

## **K-8 STUDENT CONDUCT**

Students in the Caldwell County School System are expected to behave in a manner that will reflect favorably on themselves and their schools during school hours and at any out of school activity. Such behavior will promote a safe, orderly learning environment for all students. It is the shared responsibility of the home and school to develop self-discipline within students appropriate to their age. While the exercise of individual rights and liberties within schools is encouraged and protected, it is also recognized those rights and liberties are muted by the need of the system to provide a quality education to all.

Schools should develop activities that promote self-discipline; reward good conduct and develop understanding of the board's expectations for student behavior. Additionally, staff should be educated in techniques that support and enhance these efforts. Students are expected to:

- Support and participate in all school activities
- Be respectful, cooperative and honest with others.
- Be informed regarding their rights and responsibilities.
- Assist the school staff in operating a safe school.
- Exhibit self-discipline and self-motivation.

Any behavior, which causes deterioration or disrupts the safety, moral or learning environment of the school, or infringes materially on the rights of others will not be tolerated and may subject the student to corrective measures. Such measures shall be determined on the basis of the facts presented in each instance of misconduct by appropriate school officials under the guidance of applicable Board policies, statutes and school rules.

The consequences listed are intended to serve as guidelines for staff using reasonable discretion and appropriate due process for students who violate board policy or school regulations. Potential consequences include but are not restricted to the following:

- Student warning
- Removal of privileges
- Issuance of a discipline referral
- Parent notice
- Referral to student support services
- After-school detention
- Parent Conference
- Restitution
- In-School Suspension
- Out-of-School Suspension
- Long-term suspension or expulsion

\* WHEN A STUDENT IS SUSPENDED FROM SCHOOL, THEY ARE NOT ALLOWED ON SCHOOL CAMPUS. THEY MAY NOT PARTICIAPTE IN, NOR ATTEND, ANY SCHOOL FUNCTION AND AT ANY LOCATION.

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### MISCONDUCT AND CONSEQUENCES GUIDELINES

Consequences listed for violations are intended as guidelines for administration and students. The administration has the discretion to suspend or discipline students for more or fewer days than listed below on the nature or severity of the offense.

1. **Disruptive Behavior/Horse playing**

Students shall not engage in conduct that is disruptive of any school activity, function or process, or is dangerous to the health, welfare or safety of themselves or others.

1<sup>st</sup> Offense: 1 - 3 days In-School-Suspension

2<sup>nd</sup> Offense: 3 days In-School-Suspension

3<sup>rd</sup> Offense: 1 - 5 days Out-of-School-Suspension

4<sup>th</sup> Offense: 10 days Out-of-School-Suspension/with possible placement in Alternative class

2. **Profane or Abusive Language, Pornographic, Vulgar or Obscene Material.**

This includes any reference to any gang (symbols, signs, clothing, pictures, etc.) Students shall not use profane, obscene, or abusive language/gestures not possess material, which offends modesty and decency.

1<sup>st</sup> Offense: 1 - 3 days In-School-Suspension

2<sup>nd</sup> Offense: 3 days In-School-Suspension

3<sup>rd</sup> Offense: 1 - 3 days Out-of-School-Suspension

3. **Dishonesty: Lying, Cheating, Plagiarism, Forgery, etc.**

It is imperative that students conduct themselves with the utmost integrity. Lying, cheating, plagiarism and other dishonest activity will not be tolerated.

1<sup>st</sup> Offense: Cheating-Student receives a zero on work/test, and parent notification

Forgery - discipline referral and parent notification

2<sup>nd</sup> Offense: 1 - 3 days In-School-Suspension and parent notification

3<sup>rd</sup> Offense: 1 - 3 days Out-of-School-Suspension and parent notification

4. **Fighting/Violent Behavior/Communicating Threats (Verbal/Written)**

Fighting, including simple assault, assault and battery, or participating in a simple affray will not be tolerated in school. Inviting to fight, inciting to fight, communicating a threat, verbally intimidating, extorting, blackmailing or substantially invading the rights of others, etc., shall be considered abusive. If deemed necessary by the administration, law enforcement will be called.

