

Halifax County Schools



School Conduct and Discipline Procedures

*“What Every Administrator
Needs To Know About Handling
Student Conduct Issues”*

2021-2022

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STATEMENT OF PURPOSE

School discipline has two main goals: (1) ensure the safety of staff and students, and (2) create an environment conducive to learning. Serious student misconduct involving violent or criminal behavior defeats these goals and often makes headlines in the process.

Our school system is working hard to change disruptive behavior by (1) establishing rules and consequences of breaking them, and (2) communicating to staff, students, and parents, and (3) establishing fair and consistent enforcement of rules which are the cornerstone of the division's discipline system. Consistency will be greater when fewer individuals are responsible for enforcement. Providing a hearing process for students to present their side of the story and establishing an appeal process will increase students' and parents' perception of fairness. (Adapted from ERIC)

Eric L. Cunningham

Dr. Eric Cunningham
Superintendent, Halifax County Schools

INTRODUCTION

According to NC General Statute 115C-288(e), the principal shall have the authority to exercise discipline over the pupils of the school under the policies adopted by the local board of education as prescribed by [G.S. 115C-390](#) and may suspend or dismiss pupils under [G.S. 115C-391](#).

According to Halifax County Schools Board Policy [4302](#), [4351](#) and [4353](#), respectively, the principal has the authority to implement a school plan for management of student behavior, impose short-term suspension, recommend long term suspension, or any other consequence consistent with board policy. If a principal determines that a suspension of more than 10 days (long-term or 365 day) or expulsion is an appropriate consequence, the principal shall propose the discipline penalty based upon a review of the student's culpability and dangerousness and the harm caused by the student. (see [Board Policy 4353 \(B\)\(1\)\(a\)](#)) This booklet aims to provide guidance for school principals as they administer discipline consistent with the Halifax County Schools [Conduct and Discipline Procedures](#). Guidance is given regarding conducting investigations, writing and processing referrals, and conducting disciplinary meetings with students and providing due process. For questions or clarifications, please contact Dr. Tyrana B. Battle, Assistant Superintendent of Halifax County Schools at 252-583-5111.

STEPS TO FOLLOW

Processing referrals, conducting investigations, and assigning consequences

I. Incident occurs

II. Teacher or administrator writes referral (use language from the [Code of Conduct](#))

- Referrals must contain only the offender's name. The names of other students should be omitted from all documentation of the incident/referral. Be mindful of the rights of confidentiality provided to students according to the Family Educational Rights and Privacy Act (FERPA). It is permissible to use phrases such as # of witnesses or party #1 for other individuals involved in the incident.
- Referrals should focus on the actual behaviors or actions of the student. The description statements should be based on facts, exclude opinions, biases, or judgments.
- Consequences must match the offense as denoted in the [Code of Conduct](#).
- The incident/referral must be entered into Powerschool within 48 hours, only the student offender's name should appear in any content that is entered.

III. Principal conducts investigation

- Gather written statements with signatures and dates, evidence, other documents, and view tapes (if applicable).

IV. Principal conducts discipline meeting with student

- Explain student due process
- Refer to Due Process Statement (page 7)
- If possible, obtain written statement by student.
- Assign/schedule consequence (days and dates)
- Refer to Appendices
- [Appendix A](#) – Short Term Suspension (up to 10 Days)
- [Appendix B](#) – Suspension 10 Days or More
- [Appendix C](#) – Criminal Charges
- [Appendix D](#) – Other Sufficient Cause
- Contact Parents by phone
- Document contact or attempted contacts on referral and in Powerschool and use updated contact information

V. If you feel a crime may have been committed:

- Notify Central Office
- Notify parents
- Notify School Resource Officer

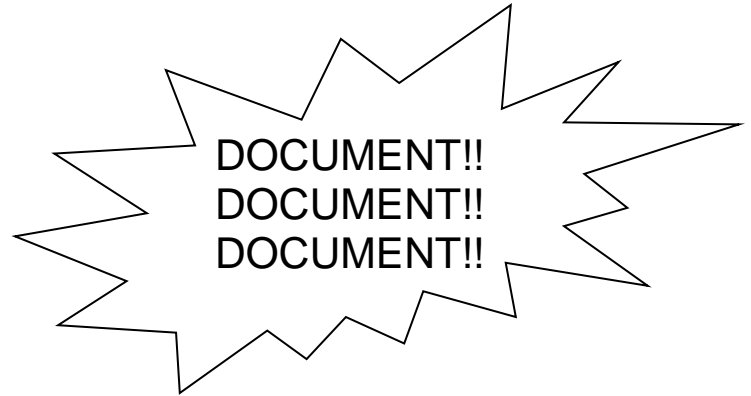
VI. Process disciplinary paperwork

- Letters home
- Use language from the [Code of Conduct](#)
- [Appendix F](#) - Suspension Letter 10 Days or Less
- [Appendix G](#) – Suspension Letter 10 Days or More
- Packet to Central Office (if applicable)

- Refer [Discipline Packets](#)
- Letters from Central Office
- [Appendix H](#) – Suspension due to Criminal Charges
- [Appendix I](#) – Suspension due to Other Sufficient Cause

Don't forget

- VII. Update student record in Powerschool
- VIII. Make sure procedures are followed



STUDENT DUE PROCESS

In accordance with the due process procedures set forth in this document and the guidelines required by [NC General Statute 115C-390.8](#), school principal shall give written notice to the student's parent by the end of the workday during which the suspension was recommended when reasonably possible or as soon thereafter. In cases of long term suspension, the students shall receive procedural due process as indicated in [NC General Statute 115C-390.8\(e\)](#), which include, but are not limited to, the following:

1. The right to be represented at the hearing by counsel or, in the discretion of the local board, a non-attorney advocate
2. The right to be present at the hearing, accompanied by his or her parents
3. The right of the student, parent, and the student's representative to review before the hearing any audio or video recordings of the incident and statements made by witnesses related to the charges
4. The right of the student parent, or student's representative to question witnesses at the hearing
5. The right to present evidence on his or her own behalf, which may include written statements and oral testimony relating to the incident leading to the suspension
6. The right to have a record made of the hearing
7. The right to make his or her own audio recording of the hearing
8. The right to a written decision, based on substantial evidence presented at the hearing, either upholding, modifying or rejecting the principal's recommendation of suspension and containing at least the following information:
 - a. The basis for the decision, including a reference to any policy or rule that the student is determined to have violated
 - b. Notice of what the information will be included in the student's official record pursuant to [G.S. 115C-402](#).
 - c. The students' right to appeal the decision and notice of the procedure for such appeal.

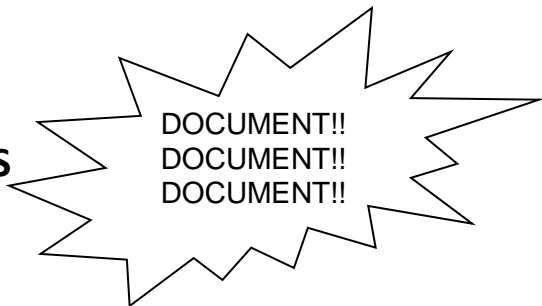
DETERMINATION OF APPROPRIATE CONSEQUENCE

The principal should review the evidence surrounding the incident and conduct an investigation of the evidence. Based on the investigation, the principal should determine an appropriate consequence for the infraction (refer to pages 9-13). If the principal determines that a suspension of more than 10 days (long-term or 365 day) or expulsion is an appropriate consequence, the principal shall propose the discipline penalty based upon a review of the student's culpability and dangerousness and the harm caused by the student. [Board Policy 4353 \(B\)\(1\)](#) After consideration of the aforementioned 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 the suspension recommended.

EMERGENCY SUSPENSION

Any student whose presence poses a continuing danger to persons or property or exhibits an ongoing threat of disruption may be summarily removed from school immediately and the notice, explanation of facts, and opportunity to present his or her version required above under suspension for ten (10) days or less shall be given as soon as practicable thereafter.

EXPLANATION OF RECOMMENDED DISPOSITIONS



From the [Code of Student Conduct](#)

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

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.

Disciplinary Consequence Descriptions

1. WARNING

Staff members will remind students not to engage in unacceptable or inappropriate behavior.

2. CONFERENCE

The first line of discipline is with the classroom teacher. Formal and informal conferences are held between the student and the teacher. Many times the student's counselor will also be included in the conference. If a problem becomes more serious, an administrator or his/her designee will hold a conference with the student in an effort to improve behavior.

The most effective person in dealing with student discipline problems is the parent. School personnel will contact parents by phone, by letter, or with conferences to keep them informed of student conduct. Parents may be required to attend a conference in order to reinstate the student.

DOCUMENT THE MEETING (i.e. called parent on Dec. 3 at 4:00pm)

3. STAFFING/TEAMING

School personnel and others will meet to consider student behavior and make recommendations for improvement. **DOCUMENT THE MEETING** (i.e. who was there, time, place, etc.)

4. TIME-OUT

School personnel may temporarily remove a student from a class.

5. RESTRICTION

School personnel may temporarily deny a student the opportunity to participate in a school-sponsored activity.

6. BEHAVIOR CONTRACT

A written agreement between school personnel and the student defining a specific period of good behavior in lieu of suspension.

7. DETENTION

School personnel may detain students before or after school with parental permission.

8. MEDIATION

A process used for settling differences between two or more individuals.

9. CONFISCATION

Any item prohibited by the Code of Conduct, which is deemed harmful to others will be removed from the student's possession.

10. COMMUNITY SERVICE

School administrators, in cooperation with parents may allow students to perform community service in place of or to reduce other disciplinary consequences. Either school personnel or parents will be responsible for supervision.

11. IN-SCHOOL SUSPENSION (ISS) 1-3 DAYS

A student may be given ISS for up to three consecutive days. During the period of ISS, the student is assigned class work. Students are released from ISS after successfully completing all assigned work.

12. ALTERNATIVE EDUCATIONAL PROGRAM (Empowerment Zone)

This is a program of learning that is designed to accommodate the needs and interests of students who are not experiencing success in the traditional educational setting. Students may be removed from their regular classes, given a shortened schedule, or experience any number of changes to help them become successful academically, socially, and behaviorally. Must have superintendent approval.

13. OUT-OF-SCHOOL SUSPENSION (OSS) 1-10 DAYS

The principal or assistant principal may suspend a student out-of-school for up to 10 consecutive days for violation of the Code of Conduct. The parent/guardian may be required to confer with the principal or his/her designee prior to the student's reinstatement. If such student comes onto school property during a short-term suspension, he or she may be charged with trespassing.

14. LONG-TERM SUSPENSION

A student can be suspended for more than ten (10) consecutive school days following approval of the principal's recommendation. For serious or habitual offenses, a student may be suspended for the remainder of the semester, the rest of the school year, or for 364 days. If such student comes onto school property during a long-term suspension, he or she may be charged with trespassing. Parents/guardian may be required to accompany the student for a readmission conference.

15. LAW ENFORCEMENT

In cases of violation of federal or state laws the appropriate law enforcement agency(ies) will be contacted. Their investigation will be a separate procedure from the school's investigation.

16. EXPULSION

Expulsion is defined as the exclusion of a student from the Halifax County Schools for 365 days or more at one time. Only the School Board may expel a student. If such student comes onto school property during an expulsion, he or she may be charged with trespassing.

17. RESTITUTION

The replacement of or payment for property taken, damaged, or destroyed.

18. IMMEDIATE REMOVAL

If the principal or his/her designee determines that the student's presence at school or online creates a danger to persons or property or exhibits an ongoing threat of disruption, the student may be removed from school or school property immediately.

19. SHORTENED SCHOOL DAY

If the principal, teacher, and counselor determine that the student will benefit from shortening the period of time a student is in school, this alternative will be presented to the superintendent or his designee for approval.

****In all cases, the disciplinary actions will be governed by the seriousness of the behavior and the student's previous disciplinary record. ****

DISCIPLINE PACKETS

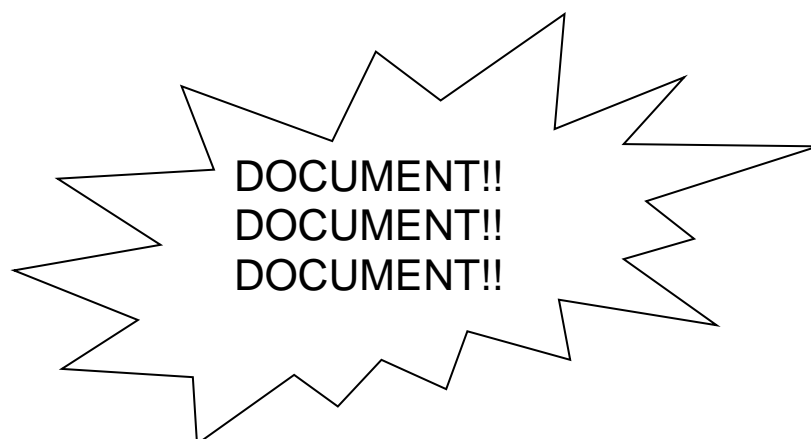
The Discipline Packet Checklist serves as the cover for the supporting evidence and documentation of an incident. Disciplinary packets must be submitted to the Hearing Officer **no later than three days following any recommendation for long-term suspension or expulsion.**

The packet contains evidence which supports your recommendation for suspension including signed and dated statements from all parties involved in the incident. Please include parent contact information and document communication and/or attempts. It is imperative that the checklist be filled out completely.

Indicate the recommended action by checking one of the options at the top of the checklist. This simply communicates which action you are recommending. The student information that follows is vital to giving sufficient consideration to possible student services and involving critical Central Office staff in the hearing and appeals processes. Lastly, the checklist of documentation included in the packet must correspond with the attached information. The supporting information reflects your investigation and will be used in subsequent levels of review. Do not hesitate to include the student's statement as well as other supportive information.

If you are indicating that a student's behavior poses a threat to the safety of the school environment, please be mindful about the following:

- (1) How quickly that disciplinary matter is handled,
- (2) How that student is isolated from the rest of the student body and what level of supervision is provided,
- (3) How and when that student is transported home.



Discipline Packet Checklist

School: _____ Principal: _____

Recommendation: (check one)

- Suspension Appeal
- Recommendation to Empowerment Zone (ALC)
- Recommendation for Long-term Suspension
- Recommendation for Expulsion (365 Note: only the School Board can expel.)

