

6000 SERIES - STUDENT SERVICES

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It is the policy of the Pamlico County Board of Education to enroll students in Pamlico County Schools in accordance with North Carolina General Statute 115C-378 (Compulsory Attendance) and the North Carolina Administrative Code governing school attendance and student accounting. Furthermore, it is the intent of this policy to ensure that the rules and regulations of the State Board of Education governing compulsory school attendance are enforced.

Attendance in school is central to educational achievement and school success. Attendance and participation in class is an integral part of the teaching-learning process, and thereby a part of the grade earned. Additionally, regular attendance develops patterns of behavior essential to success in later life, both personal and business. While there are times when students must be absent from school due to physical inability to attend, it must be understood that parents or legal guardians have the responsibility for ensuring that students attend and remain at school daily.

6000.1 Teachers shall maintain accurate attendance records, both daily and by class where appropriate.

6000.2 Principals shall adhere to all conditions of the North Carolina Compulsory Attendance Law, and shall notify parents or guardians of their responsibility under the same law.

Grades K-12

The principal or designee shall provide written notification to the parent, guardian, or custodian when a student has accumulated three (3), six (6), and ten (10) unexcused absences.

First Notification – three (3) unexcused daily absences in a school year. This notification may be sent by regular mail.

Second Notification – six (6) unexcused daily absences in a school year. This letter will request a conference and give notice that the parent, guardian, or custodian may be in violation of the Compulsory Attendance Law and may be prosecuted if the absences cannot be justified. This notification may also be sent by regular mail but should be followed up by a phone call.

The principal, child and family support team (CFST), success coordinator, teacher(s), parent(s), guardian(s), custodian(s) and the student will work together to analyze the causes of the absences and determine possible steps to eliminate the problem. Failure to respond to the request for a conference will result in a referral to the Judicial Attendance Council of Pamlico County.

Third Notification – After ten (10) days of accumulated unexcused absences in a school year, a certified letter will be mailed. In most instances, the principal or his designee shall utilize the Judicial Attendance Council of Pamlico County in conferring with the student, parent(s), guardian(s), or custodian(s) to determine if a good faith effort was made to comply with the law.

If it is determined that a good faith effort was not made, the district attorney and the director of social services in the county where the child resides shall be notified.

If it is determined that the parent(s), the guardian(s), or the custodian(s) made a good faith effort to comply with the law, a complaint should be filed with the Juvenile Court Counselor pursuant to Chapter 7B of the General Statutes that the child is habitually absent from school without a valid excuse.

6000.3 All classroom activities are important and difficult, if not impossible, to replace if missed. School-related activities as outlined below, however, shall not be counted as absences from either class or school. It is the intention of the Board of Education that classes missed for such reasons be kept to an absolute minimum through close scrutiny and a monitoring system on the part of the principal. Assignments missed for these reasons shall be completed by students and are due on the day the student returns to class, unless granted additional time by the classroom teacher:

- a. Field trips sponsored by the school
- b. School-initiated and scheduled activities
- c. Athletic events requiring early dismissal from school
- d. Governor or legislative pages
- e. In-school suspension

6000.4 Teachers shall notify the principal or his designee when a student accumulates excessive absences (excused/unexcused) from either homeroom or an individual class.

- At the discretion of the principal, after five (5) excused absences the parent(s) may be asked to meet with the principal and the Child and Family Support Team.
- At the discretion of the principal, after ten (10) excused absences the parent(s) and student may be referred to the Judicial Attendance Council. It is mandatory for the parent(s) and student to be present during the hearing.

The school and teacher shall also notify parent(s)/guardian(s) or custodian(s) of the absences by means as considered appropriate. The notice to parents or guardian(s) or custodian(s) shall include a warning of the possible consequences of additional absences and/or a copy of this policy. Students at any age who accumulate excessive absences may experience consequences ranging from extra make-up work to grade retention.

6000.5 Required Attendance for Course Credit

Students in Grades K-8

Students in grades K-8 who are absent more than twenty (20) days during a year shall be referred to an Interdisciplinary Attendance Committee which shall determine if the student should be retained. The committee may substitute summer school or other approved experiences for retention if it determines them to be of greater educational benefit to the child than retention. The committee will also

review any additional educational experiences that the child might have received during the absences as it makes its determinations.

Students in Grades 9-12

A student who is absent a total of eight (8) or more periods per course (excused/unexcused) shall fail that course and receive no credit unless a waiver is granted by the principal, or the time is made up. A student who has been absent between eight (8) and no more than twelve (12) periods per course (excused/unexcused) will be provided an opportunity to make up time missed.

A student who has missed a total of eight (8) or more periods, who may have extenuating circumstances which would prohibit making up the missed time, may appeal to the principal for a waiver of his/her excused absences, as specified in 6110.1 (illness/injury/disability, quarantine/isolation, death in immediate family, emergency medical, subpoena/witness, religious observance, educational opportunity), or his/her short-term out-of-school suspension. If waivers are granted, absences will be recalculated to determine credit. Waiver decisions will be maintained/filed with the principal. Pamlico County High School shall provide sufficient make-up opportunities that are in the best interest of the student and the school.

6000.6 The principal shall appoint an Interdisciplinary Attendance Committee (administrator, CFST, counselor, teacher) to advise the principal whether the circumstances for each student who has exceeded the requisite number of days warrant waiver of the no-credit or retention provisions of this policy. Such hearings for each student shall be mandatory. The principal shall notify the student and his parent(s) or guardian(s) or custodian(s) concerning the time and place of such hearings and indicate that their presence is required. The principal shall have authority to waive the no-credit or retention provisions of the policy before or after a hearing by the committee. If the student has a passing grade but fails due to attendance, his/her grade will be recorded as a "69".

6000.7 The State Board of Education's Ten-Day Rule states that when a student accumulates more than ten consecutive days of unlawful absences, he/she is to be withdrawn from funded membership as of the first day following his/her last day in attendance. NC WISE school system software automatically handles the administration of the ten-day rule. The software functions are as follows:

1. On the eleventh consecutive day of unlawful absence, the student in violation of the rule will no longer be counted in the calculation of ADM as of the first day of absence. However, he/she will continue in membership and will be counted as absent from school.
2. If and when the student returns to school, he/she is simply to be counted present for the days of attendance. Beginning on the first day of attendance, the student will once again be counted in the calculation of the school's ADM.

3. If and when it is determined that the student has withdrawn from school, the withdrawal is to be posted on the first day after the student's last day in attendance.
4. Students under age 16 who are unlawfully absent for more than ten (10) consecutive absences are not to be withdrawn until their whereabouts are known or it is determined that they have left the attendance area.
5. If the student is in violation of the ten-day rule on the last day of the school year, the NC WISE software requires that before submission of the Month 09 PMR, action must be taken to withdraw the student from membership on the first day after his/her last day in attendance.

Absences caused by out-of-school suspension are not a factor in the administration of the ten-day rule or the compulsory attendance law.

6000.8 Exemption from Exams (PCHS only)

A student may be exempt from the final exam in any course where an end-of-course test is not required if:

1. The student has an "A" (93-100) average in the course and has no more than three (3) absences.
2. The student has a "B" (85-92) average in the course and has no more than two (2) absences.
3. The student has a "C" (77-84) average in the course and has no more than one (1) absence.

Any student has the option to take a final exam in any course from which the student is exempt.

Legal Reference: G.S. 115C-47, -84, -378 through -383

Adopted: June 5, 2000

Revised: January 2, 2007

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6001

DROPOUT REFERRALS

6001

The Superintendent shall cause all students who drop out of school to be referred to appropriate services as they may be available in the school system, the community college system, or from other sources or agencies.

6001.1 The principal or principal's designee shall have an exit conference with each student. The reasons for the student dropping out of school shall be documented.

Legal Reference: G.S. 115C-47(32)
Adopted: June 5, 2000
Revised: January 2, 2007

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6010

COMPULSORY ATTENDANCE AGE

6010

Every parent, guardian, or custodian residing within the school system and/or having charge or control of a child between the ages of seven and sixteen years shall cause such child to attend school continuously for a period equal to the time that the public schools are in session. It is their responsibility to notify the school of the reason for each known absence of the child.

Legal Reference: G.S. 115C-378
Adopted: June 5, 2000
Revised: January 2, 2007

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6011

ENTRANCE AGE: INITIAL

6011

A child, to be entitled to initial entry in the Pamlico County Schools, must have passed the fifth anniversary of his birth on or before October 16 of the year in which the child is presented for enrollment.

- 6011.1 The initial point of entry into the public school system shall be at the kindergarten level.
- 6011.2 After initial entry, the principal may place a child in first grade, by reason of maturity, without regard to chronological age.
- 6011.3.1 A child already attending school in another state according to laws and regulations of that state shall be eligible for enrollment regardless of whether such child has passed the fifth anniversary of his birth before October 16.
- 6011.4 A child who has turned 4 years old by April 16 may enter kindergarten if presented for enrollment no later than the end of the first month of the next school year, provided the principal finds: that the child is gifted, based on information provided by the parent or guardian; and that the child has the maturity to justify admission to the school. The principal shall use State Board of Education guidelines in making these findings.

Legal Reference: G.S. 115C-288, -364
Adopted: June 5, 2000

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6012

ENTRANCE AGE: TRANSFER FROM ANOTHER STATE

6012

When a child has begun attendance in a public school in another state or foreign country in accordance with the laws or regulations of that state, the child will be eligible for enrollment regardless of his age. Grade placement will be determined by the Pamlico County school principal.

Legal Reference: G.S. 115C-364
Adopted: June 5, 2000

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6013

ENTRANCE AGE: VERIFICATION

6013

The parent or guardian of a child who is making initial entrance into school shall be required to furnish a copy of the child's birth certificate or other legally acceptable proof of age, before admission is approved.

Legal Reference: G.S. 115C-364
Adopted: June 5, 2000

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6014

**TRANSFER FROM IN-STATE NONPUBLIC KINDERGARTEN
OR FIRST GRADE**

6014

If a child who does not meet North Carolina's age requirement for initial entry in the public schools enrolls in kindergarten in an in-state nonpublic school, the child may not transfer in the same school year to kindergarten in a public school. If such a child is presented for enrollment in the public school system at any time during the following school year, the child will be placed in kindergarten as provided by Policy 6011.

Legal Reference: G.S. 115C-81(f)(2), -288(a), -364
Adopted: June 5, 2000

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Qualification for admission to the Pamlico County Schools shall be considered complete upon satisfaction of the criteria listed under the respective types of entrants.

6020.1 DOMICILIARY STUDENTS. Students who are domiciled in Pamlico County (or who meet the requirements of N.C. GEN. STAT. § 115C-366(a2), (a3), (a6) or (a8)) shall satisfy the following requirements for admission:

- A. Student under the age of 21 who has not completed the prescribed course for graduation from high school.
- B. Student has satisfied North Carolina immunization requirements.
- C. Receipt of transcript and other student records for a student whose parent or guardian is a new resident of Pamlico County. If the student's parent, custodian, or guardian provides the student records, the receiving school's principal shall verify the records as required by Board policy 6322.2. The principal shall in all cases obtain such records, or the aforementioned verification, within thirty (30) days of the child's enrollment, as required by policy 6322.2.

6020.2 DETERMINATION OF DOMICILE. The Superintendent shall develop and be responsible for administering a system to determine the domiciliary status of each pupil desiring to attend the Pamlico County Schools, for the purpose of determining qualifications for admission.

6020.3 HOMELESS STUDENTS. Homeless children, the children of homeless parents, and "unaccompanied youth," as defined by Policy 6023, who actually live in Pamlico County shall be considered domiciliary students for the purpose of this policy.

6020.4 TRANSFER STUDENTS. The Board requires that a student's parent, guardian, or custodian provide a sworn statement (affidavit) indicating whether the student currently is under suspension or expulsion from attendance at any public or private school or has been convicted of a felony, in any state. This requirement will not apply to a student who has never been enrolled in or attended a private or public school in this or any other state.

For students who have been suspended from school, the Superintendent may deny admission until the suspension period expires, or place reasonable conditions on admission if the student has been suspended for conduct which could have resulted in suspension from Pamlico County Schools.

The Superintendent may deny admission or place reasonable conditions on admission to a student convicted of a felony or expelled. If admission is denied to a student who has been expelled or convicted of a felony, the student may request the Board of Education to reconsider that decision pursuant to N.C. Gen. Stat. § 115C-391(d).

The Superintendent's decision to deny admission to a transfer student under this policy may be appealed to the Board of Education.

Cross Reference: Homeless Students (Policy 6023)

Legal Reference: G.S. 115C-40, -45(c), -366, -366.1, -403; 20 U.S.C. §11431 et seq., as amended.

Adopted: June 5, 2000

Revised: January 2, 2007

Revised: January 7, 2008

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No child shall be permitted to attend school unless a certificate of immunization indicating the child has received the immunizations required by G.S. 130A-152 is presented to the school. If on the first day of attendance the child does not present such a certificate, the child's parent, guardian or caretaker shall be notified. This person shall be given thirty (30) calendar days from the first day of attendance to obtain the required immunizations for the child. If, following approved medical practice, the administration of a vaccine requires more than thirty (30) calendar days to complete, upon certification of this fact by a physician, additional days may be allowed in order to obtain the required immunization. At the end of the thirty (30) calendar days or extended period, if the required immunizations have not been obtained, the school shall not admit the child. No child will be required to have any such immunization if his parent objects thereto, in writing, on the grounds that it conflicts with their religious beliefs, or if the child's physician certifies that the required immunization is or may be detrimental to the child's health for as long as a medical contraindication exists.

The school shall maintain on file immunization records for all students which contain the information required for a certificate of immunization as specified in G.S. 130A-154, and these records may be inspected by officials of the county or state health departments. When a child transfers to another school, the school from which he is transferring shall send a copy of the child's immunization record to his new school at no charge.

Each school principal shall file an immunization report with the Department of Environment, Health and Natural Resources within sixty (60) calendar days after the commencement of a new school year.

Legal Reference: G.S. 130A-152 through -157

Adopted: June 5, 2000

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No child shall be permitted to enter kindergarten unless a health assessment transmittal form is presented to the principal on or before the child's first day of attendance. If the form is not presented, the principal must present a notice of deficiency to the parent, guardian or responsible person. If the health assessment transmittal form is not received within 30 calendar days after the principal has given the notice of deficiency, the child must be prohibited from attending school until the health assessment transmittal form has been presented.

Within 60 calendar days after the commencement of a new school year, the principal shall file a health assessment status report with the Department of Environment, Health and Natural Resources. The report shall document the number of children in compliance and not in compliance with the requirement to provide the health assessment transmittal form.