1<sup>st</sup> Offense: 3 days Out-of-School Suspension

2<sup>nd</sup> Offense: 5 - 10 days Out-of-School Suspension/police report filed\

3<sup>rd</sup> Offense: 10 days with recommendation for long term suspension/police report filed

5. **Bullying**

Students have the right to learn in a safe environment and not be intimidated or harassed. School bullying undermines the academic mission of a school, jeopardizes the safety of a school, and hostile and dangerous acts of harassment and abuse can victimize the students. Bullying will not be tolerated in any school at any time. Caldwell County Schools will not allow or tolerate retaliation in any form against any individual that reports a valid complaint of bullying or is a corroborating witness. It is the duty of all teachers, including student teachers, substitute teachers, teacher assistants, and all school staff to maintain good order and discipline in their respective schools, report and intervene in all acts of bullying and provide other information about related behaviors, school safety and discipline problems. It is the expectation that all administrators will properly discipline offenders.

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### **Bullying Defined**

Bullying is an act of violence defined as harassing behavior in which someone is perceived to be more powerful (the bully) than another (the victim) and subjects someone to abusive treatment that may be physical, verbal, and/or emotional in nature. These actions are deliberate. They may take place just once, but more often they are repetitive. Types of bullying behavior include:

- a. **Direct Act (both physical and verbal)** - Physical attacks of any type and/or threats of physical attacks include but are not limited to: any unwanted physical touching, contact, or assault (punching, poking, pinching, shoving, hitting, choking, biting, spitting, cornering, threatening play), deliberate impeding or blocking of movements, or any intimidating blocking of movements, or any intimidating interference with normal work or movement, sexual harassment whether physical or verbal. Verbal assaults include but are not limited to: threatening words spoken to another, name-calling, insulting, taunting, teasing, hurtful slurs, etc.
- b. **Indirect Acts (emotional and/or passive-aggressive behaviors)** Include but are not limited to: deliberately excluding, rejecting, isolating, ranking, or rating an individual, hateful looks, mean gestures, nasty notes or graffiti, starting and/or spreading hurtful rumors about someone, manipulating peer relationships, forcing someone to relinquish money and/or food, demanding servitude, stealing/taking things, deliberately setting up someone to get him/her in trouble, destruction of property (i.e. gym locker, clothing, books, book bags, etc.)

Consequences: Middle School Consequences will range from in-school disciplinary action to up to five days out-of-school suspension. Repeated violations may result in long-term suspensions.

### 6. **Stealing or Damage to Property**

Students shall not steal or damage school property or the property of others. School property includes textbooks, buildings, equipment, grounds, furnishings, buses, calculators, etc. A fine will be assessed for any damages to school property and student must make restitution as established by administration.

- 1<sup>st</sup> Offense: 3 days In-School Suspension
- 2<sup>nd</sup> Offense: 3 days Out-of-School Suspension
- 3<sup>rd</sup> Offense: 5 days Out-of-School Suspension
- 4<sup>th</sup> Offense: 10 days Out-of-School Suspension with recommendation for long term suspension

### 7. **Possession/Use of Tobacco or Tobacco Products (Lighter/Matches)**

The Caldwell County Board of Education believes that the use of tobacco or tobacco products is injurious to health; therefore, students shall not possess, sell, or use tobacco products while on school property or during school-sponsored events.

- 1<sup>st</sup> Offense: 3 days In-School-Suspension or tobacco cessation counseling
- 2<sup>nd</sup> Offense: 3 days Out-of-School Suspension
- 3<sup>rd</sup> Offense: 5 days Out-of-School Suspension
- 4<sup>th</sup> Offense: 10 days Out-of-School Suspension with recommendation for long term suspension

### 8. **Possession of Harmful Substance/Over-The-Counter Drugs**

Any substance that may be considered poisonous or that may be harmful to other students will not be allowed on school grounds. This will include chemicals, over-the-counter drugs, and prescription medication, which may be given to a student by another student. Over the counter medicine and prescription medicine are permissible only under county guidelines.