Student's name _____ Grade _____ Date _____

Child Find/Eligibility Pending: Circle one: (Yes/No) if yes, date: _____

Active IEP: Circle one: (Yes/No) if yes, Program Placement: _____

Accommodation(s): _____

Active 504 Plan: Circle one: (Yes/No) if yes, Reason: _____

Accommodation(s): _____

ESL Services: Circle one: (Yes/No) if yes, Level: _____

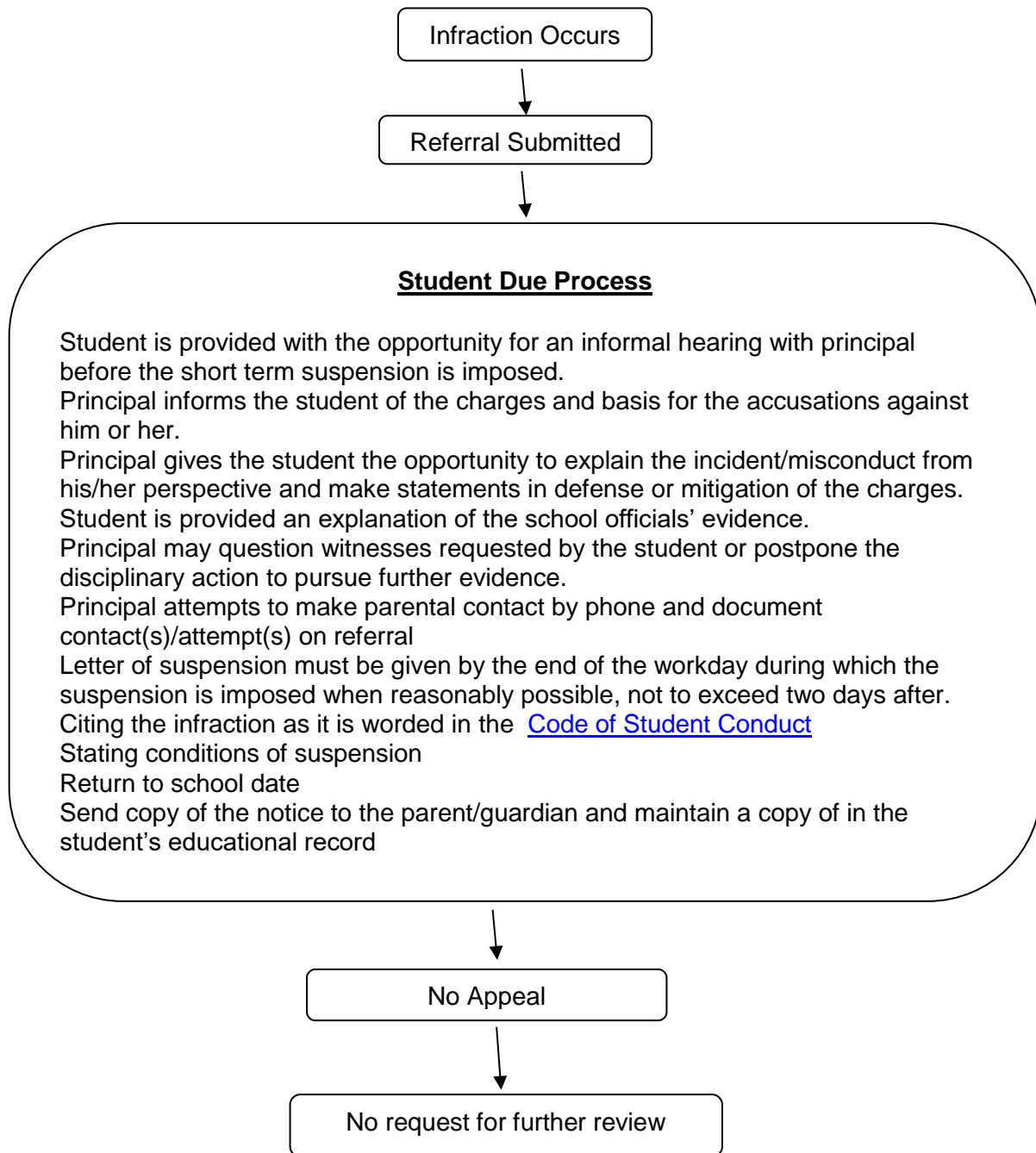
REQUIRED PACKET CONTENT:

- Principal's letter(s) of suspension for this incident to parent
- Written discipline referral for incident
- All written statements – signed and dated
- Power School discipline record summary
- Written narratives of witness(es) or uninvolved person(s), if applicable
- Report card/grades
- Power School attendance summary
- Photocopy of items related to incident
- Manifestation Determination Review minutes, if applicable
- Other supportive information

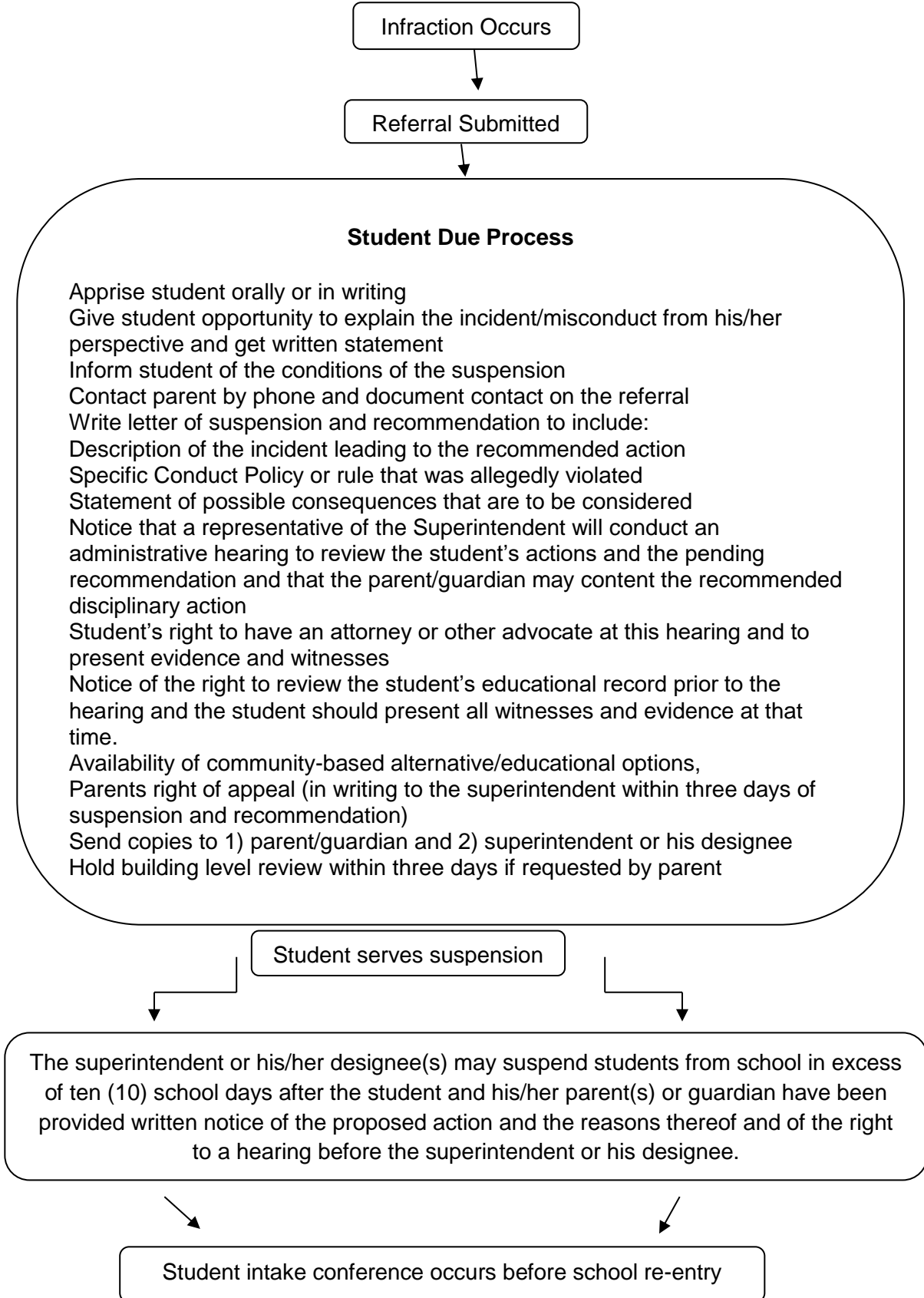
Prepared by: _____

Signature

APPENDIX A: Short-term suspension (up to 10 school days) (Board Policy 4351)



APPENDIX B: 10 Day or More Suspension



Appendix B
(cont.)

Administrative Review Hearing [Board Policy 4370](#)) must be held within 4 school days of the initial suspension whenever possible and no later than 10 school days following the initial suspension. The Superintendent or designee shall advise the parent/guardian in writing of the hearing date, time and location. The Hearing Officer, Principal, Student, Parent/guardian, Student's Support person, and one impartial member must attend. Witnesses present only when providing information.

The purpose of the Hearing is to determine the facts relevant to the alleged misbehavior and the credibility of witnesses, based on the evidence presented at the hearing. Hearing will be conducted in private and audio recorded.

Decision will be based on simple majority based on the evidence presented

Summary/Follow-up letter hand-delivered within two days after the hearing is completed to the Principal and Superintendent

Stating facts

Recommendation of the Hearing Committee

The superintendent shall adopt the Hearing Officer and Panel's findings regarding the relevant facts and credibility, unless they are not supported by evidence in the record.

The superintendent shall render a written decision based on the evidence presented at the hearing and notify the student and parent of that decision within 10 days via certified mail to

No Appeal

Name on School Board agenda

Superintendent presents his decision

Student serves suspension

Timely appeal received.

Timely Written notice of appeal received.
Notice must be received in the Office of Supt. within 10 calendar days of the date of the notice from the Hearing Committee.

Board shall have a special called meeting within 10 working days of receipt of the appeal to the Supt.
Superintendent notifies the parent/guardian and student with the date, time, and location of the meeting. Suspension is not postponed.

The Board will review the Supt. decision to ensure that board policy was followed.

Supt. shall notify the parent/guardian and student of the board's decision within five school days of the board meeting.

Following the School Board meeting, a letter, generated by the Hearing Officer, is sent to the parent communicating the Board approval. The letter includes,

Duration of suspension

Return date

Any alternatives and educational programs

Reportable Criminal Offenses

North Carolina General Statute [115C-288\(g\)](#) indicates the procedures for reporting specific offenses to school administrators, and if necessary, law enforcement authorities.

[Policy 4335](#)- Principal must immediately report to law enforcement the following acts when they have personal knowledge or actual notice from school personnel that such acts have occurred on school property, regardless of the age or grade of the perpetrator or victim:

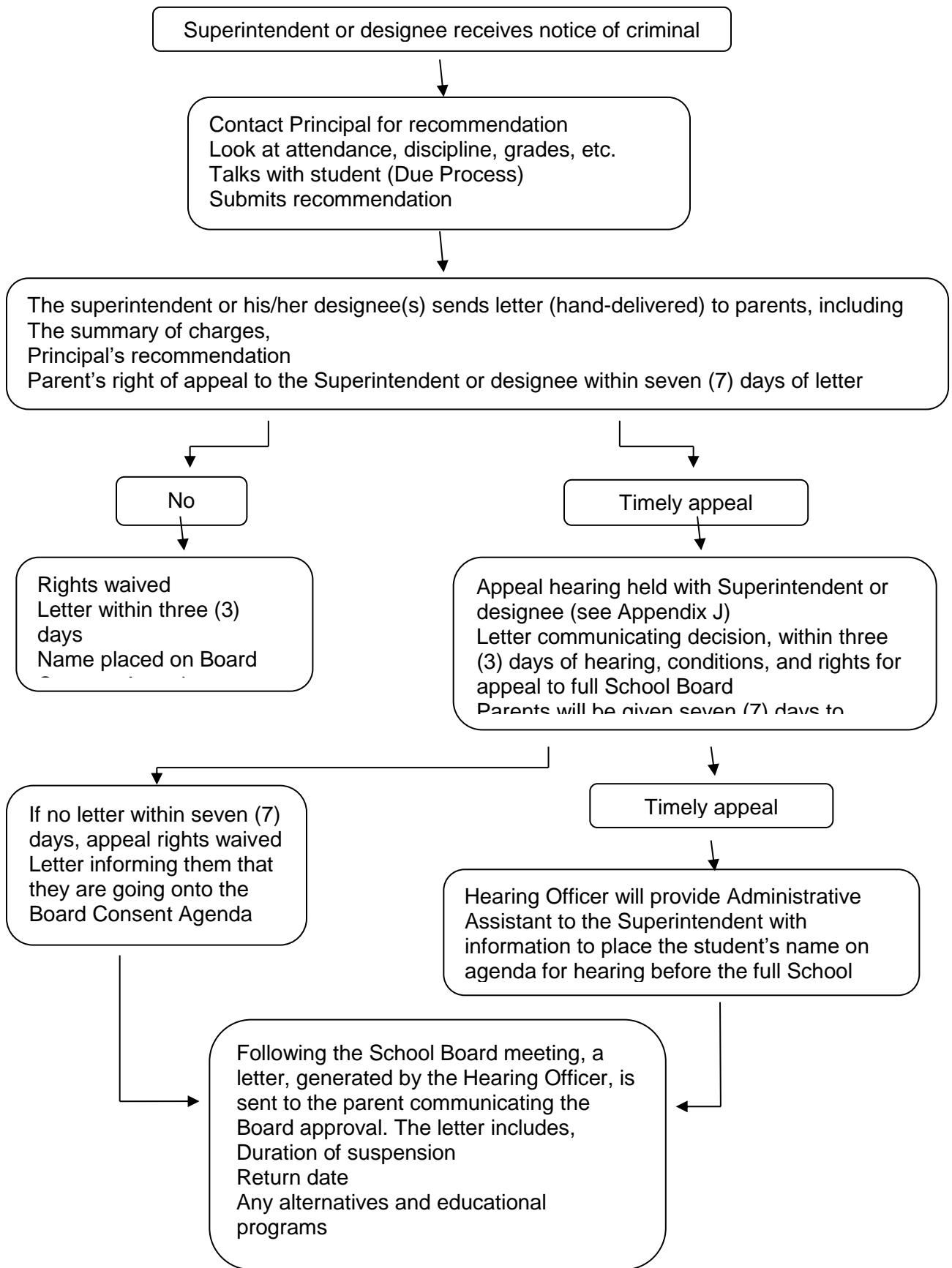
- 1. Assault Resulting in Serious Personal Injury**
- 2. Assault Involving Use of a Weapon**
- 3. Assault on School Officials, Employees, and Volunteers**
- 4. Making Bomb Threats or Engaging in Bomb Hoaxes**
- 5. Willfully Burning a School Building**
- 6. Homicide**
- 7. Kidnapping**
- 8. Unlawful, underage sales, purchase, provision, possession, or consumption of alcoholic beverages**
- 9. Possession of Controlled Substance in Violation of Law**
- 10. Possession of a Firearm**
- 11. Possession of a Weapon**
- 12. Rape**
- 13. Robbery with a Dangerous Weapon**
- 14. Sexual Assault (not involving rape or sexual offense)**
- 15. Sexual Offense**
- 16. Taking Indecent Liberties with a Minor**

A principal who willfully fails to make a required report to law enforcement will be subject to disciplinary action, up to and including dismissal.

The principal or designee shall notify the superintendent or designee in writing or by e-mail of any report made by the principal to law enforcement. Such notice must occur by the end of the workday in which the incident occurred, when reasonably possible, but not later than the end of the following workday.