Legal Reference: G.S. 130A-440 through -441

Adopted: June 5, 2000

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In accordance with the McKinney-Vento Homeless Assistance Act and the North Carolina State Plan for Educating Homeless Children, the Board of Education will make reasonable efforts to identify homeless children and youth of school age within the district, encourage their enrollment, and eliminate barriers to their receiving an education which may exist in district policies or practices. Based on individual need, homeless students will be provided services available to all students, such as preschool, free or reduced school meals, services for English language learners, special education, career and technical education, academically and intellectually gifted services, and after-school programs.

The provisions of this policy will supersede any and all conflicting provisions in Board policies that address the areas discussed in this policy.

A. DEFINITION OF HOMELESS STUDENTS

Homeless students are children and youth who lack a fixed, regular, and adequate nighttime residence. Homeless students include unaccompanied youth which shall mean a youth who is not in the physical custody of a parent or guardian. Homeless children and youth include those students who are:

1. sharing the house of other persons due to loss of housing, economic hardship, or a similar reason;
2. living in motels, hotels, transient trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
3. living in emergency or transitional shelters;
4. awaiting foster care placement;
5. living in a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings;
6. living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings; or
7. living in a migratory situation that qualifies as homeless because the child lacks a fixed, regular, and adequate nighttime residence.

B. HOMELESS LIAISON

The superintendent or the superintendent's designee will appoint a school employee to serve as the homeless liaison. The homeless liaison's duties include, but are not limited to, the following:

1. ensuring that school personnel identify homeless children and youth;
2. ensuring school/pre-school enrollment and opportunities for academic success for homeless children and youth;
3. informing parents of available transportation services and helping to coordinate such services;

4. ensuring that public notice of the educational rights of homeless students is disseminated in locations where these students and families receive other support services;
5. informing parents of educational and related opportunities available to their children and ensuring that parents have a meaningful opportunity to participate in their child's education;
6. helping to mediate enrollment disputes;
7. working with school personnel, the student, parents or guardians and/or other agencies to obtain critical enrollment records, including immunization and medical records, in a timely manner; and
8. working with the superintendent or his/her designee to identify board policies or procedures that might serve as a barrier to enrollment of homeless students, including those related to immunization records, medical records, uniforms or dress codes, school fees, and school admission.

C. ACCESS TO STUDENT'S RECORDS

Homeless students transferring into the school district may provide cumulative and other records directly to the school district. The school district will not require that such records be forwarded from another school district before the student may enroll. However, school personnel will immediately request the official records from the previous school.

School personnel will immediately enroll homeless students, even if they do not have proof of residency, school and immunization records, birth certificates, or other documents, and even if they are not accompanied by an adult. The homeless liaison will assist the students/parent in securing appropriate records or otherwise meeting enrollment requirements.

D. ENROLLMENT

A homeless student (or his/her parent or guardian) may request to attend his/her school of origin or any public school that other students living in the same attendance area are eligible to attend. The school of origin is defined as the school the student attended before losing permanent housing or the school in which the student was last enrolled. To the extent feasible, the student will remain enrolled in the school of origin for the entire time the student is homeless or until the end of any academic year in which the student moves into permanent housing.

The superintendent, or the superintendent's designee, in consultation with the homeless liaison, will make the decision regarding which school a homeless student will attend. The decision will be based upon the student's best interests. In making the enrollment decision, the superintendent or designee may consider the following factors:

- the age of the student;
- the distance of the commute and its impact on the student's education;
- personal safety issues;
- the student's need for special instruction (such as special education and related services);

- the length of any anticipated stay in a temporary shelter or other temporary location; and
- the time remaining in the school year.

If the superintendent or designee assigns a student to a school other than the school of origin or one requested by the parent/guardian, he/she must provide a written explanation of the decision to the parent/guardian, along with a statement regarding the right to appeal the placement decision.

E. ENROLLMENT DISPUTE RESOLUTION

The school district will implement an enrollment dispute resolution process that is consistent with the process required by the State Board of Education in the North Carolina Administrative Code section 06H.0012.

1. Initiation of the Dispute and Stay Put

If a dispute arises over school selection or enrollment in a school for a homeless student, the following will occur:

- a. The homeless student shall be immediately admitted to the school in which enrollment is sought, shall receive all services for which he/she is eligible and shall be allowed to participate fully in school activities, pending resolution of the dispute.
- b. The parent/guardian of the student shall be provided a written explanation of the school's decision regarding the enrollment, including the right to appeal the decision. Such information must be provided in a language that the parent/guardian or unaccompanied youth can understand.
- c. The student or parent/guardian shall be referred to the district's homeless liaison who will carry out the appeal process as expeditiously as possible after receiving notice of the dispute.

2. Homeless Liaison Review

- a. Any parent/guardian or student initiating an enrollment dispute (hereinafter "complainant") is encouraged to attempt to resolve the dispute informally through discussion with the homeless liaison. If the dispute cannot be resolved informally, the complainant may present a formal complaint orally or in writing to the homeless liaison.
- b. The complaint should include the date of the filing, a description of the disputed action, the name of the person(s) involved and a description of the relief requested. The complainant may provide supporting written or oral documentation and may be accompanied by an advocate or attorney.
- c. Within five school days after receiving the complaint, the homeless liaison will provide a written decision, including the reasons for the decision, to the complainant and the superintendent.

3. Appeal to the Superintendent of the Liaison's Decision

- a. Within five school days of receiving the liaison's decision, the complainant may appeal the decision to the superintendent in writing. The

homeless liaison shall ensure that the superintendent receives copies of the written complaint and the response.

- b. The superintendent or his/her designee shall schedule a conference with the complainant to discuss the complaint.
 - c. Within five school days of receiving the appeal, the superintendent or designee shall provide a written decision to the complainant including a statement of the reasons for the decision.
4. **Appeal to the Board of the Superintendent's Decision**
If the complainant is dissatisfied with the superintendent's decision, he/she may file a written appeal with the board of education. The board will provide a written decision within 30 days of receiving the appeal. The board's decision will constitute the final decision of school district. The written statement of the board's opinion will include the name and contact of the state coordinator for homeless education and will describe the appeal rights to the state coordinator.
 5. **Appeal to the State Coordinator of the Board's Decision**
If the complainant is dissatisfied with the action taken by the board of education, he/she may file an appeal with the state coordinator for homeless education, who will issue a final decision on the complaint.

F. TRANSPORTATION

The board of education will provide homeless students with transportation services comparable to those of other students. In addition, at the parent/guardian's request (or the request of the homeless liaison for unaccompanied youth), the board will provide transportation services to/from the school of origin. The superintendent or designee and the homeless liaison will coordinate homeless students' transportation needs, based on the child's best interest and feasibility. In situations where a student attends school in this district but his/her temporary housing is in another district (or vice versa), the superintendent or designee will work with the other district to share the cost and/or responsibility for transportation. If an agreement cannot be reached between the districts, the cost of such transportation will be divided evenly.

If a homeless student becomes permanently housed and chooses to remain in his/her school of origin, the board will provide transportation to the student for the remainder of the school year, except in extraordinary circumstances as recommended by the superintendent.

G. TITLE I

Homeless students are automatically eligible for Title I services. The homeless liaison and the Title I director will collaborate to identify the needs of homeless students.

Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, et seq.; U.S. Department of Education Non-Regulatory Guidance on Education for Homeless Children and Youth Program (2004); G.S. 115C-366(a2); 16 N.C.A.C. 6H.0112; State Board of Education Policy EEO-I-000

Cross References: Immunization (policy 6021), School Admissions (policy 6020), School Assignment (policy 6201)
Adopted: December 3, 2007

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The Pamlico County Board of Education recognizes that student health issues can impact a student's ability to succeed in school. Some health conditions are common enough in any given student population to make mass screenings beneficial for identifying barriers to success in that population.

The Board further recognizes that identifying a potentially handicapping health condition is only the first step in a health-screening program. Appropriate referrals for further evaluation and remediation must be made. In addition, adequate follow up with parents is necessary to assure that the condition is corrected or, if the condition cannot be corrected, that appropriate accommodations are made.

The superintendent or designee shall develop procedures for mass screenings and follow up to be conducted within the district. A determination of what health screenings shall be conducted, as well as the frequency and scope of those screenings, will be made annually in accordance with the available resources of the district.

Reference: G.S. §115C-36; North Carolina School Health Program Manual of 2005.

Adopted: December 3, 2007

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It shall be the responsibility of the principal to determine that any person appearing at a school and requesting permission to take a student from the school shall be properly identified before allowing him to proceed.

6030.1 In no case shall a person other than an authorized parent, or guardian, or custodian be permitted to take a student from school until or unless the principal is satisfied that such person has the approval of the authorized parent or guardian.

Legal Reference: G.S. 115C-40, -47, -288

Adopted: June 5, 2000

Revised: January 2, 2007

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**PERMISSION TO LEAVE SCHOOL
BEFORE CLOSING HOUR**

All requests to leave the building while school is in session must be approved by the principal or his/her designee. Leaving school without permission constitutes truancy. Students shall not be permitted to leave school before the regular closing hour except for appropriate and bona fide reasons.

- 6031.1 Senior high school students are initially required to obtain the principal's permission to leave the school grounds for participation in dual enrollment and established cooperative work programs.
- 6031.2 A student may be dismissed from school for a medical or dental appointment for the time required by the specific appointment. Such an absence shall be considered excused.
- 6031.3 Students shall not be excused for outside activities such as music lessons, dancing lessons, etc.
- 6031.4 Each school has the responsibility for developing its own procedures for permission to leave school before the closing hours. These shall be included in the student/parent handbook.

Legal Reference: G.S. 115C-40, -47, -288
Adopted: January 2, 2007

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6101

ABSENCES: PRINCIPAL'S RESPONSIBILITY

6101

It shall be the responsibility of the principal to be familiar with current rules and regulations relative to attendance and absences and to monitor regularly:

- A. Teacher compliance,
- B. Decisions relative to classifications of absences as excused or unexcused, and
- C. Absence cases needing further review or action.

Legal Reference: G.S. 115C-47, -288, -378 through -381

Adopted: June 5, 2000

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6102

ABSENCES: TEACHER'S RESPONSIBILITY

6102

It shall be the teacher's responsibility to be familiar with current rules and regulations relative to attendance and absence and to carry out his/her duties as set forth.

6102.1 Teachers shall notify parent(s), guardian(s), or custodian(s) when a student accumulates excessive tardies or absences and inform them of the consequences. Parent(s), guardian(s), or custodian(s) should be invited for a parent-teacher conference to resolve any missing assignments or coursework.

Legal Reference: G.S. 115C-47, -307, -378 through -381

Adopted: June 5, 2000

Revised: January 2, 2007

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In the event of absence or tardiness, it shall be the responsibility of the student to bring to the principal or his designee a note signed by the parent or guardian citing the reason for such absence or tardiness. **A principal may require any additional documentation deemed necessary to verify an absence or tardiness.**

Such notes should be presented within three (3) days of the student's return to school. Failure to comply will result in the absence or tardiness being recorded as unexcused, as provided in Policy 6111.

Legal Reference: G.S. 115C-47, -288, -378 through -381

Adopted: June 5, 2000

Revised: January 2, 2007

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- 6110.1 Valid conditions for excused absences are:
- A. Illness, injury or disability which makes the student physically unable to attend school.
 - B. Quarantine/isolation ordered by the local health officer or State Board of Health.
 - C. Death in the immediate family. This would include but not necessarily be limited to parents, grandparents, brothers, and sisters.
 - D. Emergency medical or dental appointment or such an appointment which has been approved in advance by the principal.
 - E. Participation as a party, or under subpoena as a witness, in a court proceeding or before an administrative tribunal.
 - F. Observance of an event required or suggested by the religion of the student or the student's parent(s), guardian(s), or custodian(s), with prior approval by the principal.
 - G. **Participation in a valid educational opportunity with prior approval by the principal.** Valid activities may include travel or student's attendance at official deployment activities or ceremonies when the student's parent, guardian, or custodian is a deploying member of the U.S. Armed Forces. Within five days after returning to the school setting, the student shall present to the principal for his approval a log of activities and a written report explaining what insight or perspective the student gained by this trip.
- 6110.2 Absences caused by out-of-school suspensions are not considered excused absences for purposes of academic credit, nor are they considered a factor in the administration of the compulsory attendance law or the ten-day rule.
- 6110.3 In the event of an excused absence, a student shall be entitled to make up work without receiving penalties to their marks or grades for such work.
- 6110.4 The responsibility for securing and arranging for make-up work rests with the student at the secondary level. Elementary students will have make-up work arranged at the direction of the teacher.

- 6110.5 Make-up work shall be assigned at the convenience of the teacher, and may be specific material missed by the student, or may be of a reinforcement or enrichment nature.
- 6110.6 When a student is absent for any of the seven reasons listed above, he or she shall provide appropriate written documentation of that absence as lawful, as required by policy of the local school and as made known to parents through the school handbook. Such documentation shall be kept on file. **If there is any question regarding lawful absences, a person designated by the principal shall make contact with the parent, guardian, or custodian of the child.**
- 6110.7 If a student is to be absent for medical or dental appointments, court or administrative proceedings, religious observances, or educational opportunities, the parent, guardian, or custodian should, except in emergencies, file the excuse and the dates for absences with the principal prior to the date that the student is to be absent.

Legal Reference: G.S. 115C-47, -307, -378 to -381

Adopted: June 5, 2000

Revised: January 2, 2007

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Any absence not meeting the requirements of an excused absence shall be an unexcused absence. This includes, but is not limited to:

- A. Any absence not classified as excused in Policy 6110.1.
- B. Any absence listed in Policy 6110.1 for which proper notification is not furnished to the principal within three (3) days of returning to school or prior to the absence. However, upon receipt of adequate documentation that the absence met the requirements of an excused absence, the principal may reclassify the absence as excused.

6111.1 Any absence of a student that results from a suspension of that student for misconduct pursuant to G.S. 115C-391 shall not be considered an unexcused absence for purposes of the Compulsory Attendance Law. A student who has been suspended pursuant to G.S. 115C-391 shall be provided an opportunity to make up semester or grading-period examinations missed during the suspension and be encouraged to complete coursework and assignments during the period of suspension.

6111.2 Unlawful absences must be recorded for proper calculation of ADM.

6111.3 It is encouraged, when appropriate (i.e., parent support, student motivation/cooperation), that the administration provide means through the guidance counselors, child-family support teams, success coordinator and/or appropriate faculty members to allow work and tests to be made up so as to not compound the academic consequences of absences.

Legal Reference: G.S. 115C-47, -378 through -381, -391

Adopted: June 5, 2000

Revised: January 2, 2007

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**HOSPITAL/HOMEBOUND SERVICES
FOR NON-EXCEPTIONAL STUDENTS****Purpose:**

The primary purpose of this policy is to help hospital/homebound students maintain access to the general curriculum through the provision of instructional and tutorial services, in order to support the students' growth, development, and academic performance.