- 1<sup>st</sup> Offense: Administrative Conference
- 2<sup>nd</sup> Offense: 3 days In-School-Suspension
- 3<sup>rd</sup> Offense: 1 - 5 days Out-of-School-Suspension
- 4<sup>th</sup> Offense: 10 days Out-of-School-Suspension/with possible placement in Alternative Class

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### 9. Drugs and Alcohol Use

To protect the health of all students and staff, the Board of Education prohibits the use of drugs and alcohol on all school properties and vehicles at school events/activities. Students shall not possess, use, sell, distribute or be under the influence or intoxicating liquors, controlled substances, counterfeit substances or drug paraphernalia.

- 1) **Intoxicating liquors**, including alcohol, brandy, whiskey, rum, gin, mixed beverages, beer, ale, and wine, and in addition thereto any spirituous, vinous, malt, or fermented beverages, liquids, and compounds, whether medicated, proprietary, patented, or not, and by whatever name called, containing one-half percent (1/2 of 1%) or more of alcohol by volume which are fit for use for beverage purposes (as more fully defined and set forth in Chapter 18A of the General Statutes of North Carolina, which chapter is incorporated herein by reference);
- 2) **Controlled substances**, including any material, compound, mixture or preparation which contains any quantity of hallucinogenic substance or substances having a depressant effect on the central nervous system (as more fully defined by the North Carolina Drug Commission, and set forth in Chapter 90, article 5 of General Statutes of North Carolina, which chapter is incorporated herein by reference);
- 3) **Counterfeit Controlled Substances**, being any substance which is by any means intentionally represented as a controlled substance (as more fully defined by the North Carolina Drug Commission, and as set forth in Chapter 90, Article 5 of the General Statutes of North Carolina, which chapter is incorporated herein by reference)--such said "intoxicating liquors," "controlled substances," and "counterfeit controlled substances," as heretofore defined, being herein after referred to as "unauthorized intoxicants."
- 4) **Drug paraphernalia**, being any accessories used in conjunction with taking illegal drugs or preparing them for use. Further, use of a drug authorized by a medical prescription from a registered physician shall not be considered a violation of this rule when used by the person for whom the drug was prescribed. This medicine shall be placed in the office of the principal or his/her designee with the following information listed: date, name of substance, dosage, and times to be administered.

### **POSSESSION OR USE OF A PROHIBITED SUBSTANCE OR DRUG PARAPHERNALIA**

- 1<sup>st</sup> Offense: Notify law enforcement authorities. 3-10 days Out-of-School Suspension and a recommendation to the superintendent that the student be suspended for the remainder of the school year; provided; however, that the recommendation may be waived if the student and the student's parent(s)/guardian(s) agree to attend and successfully complete an alcohol and/or drug abuse education and/or intervention program at the student's/parent's expense. The student may also be prosecuted under the juvenile or criminal laws of this state.
- 2<sup>nd</sup> Offense: Notify law enforcement authorities. For a second offense during a student's public school career, a 10-day out-of-school suspension, and a recommendation to the superintendent that the student be expelled; however, the student may apply for re-admission to the regular school program at the beginning of the next semester (more than 45 school days after the date of the expulsion) under the following conditions:
  1. The student enrolled in and successfully completed an alcohol and/or drug abuse intervention program at the student's/parent's expense;
  2. The student and his/her parents agree to mandatory drug testing of the student upon re-admission and during each semester with the understanding that in the extent of a positive drug or alcohol test the student will be subject to expulsion.

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### SALE OR DISTRIBUTION OF A PROHIBITED SUBSTANCE OR DRUG PARAPHERNALIA

- 1<sup>st</sup> Offense: 10 days Out-of-School Suspension and a recommendation to the superintendent that the student be expelled. Serious consideration shall be given by school and law enforcement officials to initiating a juvenile petition or a criminal prosecution. However, the student may apply for re-admission to the regular school program after one calendar year under the following conditions:
  1. The student enrolled in and successfully completed an alcohol and/or drug abuse intervention program at the student's/parent's expense;
  2. The student and his/her parents agree to mandatory drug testing of the student upon re-admission and during each semester with the understanding that in the event of a positive drug or alcohol test the student will be subject to expulsion.
- 2<sup>nd</sup> Offense: 10 days Out-of-School Suspension and a recommendation to the superintendent that the student be expelled. If expelled, the student will not be readmitted.