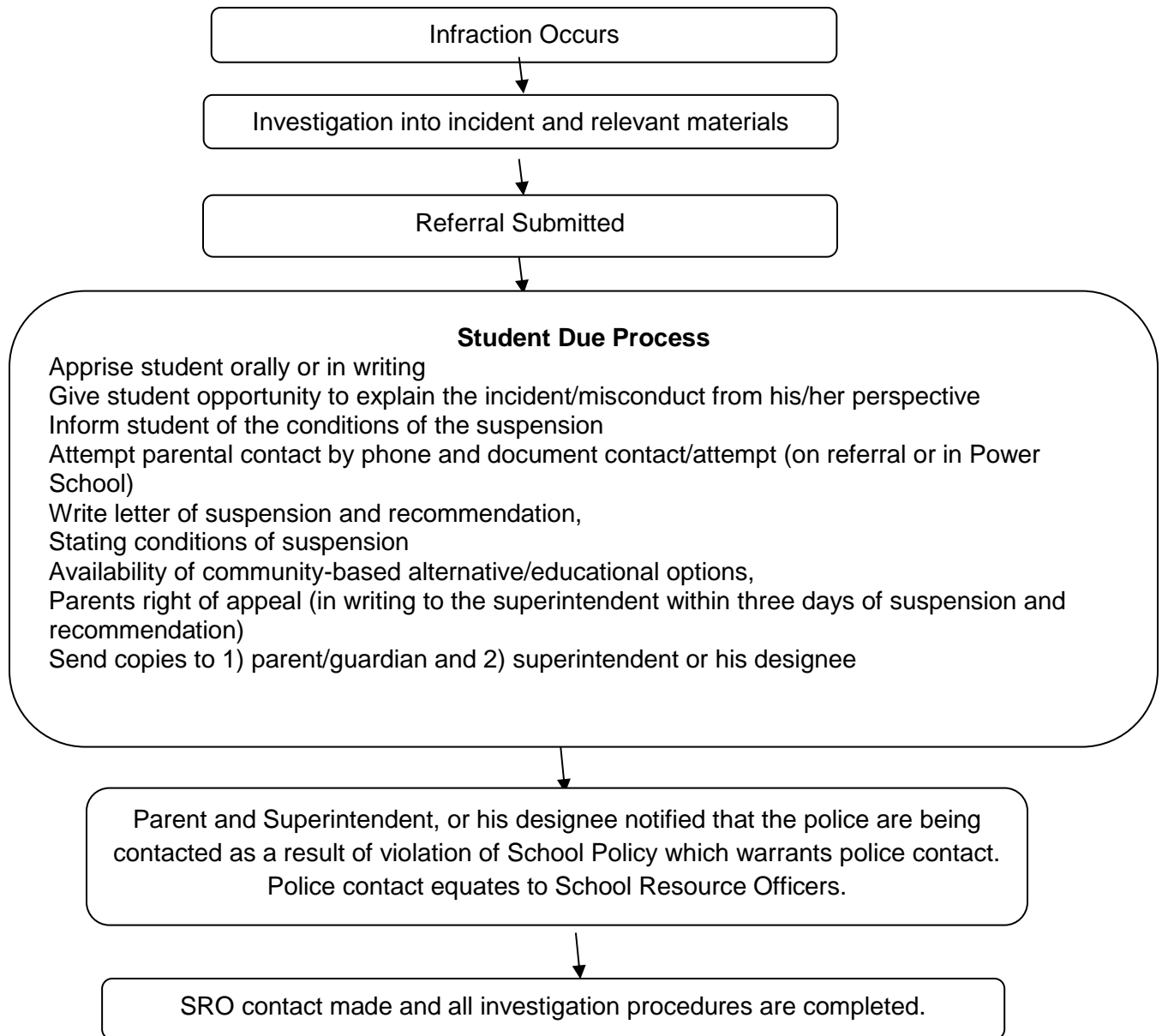
The superintendent must inform the board of any such reports. In addition, the principal or designee must notify the parents of students who are alleged to be victims of any reported offenses.

APPENDIX C: Criminal Charges Flow Chart



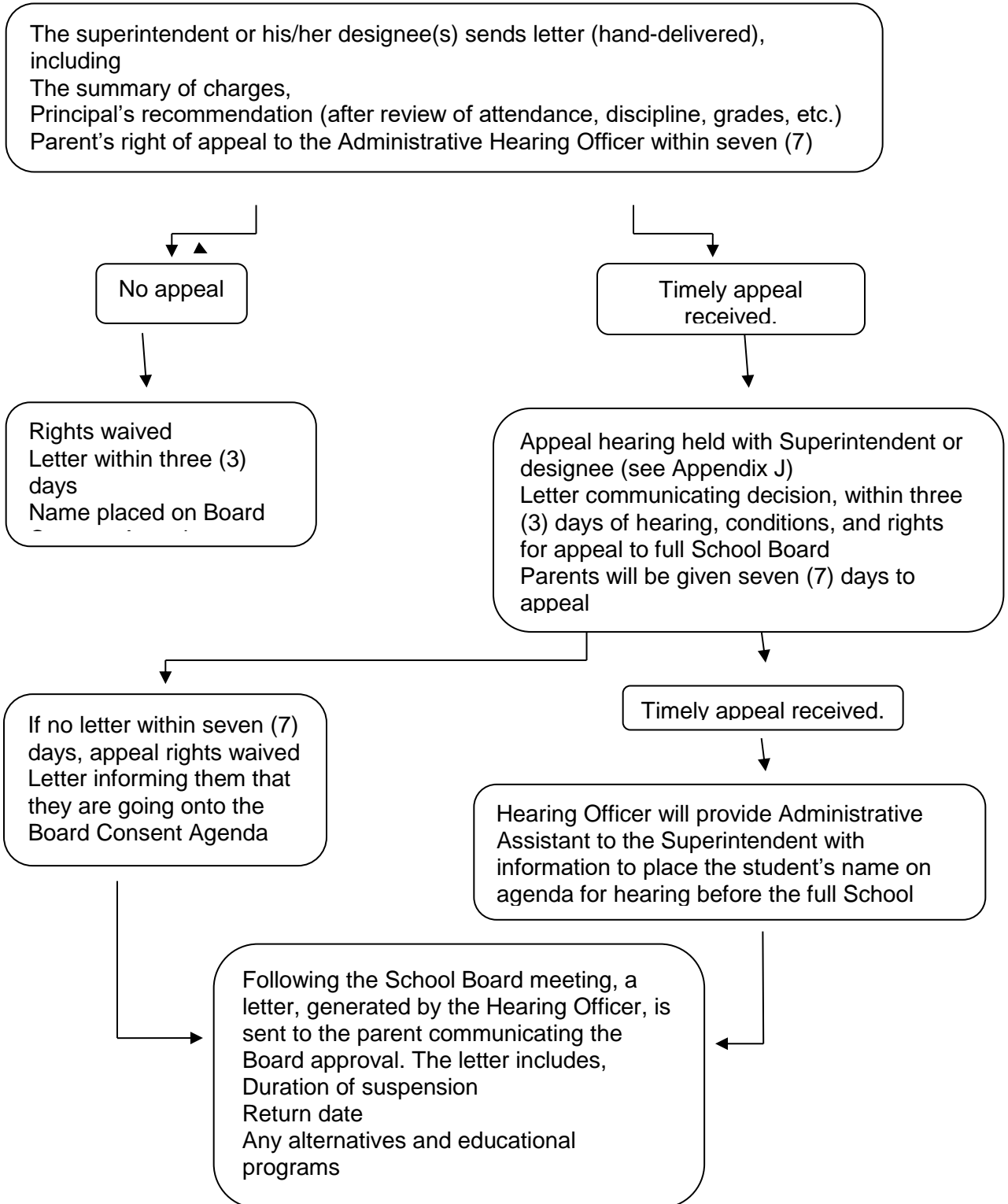
Steps for Contacting Police

The following steps should be followed when reporting incidents to the police.



APPENDIX D: Other Sufficient Cause

This section of the [Code of Student Conduct](#) states that *students may be suspended, expelled, or subject to other disciplinary action for sufficient cause. (Might not be referral generated.)*



APPENDIX E: Hearing Process

The procedure for the hearing before the superintendent or his designee shall be as follows:

- I. The superintendent or designee shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing. The hearing shall be private unless otherwise specified by the superintendent or designee.
- II. The superintendent or designee may ask for opening statements from the principal or his representative and the student or his parent(s) (or their representative) and, at the discretion of the superintendent or his designee, may allow closing statements.
- III. The parties shall then present their information. Because the principal has the ultimate burden of proof, he shall present his information first. Witnesses may be questioned by the superintendent or designee and by the parties (or their representative). The superintendent or designee may, at his discretion, vary this procedure, but he shall afford full opportunity to both parties for presentation of any material or relevant information and shall afford the parties the right of cross-examination; provided, however, that the superintendent or designee may take the testimony of student witnesses outside the presence of the student, his parent(s) and their representative if the superintendent or designee determines, in his discretion, that such action is necessary to protect the student witness.
- IV. The parties shall produce such additional information as the superintendent or designee may deem necessary. The superintendent or designee shall be the judge of relevancy and materiality of the information.
- V. Exhibits offered by the parties may be received by the superintendent or designee and, when so received, shall be marked and made part of the record.
- VI. The superintendent or designee may uphold, reject or alter the recommendation.

APPENDIX F: SAMPLE Discipline Referral

DISCIPLINE REFERRAL

STUDENT NAME _____ GRADE _____ ADMINISTRATOR _____

PLACE OF INCIDENT _____ DATE OF INCIDENT _____ TIME OF INCIDENT _____

CODE VIOLATION _____

REFERRER _____ TITLE OF REFERRER _____ DATE OF REFERRAL _____

PARENT/GUARDIAN _____ (HM) _____ (WK) _____ (WK) _____
MOTHER FATHER

ADDRESS (INCLUDE CITY/ZIP CODE) _____

REASON FOR REFERRAL: _____

PRIOR ACTIONS TAKEN BY REFERRER:

WARNED STUDENT WROTE PARENTS PRIOR ADMINISTRATIVE REFERRAL _____

CONFERENCE WITH STUDENT CLASSROOM DETENTION

COUNSELING REFERRAL PARENT CONFERENCE INTERIM

CALLED PARENT (DATE AND TIME) _____

CONFERENCE WITH STUDENT, TEACHER, PARENT, GUIDANCE COUNSELOR, &
ADMINISTRATOR

OTHER CONSEQUENCES FOR INAPPROPRIATE BEHAVIOR:

DISCIPLINARY ACTION:

Warning

ISS 1-3 days _____

Conference

Alternative School

Staffing/Teaming

OSS 1-10 days _____

Time-out

Long-term Suspension _____

Restriction

Law Enforcement

Behavior Contract

Expulsion _____

Detention

Restitution

Mediation

The Family Assessment Planning Team

Confiscation

Immediate Removal

Community Service

Shortened School Day _____

Suspended students on school premises will be charged for trespassing and will receive additional suspension. Suspended students will only be allowed on school premises with a parent/guardian for the purpose of administrative conference.

ADMINISTRATOR

DATE

PARENT'S SIGNATURE

FOR OFFICIAL BUSINESS ONLY

Contact made with _____ on _____ at _____

APPENDIX G: Re-Admittance Process

[Policy 4362 Requests for Readmission of Students Suspended for 365 Days or Expelled](#)

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

Student submits a request for re-admittance to the Superintendent or his designee after the 180th calendar day of the suspension. Superintendent shall offer the student an opportunity for an in-person meeting to be held within five days.

- Sends letter one:
 - Scheduling re-admittance meeting with Student Assistance Program Committee
- Performs hearing function
- Specifies conditions of re-admittance
- Votes and makes recommendation to Superintendent or his designee
- Sends letter two:
 - Communicating outcome of hearing within thirty days following meeting
- If remitted, 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 rejects the request for readmission, the notice will advise the parent 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 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. The board will provide to the student, the student's parent and the superintendent written notice of its decision within 30 days of receiving the appeal of the superintendent's decision. If the request for readmission is denied, no subsequent requests from that student will be considered during that 365-day suspension.

School Transition team (scheduled at the respective school) meets with parent and student before re-admittance and develops a behavioral contract, containing:

- Behavioral expectations
- Goal-setting strategies
- Adapted schedule of classes
- Available supports
- Time frame for contract
- Required signatures from all participants
- Conditions for release from contract
- Statement of consequences if student violates the contract

The Transition team is comprised of the following staff:

- Counselor
- Administrator(s)
- Teacher(s)
- Student Support Specialist

B. REQUESTS 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. After considering the student's request and the superintendent'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.

APPENDIX H: Halifax County Schools Attendance Requirements

Halifax County Schools Attendance Policy

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. To be counted in attendance, a student must be present in the school for at least one-half of the school day or at a place other than the school with the approval of the appropriate school official.

B. TARDINESS

Students are expected to be at school on time and to be present at the scheduled starting time for each class. A student must be seated or at the student's assigned station for work at the time appointed for the school day or class to begin or be recorded as tardy for the day or class. Students who are excessively tardy to school or class may be suspended for up to two days for such offenses.

C. 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, including individuals in the student's household (for absences up to five days);
4. medical or dental appointment when the parent notifies the principal at least three days prior to the student's absence;
5. court or administrative proceedings where the student is a party to the action or is under subpoena as a witness in a court proceeding;
6. immediate demands of the farm or home when the parent demonstrates that the student's presence is necessary;
7. a minimum of two days each academic year for observance of an event required or suggested by the religion of the student or the student's parent(s). ;
8. participation in a valid educational opportunity, such as travel or service as a legislative or Governor's page, with prior approval from the principal; or
9. pregnancy and related conditions or parenting, when medically necessary; or
10. visitation with the student's parent or legal guardian, at the discretion of the superintendent or designee, if the 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.

School personnel should promptly identify a student who may be absent long enough to require homebound or hospital educational services.

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. 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. SCHOOL-RELATED ACTIVITIES

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. Career and Technical Education student organization activities approved in advance by the principal;
5. athletic events that require early dismissal from school; 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.

E. EXCESSIVE ABSENCES

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.

Unless otherwise required by state law, all students must attend a minimum of 160 school days per school year to be eligible for promotion or credit for a yearlong course or 80 school days to receive credit for a semester course. Any of the following excused absences will not count as absences for the purposes of meeting this minimum requirement:

1. observance of an event required or suggested by the religion of the student or the student's parent(s) with written approval from the principal;
2. isolation ordered by the State Board of Health;
3. illness or injury that makes the student physically unable to attend school that is confirmed by a doctor's statement;

4. court or administrative proceedings where the student is a party to the action or is under subpoena as a witness in a court proceeding; and
5. death in the immediate family, including individuals in the student's household (for absences up to five days).

If a student is absent from school for ten 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 making a determination of the appropriate grade.

Students with excused absences due to documented chronic health problems are exempt from this policy.

Excessive absences may impact eligibility for participation in interscholastic athletics.

F. APPEALS

Students may appeal decisions made in accordance with this policy by following the grievance procedure as provided in policy 1740/4010, Student and Parent Grievance Procedure.

APPENDIX I:

SAMPLE LETTER (10 Days or Less Suspension)

The school sample below has been altered to protect the identity of the student and his/her parents.

I regret to inform you that your *son/daughter* was involved in the following incident:

Brad possessed a can of beer in his back pack on school property, which violates the Code of Student Conduct #3 Alcohol and Drug Policies. See B-Possession Defined on page 19 of the Code of Student Conduct.