Eligibility:

Any student who is not participating in the Exceptional Children's Program and is expected to be confined to hospital or home for four weeks or longer, as determined through consultation and documentation, is eligible for hospital/homebound services during the period of treatment or recuperation. Hospital/Homebound services for Exceptional Children will be determined by the IEP committee.

Priority Population:

- Accident Victim
- Surgery
- Extended Illness
- Pregnancy and Pregnancy Recuperation
- Other as Determined by Consultation and Documentation from doctor

Operational Procedures:

Once a request for hospital/homebound services has been received or a need has been identified by a parent/guardian, individual of legal age or emancipated youth, the principal or designee will immediately implement the process to make a determination. The following steps should be used to register students for the services:

- Request for Hospital/Homebound Services form is completed by parent/guardian. Parental Consent Form (HB-1).
- Parent/Guardian obtains medical documentation. Physician's Statement (HB-2). When Hospital/Homebound Services are needed due to an emotional or psychological concern, a complete psychological or psychiatric evaluation by a licensed psychologist or psychiatrist must accompany the physician's statement.
- Parent submits forms HB-1 and HB-2 to school the student attends.
- Principal completes School Request Form (HB-3).
- Request for Hospital/Homebound Services packet (HB-1, HB-2, HB-3) is sent to the Central Office designee.
- Central Office designee approves/denies request. (HB-3)
- The Hospital/Homebound teacher, in conjunction with the student's teachers, will develop a Hospital/Homebound Service Plan to include:

- o Length of service
 - o Goals and objectives
 - o Daily/weekly hospital/homebound service schedules
 - o Other
-
- The Hospital/Homebound teacher will have access to textbooks, instructional materials, assignments, specific curriculum goals and objectives, and performance indicators to be used during the period of confinement.
 - The student's school should accept completed assignments and grades on goals, objectives, competencies and performance indicators that have been identified by the student's teacher(s).
 - Hospital/Homebound students will receive adequate opportunity to engage in learning with consideration given to the status of the student's medical condition.
 - As a general rule, two to five hours per week, provided on an individual basis, should be considered equivalent to one full week of school attendance.
 - A student who is confined at home or in a hospital and is receiving homebound instruction is considered Hospital/Homebound and as such, should be counted PRESENT for the span of time during which regularly scheduled hospital/homebound instructional services are delivered. When hospital/homebound services are required for an extended period, medical documentation must be presented every four weeks. Services will be terminated if documentation is not provided.
 - Students are to be released from hospital/homebound services based on the physician's release form that has been obtained by the school.
 - This policy shall not be construed as creating rights in addition to that provided by applicable law.

Legal Reference: G.S. §115C-36; Individuals with Disabilities Education Act.

Adopted: June 5, 2000

Revised: June 4, 2007

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6120

CREDIT FOR ATTENDANCE

6120

To be counted present, a student shall be in attendance at least one-half of the student school day.

6120.1 A student shall be considered present for that portion of the day that he is present to attend an official school activity at a place other than the school with the approval of the principal.

Legal Reference: G.S. 115C-379
Adopted: June 5, 2000

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6121

TARDINESS

6121

A student shall be seated or at his 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. Skipping (truancy) school or any assigned classes is addressed in the *Student Code of Conduct, Policy 6401 Rule 3*.

Legal Reference: G.S. 115C-379
Adopted: June 5, 2000
Revised: January 2, 2007

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6201

STUDENT ASSIGNMENT

6201

Each student shall be assigned to the appropriate grade.

6201.1 An exceptional child shall be assigned to a school based upon the extent that facilities and the presence of an appropriate program offering permit.

Legal Reference: G.S. 115C-113, -366
Adopted: June 5, 2000

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Notification of assignment of students for the coming school year shall be made and distributed prior to July 1.

Legal Reference: G.S. 115C-366(b), -368

Adopted: June 5, 2000

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All children with special needs are capable of benefiting from appropriate programs of special education and training, and they shall be provided with an education that meets their needs.

6220.1 The term "special education" includes specifically designed instruction, including classroom instruction, instruction in physical education, and home instruction. It includes such related services as required to assist a special needs child to benefit from special education.

6220.2 Each child with special needs shall be educated in the least restrictive environment.

6220.3 The student records of children with special needs will be flagged, obtained or verified when appropriate under Board Policy 6322.

Legal Reference: 20 U.S.C. § 1412; G.S. 115C-107, -108

Adopted: June 5, 2000

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6221

**ASSURANCE OF APPROPRIATE SERVICES -
EXCEPTIONAL STUDENTS**

6221

No child between the ages of three (3) and twenty (20) with special needs shall be denied a free appropriate public education.

- 6221.1 Every child suspected of having special learning needs is entitled to multi-disciplinary diagnosis and evaluation.
- 6221.2 All testing and evaluation materials and procedures shall be non-discriminatory and administered in the child's native language.
- 6221.3 Parents shall be provided in writing with the results, findings and proposals based upon the evaluation.
- 6221.4 An individualized education program shall be developed for each child found to be a child with special learning needs.
- 6221.5 Special education and related services shall be provided to each child with special learning needs based upon the individual education program.

Legal Reference: G.S. 115C-108 through -111, -113, -146; 20 U.S.C. § 1412; 29 U.S.C. § 702
et seq.

Adopted: June 5, 2000

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6222

PLACEMENT OF EXCEPTIONAL STUDENTS

6222

Written notice shall be given to parents of exceptional children a reasonable time before the school system proposes to initiate or change the identification, evaluation or educational placement of a child with special needs. The written notice shall give a full explanation of all of the procedural safeguards available to parents in their native language.

Legal Reference: 20 U.S.C. § 1412; G.S. 115C-113, -116

Adopted: June 5, 2000

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No child will be excluded from any educational program or be subject to discrimination because he is an "individual with a handicap," as that term is defined in The Rehabilitation Act of 1973. Protected individuals include any person who has a physical or mental impairment that substantially limits one or more of such person's major life activities, has a record of such impairment, or is regarded as having such an impairment.

- 6223.1 The Superintendent will appoint a Board employee to ensure that the school system complies with Section 504 of The Rehabilitation Act of 1973.
- 6223.2 Any student, or his parent/guardian, may file a grievance before the school system's Section 504 coordinator if they believe their rights under this policy or Section 504 of The Rehabilitation Act of 1973 have been violated. The procedures for such student grievances will be kept on file in the office of the Section 504 coordinator.

Legal Reference: 29 U.S.C. § 702 et seq.
Adopted: June 5, 2000

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An accurate cumulative record shall be maintained for every student enrolled in the school system. Parents will be notified annually of their rights regarding student records under the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

Each student's official record must contain notice of any suspension for a period of more than ten (10) days or expulsion, and the conduct for which the student was suspended or expelled. However, the notice of suspension or expulsion must be expunged (deleted) from the record if the following criteria are met:

1. a request for expungement is made by the parent, legal guardian, or custodian or by the student (if the student is at least 16 years old or emancipated);
2. the student either graduates from high school or is not expelled or suspended again during the two-year period commencing on the date of the student's return to school after the suspension;
3. the superintendent or his designee determines that maintenance of the record is no longer needed to maintain safe and orderly schools; and
4. the superintendent or his designee determines that maintenance of the record is no longer needed to adequately serve the child.

If no request for expungement has been made under subsection 1 above, the superintendent or his designee may expunge any notice of suspension or expulsion if the remaining criteria in subsections 2, 3, and 4 are met.

Legal Reference: 20 U.S.C. § 1232g; G.S. 115C-47, -402

Adopted: June 5, 2000

Revised: July 1, 2002.

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6301

PERMANENT RECORDS

6301

Permanent student records shall contain only information of recognized importance which may be used for the benefit or welfare of the student.

Legal Reference: G.S. 115C-47, -402
Adopted: June 5, 2000

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6302

TEMPORARY RECORDS

6302

Temporary student records also may be kept but shall be reviewed annually and destroyed when their usefulness is no longer apparent or when the student leaves.

Legal Reference: G.S. 115C-47, -402
Adopted: June 5, 2000

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- 6303.1 Purpose of Notification Requirements. Juvenile Court Counselors are required to provide school principals information about delinquent juveniles. The purpose of the notification requirements is to protect the safety and to improve the educational opportunities for the student or others.
- 6303.2 Use of juvenile court information. Written notifications received by the principal are:
- Confidential records,
 - Not public records, and
 - Must not be made part of the student's official record.
- The principal must maintain these documents in a safe, locked storage area. These records must be kept separate from the student's other schools records.
- 6303.3 Sharing notices with others. Upon receipt of the notice from the juvenile court counselor, the principal must share the document with those individuals who have:
- Direct guidance, teaching, or supervisory responsibility of the student, and
 - A specific need to know in order to protect the safety of the student or others.
- 6303.4 Procedures for sharing notices. If the principal determines that an individual must be made aware of the notice, once the information is shared, that individual must:
- Indicate in writing that they have read the document; and
 - That they agree to maintain its confidentiality.
- Failure to maintain confidentiality is grounds for dismissal.
- 6303.5 Disposal of notices. The principal must maintain the notices received from the juvenile court counselor until notified that:
- The judge dismissed the petition,
 - The judge transferred jurisdiction over the student to superior court, or
 - The judge granted the student's petition for expunction of records.
- Once the principal receives notice of one of these events, the principal must then shred, burn, or destroy the documents. The principal is prohibited from making a copy of these documents.
- 6303.6 Return of notices. The principal is required to return the notice to the juvenile court counselor when:
- The student graduates,
 - Withdraws from school,
 - Is suspended for the remainder of the school year,
 - Is expelled, or

- Transfers to another school. If the student has transferred to another school, the principal must give the juvenile court counselor the name and address of the school to which the student is transferring.

Legal Reference: N.C. Gen. Stat. §§ 7A-675.2; 115C-404.
Adopted: June 5, 2000

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All student records shall be kept up-to-date and tended with appropriate measures of security and confidentiality.

6310.1 Maintenance of Student Records: Active records (the records of students currently enrolled) and inactive records (those for all other students -- transfers, dropouts, deceased) shall be maintained by the individual school. At the end of the five-year period from the student's exit, both the active and inactive student records shall be sent to the Pamlico County Schools' central office for storing and responding to information requests.

6310.2 Disposition of Records: The Pamlico County Schools will follow all instructions on Publication Number 335: "Directions for Using the North Carolina Cumulative Records," dated March 1965, or as revised. In addition, the following procedure will be used for transfer of students:

In County: Complete Transfer Record Card (yellow) and keep in files of original school. Send complete record to new school.

In State: Complete Transfer Record Card, attach brown envelope on card in section designated "Other Pertinent Data," and keep in files of original school. Mail remaining records to new school.

Out of State & Private Schools: Complete paper transcript and mail. Records remain as part of "Inactive File."

6310.3 Upon written request, a parent or student who has attained age eighteen (18) will be provided a list of the types and locations of education records maintained by the Pamlico County Schools.

Legal Reference: 20 U.S.C. 1232g; G.S. 115C-402

Adopted: June 5, 2000

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Access to student records and challenges thereto shall be allowed in compliance with the Family Educational Rights and Privacy Act of 1974 as amended.

6311.1 Access to Records: Official North Carolina cumulative student folders containing records, files and data directly related to the student are accessible to all school officials who have a legitimate educational interest in seeing the records. A parent shall be allowed access to all records of his child upon proper request. For purposes of this policy, "parent" is defined as natural parent, guardian or an individual acting as a parent in the absence of a parent or guardian. A student who has attained his eighteenth birthday shall have access to his records upon proper request. This access will be provided at a time mutually agreeable to the parent or student and school official(s) and in no case longer than forty-five (45) days after the written request. For the purposes of interpreting and protecting the information in the records, the school principal or his designee must be present during the examination. If an education record contains information about more than one student, the parent or student may inspect and review or be informed of only the specific information about that student. The parent or student may receive a copy of the student's record upon written request and payment of a copy fee. Parents or students will not be charged a fee to search for or to retrieve student records.

6311.2 Challenge of Records: A parent or student who has attained age eighteen (18) shall have the right to challenge an item contained in the student record that is believed to be inaccurate, misleading or violative of the student's privacy rights. The principal shall examine a formal challenge of a student record item and shall decide within a reasonable time whether to amend the record. If the principal decides not to amend the record, he will notify the parent in writing of his decision and of the parent's right to a hearing. Subsequently, if necessary, the parent or student who has attained age eighteen (18) may receive a hearing before the Student Records Committee appointed by the Superintendent, consisting of the principal, director of student services and one director of instruction, within 5 days of submitting a written request. The Student Records Committee shall make its decision in writing within a reasonable time after the hearing.

- a. If the Student Records Committee decides in favor of the parent or student it will amend the record and inform the parent or student of the amendment in writing.
- b. If the Student Records Committee decides against the parent or student, it will inform the parent or student of that decision and of the right to place in the record a statement commenting on the information or stating his or her disagreement with the committee's decision.

- c. Any explanation added to the record by the parent or student will be maintained as part of the record as long as the record is maintained and will be disclosed as part of the record whenever the record is disclosed.

Legal Reference: 20 U.S.C. § 1232g
Adopted: June 5, 2000

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Responsibility for release of student records shall rest with the principal. Automatic release of student records shall be made promptly in the following cases:

- 6320.1 Transfer Within the School System: Records are available upon request from proper school officials.
- 6320.2 Transfer Outside the School System: Records are available upon written request of other schools or school systems in which a student seeks or intends enrollment, provided the student's parents are notified of the transfer and are provided a copy of the record and an opportunity to challenge its contents, if desired.
- 6320.3 Admissions and Honors Applications: Transcripts and confidential data will be released for admissions applications to institutions of higher learning and for consideration of honors and employment, provided the parent/guardian or student over age eighteen (18) has given written permission and been provided a copy of the record and an opportunity to challenge its contents, if desired.
- 6320.4 Judicial Order: Upon judicial order or subpoena, student records will be released to proper officials after notification to the parent/guardian and student involved.
- 6320.5 Upon receipt of written permission by a parent, guardian, or student who has attained age eighteen (18), for release of a student's records for any other reason.
- 6320.6 Student records will be flagged, obtained or verified when appropriate under Board Policy 6322.
- 6320.7 A record will be maintained of each request for access to and each release of personally identifiable information from the education record of each student (except access by the parent, eligible student, proper school officials and persons with consent of the parent or eligible student). This record will consist of the name of the party requesting or receiving the information; the date access was given; and, the legitimate interest the party had in requesting or obtaining the information.

Legal Reference: 20 U.S.C. 1232g; G.S. 115C-403
Adopted: June 5, 2000

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**RELEASE OF DIRECTORY INFORMATION
CONCERNING STUDENTS**

Parents and students who have attained age eighteen (18) will be notified at the beginning of each school year that the school system may publish information relating to a student, including the following: the student's name, address, telephone listing, date and place of birth, major field of study, photograph, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous education agency or institution attended by the student. A parent may notify the school system that any or all of this directory information should not be released without the parent's prior consent.