#### 10. Sexual Misconduct and Harassment

Conduct of a sexual nature, whether written, verbal, physical, or visual is prohibited in the school setting. Sexual harassment is defined as unwelcome conduct of a sexual nature. Sexual misconduct is any other conduct of a sexual nature that is not considered harassment.

Written Offense: 3 days In-School-Suspension

Verbal/Visual Offense: 1 - 3 days Out-of-School-Suspension

Touching Offense: 3 - 10 days Out-of-School-Suspension

#### 11. Possession/Use of Weapons

No student shall use, possess or carry, whether openly or concealed any gun, (including BB gun, air rifle, or air pistol), rifle, pistol, dynamite cartridge, bomb, grenade, mine, powerful explosives defined in N.C.G.S. 14-284.1, knife (including pocket knife), dirk, dagger, slingshot, cane, switch-blade knife, blackjack, metallic knuckles, club, stick or any other substance, material, or instrument which may cause bodily harm or is used against another, while on school property or used at any school function, wherever held. Possession shall include but shall not be limited to any item located within any vehicle on school property or at any school function wherever held.

- 1<sup>st</sup> Offense: Notify law enforcement authorities. 5 - 10 days Out-of-School Suspension
- 2<sup>nd</sup> Offense: Notify law enforcement authorities. 10 days Out-of-School Suspension with a recommendation for Long-Term Suspension/Expulsion.

#### 12. False Fire Alarms and Bomb Threats

False fire alarms and bomb threats expose others to unnecessary danger and anxiety. Because these actions violate state statutes they are strictly prohibited. All incidents shall be reported to law enforcement agencies and the fire marshal for their investigations and action. A mandatory, 10-day out-of-school suspension with a recommendation for a long-term suspension will result from a false alarm/bomb threat violation.

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13. **Disrespect/Insubordination to or Assault/Battery on Staff - To Include Verbal and Physical Threats**

The school's staff is assigned the difficult responsibility of maintaining order and providing an instructional environment that promotes learning. Their ability to perform these tasks shall not be diminished by disrespectful acts, intentional disobedience or assault. Students must be respectful toward teachers at all times and accept school personnel as acting in the place of parents in school situations. Disrespect is a lack of respect, rudeness, or impoliteness to a teacher, administrator, or other school personnel in a position of authority. Insubordination is resistance to authority, refusal to obey, or rebellion.

- 1<sup>st</sup> Offense: 1 - 3 days In-School-Suspension
- 2<sup>nd</sup> Offense: 3 - 5 days Out-of-School Suspension
- 3<sup>rd</sup> Offense: 5-10 days Out-of-School Suspension with a Recommendation for Long-Term Suspension/Expulsion

14. **Fireworks or Explosives**

Fireworks and explosives by their design are dangerous to all. Their possession or use on school properties or at school events is prohibited.

- 1<sup>st</sup> Offense: 1 - 3 days In-School-Suspension
- 2<sup>nd</sup> Offense: 3 days In-School-Suspension
- 3<sup>rd</sup> Offense: 1 - 5 days Out-of-School-Suspension

15. **Gambling**

Students shall not gamble or participate in related games in related games of chance involving payoffs of any kind.

- 1<sup>st</sup> Offense: 1 - 3 days In-School-Suspension
- 2<sup>nd</sup> Offense: 3 days In-School-Suspension
- 3<sup>rd</sup> Offense: 1 - 5 days Out-of-School-Suspension

16. **Leaving Campus**

Once students officially arrive at school, it is expected that they will remain until the end of the day or until they have been officially excused by the administration upon request by the parents. Parents expect students to remain at school unless they are aware students are leaving. Failure to have the proper permission will result in the following punishment:

- 1<sup>st</sup> Offense: 3 days In-School-Suspension
- 2<sup>nd</sup> Offense: 3 days Out-of-School-Suspension
- 3<sup>rd</sup> Offense: 5 days Out-of-School-Suspension

17. **Cutting Class**

Failure to attend homeroom, class, assembly, or club meeting after once appearing on campus in considered cutting class. Any student found in the building or grounds without a hall pass, in a location other than specified on the pass, or off the most direct route to class or destination is considered to be cutting class.