Description of incident

Your son has been suspended out of school for 10 days, January 19 through February 1, 2019. Any official school closings during this period will not count towards days served for the suspension. Your son Brad may return to school on Tuesday, February 2, 2019. During the period of suspension, your child may not attend school or school sponsored events.

Consequence(s)

You have the right to request a review of this action by the Superintendent or his designee. Such request must be in writing to the Dr. Eric Cunningham, Superintendent of Halifax County Schools within three (3) days of receipt of this letter. The Superintendent or designee will review your request and relevant information to the case in writing only and the decision is final. The review request should be addressed to PO Box 468, Halifax, NC 27839. Failure to make a timely request will constitute a waiver of your right to such a review.

Appeal rights

Should you have any questions please feel free to contact *principal, school phone number*.

PC: Student file

SAMPLE LETTER (10 Days or More Suspension)

This letter highlights that the recommendation for expulsion is not separate from the assignment of 10 days of suspension. In the past we have communicated these actions separately in two different paragraphs as if for two different infractions. Please be sure to check one of the blanks regarding community-based education and/or alternative educational opportunities.

Your son was involved in the following incident:

Brad possessed a gun in his back pack on school property, which violates the Code of Student Conduct #11 Weapons, Explosive and Arson Policies. See section A-Possession or Use of Weapons on page 33 of the Code of Student Conduct.

Infraction

I am recommending that *your son Brad* be expelled from Halifax County Schools. I have assigned 10 days of out of school suspension, *January 19 through February 1, 2019*. During the period of suspension, your child may not attend school or school sponsored events.

Conditions of suspension

You have the right to request a review of this action by the Superintendent or his designee. Such request must be in writing to the Superintendent within three (3) days of receipt of this letter and addressed to PO Box 468, Halifax, NC 27839. Failure to make a timely request will constitute a waiver of your right to such a review.

Appeal rights

___ The student can attend the Empowerment Zone during the suspension.

___ The student cannot attend the Empowerment Zone during the suspension.

Your son/daughter is to report to the Empowerment Zone on _____ for the duration of the suspension.

Should you have any questions please feel free to contact *principal, school phone number*.

PC: Principal
Student file

SAMPLE LETTER (Suspension due to Criminal Charges)

(Letter sent by Central Office)

This letter serves as your official notification that we received the Notice of Juvenile Disposition pursuant to 16.1-305.1 from Halifax County Court for your child. The disposition on case number JJ123456-0400 cites a conviction for the breaking and entering/felony pursuant to §18.2-9 of the Code of North Carolina.

Notice

Based upon these charges and the felony conviction, pursuant to the Halifax County Schools Code of Student Conduct, the Principal has recommended that your child be placed in the alternative education program, citing #15 Criminal Charges page 38. This section of the Code of Student Conduct states that “The School Board may require any student who has been found guilty or not innocent of any offense relating North Carolina’s laws on weapons, alcohol, or drugs or of any crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the Superintendent of the school division pursuant to the NC Code §16.1-260.G to attend an alternative education program.”

Conditions of suspension

You have the right to appeal this decision. If that is your intention, you must submit a written request, and it must be received within seven days of the date of this letter. This letter should be addressed to Dr. Eric L. Cunningham, Superintendent for Halifax County Schools at the above address. A copy of the Halifax County Schools Student Due Process is outlined in the Student Code of Conduct in Appendix B, pages 41 through 44. Your child may attend and participate in any and all hearings pertaining to this matter, including appeal hearings.

Appeal rights

You may contact me at this office should you have any questions concerning this matter.

PC: Principal Student file

You will receive a copy of this

SAMPLE LETTER- Suspension due to Other Sufficient Cause

(Letter from Central Office)

This letter serves as your official notification that we received the Conviction, Sentencing, and Nolle Prosequi Order for case number *CR123456789 (00)* from the Circuit Court of *Halifax County*. It notes that Judge *J. Overton Harris* accepted your child's *Alford plea* and found your child *guilty of malicious wounding/felony pursuant for §18.2-51*. Further, the court *suspended fifteen years of the malicious wounding sentence with the following conditions: 1) Good behavior, 2) Supervised probation, 3) No direct or indirect contact with John Smith or any members of his immediate family or household, 4) Banned from 123 North Street, Halifax, NC 27839; and 5) Compliance to court cost payment; blood, saliva, tissue submission; and time served credit.*

Notice

Further, the administrator at the Empowerment Zone informed me that your child *attended there upon being released following his incarceration*. She reported that *your child did not follow school rules*. She recommended that your child not be allowed to attend the Empowerment Zone.

Based upon the above charges and his/her disruptive behavior at the Empowerment Zone, pursuant to the Halifax County Schools Code of Student Conduct, the Principal has recommended that your child be expelled from HCS High School citing #16 Other Sufficient Cause. This section of the Code of Student Conduct states that "Students may be suspended, expelled, or subject to other disciplinary action for sufficient cause."

Conditions of suspension

You have the right to appeal this decision. If that is your intention, you must submit a written request and it must be received within seven days of the date of this letter. This letter should be addressed to Dr. Eric L. Cunningham, Superintendent for Halifax County Schools at the above address. A copy of the Halifax County Schools Student Due Process is outlined in the Student Code of Conduct in Appendix B, pages 41 through 44. Your child may attend and participate in any and all hearings pertaining to this matter, including appeal hearings.

Appeal rights

You may contact me at this office should you have any questions concerning this matter.

PC: Principal
Student file

You will receive a copy of this

SAMPLE LETTER- Investigative Hearing

(Letter from Central Office) Suspension 10 days with recommendation for expulsion

Your child was suspended from Halifax County Schools for ten (10) days and recommended for expulsion by the administration. On *Monday, May 3, 2021* an investigative hearing was conducted to determine what punishment, if any, should be given your child in view of his suspension and his recommendation for expulsion. *You and your child* were present at the hearing, which I conducted as the designee of the Assistant Superintendent.

Notice

The ten-day suspension from school and the recommendation for expulsion by the administration were the result of your child having *twenty fire crackers, a pack of Marlboro cigarettes, a lighter, two plastic bags containing marijuana and for cutting a bus seat*, in violation of rules *11- weapons, explosives, and arson; 10- vandalism; 3- alcohol and drug policies; 7- tobacco products* of the Student Code of Conduct. Notices of the suspension, the recommendation for expulsion, and the necessity of a hearing were given to you in letters dated *April 19, 2021, and April 26, 2021*.

Infraction

After consideration of the evidence that was presented at the hearing by the administration, including consideration of the school administration's discipline referral, as well as consideration of the evidence presented by you, it was my finding that your child committed the offenses set forth above in violation of rules *11, 10, 7, and 3* of the Student Code of Conduct. Based upon that finding, it was my decision to uphold the suspension and recommendation for expulsion. Such a punishment is appropriate, as it falls within the range of consequences authorized by the Student Code of Conduct, and given the nature of the infractions that your child committed. Your child may request to be reinstated on his 300th day of suspension which is on or about August 25, 2024.

Conditions of suspension

You have the right to appeal this decision. If that is your intention, you must submit a written request, and it must be received within seven days of the date of this letter. This letter should be addressed to Dr. Eric L. Cunningham, Superintendent for Halifax County Schools at the above address. A copy of the Halifax County Schools Student Due Process is outlined in the Student Code of Conduct in Appendix B, pages 41 through 44. Your child may attend and participate in any and all hearings pertaining to this matter, including appeal hearings.

Appeal rights

You may contact me at this office should you have any questions concerning this matter.

PC: Principal
Student file

You will receive a copy of this

SAMPLE LETTER- Suspension 10 Days or Less

(Appeal Letter sent from Assistant Superintendent)

This letter serves as a follow-up to our phone conversation on *Monday, November 30, 2020*. You appealed disciplinary action (*one day of out-of-school suspension*) taken against your child which resulted from an incident that occurred at *HCS High School* on *Wednesday, November 11, 2020*.

You stated that the basis for your appeal was the *inappropriate handling of the occurrences by the administrators*. You cited *disrespectfulness directed toward you and your son, refusal to put the disciplinary action on hold, insufficient opportunity to appeal, and referral by the Principal* as factors prompting you to request that I review this matter. You indicated that the Principal had *removed "bullying a student" from the discipline report*.

Upon review of the occurrence and subsequent disciplinary action, it was confirmed that your child, *participated in teasing another student and the teasing escalated when your child threw paper balls at the student*. Your child admitted his behavior when questioned by the *assistant principal*. It violates the expectations in the Halifax County Schools Student Handbook and Code of Student Conduct under *Fighting B. Physical Altercation- Intentionally hitting, shoving, scratching, biting, blocking the passage of, or throwing objects at a student or adult who does not reciprocate and Disrespectful Behavior D 4. Displaying Rude Behavior – Physically or verbally displaying behavior that is uncivil, unmannerly, curt, or impudent*. We agreed that his behavior was inappropriate. With respect to the consequence that was assigned to your child, such punishment is appropriate, as it falls within the range of consequences authorized by the Student Code of Conduct.

After consideration of the evidence that was reviewed, including consideration of the school administration's investigation and action, as well as consideration of the evidence you presented, it is my finding that your child committed the offense set forth above in violation of rules *5 and 4* of the Student Code of Conduct, and your child was disciplined within guidelines prescribed.

This decision is final. There is no further appeal to the School Board. Should you have any questions concerning this matter, you may contact me at this office.

PC: Student file
Principal



You will receive a copy of this

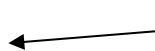
SAMPLE LETTER- Suspension 10 Days with Recommendation for Expulsion (APPEAL OF EXPULSION) (Letter Sent from Superintendent)

This letter serves as a follow-up to the letter dated *December 2, 2019*, which communicated my decision, including conditions and alternatives of your child’s suspension, and provisions for appeal before the full School Board. It was my finding that your child committed the offenses set forth in violation of rules *11, 10, 7, and 3* of the Student Code of Conduct. Based upon that finding, it was my decision to extend your child’s suspension through the end of *the first semester*. On *February 2, 2021*, you may enroll your child in the Empowerment Zone, barring no other incriminating information resulting from this case. Your child may request to be reinstated at HCS *Middle School* on *August 29, 2024* (his 300th day of suspension).

Your failure to file a written appeal within the specified time constitutes a waiver of right to the appeal. Therefore, your child’s name will appear on the consent agenda whereby the School Board will consider the appeal upon the record of the suspension hearing.

You may contact me at this office should you have any questions concerning this matter.

PC: Principal
Student file



You will receive a copy of this

SAMPLE LETTER- Waived Rights

(Letter sent from Superintendent or designee)

Expiration of Appeal

You failed to respond to my letter dated *December 8, 2021*, within seven days; therefore, this letter serves as your official notification that you have waived your right to appeal the recommendation that your child be expelled.

Based upon charges and the felony conviction and his disruptive behavior at the Empowerment Zone, the Principal has recommended that your child be expelled from the Alternative Learning Center citing *#16 Other Sufficient Cause*. This section of the Code of Student Conduct states that *“Students may be suspended, expelled, or subject to other disciplinary action for sufficient cause.”*

On *January 11, 2022*, a recommendation for your child to be expelled will be placed on the consent agenda before the Halifax County Schools Board of Education.

You may contact me at this office should you have any questions concerning this matter.

PC: Principal
Student file

APPENDIX J

School Conduct and Discipline Procedures



Dr. Eric Cunningham, Superintendent
Dr. Tyrana B. Battle, Assistant Superintendent
(Revised 2019)

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	Administrator/Parent
Teacher/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), Teen Court Referral 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 proving 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

APPENDIX K

Halifax County Schools Empowerment Zone

Introduction

In order to comply with the NC General Statutes pertaining to offering an alternative program or alternative school options, Halifax County Schools will support the Empowerment Zone. This alternative learning program is short term educational program designed to serve at-risk students by providing them with the opportunity to receive behavioral redirection while completing academic requirements that lead to successful high school graduation. The alternative program is designed as a transition place for students to learn appropriate behaviors as they are completing the academic course requirements. The ultimate goal for all students who are served in this program is to use appropriate behaviors once they return to the traditional public school environment in order to be successful.

Goal 1: During student enrollment in the alternative school setting, create an environment conducive to learning for all students aligned with schools and district goals and high expectations for learning and appropriate student behavior.

Goal 2: During the school year, all secondary schools will achieve an average daily attendance rate of 90% or better inclusive of students enrolled in the alternative learning program.

Goal 3: Through social behavior intervention, 90% of the students enrolled in the alternative learning setting will develop cognitive, social and emotional readiness skills in order to increase individual student responsibility for learning and achievement upon return to regular school setting.

Student Recommendation Process

STEP 1: Principal makes the recommendation to the superintendent for enrollment in this program based on student behavior data and resistance to behavior interventions. The student must meet at least one of the following criteria:

- The student has been recommended for a long term suspension;
- The student has been suspended more than twice for 10 days for each infraction or exhibit a pattern of behaviors resulting in multiple suspensions
- The student has been deemed eligible for the Exceptional Children’s program and the Manifestation Determination Review Team has conducted a manifestation meeting. A review of the intervention outcomes required by the current IEP, Functional Behavior Assessment and Behavior Intervention Plan must be documented in writing.

- The student has returned from a Residential Program and has need of a transitional plan to return to the school environment

STEP 2: Principal submits [ALC Referral Form](#) and [Discipline Packet](#) to HCS Student Services Coordinator for review. The packet must include all required documentation.

STEP 3: ALC Referral Packet submitted to the HCS Superintendent for approval the recommendation from the principal. HCS Superintendent response will be received with 3 days of referral submission.

PROGRAM PARTICIPATION

Students who are approved for the program will participate in an initial orientation process along with their parents/guardian. They will also participate in an exit/transition process, which will include an online exit survey for feedback.

Initial Orientation Process-

- Parent and student will be invited to an initial orientation meeting prior to the student's first day of attendance in ALC.
- Parent will be informed of the expectations of the student participation and asked to sign the Parent Responsibility Agreement. The parent's signature guarantees the parents' permission and support of the student's participation in the program.
- Parent will be advised that it is their responsibility to provide transportation to school, with an exception for students in the Halifax County Schools Exceptional Children's Program.
- Student will be informed of the expectations of the student participation and asked to sign a Student Participation Agreement, which will outline the program, expectations, goals, and expected outcomes.
- The meeting date for exit review and transition back to traditional school will also be indicated.

Student Involvement-

- Student will be assigned for a minimum of one semester with the maximum of one (1) academic year. The length of time for the student enrollment will be based on the recommendation of the principal and based on the student infraction and/or need.
- Program staff will review the student progress (academic and behavior) weekly to adjust the interventions provided to the student and provide written documentation needed to make recommendations for transition to traditional school environment.

Exit Process-

The program review committee will make recommendations for the student's return to the traditional school setting prior to the student's program assignment exit date. The following requirements are mandatory for all participating students before returning to traditional school setting:

- Receive passing grades for ALL classes enrolled
- Demonstrate acceptable behavior, compliance with program expectations, and meet behavior goals

- Maintain at least 95% attendance rate, based on the length of time assigned in ALP (student may not be absent more than 5 days each semester. At the end of each semester, the student's performance is reviewed for student placement. If the committee determines that the student has satisfied the requirements, the transition to school plan is developed to include follow-up progress monitoring and support in the traditional school environment. Prior to returning to the home school, the student will complete the online exit survey to evaluate the experience of ALP.