Legal Reference: 20 U.S.C. § 1232g

Adopted: June 5, 2000

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Upon notification by a law enforcement agency or the North Carolina Center for Missing Persons of a child's disappearance, the Superintendent or his designee shall have that child's student record distinctively marked in such a manner that, if a copy or information regarding the record is requested, school personnel will be alerted to the fact that the record is that of a missing child.

6322.1 Upon receipt of such a request, and before providing a copy or other information concerning such a child, the Superintendent or his designee shall notify the agency that requested the record be marked of every inquiry made concerning the marked record, and shall provide to the agency a copy of any written request for information concerning the record.

6322.2 Upon transfer of a child into the Pamlico County Schools from any other school system, the principal shall, within thirty (30) days of the child's enrollment, obtain the child's record from the school in which the child previously was enrolled. If a copy of the child's record from the previous school is provided by the parent, custodian or guardian, the principal shall within thirty (30) days of the child's enrollment request written verification of the school record from the previous school. Any information received indicating that the transferring child is a missing child shall be reported promptly to the Superintendent and the North Carolina Center for Missing Persons.

Legal Reference: G.S. 115C-403

Adopted: June 5, 2000

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INTRODUCTION

The Pamlico County Board of Education is committed to discipline practices that encourage the development of self-control, personal responsibility and respect for the dignity of all individuals. The Board is committed to maintaining effective discipline in order to establish positive learning environments within which students have the opportunity to receive an appropriate public education.

In order for effective discipline to be maintained in each school, the Board acknowledges that cooperative relationships must be established among students, parents and school personnel. Each individual is expected to work positively toward this goal and to respect the individuality and the rights of all people. Parents/Guardians, students and school personnel are also expected to deal effectively with behavioral concerns. To carry out this commitment, the Board established the following responsibilities and student behavior guidelines for all students system-wide in grades 6-12. This policy is to also serve as a guide for discipline in grades K-5. Additionally, a copy of the code of conduct and procedures shall be published and made available at the beginning of each school year to each student and his/her parent/guardian.

Efforts will be made to ensure early identification of students at risk for potential disciplinary problems. When it is recognized that a student is behaving in a manner which indicates potential disciplinary problems, school personnel shall make reasonable efforts to initiate preventive measures. Preventive interventions should attempt to identify and address the sources and cause of the potential discipline problems. **Possible preventive intervention procedures may include, but are not limited to:**

- change of educational setting
- change of instructional methods
- change of schedule or teacher
- conferences with parents/guardians, school personnel
- conferences with student
- referral to and/or consultation with community agencies
- referral to appropriate support personnel (counselor, nurse, attendance counselor, school resource officer, school social worker, juvenile justice, etc.)
- referral to Behavioral Management Teams (social worker, nurse, guidance counselor, parent, student, referring teacher, etc.)
- referral to Pamlico Alternatives to Suspension (PATS)
- referral to school assistance team
- referral to the Pamlico County Alternative Learning Center
- use of daily or weekly progress reports to parents
- use of peer mediation
- visit by parents in the classroom

School personnel shall actively seek effective, positive methods and strategies to help each student learn to behave in a manner that is conducive to effective learning and that respects the rights of others. Each school principal shall systematically identify potential problem areas with his/her school that may contribute to discipline problems within the school. The Board encourages the administration to continue to work with appropriate community agencies in dealing with discipline problems.

CHILDREN WITH SPECIAL NEEDS

A student with an identified disability as defined in the North Carolina Procedures Governing Programs and Services for Children with Special Needs may be disciplined or suspended in accordance with those procedures, which are summarized below. However, the suspension procedure does not apply in the event that:

- (1) the student's individualized education program contains procedures or other disciplinary techniques which are to the contrary, or
- (2) the length of the proposed in-school or out-of-school suspension or any combination thereof related to the child's disability exceeds ten (10) school days; and, therefore, may constitute a change in the student's educational placement.

Before suspending a child for more than ten days, the Individual Educational Program Team shall be convened to evaluate the child in order to determine whether the disability caused the behavior. If it determines that the behavior was caused by the child's disability, then the child may not be suspended. In addition, there is a need to complete a manifestation determination. This determination will direct the team on the discipline options and possible recommendations. Then the IEP committee needs to complete a Functional Behavioral Assessment to plan and possibly prevent future problems. The Individual Education Plan (IEP) Committee shall be reconvened to recommend an appropriate placement.

In all actions involving in-school or out-of-school suspensions in excess of ten days, the parties shall have available all the due process rights of G.S. 115C and 20 USC 1415. Prior written notice of any change of placement shall comply with the requirements of the Procedures (Section .1517). Nothing in this policy shall be regarded as affording any rights additional to those provided under the most recent revision of Section .1517 of the North Carolina Procedures or Section 504 of the Vocational Rehabilitation Act and/or federal laws and regulations. (Recent amendments to Individuals with Disabilities Education Act (IDEA) give school authorities additional flexibility in protecting the safety of other students when any student with a disability brings a firearm to school.)

If the parent or legal guardian of a handicapped child appeals a suspension or expulsion decision under the Procedures (Section .1517) "stay put", the right of a child to remain in his current educational setting pending the outcome of any appeals shall apply unless the guardians or, as a last resort, the courts give permission for the child's removal.

SYSTEMWIDE UNIFORM CONSEQUENCES FOR MISCONDUCT

The principal or his designee shall investigate and deal with incidents of alleged misconduct of students whenever:

- a student discipline problem is referred, or
- the alleged misconduct violates the Student Code of Conduct, or
- the principal determines that a situation exists which could pose a danger to persons or property or which seriously disrupts the learning environment.

The use of the following disciplinary consequences is based on the assumption that teachers and/or other student support personnel have utilized broad reasonable available discipline alternatives and preventive measures prior to referring the student to the principal or that the student's behavior presents harm or a significant risk of harm to others or property or a threat to the orderly operation of the school. The principal or his/her designee shall have the authority to suspend for ten days or less any student who violates the Student Code of Conduct by applying the Systemwide Uniform Consequences for Misconduct. The principal or his/her designee may suspend a student for more than ten days with prior approval of the superintendent following an infraction of the Student Code of Conduct.

School personnel may use reasonable force to control behavior or to remove a person from the scene in those situations when necessary:

- to quell a disturbance threatening injury to others;
- to obtain possession of weapons or other dangerous objects on the person or within the control of a student;
- for self-defense;
- for the protection of persons or property;
- to restrain or correct students and maintain order; and
- to maintain order on school property, in the classroom, or at a school-related activity on or off school property.

Infractions of the Student Code of Conduct are grouped in classes of offense. Class of offense relates to the degree to which the behavior disrupts the orderly educational process in the school in terms of their effect on the behavior of others and the degree to which the behavior presents a potential for harm to others. For each rule a range of consequences is provided as appropriate responses depending upon the judgment as to:

- the degree to which the behavior disrupts the orderly educational process in the school;
- the degree to which the behavior presents a potential for harm to others or property;
- the degree to which the behavior harms others or property;
- the student's unresponsiveness to reasonable available discipline alternatives and preventive measures prior to the referral to the principal or his/her designee.

GENERAL PROVISIONS AND DEFINITIONS

- A. **Appeal To Long-Term Suspension** (See Pamlico County Board Policy 6516.2)
 The policy of the Pamlico County Public Schools Board of Education provides that a child suspended for more than ten (10) days or expelled from school shall have the opportunity for a hearing. If such a hearing is desired, the parent or student must so indicate in writing to the superintendent's office within three (3) calendar days after being informed in writing of the suspension. The parent or student may bring witnesses, documentary evidence and engage an attorney if so desired.

- B. **Assignment to the Alternative Learning Center (ALC) Program** - A long-term suspension could be waived at the discretion of the superintendent and a student could be assigned to the Alternative Learning Center Program. Students in grades 6-10 who have repeated or subsequent offenses may be assigned to the ALC.
- C. **Expulsion** - Expulsion from the Pamlico County Public Schools is a **permanent** action in which the student is denied attendance at any school within the county. Expulsion may be exercised only when the student is at least fourteen (14) years or older and whose behavior shows that the student's continued presence at school threatens the safety of other students or employees. Expulsion may be recommended by the principal and Superintendent and approved by the school board. (Pamlico County Policy 6517)
- D. **Immediate Removal from School** - If the principal witnesses or is made aware of serious student misconduct and believes that immediate removal of the student is necessary to restore order or to protect persons or school property on the school grounds, she/he may suspend the student immediately. In all cases, minimal due process (notice of the charge and an opportunity for the student to explain his version of what happened) must be given to the student as soon as is reasonably possible.
- E. **In-School Suspension** - In-school suspension is used as a disciplinary procedure which allows students to remain in the school environment where their conduct and academic progress can be closely supervised by school personnel. In-school suspension also prevents the student from accumulating excessive days of absence. **Any student assigned to in-school suspension will not be allowed to participate in school sponsored activities during the time of his/her in-school suspension and may be required to perform "community service" activities (i.e. pick up trash, police the grounds, and other cleaning duties).** Parents should be notified of the suspension in a timely manner by letter or phone.
- F. **Long-Term Suspension** - A long-term suspension is removal from school for more than ten (10) days. Following an investigation, if the principal determines that long-term suspension is appropriate, she/he shall invoke a short-term suspension of ten (10) school days and inform the student and parent that the superintendent is being requested to approve long-term suspension. The student and parent shall be provided a copy of the Due Process Procedures. (Pamlico County Policy 6516)
- G. **Loss of Driving Privileges** - amount of time to be determined by the principal. May be used for repeated class cuts, leaving school without permission, repeated tardies, reckless driving, truancy, or other offenses that are appropriate.
- H. **Pamlico Alternatives to Suspension (PATS)** – PATS is designed to target at-risk youth who have been suspended for three to ten days. Schools within the district and local agencies will combine community service with completing assigned schoolwork successfully in a structured environment. The decision to assign a student to PATS rests with the principal and is based on what is in the best interest of the student, assigned agency/school, student maturity, severity of infraction, cooperation of parent and student and discipline record.
- I. **Parent** - Parent is the parent(s), guardian(s), or individual(s) standing "in loco parentis," as appointed by a court of law, of a student.
- J. **Parent Visitation** - A student who breaks the Student Code of Conduct may be given the opportunity by the principal to have one of his/her parents attend school with him/her for a

day and attend class with him/her. This disciplinary action is decided solely by the principal and will not be used when serious conduct infractions have occurred.

- K. **Principal** - Principal shall include assistant principals.
- L. **Saturday In-School Suspension** - May be used in some schools in lieu of in-school or out-of-school suspension. Students will attend school at a time set by the school on Saturday and will be required to perform "community service" activities (e.g., pick up trash, police the grounds, and other cleaning duties). (Pamlico County Policy 6511) Parents should be notified of the suspension in a timely manner by letter and or phone.
- M. **Search of Student Lockers** - Student lockers are school property and remain at all times under control of the schools; however, students are expected to assume full responsibility for the security of their lockers. Periodic general inspections of lockers may be conducted by school authorities for any reason at any time without notice, without student or parent consent, and without a search warrant.
- N. **Short-Term Suspension** - A short-term suspension is removal from school for a period of ten (10) school days or less. The principal may invoke a short-term suspension only after investigating the misconduct, confronting the student with the charges, and allowing for the student's response.
Note: A suspended student shall be provided an opportunity to take any quarterly, semester, or grading period examinations missed during the suspension. Once a principal has decided to invoke a short-term suspension, she/he shall make every effort to talk by telephone with the parent and shall mail or hand deliver a timely notice to the parents and superintendent stating the charges against the student and the length of the suspension.
- O. **Restitution** - The replacement of, or payment for, property taken, damaged, or destroyed shall be sought, including discovery cost. (Reward money)
- P. **Restrictions During "Any" Suspension**
 1. Student is not to be on any school campus in Pamlico County without special permission from the school principal.
 2. Student cannot participate in or attend any school-sponsored activity without written permission from the school principal.

Legal Reference: G.S. 115C-390, -391; 20 U.S.C. § 141.5

Adopted: June 5, 2000

Revised: August 7, 2006

Revised: September 4, 2007

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The following list of rules for Pamlico County Schools is provided as guidance for students, parents, teachers and administrators. This cannot be an all-inclusive list; however, administrators shall use their discretion in dealing with all specific behavior that violates the principles set forth in this policy. Consideration is to be given to the student's cognitive and developmental ability to appreciate the significance of his/her behavior and to assume responsibility for behavior.

Circumstances and degrees of involvement could mitigate an otherwise serious offense or make an otherwise minor offense more serious. The disciplinary measures specified in this Code shall be considered guidelines applicable to most cases. Particular facts and circumstances may justify a sanction that is more or less severe than the specified disciplinary measure, except as otherwise required by law. **A student who violates more than one section of this Code may be subject to more severe disciplinary action than is specified for any single violation.**

Each school staff will establish the need for acceptable social conduct. Each school staff will cooperatively develop a good school climate and positively directed rules and regulations, including a continuum of disciplinary consequences.

- Schools will operate under existing federal, state, local and Board regulations.
- Discipline is the responsibility of all personnel.
- Principals will assign all authority roles.
- Teachers and principals will develop procedures for communications concerning disciplinary action taken.

When a school official learns or reasonably believes that any student has violated any Board or school policy, rule or regulation that may also be a criminal violation of the laws of the United States or the State of North Carolina, he shall determine whether it is necessary or appropriate to report such violation to the proper law enforcement agency. In such cases, school officials shall cooperate fully with the law enforcement agency; however, internal disciplinary proceedings shall proceed independently from the criminal investigation and prosecution.

General Statute 115C-288 requires certain acts to be reported by the principal to law enforcement. Those acts are: assault resulting serious personal injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a weapon in violation of the law, or possession of a controlled substance in violation of the law. In addition to those that are specifically spelled out in North Carolina General Statutes all larcenies, extortion as well as extortion attempts, robbery (armed or common law), hate crimes, stalking, possession of any explosive or incendiary device or arson/attempted arson should be immediately reported to law enforcement officials. The superintendent's office shall be notified.

This policy pertains to all students in the Pamlico County Schools while they are on the campus of any school in the Pamlico County School System, while they are participating in any activity sponsored by the Pamlico County Schools, while they are being transported in a vehicle owned or operated by the Pamlico County Schools, while they are awaiting pick-up at a bus stop, while going to or from a bus stop, in route to and from school or a school-sponsored activity, while they are representing Pamlico County Schools in any way or while students are off campus if the incident was initiated or aggravated at school or if the incident could disrupt the school environment. In circumstances where student behavior indicates that the student's continued presence in the school constitutes a clear threat to the safety of employees or other students, a student may be suspended or expelled regardless of where the acts and conduct occur. **(It is expected that any subsequent infraction will build upon disciplinary actions of previous infractions.)**

Students have the responsibility to comply with the rules of their individual school and the school system to pursue the prescribed courses of study and to submit to the lawful authority of teachers or school officials and the law. **Students will also be subject to random searches for weapons or contraband in accordance with state and federal law.**

In any case where out-of-school suspension is utilized, a parental conference with the principal and/or teacher(s) is required before re-entry into school. (If the parent/guardian cannot or will not come to school for a conference, the student may come back to school at the discretion of the principal.) Parents are to be notified concerning any rule violation and should be informed of all out-of-school suspensions by phone if at all possible. If parents are not available by phone, a letter should be mailed in a timely manner. All rule infractions will be retained in the Pamlico County NCWISE Database.

