otherwise on a case-by-case basis.*

**Rule 34. Gang Activity:**

Participation in any gang related activity to include recruiting, organizing, initiating, or any actions identified as gang-affiliated behavior. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**

**Rule 35. A Serious or Repeated Violation:**

A serious or repeated violation of one or more rules requires a need for strong parent administrator communication, coordination, consideration of outside assistance and will result in suspension and/or possible expulsion. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)**

*Students can be discipline for out-of-school misconduct. The school's authority to discipline its students reaches beyond the school within certain limits, particularly for instances of assaultive or dangerous behavior that would affect the general welfare of the school. **(Level 2-4; Grade PK-5)(Level 6-7; Grade 6-12)***

**Level 1** - Conference; **Level 2** - Intervention; **Level 3** - Suspension (1-5 days); **Level 4** - Suspension (6-10 days); **Level 5** - Suspension (10 days); **Level 6** - Long - term Suspension (11 - 180 days); **Level 7**-  
Expulsion