Educational Programs/Staffing Hours of Operation

- Location: Southeast Halifax High School and Northwest Halifax High School
- William R. Davie Middle School and Enfield Middle School Exceptional Children's program students needing homebound services or general education students who may be long term suspended students from may participate in the program.
- Hours of operation- 3:30 p.m. to 7:00 p.m. Monday – Thursday for students. Friday will be used by staff for gathering teacher input/feedback, reflection of student progress, parent conferences, planning, and other administrative duties.
- Program will be staffed daily with one Program Facilitator and one Support person.
- Instructional teachers will be assigned by the principal based on the student academic need within the program. Content Teachers as well as teachers for students with disabilities will provide services on a rotational basis based on what subjects/classes are needed by the students. Exceptional Children's teachers will provide specially designed instruction based on the information outlined in the student's Individualized Education Program (IEP). All students who attend the program will have a Student Support Plan, which will include interventions for academic and social skills. The students will be responsible for completing assignments that are aligned with the course standards and provided by the classroom teacher while in the alternative setting. The classroom teacher will receive the student work and assign grades for the student. The classroom teacher will also provide specific content instruction to the student while in this setting as specified in the student/parent agreement.
- The students will receive social skills instruction and character development education sessions to reshape the student's behavior. These sessions will be provided by the school social worker, counselor and/or behavioral specialist based on the student need and reinforced by the program staff. Each student will be working on social areas of development goals that will be outlined in the Student Support Plan through character development lessons. The program will also use community resources to motivate students to achieve, such as guest speakers, service learning projects aligned with school expectations, mentorships, and other opportunities afforded by partnerships with external stakeholders.
- The student will be educated through the use of programs and materials currently used within the schools. The students will benefit from computer based learning materials (such as PLATO, etc.) other academic supports.
- The safety of the students and staff is of utmost importance. The classrooms will be monitored through the use of cameras as well as staff support. The School Resource Officers will be on call and available to assist when needed. In case of emergency, the Halifax County Sheriff office will be contacted to address crisis needs. In the event that a student causes a

danger to himself or others, the ALC staff will immediately remove the student from the setting and a recommendation for expulsion will be made to the superintendent.

- For secondary students who will need specialized or additional courses to meet their graduation requirements, the students will be assigned to a Plato Lab or North Carolina Virtual Public School for course work, which will be monitored by the instructor at the traditional school setting.
- Parental involvement is essential to the success of the ALC. A requirement of the ALC staff will be to conduct weekly parent contacts and document the nature and purpose of the contact in a written log. A parent conference (face to face, phone, etc.) will be conducted every three (3) weeks. The purpose of this conference is to review the student progress towards their goals of the program as well as to share information and strategies that may be helpful to the parent to use at home.

Transitional supports for students exiting the program

- Student Support Plan reflects the goals of their education while in alternative setting
- The plan will include the duration of services to be served in the program and expected outcomes.
- The Transition Meeting and Expected Exit date will be identified at the Initial orientation meeting.
- The Transition Review team will meet within 10 days prior to Expected Exit date to determine whether the student has satisfied the requirements stated in the Student Support Plan.
- The Transition Review team will create a Transition to traditional school plan and academic/behavior contract to offer the student and parent support as the student re-enters his traditional school environment. The transition plan will be implemented in the traditional school environment for at least 3 months or until the student transition goals are met.
- If the student violates the contract, the principal can make a recommendation to the superintendent for the student to be reinstated in the Empowerment Zone for at least a year.

EMPOWERMENT ZONE (ALC) REFERRAL FORM

Demographic Information

Student Name _____ DOB _____ Grade _____
Address _____ Phone _____
Name of Parents(s)/Guardian(s) _____
Emergency Contact Person _____ Relationship _____
Emergency Contact Phone Number _____

Academic Information

Home School _____ Principal _____
ALC Referral Date _____
Reason for Student Admittance to ALC _____

Expected Date of Exit _____ Transition Meeting Date _____

Current Schedule

Courses	Teachers	Current Averages

Student Services

Does the student have Section 504 classification? ____ Yes ____ No
Does the student have an IEP ? ____ Yes ____ No
Classroom Accommodations _____
Testing Accommodations _____

Needed Attachment (Checked if Attached)

____ Health Form

___ Medication Prescribed _____

Background Information

Please answer the questions below as they pertain to this student

Yes No

___ ___ Is this student assigned a probation officer that will visit your school?

___ ___ Have you conferenced with probation officer?

___ ___ Has the student been placed under a discipline contract at school?

___ ___ Is this student a resident of a Group Home?

Name of Facility _____

___ ___ Have parent(s)/guardian(s) been contacted concerning behavior?

___ ___ Is this student a possible threat to other students?

Principal Signature _____ **Date** _____

Parent Signature _____ **Date** _____

Official Use:

___ **This student is approved to attend ALC- Empowerment Zone**

___ **This student is not approved to attend ALC- Empowerment Zone**

Superintendent's Signature _____

Date _____

Transition Review Meeting:

Transition Meeting Date _____ Expected Date of Exit _____

___ This student is recommended to return to the Home School Environment.

___ This student is not recommended to return to the Home School Environment.

___ This student is recommended to attend the Home school environment with the following conditions: _____

Team members: _____

ALC Student/ Parent Agreement

I, _____, agree to the following conditions in order that I will attend Halifax County Empowerment Zone (ALC).

ACADEMIC STANDARDS:

- I agree to conduct myself in an appropriate manner and follow the code of conduct outlined in the Student Handbook, am in uniform every day, and abide by the policies and procedures of Halifax County Schools.
- I will attend school daily 3:30 – 7:30 pm (Monday-Thursday).
- I will not miss more than 5 days of any class. If I have to miss, I will make up that day upon my return.
- I will be on time for school and each of my classes.
- I will remain in each class the full duration of scheduled time, and I will not be absent from any of my classes without permission.
- My parent/guardian will call the school office prior to 2:00 if I am going to be tardy or absent that day.
- I will treat staff and students in a respectful manner and I will follow staff directives in a cooperative and respectful manner at all times.
- I will not interfere with other students' right to learn.
- I will demonstrate appropriate behavior and use only appropriate language while I am on school property.
- I will only eat or drink in the approved designated areas of the school, not the classroom.
- I will adhere to the uniform policy and understand the consequences.
- Failure to comply with the terms of this contract may result in a discipline hearing and possible dismissal from Halifax County Schools.

My goals are:

Subject/Area of concern	Expected outcome (SMART goal)

Student Signature: _____ Date: _____

Parent Signature: _____ Date: _____

Principal Signature: _____ Date: _____

ALC Incident Report

Student(s) Name _____

Date: _____ **Time:** _____ **Place:** _____

Brief Description of Incident:

ALC Facilitator: _____

Date: _____ **Time:** _____

Principal Signature: _____

Date: _____

ALC Daily Attendance Report

Name	Date	Tardy Yes/No	Left Early Time Picked Up & by Whom	Signature

ALC Transition Review

The student below was assigned to the Empowerment Zone for the period of _____ to _____. This period will expire in a few days. The Transition Review Team will conduct a review of student performance information prior to making a recommendation to return to the home school environment.

Student Name _____ Grade _____ Age _____
 Base School _____ Program _____

Semester	Course(s)	Teacher/ Instructor	Grade(s)

Days Absent (while in ALC): _____
 # of Incidents (while in ALC): _____
 # of Suspensions _____ (while in ALC); Dates _____ , _____ , _____
 Reason(s): _____

General Behavior: _____

Recommended Action:
 Transition Meeting Date _____ Expected Date of Exit _____
 _____ This student is recommended to return to the Home School Environment.
 _____ This student is not recommended to return to the Home School Environment.
 _____ This student is recommended to attend the Home school environment with the following conditions:

ALC Facilitator Signature _____ Date _____
 Principal Signature _____ Date _____
 Parent(s)/ Guardian Signature _____ Date _____
 Other Signature _____ Date _____

ALC Parental Contact Form

Teacher _____

* Type of Contact: P=Phone; L=Letter; PC=Parent Conference (Face to face)

Date	Student	Type*	Reason	Result
<i>Ex: 12/3/16</i>	<i>Any Student</i>	<i>PC</i>	<i>3 wk conference</i>	<i>Parent pleased with student progress.</i>

HALIFAX COUNTY SCHOOLS TEEN COURT



Juvenile Crime Prevention Council Program Manual 2021-2022

HALIFAX COUNTY SCHOOLS TEEN COURT POLICIES AND PROCEDURES

This handbook is to be used as a guide for the operations of the Halifax County Schools Teen Court Program. The Program Manager is the sole person who decides the overall operations, and any changes if/when new policies are put in place, either by departmental policy or through JCPC. Do not move files, change file or folder names, or modify forms without approval from the Program Manager over the Teen Court Program. Being able to have a consistent program layout will allow for a better transition for another person to assist. If you choose to create a new document or spreadsheet for your use, that is fine. We all will use tools differently, and know using a system you are comfortable with will benefit efficiency.

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Organizational Structure

Program Director/Manager – Dr. Tyrana B. Battle

(Oversee Program Effectiveness)

Program Fiscal Officer – Ms. Shanice Sanders

(Oversee Program Finances)

Program Coordinator – Mrs. Teresa Boyd

(Oversee Programs)

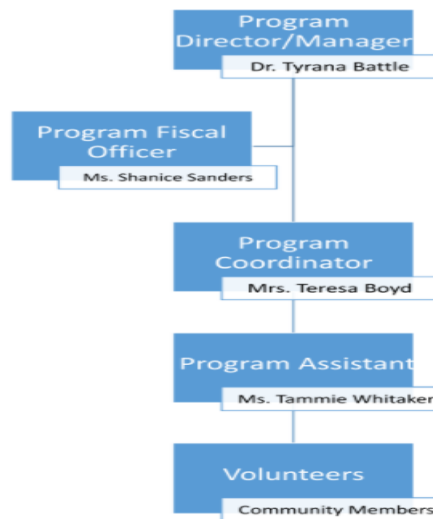
Program Assistant – Ms. Tammie Whitaker

(Maintaining forms/records)

Program Volunteers

(Assist with Program procedures)

Halifax County Schools Teen Court Organizational Structure



Teen Court

The Halifax County Teen Court Program will address the needs of juveniles that are offenders in Halifax County. The program will offer offenders the opportunity to reframe from juvenile court and learn alternative methods to conflict resolution and community service. As we chart a New Course to Student Achievement, the Teen Court program will offer offenders and volunteers a positive opportunity to become active in the community and build stronger ties throughout the community.

Students will learn creative and constructive sentencing, interpersonal skills and conflict-resolution methods through a problem-solution model. This program will increase students' time in school that will impact teaching and learning outcomes.

The Teen Court is designed for at-risk youth, ages 11–18, with referral from juvenile court counselors, school administrators, school resource officers, law-enforcement officers and the district Attorney's Office. Juveniles referred to Teen Court are offenders who commit an offense that would be classified as a misdemeanor or an infraction, if committed by an adult. Students in grade 6–12 will serve as volunteers for the court roles to conduct Teen Court hearings.

The goal of the Halifax County Schools Teen Court is to provide community resources in which juvenile offenders are sentenced by a jury of their peers and to allow offenders to give back to the community through service-based opportunities. Teen Court deters community and school misbehavior and future illegal behaviors by placing the responsibility of the offense on the offenders. Teen Court provides pro-social peers and positive peer modeling by having the offender's peers serve as prosecutors, defense attorneys, clerk, bailiff and jurors. Teen Court will compliment the "Raise the Age" initiative that impact the needs of our youths and the challenges they will face when they are introduced to the criminal justice system.

The intended effect of the program on undisciplined and/or delinquent behaviors is that 75% of clients will successfully/satisfactorily completing the program will have no new complaints in the 12 months following completion. 75% clients will successfully or satisfactorily complete services as intended by the program design/service plan. 75% clients will have no new complaints with an offense date after the admission date. 75% clients will demonstrate improvement in developing and/or maintain social and interpersonal interactions during program participation. 75% clients successfully/satisfactorily completing the program will have no new adjudications in the 12 months following completion.

The Halifax County Schools Teen Court will serve as an entity to combat the early signs of negative behaviors, both in school and in the community. Using data identified by the Halifax County Juvenile Crime Prevention Council, this program will target first-time juvenile offenders who have committed misdemeanor crimes. The program will target our earliest and youngest offenders at a time when intervention will have the most impact, by using the offender's peer group to hold them accountable for their actions. The Teen Court will focus on providing offenders with fair, creative and constructive sentences. The program will also provide volunteers and offenders with an opportunity to become involved with, and impact, their community.

Sanctions

Sanctions are the offending youth's consequences as determined by the jury members after they have heard the case information and completed deliberation. The sanctions will provide education and positive peer interaction that will encourage changes in behavior and attitude. As with sentencing in the formal juvenile or adult court, there are certain judgments that are required and certain judgments that are discretionary - based on the offense, the victim's input and the youth's attitude and circumstances.

Required sanctions may include:

- maintaining passing grades
- remain in school
- following all school rules
- attending a class designed to address the offending behavior
- community service work hours
- community service projects
- Pay restitution (if applicable)
- research project/essays
- apology letter to the victim and to the parent
- one court observation or serve on a teen court session
- civic activities

Classes/Activities

Teen Court youth are sanctioned to complete activities that address their behaviors and attitudes, and encourage them to examine the effects of their offense. Depending on their offense, youth are directed to complete conflict resolution and/or mediation, and interviews.

Community Service

The primary goal for community service is to reduce the number of repeat offenders and to focus on holding the juvenile personally accountable for their actions. The program also allows the parent/guardians to be involved in the process with the hopes of strengthening families. The program staff will act as positive role models and give juveniles attainable goals to help keep them from becoming repeat offenders. These goals can include; life-skills, self-discipline, effective communication, and how to properly respond to negative peer pressure.

Teen Court youth give back to the community and make efforts to repair the harm caused by their behavior. In part, this reparation comes in the form of service to the community by assisting at local non-

profit agencies. Teen Court operates with Community Service Points and the youth must earn points in the categories of education, enrichment and accountability.

Community services encourage juvenile offenders to take responsibility for their actions. Community Services attempts to give the juvenile an opportunity to; improve personal attitude, develop self-esteem, and acquire positive work ethics. The type of community service is matched to the juvenile's needs and or interest. The overall outcome for the juvenile offender is to be better productive citizens.

Evidence Based Practice Model

Based upon a collaborative partnership between Judicial District 6 School Justice Partnership (JD6SJP) and the school districts represented, it was determined that the problem-solving approach to be used is:

- Schools shall, when appropriate, make a reasonable effort to resolve school-based misconduct using appropriate classroom interventions, support services, and community strategies prior to implementing exclusionary discipline practices. However, the decision for each student must be tailored to address the student's specific circumstances and needs and the need to ensure school safety.
- At each level of intervention, the person handling the intervention should consider whether the student misconduct is due to academic, mental health, social issues, or overlapping issues.
- When determining appropriate interventions and consequences, all relevant factors should be considered, including, but not limited to:
 - Age, health, risks, needs, and disability or special education status of the student
 - Intent, context, prior conduct, and record of behavior of the student
 - Previous interventions with the student
 - Student's willingness to repair the harm
 - Parent's willingness to address any identified issues
 - Seriousness of the incident and degree of harm caused
 - Effect on the educational environment by the student's continued presence in school
- Race, ethnicity, gender, gender identity, sexual orientation, religion, and national origin of the student and/or family will not be considered when determining consequences for student misconduct.