CLASS I

RULE 1 CLASSROOM AND EXTRACURRICULAR DISRUPTION OR DISTRACTION— LASER POINTERS OR SIMILAR DEVICES PROHIBITED

The act of disruption or distraction which affects the normal education process or interferes with any school extracurricular activity, including, but not limited to, interrupting the class, provoking other students or talking excessively. Laser pointers are prohibited. If a student uses a laser pointer, or similar devices, in a way that reasonable could or does cause physical harm, the laser pointer may be considered a dangerous instrument and the student may be charged with violation of assault. See Rule 25, 26, and 29.

Grades 6-12

FIRST OFFICE REFERRAL: Verbal warning up to two (2) days in-school suspension.

SECOND OFFICE REFERRAL: Up to five (5) days in-school suspension. Special circumstances may warrant up to 2 days out-of-school suspension.

THIRD & SUBSEQUENT OFFICE REFERRAL(S): Up to three (3) days out-of-school suspension. Special circumstances may warrant suspension for remainder of the year.

RULE 2 BEING IN UNAUTHORIZED AREAS

Students shall not be in unauthorized areas during the school day.

Grades 6-12

FIRST OFFENSE: Up to one (1) day in-school suspension.

SECOND OFFENSE: Up to three (3) days in-school suspension or up to two (2) days out-of-school suspension.

THIRD OFFENSE: Up to five (5) days in-school suspension or up to five (5) days out-of-school suspension.

RULE 3 SKIPPING (TRUANCY) SCHOOL ALL DAY OR ASSIGNED CLASSES DURING SCHOOL DAY

Students shall be on campus and in their assigned classes unless they have been authorized to be elsewhere by authorized personnel.

Grades 6-12

FIRST OFFENSE: Up to three (3) days in-school suspension. (Punishment may include but is not limited to before or after school detention, lunch detention, or Saturday detention.)

SECOND AND SUBSEQUENT OFFENSE(S): Up to five (5) days in-school suspension, loss of driving privileges.

UNEXCUSED TARDIES TO SCHOOL OR ASSIGNED CLASSES

It is imperative that students realize and recognize the importance of arriving at school on time and being punctual to class on a daily basis. Habits formed in school often determine habits after school. Punctuality is a habit that should be cultivated, practiced and endorsed.

TARDY TO SCHOOL OR CLASS: (Grades K-8)

The administration and teachers must be active in calling parents any time a child is absent. It should be stressed that good attendance will usually mean good grades. When appropriate, schools may also utilize lunch detention, before or after school detention, Saturday detention, , possible revocation of a student transfer if applicable, suspension of extracurricular opportunities, or in-school suspension as a means to emphasize the importance of attendance. **Schools shall not use out-of-school suspensions as punishment for being tardy to school.** Other methods of dealing with students who are tardy to school should also be explored by each school.

TARDY TO SCHOOL OR CLASS: (Grades 9-12)

- Students tardy to school will check in at the office and be issued a pass.
- Teachers will refer students who are tardy to class to an administrator.

FIRST OFFENSE (1 –5 Tardies): Up to one (1) day in-school suspension (ISS) (day/period)

SECOND OFFENSE (5 – 10 Tardies): Up to two (2) days ISS and possible loss of driving privileges

THIRD OFFENSE (10+ Tardies):Up to three (3) days ISS, loss of driving privileges, mandatory parent conference

RULE 4 NON-COMPLIANCE WITH DIRECTIONS OF TEACHERS AND OTHER SCHOOL PERSONNEL OR PROVIDING FALSE INFORMATION

Students shall comply with all lawful directions of teachers, substitute teachers, teacher assistants, student teachers and any other authorized school personnel during any period in which they are subject to school authority. **At no time shall a student provide false information to a teacher or staff member.**

Grades 6-12

FIRST OFFENSE: Up to two (2) days out-of-school suspension.

SECOND OFFENSE: Up to five (5) days out-of-school suspension based on the severity of the offense. Additional community service duties, such as picking up trash from the grounds, etc., may be assigned.

THIRD AND SUBSEQUENT OFFENSE(S): Up to ten (10) days out-of-school suspension.

RULE 5 INAPPROPRIATE APPEARANCE OR CLOTHING

Appearance or clothing which is disruptive, provocative, indecent, vulgar, obscene, or which advertises illegal drugs or displays obnoxious or indecent signs, symbols or drawings, or which endangers the health or safety of the student or others is prohibited. Articles of clothing, which are patently offensive to race, creed, color, or sex will not be permitted. (Pamlico County Policy 6402)

Dress Which is Considered Inappropriate (This is not an all inclusive list.)

- any adornment such as chains, spike collars or spike wrist bands, etc. that could reasonably be perceived as or used as a weapon
- any symbols, styles or attire (such as bandanas) frequently associated with intimidation, violence, gangs, or violent groups
- articles of clothing that are patently offensive to race, creed, color, or sex

- attire with messages or illustrations that are lewd, indecent, or vulgar
- attire, jewelry, or buttons that display or promote drugs, smoking, alcohol, sex or violent behavior
- bell-bottom pants more than twelve (12) inches in width
- belts with excessive metal rings/materials and belt buckles in excess of two (2) inches
- excessively short or tight garments
 - form fitting spandex material, nylon, denim are prohibited
- excessively loose fitting clothing
- exposed undergarments
- holes/tears in any attire (usually not from wear)
- head covering of any kind (hats, do-rags, bandannas, etc.)
- hoodies for students in Grades 6-12. (Note: Students in Grades K-5 may wear hoodies except in the months of August, September, April, May & June.)
- jewelry affixed to the nose, tongue, cheek, lip, eyebrow, or any part of the facial area less the ears – only piercing of the ears will be permitted
- necklaces of any substance (metal, rope, etc.) in excess of twenty-four inches in total length
- pajamas and/or lingerie
- sagging pants - pants should not drag the ground when standing
- skirts, shorts, skorts, jumpers, dresses shorter than three (3) inches above the knee when standing
- sunglasses inside of school building to include on top of head
- sweaters and sweatshirts lower than two (2) – three (3) inches from the waistline
- tank tops, net shirts, see through tops, halter tops, spaghetti-strap tops, open midriff tops, etc.

The code for students also bans various modes of dress that would fall under the “disruptive behavior” category. Prohibited are dark glasses worn within a building, lack of appropriate foot covering, chains or jewelry that hang from wallets, studded collars and bracelets which may be used as a weapon, cause injury, or hinder movement.

ALL CLOTHING, TO INCLUDE SHOES, MUST BE THE APPROPRIATE SIZE FOR THE STUDENT.

For example, the waist of the bottom wear should not be bunched or overlapped when a belt is worn. The length of the crotch should be in close proximity of one’s crotch. Shirts, to include undershirts, should not be excessive in length and the shoulder seams should be within one (1) inch of the shoulder.

The school dress code also applies any time a student is participating in a school event, in the school library, and when being transported on a school bus.

Any other disruptive clothing or attire as reasonably determined by the principal.

1st Offense

One (1) day in-school suspension

Documentation will be placed in discipline file;
Confiscation of unauthorized items (i.e. chains, do-rags, hats, bandanas, etc.). These may be returned at the end of the school year or earlier at the principal's discretion.
Parent notification

2nd Offense

One (1) day out-of-school suspension
Documentation will be placed in discipline file
Confiscation of unauthorized items (i.e. chains, do-rags, hats, bandanas, etc.). These may be returned at the end of the school year or earlier at the principal's discretion.
Parent notification

3rd Offense

Maximum of 3 to 5 days out-of-school suspension
Documentation will be placed in discipline file
Confiscation of unauthorized items (i.e. chains, do-rags, hats, bandanas, etc.). These may be returned at the end of the school year or earlier at the principal's discretion.
Parent notification

4th Offense

Maximum 5-10 days out-of-school suspension
Documentation will be placed in discipline file
Confiscation of unauthorized items (i.e. chains, do-rags, hats, bandanas, etc.). These may be returned at the end of the school year or earlier at the principal's discretion.
Parent notification
Removal from athletic team and/or band/chorus for remainder of season
Possible assignment to the Alternative Learning Center
Loss of Prom privilege

RULE 6 CHEATING/INTEGRITY

Students shall not cheat on tests/examinations, not copy the work of another student nor assist a student who is attempting to copy his/her work, nor plagiarize work, nor complete in a dishonest or deceptive manner any type of academic assignment.

Grades 6-12

FIRST OFFENSE: Teacher conference with administration, student and parent(s) and a grade of zero (0) for assignment.

SECOND OFFENSE: Up to three (3) days in-school suspension and a grade of zero (0) for assignment.

THIRD OFFENSE: Up to three (3) days out-of-school suspension and a grade of zero (0) for assignment will be given.

RULE 7 INAPPROPRIATE INTERPERSONAL BEHAVIOR

Inappropriate public displays of affection or indecent exposure, as determined by school personnel, are not allowed. Examples are, but are not limited to, kissing, inappropriate touching, mooning, etc.

Grades 6-12

FIRST OFFENSE: Conference with students and parent(s). Up to two (2) days in-school suspension. Extremely inappropriate acts may result in out-of-school suspension for the remainder of the school year.

SECOND OFFENSE: Up to four (4) days in-school suspension or up to two (2) days out-of-school suspension. Extremely inappropriate acts may result in out-of-school suspension for the remainder of the school year.

THIRD OFFENSE: Up to five (5) days out-of-school suspension. Extremely inappropriate acts may result in out-of-school suspension for the remainder of the school year.

RULE 8 BUS MISBEHAVIOR

Students shall not engage in any type of behavior that interferes with the safe and efficient operation of the school bus and/or the safety of persons riding in the bus. Students at all times while riding a school bus or other school vehicle shall observe the directions of the school bus driver. **TO BE ALLOWED TO RIDE THE BUS IS A PRIVILEGE AND SHOULD BE TREATED AS SUCH.** All students are required to remain on their assigned bus during the entire bus trip with the exception of changing buses to continue their route or in an emergency situation.

Grades K-12

FIRST OFFENSE: Conference with student and parent contact. Up to three (3) days suspension from riding the bus.

SECOND OFFENSE: Up to five (5) days suspension from riding the bus.

THIRD OFFENSE: Suspension from riding bus for up to 10 days.

SUBSEQUENT OFFENSE: Students may be suspended from riding the bus for the remainder of school year.

RULE 9 USE OF TOBACCO PRODUCTS

Students **shall not use or possess** any type of tobacco products on school property during the time school is open for the school day or for any supervised school activities, or when being transported to and from school in a school financed vehicle. (This includes school-sponsored events such as dances, field trips, athletic functions, etc. or while participating or being under the direct supervision of a school staff member.) This policy is in effect for any Pamlico County student on any campus of the Pamlico County Schools.

Grades 6-12

FIRST OFFENSE: Up to three (3) days in-school suspension and enrollment and successful completion in a tobacco awareness program. Confiscate products.

SECOND OFFENSE: Up to three (3) days out-of-school suspension. Confiscate products. **Loss of driving privileges for one semester.**

THIRD OFFENSE: Up to five (5) days out-of-school suspension. Confiscate products. **Loss of driving privileges for one year.**

FOURTH OFFENSE: Fourth violation of this rule may result in out-of-school suspension for remainder of year. **Loss of driving privileges for one year.** Confiscate products.

RULE 9A USE OF WIRELESS COMMUNICATION DEVICES

Wireless Communication Devices may include: Personal Entertainment Devices, Cell Phones, Pagers, Two-Way Radios, CD/MP3 Players, Electronic Game Players or Games, Media Players, and Similar Devices, etc.

No student shall use, display, transmit or have in the “on” position on school property any wireless communication device or personal entertainment device, including but not limited to, cell phones, pagers, two-way radios, cd/mp3 players, and electronic game players or games, media players or similar devices until after the conclusion of the instructional day. At all times **during the instructional day, students shall turn off all wireless communication devices or personal entertainment devices and shall store them either in their locker, automobile, purse, or book bag.**

Any wireless communication devices or personal entertainment devices used, displayed, or possessed in the “on” position will be confiscated. Confiscated devices will be labeled by student names and the date confiscated. At the end of the confiscation period, the device(s) will be returned to the parent/guardian.

1ST OFFENSE: Confiscation for ten (10) school days.

2ND OFFENSE: Confiscation for one calendar month.

SUBSEQUENT OFFENSES: Confiscation for three calendar months and up to 10 days in school suspension.

NOTE: If the student has inappropriately used the picture cell phone or PDA, the incident may be forwarded to law enforcement to determine if a crime has been committed.

Principals may authorize individual students to possess and/or use for personal purposes wireless communication devices if, in the opinion of the principal, there is a reasonable need for such communication.

CLASS II

RULE 10 INSULTING, DISRESPECTFUL, ABUSIVE, PROFANE, OBSCENE WORDS, SIGNS, GESTURES, AND OTHER ACTS

Students shall not direct insulting, abusive, profane, obscene words, signs, gestures, and other acts toward other students, visitors, school employees, and other persons.

Grades 6-12

FIRST OFFENSE: Up to five (5) days out-of-school suspension.

SECOND OFFENSE: Up to ten (10) days out-of-school suspension.

THIRD OFFENSE: Up to suspension for the remainder of school year.

RULE 11 SEXUAL HARASSMENT

Students shall not direct unwelcome sexual advances, requests for sexual favors, or other inappropriate oral, written, or physical conduct of a sexual nature to another student. Harassing conduct that is not sexual in nature but is directed against another student based on his or her gender is also prohibited. All students must be allowed to learn and work in an environment free from such harassment. **Law enforcement officials may be notified.**

Grades 6-12

FIRST OFFENSE: Up to five (5) days out-of-school suspension.

SECOND OFFENSE: Up to ten (10) days out-of-school suspension.

THIRD OFFENSE: Up to suspension for the remainder of school year.

RULE 12 GAMBLING

Students shall not participate in any form of gambling or games of chance/skill for money and/or other items of value.

Grades 6-12

FIRST OFFENSE: Up to five (5) days in-school suspension.

SECOND OFFENSE: Up to three (3) days out-of-school suspension.

THIRD OFFENSE: Up to ten (10) days out-of-school suspension.

RULE 13 INAPPROPRIATE USE OF COMPUTERS/INTERNET/EMAIL/NETWORK/ETC.