- 1<sup>st</sup> Offense: 1 - 3 days In-School-Suspension
- 2<sup>nd</sup> Offense: 3 days In-School-Suspension
- 3<sup>rd</sup> Offense: 1 - 3 days Out-of-School-Suspension

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18. **Cell Phones**

Students who have cell phones on school premises must keep them turned **OFF** and out of sight during the school day (from the arrival at school until the dismissal bell). Students may only use their cell phones for emergencies with **PRIOR** permission of a school staff member.

- 1<sup>st</sup> Offense: Temporary confiscation
- 2<sup>nd</sup> Offense: Temporary confiscation with item returned only to parent or guardian.
- 3<sup>rd</sup> Offense: Loss of privilege to have a phone at school

19. **After School Activities/Co-Curricular Activities**

All school rules apply

20. **Chewing Gum**

Chewing gum is not allowed at school. Repeat offenders will be placed in ISS.

21. **Drinks in the Classroom**

No drinks other than water will be allowed in the classroom during the instructional day with the exception of class parties.

22. **Bus Behavior and Regulations**

School bus transportation is a privilege that may be withdrawn for inappropriate behavior. Classroom-type behavior is required while students are in transit. Students need to remember that the bus driver is in complete charge of the bus and its occupants at all times. Care and cleanliness of the bus are the responsibility of each student. Willful damage or abuse is grounds for disciplinary action including damage payment. All school rules apply to students from the time they leave home in the morning until they return in the afternoon. This includes riding the bus, at the bus stop, and walking to and from the bus stop. In addition to school rules, the following bus rules will be enforced strictly and consistently: Bus behavior notes will be sent home to inform as to the behavior and consequence. Notes not signed will result in ISS until the note is signed.

- 1) Listen to and obey the driver at all times.
- 2) Remain seated from the time you board the bus until you exit.
- 3) If your driver assigns you a seat, you must sit there.
- 4) No fussing or arguing on the bus.
- 5) No horseplay or fighting on the bus.
- 6) No throwing objects on or out of the bus.
- 7) No yelling or loud talk on the bus.
- 8) No profanity or threatening others on the bus.
- 9) No food, drinks, chewing gum, or candy on the bus.
- 10) Be at your bus stop on time. The driver will **NOT** wait for tardy passengers.

The bus driver has the authority to make any other rules necessary for the safe and orderly transportation of students. The principal or designee may suspend a student from riding a school bus who violates the rules. Any student removed from the bus must be picked up by 3:30 PM. You must ride the bus that you are assigned, and you must get on and off your bus at your assigned stop unless you obtain special permission from the principal or designee. Any request to ride another bus or get off at another bus stop must be made in writing by your parent/guardian. Bring the note from your parent to the principal or designee for approval. Then take the approved note to your bus driver.

- 1<sup>st</sup> Offense: 1 - 3 days off the bus
- 2<sup>nd</sup> Offense: 3 days off the bus
- 3<sup>rd</sup> Offense: 5 days off the bus
- 4<sup>th</sup> Offense: 10 days off the bus/Recommendation for permanent suspension from the bus

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23. **Items not allowed During the School Day**

The following items are examples of items that tend to create a class/school distraction and are not allowed on buses, at school, or at school-supported activities. This list is not comprehensive; however, any item that tends to cause a distraction is not allowed.

- 1) Tape players, this includes tapes and headphones.
- 2) CD players, this includes CD's and headphones.
- 3) Radios/Jam Boxes
- 4) Telephones, Beepers
- 5) Any other electronic noise makers, electronic games, and electronic pets
- 6) Anything sexually explicit
- 7) Skateboards
- 8) Excessive amounts of money
- 9) Laser pens
- 10) Aerosol cans, hair spray
- 11) Squirt guns or squirt bottles
- 12) Perfume or cologne
- 13) Trading cards
- 14) Rubber bands
  - 1<sup>st</sup> Offense: Temporary confiscation
  - 2<sup>nd</sup> Offense: Temporary confiscation with item returned only to parent or guardian.

\*Any item not picked up by an adult by the last day of school will be disposed of. The Caldwell County School System will not be responsible for expensive clothing/personal items or large amounts of money.