Intervention/Treatment Component

Teen Court provides an opportunity for diversion from the court process while still holding the participant accountable for their delinquent acts. It provides a vehicle for reparation to victims of crime, the school, home and community. Teen Court offers participants an opportunity to share in the judicial experience as both a defendant and juror, and encourages ongoing participation with other pro-social peers and activities.

Program Operation Schedule

The Program Director is available to schedule appointments on Monday through Friday from 8:30 am to 4:30 pm based upon the needs of the juvenile and their families and referring agencies. A portion of the work will take place outside of the office in the schools or other locations to facilitate referrals. Office appointments are scheduled on an as needed basis.

The Teen Court hearings will occur on the first through fourth Thursdays of each month. The Teen Court Leadership TEAM will meet in a designated room of the Courthouse at 5:00 pm for pre-hearing meeting. A meal will be served during this meeting. Teen Court hearings will begin at 5:45 pm.

When a referral is received, an intake interview will be conducted with the juvenile and his/her parent/guardian to explain the program. Relevant paperwork will be signed and a court date is set. Trained student volunteers in grade 6 – 12, will be notified by email about the date to appear to perform respective court roles. The coordinator prepares for court proceedings in the Teen Court office. On average, each case involves 25 minutes of in-court presentation time, about 15 minutes of deliberation time by the jury, and 10 minutes of in court time when the sentence is delivered and the judge discusses the result with the juvenile. The program coordinator maintains regular and consistent contact with each respondent (offender) during his/her sentencing period in an effort to verify that each component of his/her sentence has been served, including community service hours. Other sentencing options are handled by the assistant coordinator to ensure the youth completes each component of his/her sentence.

SCHEDULE AT A GLANCE

Mondays – Fridays = intake interviews will be conducted

1st – 4th Thursdays = Teen Court session (5:00 pm – 8:00 pm)

5th Thursday = Process monitoring at School Justice Partnership Meeting

Job Descriptions

Program Manager/Director

Overview

The Program Director shall be responsible for the oversight of the program as well as progress monitoring of all accountability components.

Functions

- Schedule appointments
- Supervise all projects and employees assigned to the project
- Ensures Halifax Teen Court Program and runs operations in accordance with all policies and procedures
- Make written or oral contact with the referring agencies when a case is accepted or declined
- At discretion of Program director may give youth additional time to complete sanctions

Employment Standards

- Proven leadership capabilities

- Planning, organization, and prioritization
- Management control
- Understand and follow protocol for the proper lines of communication
- Must possess, at a minimum, a Bachelor's Degree
- Ability to work independently and as part of a team

Program Coordinator

Overview

Shall be responsible for, but not limited to the following: receiving referrals; making initial contact with youth and parents; follow-up and monitoring offenders upon completion of the program; and the recruitment and training of volunteers.

Functions

- Recruit, train, and supervise youth and Adult volunteers for Teen Court
- Make initial contact with youth and parents
- Oversee docket scheduling, trials and case dispositions to ensure proper court procedures are followed in Teen Court

Employment Standards

- Experience working with young people in a volunteer setting and in a setting involving at-risk youth
- Valid driver's license and the use of a vehicle for travel
- Ability to work occasional evenings for court or training as necessary
- Communicate clearly and concisely, both orally and in writing
- Maintain detailed records

Program Assistant

Overview

Responsible for maintaining forms and records; reporting to referral source; coordinating community service for offenders; supporting, encouraging and nurturing volunteers

Functions

- Maintaining forms and records
- Reporting to referral source
- Coordinating community service for offenders
- Supporting, encouraging and nurturing volunteers
-

Employment Standards

- Minimum of a two-year degree
- Ability to work independently and as part of a team

POLICIES AND PROCEDURES

Confidentiality Policy

It is the policy of the Halifax County Schools Teen Court Program to keep all documents, related to any juvenile entering the program, in a locked filing cabinet located in the Program Coordinator's Office. All documents will have Juvenile Crime Prevention Council required documents and will be held on file for up to five years. Only JCPC approved personnel may review the content of the Juvenile's file and will not be distributed unless the proper confidentiality protocol is adhered to. The Juvenile is not required to disclose that he/she is serving in the program.

The Program Manager may review the content of the Juvenile's file to ensure the Program Coordinator is working effectively and efficiently. The program Manager will review each case file after a Termination to ensure the content of the file is suitable for JCPC standards and to review the effectiveness of the Program.

The Acknowledgement and Agreement form will be signed by the juvenile and the Parent/Guardian granting the Program Coordination to release any pertinent information to sources to include but not limited to; Therapist; Court Counselor; Work-site Supervisors. A discussion will be had with the appropriate outside agency regarding the importance of juvenile confidentiality and the penalties that could be imposed if they shared the information.

Payment for Services

The Halifax County Schools Teen Court Program is funded by North Carolina Department of Public Safety/Juvenile Crime Prevention Council. At no time should a juvenile's Parent/Guardian have to pay for services since the program is free for all participants. Juvenile's serving in the Juvenile Restitution Program shall not be required to solicit or raise funds for the program.

Waiver of Liability

Juveniles participating in the Juvenile Restitution Program will have to perform manual labor for community service and are required to read, understand, and sign the Waiver of Liability in order to participate in the Program. The parent/guardian will be notified that this Waiver of Liability is voluntary but the juvenile cannot participate in the Program unless this form is signed. This waiver permits the Program to allow juveniles to participate in any and all activities related to the program with the intention to release, waive, discharge, and covenant not to sue any and all parties related to the functions and operations of the Program. This waiver also releases parties related to the functions and operations of the Program from any and all liability, claims, demands, actions, and cause of action whatsoever arising out of or related to any loss, damage, or injury, including death that may be sustained while the juvenile is participating in the Program.

Standard of Conduct

The Juvenile Restitution Program's objective is to establish a relationship with the juvenile through close contact and supervision in order to ensure recidivism of juvenile offenders. These Standards of Conduct are to ensure juvenile's success in the program and ensure no further incidents occur after the juvenile successfully or satisfactorily completes the program. The following guidelines outline the expectations of the juvenile but are not limited to the process in which the Program Staff will evaluate and care for an individual juvenile. The Standards of Conduct in conjunction with the Individual Service Plan will ensure the Juvenile's risk and needs are met and provide the further assistance necessary for the juvenile to be successful in the program.

Juveniles participating in the Juvenile Restitution Program are required to make every effort to attend each scheduled Teen Court Date and/or Worksite session for which they are scheduled. If the juvenile is unable to attend, they are required to contact the Program Staff and/or the Worksite Supervisor and ensure they are made aware of the situation. Juveniles are also required to report on time to Teen Court and/or the Worksite locations. If the juvenile makes it a habit to miss scheduled dates or report late, a meeting will be had with the juvenile and their parent/guardian to discuss disciplinary actions that could occur if the behavior continues. Continued conduct after the fact will result in an immediate termination from the program due to Failure to follow Program rules.

Juveniles participating in the Juvenile Restitution Program are required to have their own transportation to and from Teen Court and/or Worksite locations. If transportation is an issue the Program Staff will evaluate each juvenile on a case by case basis. Due to the limitations of the Program not having means to transport juveniles, it will be the responsibility of the parent/guardian to ensure transportation issues are addressed and handled prior to a scheduled Teen Court Date and/or Worksite Session. Any issues with Transportation should be communicated with the Program Staff and/or Worksite Supervisor prior to the scheduled time. If the issue continues a discussion will be had with the juvenile and the parent/guardian regarding the consequences of Failure to follow program rules.

Juveniles participating in the Juvenile Restitution Program are required to follow all rules and instruction from the Program Staff and the Worksite Supervisor. Anything deemed inappropriate by the Program Staff or the Work-site Supervisor should be addressed and the juvenile should make every effort to correct his/her actions. Types of behavior or concerns can include but not limited to; dress code, poor behavior, offensive language, drug/tobacco use, cell phone use, and any other factors that the Staff deems inappropriate. Any juvenile reported to the Program Staff to exhibit negative behavior could lose the hours worked due to poor attitude, possibility of being removed from the Worksite, or a meeting with the Program Staff to reevaluate the Rules of Conduct and the actions that could be imposed if the negative behavior continues. Negative behavior will be notated on the Monthly Report for the juvenile and reevaluated to ensure the behavior changes.

Juveniles participating in the Juvenile Restitution Program must complete all the required sanctions in a timely manner. Teen Court Participants are required to complete all their sanctions within 90 days from the time the referral is given to the Program Staff. Community Service Restitution participants will have no more than 6 months to complete the required sanctions outlined in their Diversion Contract Court Order. Inability to complete all the required sanctions in the time allotted will be reviewed by the Program Staff to determine if the juvenile completed the Program successfully or satisfactorily. The Monthly

report will reflect the juvenile's progress and determine if the juvenile will be able to complete the program successfully or satisfactorily.

Attendance/No-Show Policy

- Defined Absences:
 - Excused
 - Planned absence for a doctor appointment with an accompanying doctor note upon return
 - Parent notifying the Program Coordinator
 - Unexcused
 - Unplanned absences for any reason not accompanied by either a parent or doctor note
 - Not reporting to the Work-site or following up with Program Coordinator when asked.
 - No Show
 - Not reporting to the Work-site to complete Community Service Hours in a reasonable time
- Any unexcused no-shows will be dealt with by a case by case basis including the option of termination from the program.

The Program Coordinator will send a letter "Notice of Referral" to the Parent/Guardian and give up to 10 days to respond. After the 10 days, the Program Coordinator will contact the Referral Source for the best option.

NOTE: If there is a hardship/tragic event that impede a juvenile to complete their Community Service hours the Program Coordinator will take that into consideration.

Disciplinary Program/Non-Compliance

A disciplinary program should be developed with the assistance of the Work-site supervisor and Program Coordinator. A disciplinary program can be effective for addressing "repeat offenders" who often account for a high percentage of accidents, incidents and near misses.

For example, general guidelines will call for:

- First offense-counseling/retraining/written warning
- Second offense- Meeting to discuss new placement
- Third offense-Termination

Behavior Management Policy

The "Rules of Conduct" and the "Individual Service Plan" outlines clear rules and expectations for the juvenile to follow while in the program. When creating the "Individual Service Plan" the Program Coordinator implements reasonable, attainable goals that are matched to each individual Juvenile's needs. Each month the Program Coordinator will make contact with the Juvenile, Parent/Guardian, School and anyone else deemed appropriate to ensure the juvenile is adhering to both the "Rules of Conduct" and the "Individual Service Plan"

Use of Force

At no time will any staff member or Work-site supervisor use force to restrain a Juvenile unless all other options are exhausted or there is an emanate threat that the juvenile will harm himself or others.

If there is an issue with a juvenile the Parent/Guardian and the Program Manager should be notified. A meeting with the Parent/Guardian and the juvenile will ensure afterward to ensure no further incidents will occur. If it is deemed appropriate the juvenile will be terminated from the program.

Juveniles Safety and Protection

The Juvenile Restitution Program will ensure while the juvenile is participating in the Program there is no unfair treatment at the designated Work-sites, A Work-site Agreement form and Duties form should be given to each Work-site to ensure no juvenile is humiliated, verbally abused, physically intimidation, fear, or physical pain. Any such conduct will result in the Work-site being removed from the Program list and reported for negligence.

A copy of N.C. Child Labor Laws will be given to the Work-sites and a conversation will occur to ensure they are adhering to the requirement. Any deviations to the Child Labor Laws may result in a report of negligence.

Dress Code Policy

The Juvenile Restitution Program's objective in establishing a dress code is to permit juvenile participants to work comfortably, but safety within the learning environment. Juvenile participants are to adhere to Work-site accommodations and wear clothing appropriate for the community service hours they will be completing.

Due to the variance in business and industry models in which all companies revolve around, each simulated Work-site is required to develop a dress code conducive to their company. The following template will assist and guide instructors and students in developing their company dress code.

- Clothing that reveals too much cleavage, your back, your chest, your feet, your stomach, or your underwear is not appropriate for a place of business.
- Any clothing that has words, terms, or pictures that may be offensive to other employees or visitors is unacceptable.
- Shoes and footwear: Boots, sneakers, dress shoes are acceptable for Work-site environments. Be mindful of juveniles completing community services work outside.
- Flip-flops, slippers, and any shoe with an open toe are **not acceptable** at Work-site environments due to safety violations
- Jewelry, Makeup, Perfume, and Cologne should be in good taste. Remember, that others may be allergic to the chemicals in perfumes and make-up, so wear these substances with restraint.
- Body piercing should be limited and, in some instances, removed or covered, in order to compile with safety regulations.
- Tattoos should be limited and, in some instances, covered, especially if they may be offensive to others.

- Hats and Head Covering are **not appropriate** in the Work-site environment unless approved by the Work-site Supervisor.
- If clothing fails to meet these standards, as determined by the juvenile, the offending juvenile will be reprimanded in accordance with the disciplinary policies and procedure of the company. If the problem persists. Progressive disciplinary action will be applied for each dress code violation.

Volunteers

Teen Court volunteers are between the ages of 14 and 19. They all receive basic training and can be involved in additional training if they are interested in serving in the attorney role. The basic training includes general information about Teen Court and Restorative Justice, and specific information about the hearing process. Teen Court training stresses confidentiality and each hearing includes an oath of confidentiality. Participation in Teen Court as a volunteer provides youth with a unique perspective on the justice system, allows them to be a positive role model, gives them an opportunity to influence their community, and develop leadership and public speaking skills.

Cell Phone Policy

The cellular phone policy applies to any device that makes or receives phone calls, leaves messages, sends text messages, surfs the internet, or downloads and allows for the reading of and responding to email whether the device is company-supplied or personally owned.

Cell Phone or Similar Devices at Work

The Juvenile Restitution Program is aware that juveniles utilize their personal cellular phones for emergency purposes. At the same time, cell phones are a distraction in the workplace. To ensure the effectiveness of instruction/hands-on activities, in addition to the safety of all employees; all juveniles are asked to leave cell phones out of sight when at a Work-site. Nevertheless, on the unusual occasion of an emergency or anticipated emergency that requires immediate attention, please inform your supervisor and ask guidance.

Search Procedures

At no time will an employee or the Work-site supervisor be able to search a juvenile if suspected of contraband. The Program Coordinator should be called to address the issue and if the Parent/Guardian gives consent for the Program Coordinator to search then they may do so. Notify Parent/Guardian regardless.

Work-site Supervisors

Supervisors are fundamentally responsible for ensuring safety in their program.

Responsibilities

- Immediately report any unsafe acts, conditions or accidents
- Enforce and promote workplace safety procedures

Accident Reporting Policy and Procedure

There must be a process put in place to report accident, incidents or near misses for immediate action and to help track causes. The program must identify what needs to be reported, to whom it is to be reported, and how to report it, then put this process into a written procedure.