Students shall not violate the Pamlico County Public Schools Appropriate Internet Use Policy (5451)

Grades K-12

FIRST OFFENSE: Up to five (5) days in-school suspension and loss of technology privileges.

SECOND OFFENSE: Up to three (3) days out-of-school suspension and possible loss of technology privileges.

THIRD OFFENSE: Up to ten (10) days out-of-school suspension and possible loss of technology privileges.

CLASS III

Class III rules refer to student behaviors which are disruptive to the educational process and may have the potential for physical injury to others. In cases in which these behaviors are violations of North Carolina General Statutes, **involvement of law enforcement officers will be required.**

Required Suspension of Driver's Permit Or License

General Statute 20-11 requires a student's driver's permit or license to be suspended one year by the Department of Motor Vehicles if a student is given an expulsion/suspension for more than 10 consecutive days or an assignment to an alternative educational setting for more than 10 consecutive days for one of the following reasons:

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

Violations of Class III offenses shall be considered on their own set of facts and circumstances. Appropriate punishment shall be determined by the principal, superintendent, and the school board where appropriate. **The punishment set out under each Rule for first or second offenses is a guideline only. Any punishment, including expulsion of a student over 14 years of age, may be warranted in the circumstances, even for first offenses. Expulsion will be appropriate provided that the school board determines that the student's continued presence at school threatens the safety of other students or employees. The expulsion process in Policy 6517 shall apply.**

RULE 14 TRESPASSING

Students shall not willfully enter or remain in any school structure, conveyance or property without having been **authorized or invited**, nor refuse to depart after being directed to leave by **authorized** personnel. **Law enforcement may be notified based on the severity of the act.**

- No student shall be on the campus of another school in the Pamlico County Schools during the school day without the knowledge and consent of the officials of the school he is visiting.
- Students who loiter at any school after the close of the school day without specific need or supervision will be considered trespassers and may be prosecuted if they do not leave when instructed to do so.
- Any student who has been suspended from school may be considered trespassing if he appears on school property during the suspension period without the express permission of the principal.

Grades 6-12

FIRST OFFENSE: Up to ten (10) days out-of-school suspension depending on severity of the act. Special circumstances may warrant out-of-school suspension for the remainder of school year.

SECOND OFFENSE: Up to out-of-school suspension for the remainder of school year.

RULE 15 MAKING AND/OR POSSESSING FIRECRACKERS OR SIMILAR DEVICES

Students shall not make or possess firecrackers or similar pyrotechnic, explosive, incendiary, or smoke-creating devices. **Law enforcement and parents shall be notified. For powerful explosives, see Rule 30.**

Grades 6-12

FIRST OFFENSE: Up to five (5) days out-of-school suspension. Special circumstances may warrant out-of-school suspension for remainder of school year. Confiscate device.

SECOND OFFENSE: Confiscate device. Out-of-school suspension for remainder of school year.

RULE 16 EXPLODING FIRECRACKERS OR IGNITING SIMILAR DEVICES

Students shall not explode firecrackers or ignite pyrotechnic, explosive, incendiary, or other smoke-creating devices. **Law enforcement and parents shall be notified. For powerful explosives, see Rule 30.**

Grades 6-12

FIRST OFFENSE: Confiscate device. Up to ten (10) days out-of-school suspension. Special circumstances may warrant suspension for the remainder of the school year.

SECOND OFFENSE: Confiscate device. Out-of-school suspension for remainder of school year.

RULE 17 POSSESSION OR USE OF MARIJUANA, NARCOTICS, STIMULANTS, DEPRESSANTS, ALCOHOLIC BEVERAGES, ANY OTHER UNAUTHORIZED OR ILLEGAL SUBSTANCE OR DRUG PARAPHERNALIA, AND COUNTERFEIT FORM OF SAID SUBSTANCES

Students shall not possess or use marijuana, narcotics, stimulants, depressants, counterfeit form of an illegal substance, alcoholic beverages or any other unauthorized or illegal substance or drug paraphernalia. **Law enforcement and parents shall be notified.**

Grades 6-12

FIRST OFFENSE: Confiscate substance. Up to ten (10) days out-of-school suspension with a minimum of five (5) days required if student is allowed to return during current school year. Special circumstances may warrant suspension for remainder of the year. Active involvement in a substance abuse/chemical dependency program if student is allowed to return to school.

SECOND OFFENSE: Confiscate substance. Out-of-school suspension for remainder of school year.

RULE 18 SALE, DELIVERY, OR DISTRIBUTION OF MARIJUANA, NARCOTICS, STIMULANTS, DEPRESSANTS, ALCOHOLIC BEVERAGES, AND ANY OTHER UNAUTHORIZED OR ILLEGAL SUBSTANCE, DRUG PARAPHERNALIA OR COUNTERFEIT FORM OF SAID SUBSTANCES

Students shall not sell, deliver, or distribute marijuana, narcotics, stimulants, depressants, counterfeit form of an illegal substance, alcoholic beverages, or any other unauthorized or illegal substance or drug paraphernalia. **Law enforcement and parents shall be notified.**

Grades 6-12

Confiscate substance. A student who sells, delivers, or distributes marijuana, narcotics, stimulants or any other unlawful or unauthorized substance, drug paraphernalia or counterfeit form of such substance will be suspended out of school for the remainder of the school year.

RULE 19 MAJOR DISRUPTION OF THE SCHOOL ENVIRONMENT (INCITING OR PARTICIPATING IN A STUDENT DISORDER; i.e. riots, walk outs, sit-ins, assaults, etc.)

Students shall not lead, participate in, or encourage others to participate in major group disruptions, which adversely affect the educational process. **Law enforcement and parents shall be notified.**

FIRST OFFENSE: Minimum five (5) days out-of-school suspension, up to out-of-school for remainder of school year.

SECOND OFFENSE: Out-of-school suspension for remainder of school year.

RULE 20 PARTICIPATION IN A GANG OR GANG ACTIVITY THAT DISRUPTS THE NORMAL SCHOOL ENVIRONMENT

Students shall not lead, participate in, or encourage others to participate in a gang or gang activity. (A "gang" is defined as group who organizes for unlawful activities or to harass or intimidate others.) **Law enforcement and parents shall be notified.**

Grades 6-12

FIRST OFFENSE: Minimum five (5) days out-of-school suspension, up to out-of-school for remainder of school year.

SECOND OFFENSE: Out-of-school suspension for remainder of school year.

RULE 21 UNJUSTIFIED ACTIVATION OF A FIRE ALARM OR MAKING A FALSE REPORT OF AN EMERGENCY

Students shall not activate any fire alarm unless authorized to do so by school employees, or unless there are reasonable grounds for the student to believe an actual emergency condition exists. At no time shall a student call in or in any other manner communicate a false report concerning a bomb, other explosive device, or any emergency situation. **Law enforcement and parents shall be notified.**

Grades 6-12

FIRST OFFENSE: Up to ten (10) days out-of-school suspension. Special circumstances may warrant out-of-school suspension for the remainder of the school year.

SECOND OFFENSE: Out-of-school suspension for remainder of school year.

BOMB HOAXES:

THE BOARD OF EDUCATION SHALL SUSPEND FOR 365 CALENDAR DAYS ANY STUDENT WHO, BY ANY MEANS OF COMMUNICATION TO ANY PERSON OR GROUP OF PERSONS, MAKES A REPORT, KNOWING OR HAVING REASON TO KNOW THE REPORT IS FALSE, THAT THERE IS LOCATED ON EDUCATIONAL PROPERTY OR AT A SCHOOL SPONSORED ACTIVITY OFF EDUCATIONAL PROPERTY ANY DEVICE DESIGNED TO DESTROY OR DAMAGE PROPERTY BY EXPLOSION, BLASTING, OR BURNING, OR WHO, WITH INTENT TO PERPETRATE A HOAX, CONCEALS, PLACES, OR DISPLAYS ANY DEVICE, MACHINE,

INSTRUMENT, OR ARTIFACT ON EDUCATIONAL PROPERTY OR AT A SCHOOL-RELATED ACTIVITY ON OR OFF EDUCATIONAL PROPERTY, SO AS TO CAUSE ANY PERSON REASONABLY TO BELIEVE THE SAME TO BE A BOMB OR OTHER DEVICE CAPABLE OF CAUSING INJURY TO PERSONS OR PROPERTY. [G.S. 115C-391] UPON CONVICTION, THE COURTS MUST REVOKE THE PERMIT OR LICENSE OF A PERSON UNDER THE AGE OF 18 PER G.S. 20-13.2. STUDENTS AND PARENTS MAY BE HELD RESPONSIBLE FOR ACTUAL COMPENSATORY AND CONSEQUENTIAL DAMAGES RESULTING FROM THE DISRUPTION OR DISMISSAL OF SCHOOL OR THE SCHOOL-SPONSORED ACTIVITY.

RULE 22 FIGHTING AMONG STUDENTS

Students shall not fight other students. If a student is a victim of a sudden, unprovoked attack or fight, he/she may defend himself/herself long enough to disengage from fighting to report it to an appropriate school official. **Students who instigate fights will be subject to the same consequences as those who are actually involved in fighting. Parents shall be notified.** If the fight results in injury, see Rule 26.

Grades 6-12

FIRST OFFENSE: Up to ten (10) days out-of-school suspension.

SECOND OFFENSE: Up to ten (10) days out-of-school suspension. Special circumstances may warrant out-of-school suspension for the remainder of the school year.

THIRD OFFENSE: Out-of-school suspension for remainder of school year.

RULE 23 EXTORTION

Students shall not obtain through verbal or physical threats, coercion, or intimidation anything of value (personal property, money or information) from any other student or school employee. **Law enforcement and parents shall be notified.**

Grades 6-12

FIRST OFFENSE: Up to five (5) days out-of-school suspension. Special circumstances may warrant out-of-school suspension for the remainder of the school year.

SECOND OFFENSE: Out-of-school suspension for remainder of school year.

NOTE: FULL RESTITUTION WILL BE SOUGHT.

RULE 24 THEFT, ROBBERY, BURGLARY OR DAMAGE TO SCHOOL OR PERSONAL PRIVATE PROPERTY OR POSSESSION OF STOLEN PROPERTY

Students shall respect school property and the personal property of other students, school employees, and other persons. Students shall not steal, rob, attempt to burn or convert school property and property of any other person or entity, nor cause damage to such property. **Law enforcement and parents shall be notified.**

Grades 6-12

FIRST OFFENSE: Up to five (5) days out-of-school suspension. (Special circumstances may warrant out-of-school suspension for the remainder of the school year.)

SECOND OFFENSE: Up to ten (10) days out-of-school suspension. (Special circumstances may warrant out-of-school suspension for the remainder of the school year.)

THIRD OFFENSE: Out-of-school suspension for remainder of the school year.

NOTE: FULL RESTITUTION WILL BE SOUGHT.

RULE 25 VERBAL OR PHYSICAL ASSAULT (INCLUDING THREATS) OR PHYSICAL INJURY TO SCHOOL PERSONNEL (THIS INCLUDES INJURY TO REAL OR PERSONAL PROPERTY)

Students shall not cause, attempt to cause or threaten to cause injury or harm to school employees, volunteers or visitors, or their property. Use of a laser pointer or similar device in a way that reasonably could or does cause harm or injury will be considered a violation of this rule. **Law enforcement shall be notified if there is a serious injury or at the discretion of the principal. Parents should be notified.**

Grades K-12

FIRST OFFENSE: Up to out-of-school suspension for remainder of school year, or up to 365 days per G.S. 115C-391, which states: Any student who is at least 13 years old who physically assaults and seriously injures a teacher or other school personnel shall either be removed to an alternative educational setting or be suspended for no less than 300 days but no more than 365 days.

RULE 26 VERBAL OR PHYSICAL ASSAULT OR PHYSICAL INJURY TO STUDENTS

Students shall not cause, attempt to cause or threaten to cause damage to property, physical or bodily injury to another student or her/his property. Use of a laser pointer or similar device in a way that reasonably could or does cause harm or injury will be considered a violation of this rule. Law enforcement shall be notified if there is a serious injury or at the discretion of the principal. **Parents should be notified.**

Grades K-12

FIRST OFFENSE: Up to ten (10) days out-of-school suspension. (Special circumstances may warrant out-of-school suspension for the remainder of the school year.)

SECOND OFFENSE: Up to out-of-school suspension for remainder of school year. The out-of-school suspension may continue for up to 365 days if a student at least 13 years old physically assaults another student and the assault seriously injures the other student or he is witnessed by school personnel. See G.S. 115C-391.

RULE 27 HAZING

Students shall not commit any act of hazing. Hazing is defined as follows: "To subject another student to physical injury as part of an initiation, or a prerequisite to membership, into any organized school group, including any society, athletic team, fraternity or sorority, or similar group." Any student who aids or abets hazing shall be disciplined as a principle actor. **Law enforcement and parents shall be notified.** **Law enforcement notification is mandatory.** Hazing could result in criminal conviction.

Grades 6-12

FIRST OFFENSE: Up to ten (10) days out-of-school suspension. (Special circumstances may warrant expulsion.)

SECOND OFFENSE: Out-of-school suspension for remainder of school year. (Special circumstances may warrant expulsion.)

RULE 28 BULLYING, HARASSMENT AND DISCRIMINATION

Bullying, harassment, and discrimination are prohibited in the Pamlico County schools. The Pamlico County schools and staff shall not tolerate any bullying, harassment, or discrimination on school property and grounds or at any school activity on or off campus. The board believes that all employees and students should be free of unlawful discrimination, harassment, and bullying as a part of a safe, orderly, caring and inviting working and learning environment. The board commits itself to nondiscrimination in all its educational and employment activities. The board expressly prohibits unlawful discrimination, harassment, or bullying on the basis of race, color, national origin, sex, pregnancy, religion, age or disability. Rule #28 of the Pamlico County Schools Student Code of Conduct shall be enforced in accordance with Pamlico County Schools Board Policy #3037/#4037/#8337 Prohibition of Bullying, Harassment and Discrimination.

The board also prohibits retaliation against an employee or student who has exercised any rights made available through state or federal law, including prohibiting retaliation for reporting violations of this policy in accordance with Pamlico County

Schools Board Policy #3037/#4037/#8337 Prohibition of Bullying, Harassment and Discrimination.

Any violation of this policy is considered a serious violation and appropriate action will be taken in response to a violation.

Consequences for Grades K-12

FIRST OFFENSE: Up to ten (10) days out-of-school suspension. (Special circumstances may warrant expulsion.)

SECOND OFFENSE: Out-of-school suspension for remainder of school year. (Special circumstances may warrant expulsion.)