The primary purpose of the accident investigation is to identify the causes(s) of the accident, incident or “near miss” and take action to prevent a similar occurrence in the future.

The Juvenile Safety Program

Any policy, procedure or training used by the Work-site to further the safety of juvenile while working is considered part of a workplace safety program. Workplace safety programs to reduce work-related injury and illness are concerned with:

- Promoting and rewarding safe practices at work
- Reducing injuries and illnesses at work
- Eliminating fatalities at work

The Juvenile Program Injury and Illness Prevention

According to OSHA, work-related injury and illness prevention falls into three categories in order of priority, engineering controls, administrative controls, and personal protective equipment controls.

Policy Against Workplace Harassment

The Teen Court Program is committed to providing an environment for all employees/juveniles that is free from sexual harassment and other types of discriminatory harassment. Juveniles are expected to conduct themselves in a professional manner and to show respect at any work-site.

Overview of Teen Court Trails

Teen Court is a diversionary program for first-time offenders. Defendants waive their right to proceed through the juvenile justice system and agreed to guilty and accept constructive sentencing imposed by Teen Court.

Since the Defendants agreed to plead guilty and accept responsibility for their offenses, Teen Court trails are similar to sanctions or penalty-phase hearings, hearings designed solely to determine the appropriate punishment for crimes committed.

During a Teen Court trial, attorneys are divided into two sides, prosecution and defense (you may do both at various times), Prosecutors argue for a more severe punishment and focus on those aspects of the offense or the defendant’s life and any facts about the offense which are mitigating (lessen the gravity of an offense or mistake).

CARDINAL RULE FOR TEEN COURT ATTORNEYS: Always remember that Teen Court trails are an alternative to the Juvenile Justice System, and all cases that come through are real. They are not to be

considered a “Mock Trial “Always treat defendants, their cases, and their parents with dignity and respect.

Preparing for Trial

The Teen Court hearings will occur on the first through fourth Thursdays of each month. The Teen Court Leadership TEAM will meet in a designated room of the Courthouse at 5:00 pm for pre-hearing meeting. A meal will be served during this meeting. Teen Court hearings will begin at 5:45 pm

Referring Agency Interaction

The Program Director will make written or oral contact with the referring agencies when a case is accepted or declined. Written progress reports to the referring agencies will be made at least every 30 days. Additional written and/or oral contact with the referring agency will be made, as needed, if problems occur. The referring agency will be notified in writing of all program terminations, within seven days of termination.

Admission/Referral Process

All referrals must be in writing and include the details of the offense or infraction. Referrals will be screened to ensure that juveniles are first time offenders with a qualifying misdemeanor. Intake with the parent/guardian and referred juvenile will be scheduled within one week of receiving the referral. Referrals not accepted will be re-directed back to school personnel and parents/guardian will be notified in writing. Referrals that are accepted will be scheduled within one week of the referral. Once the hearing is completed, the constructive sentence guidelines and timeline for completion will be reviewed with the juvenile and parent/guardian. The diversions must be completed within 90 days, not to exceed the six-month time frame of the court date. Situations may occur in which the court counselor modifies the diversion timeline.

After successful or unsuccessful completion of sanctions, a letter will be sent to the juvenile, parent/guardian and referring agency to inform them of the case status. A successful completion will be when sanctions are completed and all requirements of the sentence are met. An unsuccessful completion will be when sanctions are not completed and / or the offender is non-compliant or refusing to complete sanctions. **Infractions more serious than misdemeanors will not be accepted to the Halifax County Schools Teen Court.**

The Halifax County Schools Teen Court Program will accept referrals for any qualifying juvenile that resides in the county, whether they attend Halifax County Schools or not. In addition, the program will accept referrals for any qualifying juvenile that resides in an adjacent county which does not have an active teen court program.

NOTICE of Referral

Parent or Guardian

Teen Court, Community Service/Restitution Program(s)

Dear Parent or Guardian,

Date:

The above-named Juvenile has been **referred** to Halifax County’s “Juvenile Crime Prevention Council (JCPC) Teen Court and/or Community Service/Restitution Program(s). The program acts as an “alternative system of justice,” which offers first-time juvenile offenders who are accused of certain misdemeanor crime, an opportunity to take responsibility for their actions through Teen Court and/or Community Services/Restitution. The program is based (in part) on the theory of “restorative justice” about repairing or addressing the harm caused to the victim/our community through involvement and participation.

Please contact Teresa Boyd, Halifax County Schools Teen Court Coordinator in order to acknowledge this Notice of Referral, and to set up an appointment. Failure to contact Mrs. Boyd, in a timely manner, may result in declining the referral from the program and returning the matter to the referring agency.

Very Respectfully,

Teresa Boyd, BSN, RN, NCSN

Halifax County Schools

Teen Court Program Coordinator

Office (252)445-2027

boydt@se.halifax.k12.nc.us

NOTICE of Acceptance

Referral Source

Dear _____,

Juvenile: _____ Date: _____

The above named Juvenile has been **referred and accepted** into Halifax County’s “Juvenile Crime Prevention Council” (JCPC) Teen Court and/or Community Service/Restitution Program(s). The programs act as an “alternative system of justice,” which offers first-time juvenile offenders who are accused of certain misdemeanor crimes, an opportunity to take responsibility for their actions through Teen Court and/or Community Service/Restitution.

Please note, the parent/guardian and juvenile will be contacted and the source of this referral (you) may be disclosed as part of the program. If you have any questions or concerns please feel free to contact me.

Thank you for your referral.

Very Respectfully,

Teresa Boyd, BSN, RN, NCSN

Halifax County Schools

Teen Court Program Coordinator

Office (252)445-2027

boydt@se.halifax.k12.nc.us

NOTICE of Non- Acceptance

Referral Source

Dear _____,

Juvenile: _____ Date: _____

The above named Juvenile has been **denied** to participate in the Halifax County Schools Teen Court and/or Community Service Programs. The programs act as an alternative system of justice which offers first-time offenders, who admit guilt to certain misdemeanor crimes, an opportunity to take responsibility for their actions. The juvenile has been denied to enter into the program because of the following reasons;

_____ Unable to make contact with the family after sending out a Notice of Referral letter

_____ Juvenile has already participated in the programs, and is unable to participate again

_____ Juvenile requires a higher level of care, and is not appropriate for the program

Please note, because of these circumstances the parent/guardian and juvenile will not be contacted and this referral is being sent back. If you have any questions or concerns about this matter, please feel free to contact me.

Very Respectfully,

Teresa Boyd, BSN, RN, NCSN

Halifax County Schools

Teen Court Program Coordinator

Office (252)445-2027

boydt@se.halifax.k12.nc.us

Intake Interview

- Intake forms are filed for every juvenile entering into the Teen Court Program (DPS Universal Referral Form, Risk Assessment, Acknowledgement and Agreement form, Rules of Conduct, Medical Release, Waiver of Liability, Juvenile Monthly Report)

- Teen Court: Does the juvenile admit guilt? If not the juvenile does not meet the criteria for Teen Court. If they do admit guilt they must sign the Teen Court Agreement saying so.
 - The Program Staff will have full discretion on deciding admittance of Teen Court cases unless referred by DJJ or the District Court Attorney's Office. Teen Court focuses on First-time/Low-risk offenders to help elevate the stress from Juvenile Court. A juvenile will not meet criteria if he/she has been admitted before, or is inappropriate for services due to behavior or medical concerns.
- Points to cover at intake:
 - Explain the Teen Court/Community Service process, and what the Program hopes to accomplish
 - The juvenile must take responsibility for their actions
 - Payback whom they affected (i.e.) family, the victim, etc. (not necessarily through monetary, but rather through community service, Jury Duty, or educational programs to assist with preventing further criminal activity.)
 - Make the juvenile aware this is a diversion program and is handled by their peers
 - Review sentencing guidelines to give parents an idea of what they can expect
 - Give parents a tentative Court Date for Teen Court
 - A juvenile may not get into any more trouble after the intake interview, and the defendant may not be charged while they are in the program
 - Any violations of the rules of the program, or do not complete the sanctions the referral will be sent back to the referring agent, and prosecution could be filed in a normal Juvenile Justice setting
 - The parents must sign the Teen Court/Community Service Agreement form as well as the medical release, and waiver of liability form. Photograph Consent Form will be provided as well to ensure confidentiality is adhered to
 - Then the Risk Assessment will be completed in order to determine the level of risk of the juvenile. Which lets the parents know how at risk the juvenile is to commit another crime
 - Once the intake process is done a Notice of Acceptance will be given to the referring agent that the juvenile has been accepted into the program
- Worksite Placement
 - The Program will evaluate any special concerns for the juvenile such as healthcare concerns that may impact the juvenile and/or his/her peers
 - The Worksite location placement is at the full discretion off the juvenile and the parent/guardian. However, the Program Staff can recommend certain locations is a juvenile has healthcare concerns
 - The Program is not responsible for any medication such as dispensing and/or securing. The parent/guardian will have to coordinate with the juvenile and the worksite supervisor if there are any concerns
 - A medical consent form will be filled out by the parent prior to the juvenile being entered into the Program. This form allows for the Program Staff and/or the Worksite Staff to render first aid care for the juvenile if needed. Also, it will list any medical concerns that should be notated and/or addressed while the juvenile is in the Program

Parent Involvement

The Teen Court Program understand that in order for the juvenile to be successful there needs to be communication between the Parent/Guardian, Juvenile, and the Program Coordinator. The following guidelines describe the level of involvement expected by the Parent/Guardian.

The Parent/Guardian is expected to be present for the intake interview and will help identify and address any and all risk factors/problem behaviors that may be hindering the juvenile from being successful.

- The Parent/Guardian will actively be involved to ensure the juvenile is adhering to the Individual Service Plan that expresses the concerns brought up in the Intake Interview
- The Parent/Guardian will also foster transportation for the juvenile to Teen Court and the Work-site if the juvenile is unable to drive themselves.
 - If the Parent/Guardian is unable to provide transportation the Program Coordinator will accommodate on a case-by-case basis

Individual Service Plan

The Teen Court Program creates an Individual Service Plan during the Intake Interview to outline the Risk and Needs that should be addressed in order for the Juvenile to be successful. The Individual service Plan outlines the anticipated length of stay in the program, the frequency of contact with the juvenile, and outlines goals and skills for the juvenile to follow.

Goals or Objectives (Measurable Objectives to help assist reducing recidivism). The Program Staff can review the problem behaviors on the Universal Referral form as well as the risk and/or Needs assessment to identify areas in which the juvenile needs to work on. The Program Staff also has a conversation with the juvenile and the parent/guardian about the juvenile's peer group and daily activities to see what areas need to be addressed. Completing all required sanctions in the time frame allotted and following the rules and instructions must be notated as well. These goals need to be considered reasonable and attainable based on the juvenile's ability to perform these tasks. Confirmation from the juvenile as well as the parent/guardian is the best practice to ensure they are willing and able to complete

Measured by: (Skills)- (Skills needed to acquire in order to meet the measurable objectives)- The Program Staff identifies attainable results in order to help resolve the problem areas to ensure the juvenile has no issues that follow them after they complete the program. These skills need to reflect the Goals or Objectives individually to help the juvenile change behavior and complete the Program Successfully.

Program Review Date (Weekly/ Monthly)-Community Service participants are required to check in Once a Week to ensure they are abiding by the Rules of Conduct as well as the Individual Service Plan. A conversation will be had with the juvenile about progress and ensure they are in compliance. Afterward, follow-up conversations with the appropriate people will occur to ensure truthfulness. The same procedures will take place for Teen Court participants but will only happen once a month.

Progress Toward Goal (Overall end goal for the Measurable Objectives. What can the Juvenile expect to gain from completing the Program)-The Program Staff will identify what the overall outcome will be if the juvenile completed each Goal and skill and how it would impact their lives. Note that the overall goal should be in line with something the juvenile can attain and not broad they are unsure how to complete.

Outcome/Recommendations (Juveniles progress with Measurable Objectives. If goal not met what recommendations that could benefits the juvenile)- Once the juvenile has completed the Program, the Program Staff will review each individual goal and state how the juvenile completed them to include any recommendations if they did not achieve the goal.

Individual Service Plan

Juvenile: _____

Admission Date: _____

Anticipated Length of Stay in the Program (s): _____

Frequency of Contact with Juvenile: _____

Completion (Termination) date: _____

Goals or Objectives (Measurable objectives to help assist with reducing recidivism)	Measured by: (Skills) (Skills needed to acquire in order to meet the measurable objectives)	Progress Review Date: (Weekly Monthly)	Progress Toward Goal: (Overall end goal for the measurable objectives. What can the Juvenile expect to gain from completing Program)	Outcome/ Recommendations: (Juviles program with their measurable objectives. If goal not met what recommendations that could benefit the juvenile)

Monthly (Progress) Tracking Report

The Teen Court Program reviews each juvenile's progress to ensure he/she is abiding by the Program Rules of Conduct and showing improvement in his/her behavior. The Program Staff will evaluate the juvenile's performance by contacting individuals who have direct contact with the juvenile or knows about his/her daily actions to confirm the juvenile's compliance. People to consider when reviewing a juvenile's progress includes but is not limited to; Parent/guardian, Teachers, Worksite Supervisor, School Data Manager (For Grades/Discipline report), School Resource Officers, and other service providers if applicable.

The Juvenile (Monthly) Progress Report is broken into six subgroups and is identified below as follows;

- Participates regularly in the Program
- Responsive and Cooperative
- Working on Attainment of Goals
- Behavior at Home is Improving
- Behavior at School is Improving
- Attending School Regularly with Improvement in Grades
- **Not at all (0)**- Juvenile had issues during the month with being late, tardy, or grades failing behind that were deemed inappropriate by the Program Staff or School Administration
- **Sometimes (1)**- Juvenile was warned about his or her grades or tardiness but was corrected by the juvenile without any further actions being taken by the Program Staff or the School Administration
- **Most off the Time (3)**- Juvenile displayed performance and grades that were acceptable and showed improvement

Performance Scale

The Teen Court Program measure the juvenile's performance and rates it on a scale for the likelihood of that juvenile being Non-compliant, Satisfactory, or Successful. If a juvenile is Non-Compliant a meeting will be made with the juvenile and the parent/guardian to try and correct the behavior before being terminated.