RULE 29 WEAPONS AND/OR OTHER DANGEROUS INSTRUMENTS

Students shall not possess, handle, transmit or conceal any weapon (as defined by NC General Statute 14-269.2) or any other instrument that could cause bodily harm or be used to threaten bodily harm. Use of a laser pointer or similar device in a way that reasonably could or does cause harm or injury will be considered a violation of this rule. **Law enforcement and parents shall be notified.**

POSSESSION OF FIREARMS OR POWERFUL EXPLOSIVES SHALL BE GOVERNED BY RULE 30.

A “weapon” includes any loaded or unloaded firearm, including a gun, pistol, or rifle; fireworks or explosives, including a bomb, grenade, or mine; ammunition; knife, including a pocket knife, bowie knife, switchblade, dirk, or dagger; or other weapon, including a slingshot, slungshot, leaded cane, blackjack, metal knuckles, BB gun, air rifle, air pistol, stun gun or other electric shock weapon, ice pick, razor or razor blade (except solely for personal shaving), or any sharp pointed or edged instrument except unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance; or a facsimile of a gun, incendiary device, or other object that can reasonably be considered a weapon or dangerous instrument.

No student shall knowingly or willfully cause, encourage, or aid any other student to possess, handle, or transmit any of the weapons or facsimiles of weapons listed above.

Grades 6-12

FIRST OFFENSE: Confiscate weapon or device. Up to ten (10) days out-of-school suspension. (Special circumstances involving an assault may warrant out-of-school suspension for the remainder of the school year.)

SECOND OFFENSE: Confiscate weapon or device. Out-of-school suspension for remainder of school year.

RULE 30 POSSESSION OF FIREARMS OR POWERFUL EXPLOSIVES

Students shall not bring to school or possess, handle, transmit or conceal any firearm or powerful explosive. **Law enforcement and parents shall be notified.**

For purposes of this rule, a “firearm or powerful explosive” has the same meaning as a “weapon” in G.S. 115C-391(d1) and includes:

- Any gun, rifle, pistol, or other firearm of any kind, except for a BB gun, stun gun, air rifle or air pistol; and
- Any dynamite cartridge, bomb, grenade, mine, or powerful explosive, except for fireworks.

This section shall not apply to pupils who are members of the Reserve Officer Training Corps and who are required to carry arms or weapons in the discharge of their official class duties; nor does this section apply to weapons used in school-approved instruction or ceremonies.

Grades 6-12

If a student brings a weapon to school or possesses a weapon at school; confiscate firearm or weapon. Out-of-school suspension for 365 days (a calendar year) pursuant to GS 115C-391(d1).

RULE 31 SEXUAL ASSAULT, SEXUAL OFFENSES, ETC.

Students shall not commit any sexual offense, sexual assault or take indecent liberties with any students or any person. **Law enforcement and parents shall be notified.**

Grades 6-12

FIRST OFFENSE: Up to ten (10) days out-of-school suspension. (Special circumstances may warrant out-of-school suspension for the remainder of the school year or expulsion.)

SECOND OFFENSE: Out-of-school suspension for remainder of year. (Special circumstances may warrant expulsion.)

RULE 32 OTHER NORTH CAROLINA CRIMINAL STATUTES AND LOCAL ORDINANCES NOT PREVIOUSLY COVERED

Students shall not violate any North Carolina Criminal Statute or local ordinances not previously covered. A student convicted of a felony or serious misdemeanor may be recommended for expulsion from Pamlico County Schools. (Any plea of nolo contendere or the entry of a "prayer for judgment" shall be deemed as a conviction for the purposes of this policy.) Law enforcement officials shall be notified.

Grades 6-12

FIRST OFFENSE: Up to ten (10) days out-of-school suspension. (Special circumstances may warrant out-of-school suspension for the remainder of the school year and or exclusion from all extracurricular activities.)

SECOND OFFENSE: Out-of-school suspension for remainder of school year.

Legal Reference: G.S. 14-269.2; 20-11, -13.2; 115C-288, -390, -391

Adopted: June 5, 2000
Revised: July 1, 2002
Revised: August 4, 2003
Revised: July 6, 2004
Revised: August 7, 2006
Revised: October 2, 2006
Revised: September 4, 2007
Revised: December 3, 2007
Revised: January 7, 2008
Revised: November 3, 2008
Revised: January 5, 2009
Revised: September 8, 2009

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A safe and disciplined learning environment is essential to maximize student achievement and to ensure that students reach their full potential. The Pamlico County Board of Education believes that a school dress code is a positive and cost effective way to create a more unified, positive, and safe school climate focused more strongly on the learning process. Research has demonstrated that an appropriate school dress code increases school safety by minimizing disruptive behavior, decreasing violence, helping prevent gang activity, instilling and improving discipline, and helping maintain the focus on learning. It is expected that a school dress code will promote respect for teachers, build school spirit, decrease unhealthy competition involving fashion trends and dress, ease the strain on parental clothing budgets, and allow for easy identification of intruders on campus.

For all of these reasons, the Pamlico County Board of Education is implementing a mandatory school dress code for students in grades kindergarten through twelve beginning in the 2006-2007 school year.

Implementation

This mandatory school dress code shall be implemented for all students in grades kindergarten through twelve in Pamlico County Schools commencing in the fall semester of the 2006-2007 school year.

Student and Parent Notification

It is the responsibility of the school principal to communicate the information contained in this policy so that students and parents are able to comply with the school dress code requirements.

School Dress Code

A. Shirts and Blouses

- 1. Shirts and blouses must be collared and have sleeves.** Pullover shirts, known as golf or polo shirts, turtlenecks, and button-down shirts or “oxford” shirts are acceptable.
- 2. The shirts and blouses must be of a solid color (i.e. black, white, etc.).** Shirts and blouses with more than one color will not be permitted, to include stripes.
- 3. Shirts and blouses may not bear any emblems, insignias, logos, or slogans, other than that of the student’s individual school.**

4. **Shirts and blouses are to be tucked into bottom wear (pants/trousers/capris/skirts/shorts/skorts/blue jeans) at all times.**
5. **Baggy/oversized shirts and blouses are not permitted.**

B. Bottom Wear

1. Boys may wear shorts, pants, or blue jeans. Girls may wear shorts, dresses, pants, skirts, jumpers, skorts, capris, or blue jeans.
2. Navy, black and khaki-colored trousers and blue jeans are approved for wear. **Bottom wear with more than one color will not be permitted.** Bottom wear may not bear any emblems, insignias, logos, or markings other than small brand name and that will be no larger than 2 x 3 inches in size.
3. **Baggy/oversized pants are not permitted.** Pants and shorts with side pockets, known as “cargo” pants and shorts, may not have more than six pockets.
4. **All bottom wear must be worn at waist-level. Girls only may wear the “hip hugger design” bottom wear, but the shirt/blouse must be tucked into the bottom wear.** In grades 6-12, a belt should be worn with bottom wear that has belt loops. In grades K-5, belts will be encouraged as appropriate.
5. The length of shorts, skirts, skorts, dresses, and jumpers cannot be shorter than three (3) inches above the knee. Students shall not roll up one or both legs of shorts or pants.

C. Sweaters, Sweatshirts, and Undershirts

1. Sweaters, sweatshirts, and vests may be worn over a collared shirt with sleeves. Visible undershirts must be of a solid color. A sweater/sweatshirt is not to be worn in lieu of a collared shirt.
2. Sweaters, sweatshirts, vests, and undershirts may not bear any emblems, insignias, logos, or slogans, other than that of the student’s individual school.
3. Sweaters and sweatshirts must be waistbanded and worn no more than two (2) – three (3) inches below the waist and are not to be folded or tucked underneath.
4. **Baggy/oversized sweaters, sweatshirts and vests are not permitted.**
5. For students in grades 6-12, “hoodies” are not authorized for wear at anytime during the school day and/or during activities listed in paragraph J.

D. Jackets/Coats

1. Jackets must be appropriately sized and may not be baggy or oversized.
2. **Jackets must be removed upon entering the building in grades six through twelve.**

E. Shoes

1. Spiked heels are prohibited.
2. Bedroom shoes are prohibited.

3. Shoes must be tied and properly fastened at all times.
4. Oversized shoes are not authorized.

F. Identification Cards

Students will possess an ID card that is readily visible. (Grades 6-12)

G. Headwear

Headwear may not be worn inside the school building. This includes, but is not limited to: bandanas, rags, headbands, scarves, hats, combs, etc.

H. **ALL CLOTHING, TO INCLUDE SHOES, MUST BE THE APPROPRIATE SIZE FOR THE STUDENT.** For example, the waist of the bottom wear should not be bunched or overlapped when a belt is worn. The length of the crotch should be in close proximity of one's crotch. Shirts, to include undershirts, should not be excessive in length and the shoulder seams should be within one (1) inch of the shoulder.

I. Holes/tears in shirts/blouses, bottom wear, or any attire is prohibited.

J. Extracurricular Activities

1. Students participating as a member of a team and/or group in after school events continue to represent our community and Pamlico County Schools. Dressing inappropriately many times gives our community members or members of other communities a poor impression of the many positive things being accomplished by our students and our school system.
2. Students participating in after school, weekend, and summer **school sponsored activities** are to comply with dress code policy;
 - athletics
 - band/chorus
 - other school events (JROTC, etc.)
3. Time Period:
 - participating in an event
 - attending any school event
 - waiting for an event to begin (before a sports event/band concert/etc.)
 - after an event
 - traveling to and from an event
 - before or after practice and on school grounds
4. Coaches, directors, and event chairpersons are to ensure that students comply with the dress code policy. Students who do not comply will be reported to the school administration and disciplined in accordance with:
 - school discipline procedures, and
 - discipline measures as stipulated by the school athletic policy.

K. Application/Location/Time Period

The school dress code also applies any time a student is participating in a school event, in the school library, and when being transported on a school bus.

Discipline

Compliance with this policy is mandatory. Generally, each school should strive to achieve full compliance with this policy through the use of positive reinforcement and incentive measures.

Students transferring in from other school districts will have a one-week grace period before compliance becomes mandatory but must still abide by the provisions in Section H. General Prohibitions.

Students enrolled in grades 6-12 and who violate the school dress code may be subject to various measures. For initial or minor violations, simply notifying the student and parent of the violation and immediately correcting the problem should be sufficient. **For repeated or patently offensive violations that demonstrate a conscious decision not to adhere to the school dress code requirements, the student may be subject to more severe discipline, up to and including in-school or out-of-school suspension.**

School administration shall employ a “progressive discipline” approach, with notification to the parents, so as to encourage full compliance with no more discipline than is reasonably necessary. The following disciplinary measures for students enrolled in grades 6-12 will generally apply to violations of this policy:

1st Offense

Write the School Dress Code

Documentation will be placed in discipline file

Confiscation of unauthorized items (i.e. chains, do-rags, hats, bandanas, etc.). These may be returned at the end of the school year or earlier at the principal’s discretion.

Parent notification

2nd Offense

One (1) day in- school suspension

Documentation will be placed in discipline file

Confiscation of unauthorized items (i.e. chains, do-rags, hats, bandanas, etc.). These may be returned at the end of the school year or earlier at the principal’s discretion.

Parent notification

3rd Offense

One (1) day out-of-school suspension

Documentation will be placed in discipline file

Confiscation of unauthorized items (i.e. chains, do-rags, hats, bandanas, etc.). These may be returned at the end of the school year or earlier at the principal’s discretion.

Parent notification

4th Offense

Maximum 5 to 10 days out-of-school suspension

Documentation will be placed in discipline file

Confiscation of unauthorized items (i.e. chains, do-rags, hats, bandanas, etc.). These may be returned at the end of the school year or earlier at the principal's discretion.

Parent notification

Removal from athletic team and/or band/chorus for remainder of season

Possible assignment to the Alternative Learning Center

Loss of Prom privilege

Special Considerations

A. Religious or Medical Exemptions

Principals shall exercise appropriate discretion in implementing this policy, including making reasonable accommodations on the basis of students' religious beliefs or medical conditions. The superintendent shall exempt a student from wearing the designated attire when it would impose a substantial burden on a medical condition or the exercise of a sincerely held religious belief, so long as the exemption does not result in a dangerous or disruptive situation. A parent, guardian or person in loco parentis of a student shall submit to the superintendent a written statement explaining the medical condition or religious belief and how it is affected by this policy. Examples of other circumstances in which the sincerity of the religious belief has been demonstrated may be submitted. If the superintendent has reason to believe the student does not qualify for the exemption, he shall refer the matter to the Board of Education attorney for further inquiry.

B. Exercise of Free Speech

A student wearing a nondisruptive button, armband or other accoutrement which constitutes a protected expression of free speech will not be in violation of this policy. The student may not wear such insignia as to circumvent the intentions of this policy. Administrators may regulate the size or style of such insignias to reduce disruption, but not to interfere with students' established legal rights.

C. Financial Hardships

Upon written request to the principal, Pamlico County Schools may assist compliance by families suffering financial hardships. Assistance will be given to those families that have substantial financial difficulty in adhering to this policy.

D. Exceptions

- 1. The school principal may approve certain items of clothing as spirit wear or encourage spirit apparel for particular school days or events.**
- 2. The school principal may allow students to wear athletic uniforms or jerseys that are related to school activities.**

E. Interpretation of Policy

The school principal or designee shall have authority to make all reasonable decisions and interpretations regarding the implementation of this school dress code. If a student, parent or guardian has questions about whether a particular item of clothing satisfies the school dress code, the student, parent or guardian is encouraged to ask the school principal or designee.

F. Staff and Community Involvement

The Board of Education believes that a school dress code policy is most effective when it is developed and accepted by the majority of staff and parents. The school principal shall seek input from school staff and parents in connection with the school dress code policy. The school principals may bring recommendations to the Board of Education from time to time if the school principals feel that changes or adjustments to the policy are desirable.

G. Additional Rules by School Principal

School principals shall have the authority to make rules and regulations that are not inconsistent with this policy.

H. General Prohibitions

Students may not wear clothing that has a reasonable likelihood of causing a substantial disruption or a material interference with the learning process. Dress and/or appearance prohibited under this section includes, but is not limited to:

- any adornment such as chains, spike collars or spike wrist bands, etc. that reasonably could be perceived as or used as a weapon
- any symbols, styles or attire (such as bandanas) frequently associated with intimidation, violence, gangs, or violent groups
- articles of clothing that are patently offensive to race, creed, color, or sex
- attire with messages or illustrations that are lewd, indecent, or vulgar
- attire, jewelry, or buttons that display or promote drugs, smoking, alcohol, sex or violent behavior
- bell-bottom pants more than twelve (12) inches in width
- belts with excessive metal rings/materials and belt buckles in excess of two (2) inches
- excessively short or tight garments
 - form fitting spandex material, nylon, denim are prohibited
- **EXCESSIVELY LOOSE FITTING CLOTHING**
- exposed undergarments
- head covering of any kind (hats, do-rags, bandanas, etc.)
- hoodies for students in Grades 6-12. (Note: Students in Grades K-5 may wear hoodies except in the months of August, September, April, May and June.)
- holes/tears in any attire (usually not from wear)
- jewelry affixed to the nose, tongue, cheek, lip, eyebrow, or any part of the facial area less the ears – only piercing of the ears will be permitted
- necklaces of any substance (metal, rope, etc.) in excess of twenty-four inches in total length

- pajamas and/or lingerie
- sagging pants - pants should not drag the ground when standing
- skirts, shorts, skorts, jumpers, dresses shorter than three (3) inches above the knee when standing
- sunglasses inside of school building to include on top of head
- sweaters and sweatshirts lower than two (2) – three (3) inches from the waistline
- tank tops, net shirts, see-through tops, halter tops, spaghetti-strap tops, open midriff tops, etc.