0 – 4 Points- is equivalent to being Non-Complaint and if further action continue that juvenile has a high risk off future offending

5 – 10 Points- is equivalent to being Satisfactory and is compliant with the Program but can show more improvement to ensure there is not a chance of future offending

11 – 18 Points- is equivalent to being Successful and is following all rules and following the Individual Plan as outlined in the Intake Interview

RULES OF CONDUCT (Community Service)

1. All participants in Teen Court and/or Community Service Program must report on time to Court and/ or to the work-site location. Repeated tardiness will result in unsuccessful termination from the program (s). _____
2. You must follow all instructions/rules given at Court and/or work-site. _____
3. You are required to wear appropriate clothing for a Court and/ or work-site accommodations. _____
4. You may NOT receive visitors or make personal telephone calls when in Court or at the work-site, unless for emergency purpose ONLY. _____
5. NO smoking of any products; no lighters/matches are to be brought to Court or to any work-site. Any if these items, or similar type products, will be confiscated and destroyed or given to parents/guardians. Anyone caught smoking will be disciplined, including terminated from the program. _____
6. All work-site participants are not to use power-operated machinery or tools; unless prior permission is specifically obtained from the parent/guardian and the work-site supervisor. _____
7. If you report to Court and/or any work-site under the influence of drugs, alcohol, or any unlawful substance you will be terminated from the program and criminal charges could be filed. _____
8. If it is determined, that you require excessive supervision due to inappropriate behavior or poor attitude, you will be warned only ONCE. This first warning may result in “no credit” being given for hours worked. A second warning may result in termination from the program. _____
9. All participants are to make every effort to attend each Court date(s) and/or work-site session for which they are scheduled. If you are unable to keep your scheduled date (s) you must submit a written legitimate excuse; describing why and when you will attend the next program session. All written excuses must be dated, signed, and delivered to the Program Manager/Director. _____
10. Any violation of the Rules of Conduct may be cause for unsuccessful termination for the program(s) which in turn could require the return of the referral to the referring agency. _____

I have read, and understand, each of the above-listed rules. I agree to comply with said rules by initialing and signing this “Rules of Conduct” form.

Signature of Juvenile: _____ **Date:** _____

Signature of Parent/Legal Guardian: _____ **Date:** _____

Signature of Witness: _____ **Date:** _____

RULES OF CONDUCT (Teen Court)

1. All participants in Teen Court and/or Community Service Program must report on time to Court and/ or to the work-site location. Repeated tardiness will result in unsuccessful termination from the program (s). _____

2. You must follow all instructions/rules given at Court and/or work-site. _____

3. You are required to wear appropriate clothing for a Court and/ or work-site accommodations. _____

4. You may NOT receive visitors or make personal telephone calls when in Court or at the work-site, unless for emergency purpose ONLY. _____

5. NO smoking of any products; no lighters/matches are to be brought to Court or to any work-site. Any if these items, or similar type products, will be confiscated and destroyed or given to parents/guardians. Anyone caught smoking will be disciplined, including terminated from the program. _____

6. All work-site participants are not to use power-operated machinery or tools; unless prior permission is specifically obtained from the parent/guardian and the work-site supervisor. _____

7. If you report to Court and/or any work-site under the influence of drugs, alcohol, or any unlawful substance you will be terminated from the program and criminal charges could be filed. _____

8. If it is determined, that you require excessive supervision due to inappropriate behavior or poor attitude, you will be warned only ONCE. This first warning may result in “no credit” being given for hours worked. A second warning may result in termination from the program. _____

9. All participants are to make every effort to attend each Court date(s) and/or work-site session for which they are scheduled. If you are unable to keep your scheduled date (s) you must submit a written legitimate excuse; describing why and when you will attend the next program session. All written excuses must be dated, signed, and delivered to the Program Manager/Director. _____

10. Any violation of the Rules of Conduct may be cause for unsuccessful termination for the program(s) which in turn could require the return of the referral to the referring agency. _____

I have read, and understand, each of the above-listed rules. I agree to comply with said rules by initialing and signing this “Rules of Conduct” form.

Signature of Juvenile: _____ **Date:** _____

Signature of Parent/Legal Guardian: _____ **Date:** _____

Signature of Witness: _____ **Date:** _____

WAIVER OF LIABILITY for Participation

In consideration for receiving permission to participate in **Halifax County Teen Court** and/or **Community Service/Restitution Program(s)**, including any and all activities related to such programs, I/we (myself my heirs, executors and administrators) hereby RELEASE, WAIVE, DISCHARGE, and COVENANT NOT TO SUE, Halifax County (NC) and the Halifax County Juvenile Crime Prevention Council, their officers, agents, or employees (hereinafter known as “RELEASES”) from any an all liability, claims, demands, actions, and cause of action whatsoever arising out of or related to any loss, damage, or injury, including death that may be sustained while (Juvenile’s Name) _____, is in place for work at any Community Service/Restitution Program work-sites. This will include, nut is not limited to, any injury, illness, accident, or any loss suffered by said person which may be the result of his/her participation or carelessness or negligence at said work-sites.

In case if emergency or injury, I/we authorize any Teen Court and/or Community Service/Restitution Program staff, or personal, to contact (Juvenile’s Doctor) _____ or to transport my/our child to the nearest hospital/emergency room, including transportation by the local Emergency Medical Services (EMS) if deemed necessary.

I/We further hereby agree to INDEMNIFY AND HOLD HARMLESS the RELEASED from any loss, liability, damage, or cost, including court cost and attorney’s fees, which RELEASES may incur due t my participation in **Halifax County Teen Court** and/ or **Community Service/Restitution Program(s)**.

I/We in signing this agree, acknowledge, and represent that I/we have read the foregoing “Waiver off Liability,” understand it and sign it voluntarily. That no oral representations, statements, or other type of inducements, apart from the foregoing written agreement, have been made outside of this written Waiver of Liability for participation in **Halifax County Teen Court** and/or **Community Service/Restitution Programs..**

Signature of Juvenile: _____ Date: _____

Signature of Parent/Legal Guardian: _____ Date: _____

Signature of Witness: _____ Date: _____

Medical Release/Consent for Participation

In consideration for receiving permission to participate in *Halifax County Teen Court* and/ or *Community Service/Restitution Program(s)* including any and all activities related to such programs, I/we disclose the following medical information and consent for emergency medical treatment:

1. Any and All known allergies to food, drugs, insect bites.....

2. Special medical concerns or conditions those work-site supervisors should know about, including contagious illnesses, epilepsy, asthma, diabetes, previous injuries to bone/joints etc...

3. List special dietary needs:

4. Any and all medications currently being taken (name, dose and frequency):

5. Family/Juvenile physicians name, address and telephone number(s):

6. Health Insurance Company:

Signature of Parent/Legal Guardian: _____ Date: _____

Signature of Juvenile: _____ Date: _____

Signature of Witness: _____ Date: _____

Teen Court Acknowledgement and Agreement

Juvenile Name: _____ Juvenile Offense: _____

Date off Offense: _____ DOB of Juvenile: _____

Address of Juvenile: _____

Identification Characteristics: Gender _____ Age _____ Race _____ Grade _____ Other _____

School: _____

Living Arrangements: _____

Parent/Guardian: _____

Telephone #(s) for Parent/Guardian: (H) _____ (W) _____ (C) _____

Others involved: _____

Others involved contact information: _____

I hereby ACKNOWLEDGE and AGREE (Referring Agent)

I understand that Teen Court and Community Service/Restitution program(s) are diversion programs, an alternative system of justice that refers a Juvenile from criminal court to a program that attempts to teach responsibility and accountability; without the stigma of a criminal record. I understand the Juvenile will be assigned a reasonable and appropriate consequence for their action(s). I have explained the program(s) to the Juvenile and/ or his/her Parent/Guardian.

Signature of Referring Agent: _____ Date: _____

Print name of Referring Agent: _____ Telephone #s: _____

I hereby ACKNOWLEDGE and AGREE (Parent/Juvenile)

I acknowledge and I agree; that Halifax County Teen Court Program has been explained to me and my case has been referred to the said program. I accept the referral and understand that this is an alternative to traditional court. I further understand I have the right to remain silent and refrain from making any statements about this case (offense). I voluntarily choose to waive my right to remain silent and I admit guilt to the offense(s) against me. I agree to participate in the Halifax County Teen Court Program, and permit the Program to release client information to other sources. Should I fail to satisfactorily complete the program my case (offense) will be returned to court for entry of judgement (among other things). I further acknowledge and agree is new charges are filed against me I may be terminated from the said program.

Signature of Juvenile: _____ Date: _____

Signature of Parent/Guardian: _____ Date: _____

Community Service Acknowledgement and Agreement

Juvenile Name: _____ Juvenile Offense: _____

Date off Offense: _____ DOB of Juvenile: _____

Address of Juvenile: _____

Identification Characteristics: Gender _____ Age _____ Race _____ Grade _____ Other _____

School: _____

Living Arrangements: _____

Parent/Guardian: _____

Telephone #(s) for Parent/Guardian: (H) _____ (W) _____ (C) _____

Others involved: _____

Others involved contact information: _____

I hereby ACKNOWLEDGE and AGREE (Referring Agent)

I understand that Community Service/Restitution program(s) are diversion programs, an alternative system of justice that refers a Juvenile from criminal court to a program that attempts to teach responsibility and accountability; without the stigma of a criminal record. I understand the Juvenile will be assigned a reasonable and appropriate consequence for their action(s). I have explained the program(s) to the Juvenile and/ or his/her Parent/Guardian.

Signature of Referring Agent: _____ Date: _____

Print name of Referring Agent: _____ Telephone #s: _____

I hereby ACKNOWLEDGE and AGREE (Parent/Juvenile)

I acknowledge and I agree; that Halifax County Teen Community service/Restitution Program has been explained to me and my case has been referred to the said program. I accept the referral and understand that this is an alternative to traditional court. I further understand I have the right to remain silent and refrain from making any statements about this case (offense). I voluntarily choose to waive my right to remain silent and I admit guilt to the offense(s) against me. I agree to participate in the Halifax County Teen Court Program, and permit the Program to release client information to other sources. Should I fail to satisfactorily complete the program my case (offense) will be returned to court for entry of judgement (among other things). I further acknowledge and agree is new charges are filed against me I may be terminated from the said program.

Signature of Juvenile: _____ Date: _____

Signature of Parent/Guardian: _____ Date: _____

Halifax County Community Service/Restitution Tracking Sheet

Juvenile: _____ Work Site: _____ Number of Hours _____

Date Worked	Time-In	Time-out and notes about Work site duties/responsibilities	Work site Staff Initials	Juvenile's Initials
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				

Important Notice: This document represents the only official record of Halifax County Community Service/Restitution dates of service and must evince original initials. No copies off this tracking form will be accepted unless all involved agreed and stipulated to such

Juvenile (Monthly) Progress Report

Juvenile: _____

Admission Date: _____

Month of this Progress Report: _____

Behavior Concerns: _____

Juvenile Response	Not at all (0)	Sometimes (1)	Most of the time (3)	Comment
Participates regularly in the Program				
Responsive and Cooperative				
Working on attainment of goals				
Behavior at home is improving				
Behavior at school is improving				
Attending school regularly with improvement in grades				

Scale: (0 – 4)- Non-Compliant, (5 – 10) Satisfactory, (11 – 18)- Successful

Comments:

Prepared by: _____

Juvenile (Monthly) Worksite Progress Report

Juvenile: _____

Month of this Progress Report: _____

Work-Site Name: _____

Behavior Concerns: _____

Juvenile Response	Not at all (0)	Sometimes (1)	Most of the time (3)	Comment
Participates regularly at the Worksite				
Responsive and Cooperative				
Working on attainment of goals				

Comments:

Prepared by: _____ Date: _____

Teen Court Pre-Test

Date Completed: _____

Juvenile: _____

Person Giving Test: _____

1. How do you feel about having your offense tried at Teen Court?

2. What type of punishment (if any) have you received from the offense you committed?

3. What have you learned since you have gotten into trouble?

4. What are your goals in life?

5. What talents do you have?

Comments: _____

Community Service Pre-Test

Date Completed: _____

Juvenile: _____

Admission Date: _____

Person Giving Test: _____

1. How do you feel about having to complete Community Service Hours?

2. What type of punishment (if any) have you received from the offense you committed?

3. What have you learned since you have gotten into trouble?

4. What are your goals in life?

5. What talents do you have?

Comments: _____

Exit Interview Information

When the juvenile has completed their constructive sentencing, you will need to schedule an Exit Interview.

Points to cover

- Did the juvenile get anything out of the program?
- Do they now understand how the juvenile justice system work, and how unforgiving the courts are?
- Do they understand that what they did affect more people than just them?
- Teen Court is a one-time opportunity. If they get in trouble again:

Sent to Traditional Juvenile Justice Court or District Court

Every Job/School application they have they will have to explain their charges

If the Juvenile or Parent/Guardian has any recommendations to improve the Teen Court/Community Service experience

Exit Interview Post Test

Date: _____

Juvenile/Parent or Guardian: _____

Completion Date: _____

JCPC Program (s): _____

1. How would you rate your experience with Halifax County Teen Court and/or Community Service/Restitution Program? **(1- being not good and 10 being very good)**

2. Was the courtroom/worksite suitable for the Program(s): YES NO

3. Did you learn anything that may help you in the future? YES NO

4. Do you have any suggestions that may help program: YES NO

If so, what suggestions(s) do you think could possibly help the Program(s):

5. Should we expect to see you in this type of Program again? YES NO

Comments:

Termination Process

When the youth has met all of the Teen Court goals, including attending the hearing and completing all required sanctions, he/she will be successfully terminated from the program. If a youth has had an acceptable level of participation, even though he/she may not have completed all program activities and / or met all behavior goals, he/she will be satisfactorily terminated from the program. Should a youth not complete all sanctions within 90 days of their hearing, additional time to complete sanctions may be given to the youth, at the discretion of the Program Director. If a youth fails to meet specific goals and requirements, does not make sufficient progress in the program, or receives another court petition, he/she will be unsuccessfully terminated from the program. If a youth or family refuses to participate in the program, or does not attend required activities, he/she will be terminated for non-compliance.

The Program Director will make written or oral contact with the referring agencies when a case is accepted or declined. Written progress reports to the referring agencies will be made at least every 30 days. Additional written and/or oral contact with the referring agency will be made, as needed, if problem occur. The referring agency will be notified in writing of all program terminations, within seven days of termination.

Notice of Completion/Termination

Date: _____

Juvenile/Parent or Guardian: _____

Completion Date: _____

JCPC Program (s): _____

1. How would you rate your experience with Halifax County Teen Court and/or Community Service/Restitution Program? (**1- being not good and 10 being very good**)

2. Was the courtroom/worksite suitable for the Program(s): YES NO

3. Did you learn anything that may help you in the future? YES NO

4. Do you have any suggestions that may help program: YES NO

If so, what suggestions(s) do you think could possibly help the Program(s):

5. Should we expect to see you in this type of Program again? YES NO

Comments:

Completion/Termination Summary

Juvenile: _____

Admission Date: _____ Completion Date: _____

JCPC Program: _____

Length of Stay in the Program: _____

Contact Hours with Juvenile: _____

Goal or Objective: Have the Juvenile completed the Program with no Legal problems and/ or issues?
Explain

Summary of Juveniles Progress: Did the Juvenile complete the program in a timely manner? Explain

Any Issues/Concerns about the Juvenile? List any and all issues or concerns from the Juvenile and or Parent/Guardian.

Other _____

Reasons for Unsuccessful Termination

- Failure to participate- If the juvenile does not show for intake after a second scheduled appointment unless the family calls to notify with a reasonable excuse, Or the Family does not show up for the Intake Interview within 30 days of receiving the referral.
- Failure to follow rules- If juvenile does not show for community service, jury duty without making contact. Or the juvenile is non-complaint and violates one of the rules of conduct.
- Three suspensions from school
- If the juvenile received a second charge, it is an automatic unsuccessful termination and must be sent back to the referring agent.
- If the family relocates, the juvenile will be terminated.