Adopted: April 3, 2006
Revised: April 2, 2007
Revised: August 4, 2008
Revised: December 1, 2008
Revised: August 3, 2009

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The Pamlico County Board of Education strongly believes that drug and substance abuse can be detrimental to the physical and emotional health and the academic performance of its students. It is from this belief and out of concern for students' well being that a random drug-testing program is initiated in the Pamlico County Schools. The purpose of this drug testing program is to help students, not to be punitive. Therefore:

- **A positive test will not result in suspension from school or notification to legal authorities.**
- **A first positive test will be reported only to the principal and parents and will not automatically result in ineligibility from any school activities.**
- **A student shall not be subject to suspension from school solely as a result of a random drug test unless the student is in violation of other portions of the Pamlico County Schools' Student Code of Conduct.**

I. FINDINGS

The Pamlico County Board of Education enacts this drug testing policy based on the following findings:

- A. Drug and substance abuse by students is a serious problem throughout the nation.
- B. There is a substantial problem of alcohol and drug abuse among Pamlico County students.
- C. The primary responsibility for addressing substance abuse by students rests with parents.
- D. The school system and the community at large also have a responsibility for addressing substance abuse by students.
- E. The Pamlico County Board of Education has implemented various prevention education and intervention programs to reduce substance abuse among Pamlico County students and is committed to addressing the substance abuse problem head-on rather than ignoring it.
- F. The U.S. Supreme Court has authorized the use of random drug testing of students who elect to participate in voluntary school activities that are privileges rather than rights.
- G. An increasing number of school districts in North Carolina and across the country have enacted random drug testing policies.
- H. School districts that have enacted random drug testing policies report positive results in reducing drug use, discipline problems, and in fostering a school culture resisting drug abuse.
- I. Students who participate in athletics and other voluntary extracurricular activities are representatives of the school system and are often role models for other students.

- J. Students who voluntarily choose to drive to and from school are permitted to park on campus as a privilege. The school district has a particular interest in assuring the safety of these drivers and campus parking lots.
- K. Students participating in driver education classes are subject to this policy. Driver education classes are not part of the school curriculum and are not required to meet graduation requirements.
- L. A random drug testing policy of students engaged in voluntary school activities is likely to be an effective tool in reducing substance abuse.

II. GOALS OF RANDOM DRUG TESTING PROGRAM

The random drug testing program is not intended to punish students, but to help them. Goals of the random drug testing program are:

1. To educate students about the dangers and problems associated with drug use/abuse;
2. To deter drug use/abuse by students;
3. To identify students participating in extracurricular activities, driving to school or taking driver education classes who may be abusing drugs and to determine the identity of the drug(s);
4. To provide information to parents so that parents can take appropriate steps at the family level;
5. To motivate students to resist negative peer pressure;
6. To provide opportunities for counseling and treatment for any student who is determined to be using/abusing drugs;
7. To help ensure the safety of students who participate in athletics, extracurricular activities or driving privileges;
8. To remove the stigma of drug use/abuse from those students who do not use drugs;
9. To develop a drug-free program that produces students who can serve as role models and influence their peers to lead healthy and responsible lives; and
10. To complement the school system's overall drug education program.

III. STUDENTS SUBJECT TO RANDOM DRUG TESTING PROGRAM

1. All students in grades 7-12 who desire to participate in any of the following voluntary school activities or privileges must agree to participate in the random drug testing program:
 - Interscholastic athletics;
 - Other voluntary extracurricular activities;
 - Campus driving and parking privileges; and
 - Driver education classes.
2. Participation in the random drug testing program is mandatory only for students who elect to participate in the above voluntary activities, which are a privilege not a right.

Participation in the random drug testing program shall not be required as a condition of attending school or enrolling in any for-credit class.

3. Any parent of a student in grades 7-12 has the opportunity to consent to the student voluntarily participating in the random drug testing program, whether or not the student is a participant in any of the privileged activities listed above. The same procedures will apply, as outlined in this policy, for all students participating in random drug testing.
4. The student and parent/guardian will be required to sign a Drug Testing Consent Form (RDT Form 1). The parent/guardian shall be given a copy of the signed Consent Form and this random drug testing policy. The original Consent Form shall be kept in the student's official file.
5. Students who desire to participate in the voluntary activities or privileges covered by this program shall sign the Consent Form (RDT Form 1), prior to fall athletic practice, at the beginning of the school year, or as soon thereafter as practicable. The Consent Form will authorize random drug testing for the student's entire school career.
6. A signed Consent Form may be revoked by a signed letter requesting withdrawal from the Random Drug Testing program. A student who withdraws will no longer be subject to random drug testing and will not be eligible for participation in the voluntary activities or privileges covered by this policy for a period of 365 days from the date of withdrawal.

IV. IMPLEMENTATION:

1. Key Implementation Roles
 - i. The Random Drug Testing Agency, using the NCWISE database, will generate a list of students eligible for testing. The names of the students selected for testing will be returned to the pool of students and may be selected again.
 - ii. Test Administrator. The drug testing samples will be taken by a Testing Administrator who shall be trained, qualified, and experienced in administering saliva drug testing and acquiring samples. This person will be from the Testing Agency or from the local Health Department.
 - iii. Testing Agency. The testing agency will provide testing kits for implementation of the drug testing program. The testing agency will be an independent agency or entity and under contract with the Board of Education. This agency will also confirm positive samples taken at the school site.
 - iv. Medical Review Officer (MRO). The contracted Testing Agency shall employ or provide by subcontract a licensed physician as a Medical Review Officer.
 - v. Superintendent's Designee. The Superintendent may designate an employee of the school district to coordinate the district's drug testing program.

vi. Certified Substance Abuse Professional. Certified substance abuse professionals whose professional credentials are acceptable to the Superintendent or designee shall conduct substance abuse assessment and counseling services.

2. Role of school system employees. **Pamlico County Schools personnel shall not assist with the actual testing or physical collection of the samples and shall have no access to the test samples.** These functions will be carried out by the Testing Administrator. School system employees will be expected to call students from class and assist with coordinating testing as needed.
3. Random Selection. Eligible students will be randomly selected for testing by the Testing Agency using the following process:
 - The Superintendent or designee shall maintain a list of all eligible students who have signed Consent Forms. The list shall be updated prior to each testing date.
 - Each eligible student on the list shall be assigned using the students' school number.
 - The Superintendent or designee shall provide the Testing Agency with a list of the students' numbers, categorized by school.
 - Prior to each testing date, the Superintendent or designee will notify the contracted Testing Agency as to what number or percentage of students will be tested.
 - The contracted Testing Agency shall randomly generate a list of student numbers representing students to be tested. Students who were absent on a testing date, after their previous selection under this random selection process, shall be added to the next randomly generated list. The list shall be provided to the Superintendent or designee.
 - The Superintendent or designee will match the randomly generated student numbers with the students' names and will notify each school which students are to be tested.
 - Selected students shall be pulled from class for testing on testing day. There shall be no advance notification of which students will be tested.
 - Documentation of the selection process shall be maintained.
4. Absences. A student who is absent on the day of a test shall be excused from testing, but shall be added to the sample to be tested on the next testing date. However, a student who is present at school on the day of testing and avoids testing by leaving campus (or cutting class) without a valid excuse for that day shall be considered as having refused to be tested.
5. Refusal to Test or Tampering with a Test. A refusal to be tested, or an attempt to alter, substitute, adulterate or otherwise tamper with a test sample, shall result in the same consequences as a positive test.

6. Frequency of Tests. Random drug testing will be conducted at least four times during the academic year. The dates of testing will not be publicized in advance.
7. Location of Tests. To the extent possible, the testing will occur at the middle and the high school on the same dates.
8. Number of students tested. Approximately fifty percent (50%) of eligible students at each secondary school will be tested in the course of a year. The Superintendent shall determine what number or percentage of eligible students are to be tested.
9. Oral tests. Testing will be by saliva specimen.
10. Confidentiality. All test results will be strictly confidential, including the maintenance of the sample throughout the collection and testing process. All reported results will be maintained by the Superintendent or designee in a locked file cabinet. Disclosure of test results will be limited to those who have a need to know in order to implement this policy. When under this policy a student becomes ineligible to participate in any voluntary activity, the principal shall inform the particular coach, teacher, or sponsor (or administrator for parking permits) that the student is ineligible.

V. SUBSTANCES TESTED FOR

Substances for which students will be tested shall include:

marijuana (THC)	cocaine	phencyclidine (PCP)
amphetamines/methamphetamine		opiates (Oxycontin, Vicodin)
alcohol		

At the recommendation of the contracted Testing Agency and determination by the Superintendent, students may be tested for other or additional substances for which use by a minor is illegal.

VI. CONSEQUENCES OF POSITIVE TESTS

1. First Positive Test:
 1. The student and student's parent/guardian are notified by the Principal.
 2. The student is not precluded from participation in the voluntary activities subject to this program, as a result of the first positive test, provided the parent/guardian enrolls the student in a substance abuse treatment program approved by the Superintendent. If proof of enrollment is not provided to the Principal within ten (10) days, then the Principal shall promptly notify the Superintendent or designee, and the student shall be ineligible to participate in the voluntary activities covered by this policy until proof of enrollment is filed with the Principal.

3. The Principal shall provide the parent/guardian a list of resources for substance abuse assessment and intervention in the Pamlico County area.
4. The parent/guardian is encouraged to actively seek assistance for the student.
5. The student is subject to a mandatory retest after 30 days but within 90 days of the first positive test. The student will be identified by the Testing Agency for retesting on a regularly scheduled test date.
6. Failure to complete the programs will result in a 365-day extracurricular activity suspension, ineligibility, loss of driving privileges, and/or removal from driver education classes.

2. Second Positive Test:

1. Upon a second positive test at any time during the student's school career, the contracted MRO/Testing Agency/Testing Administrator/Principal shall notify the Superintendent or designee.
2. A conference will be scheduled between the school principal, the student, and the student's parent/guardian.
3. The student is ineligible to participate in the voluntary activities covered by this policy (interscholastic athletics, other extracurricular activities, parking privileges and driver education classes) for 365 calendar days unless the student regains eligibility earlier, as provided below.
4. The student may regain eligibility prior to 365 calendar days upon compliance with all of the following requirements:
 - Eligibility to participate in school activities as noted in paragraph III. 1 may be restored if the student and the student's parent or guardian successfully completes a prior approved drug abuse and/or intervention program at the student/parent's expense. The program selected by the parent or student must have prior approval from Pamlico County Schools. Upon enrollment in an approved program, the student shall regain eligibility to participate in athletics, cheerleading, extra-curricular groups, to operate/park a motor vehicle on campus and participate in driver education classes after 10 school days. Failure to complete the program will result in reinstatement of the 365-day ineligibility consequence.
 - The student shall satisfy the substance abuse assessment/counseling requirement of Section VII below. For a second positive test, the student is considered in compliance once he or she has completed the substance abuse assessment and is participating in any recommended counseling or treatment program.
 - The parent/guardian shall supply to the Principal a certification of completion from the student's physician or counseling agency.
 - A student shall test "negative" on a retest prior to regaining eligibility. This retest may be the mandatory retest provided in subsection C. 4 below, or may be a privately arranged test by a licensed drug testing agency acceptable to the Superintendent or designee. A privately arranged drug test shall be at the expense of the parent/guardian.
5. The student will be subject to a mandatory retest after 30 days but within 90

calendar days of the second positive test.

C. Third Positive Test:

1. Upon a student's third positive test any time during the student's school career, the Principal shall notify the Superintendent or designee.
2. A conference will be scheduled between the student's parents, the student, and school principal.
3. The student will be ineligible to participate in the voluntary activities covered by this policy for at least 365 calendar days.
4. The student may regain eligibility after 365 calendar days, upon compliance with all of the following requirements:
 - The student shall satisfy the substance abuse assessment/counseling requirement of Section VII below.
 - The student will be subject to a mandatory retest before regaining eligibility.
 - The parent/guardian shall supply to the Principal a certification from the student's physician, and/or counseling agency.

VII. SUBSTANCE ABUSE ASSESSMENT/COUNSELING REQUIREMENT

Whenever a student is required to satisfy the substance abuse assessment/counseling requirement of this policy, the student shall:

1. Undergo a substance abuse assessment by a licensed/certified substance abuse professional acceptable to the Superintendent or designee.
2. Provide the school principal with written certification by the licensed/certified substance abuse professional that the substance abuse assessment has been completed.
3. Undergo counseling/treatment or other intervention, if any, as recommended by the licensed/certified substance abuse professional. The Board of Education will not specify requirements of any such counseling/treatment or intervention, as this will be based on the student's individual needs. The Board of Education's interest is that the student receive whatever assistance is appropriate for the particular individual.
4. After a second positive test, eligibility may be regained prior to completion of the counseling/treatment program, as long as the student has undergone a substance abuse assessment and is in the process of complying with any recommended counseling/treatment program.
5. After a third positive test, eligibility will not be regained until the licensed/certified substance abuse professional certifies that the student has successfully completed any recommended counseling/treatment program.
6. Failure to fully cooperate or comply with substance abuse assessment or any

counseling/treatment program recommended by the licensed/certified substance abuse professional shall make the student ineligible for participation in the voluntary activities covered by this policy.

VIII. TEST PROCEDURES AND SAFEGUARDS

1. Oral test. Testing will be by saliva specimen.
2. Screening test. The saliva specimen shall be screened using an OraliScreen 6 Panel Test or other screening test.
3. Confirming test. If the screening test indicates the presence of a controlled substance, the specimen shall be subject to a confirming test by gas chromatography/mass spectrometer (GC/MS).
4. Standards for positive test. The contracted Test Agency will use the standard cutoff scores generally used by SAMHSA (Substance Abuse and Mental Health Services Administration) for determining a positive test result.
5. Use of licensed laboratory only. The contracted Testing Agency must use a laboratory that is appropriately licensed by SAMHSA.
6. Expense. The expense, if any, of the assessment or counseling/treatment program shall be the responsibility of the parent/guardian, not the Pamlico County Schools. Grants may sometimes be available to defray costs.
7. Testing Responsibilities.
 - a. Respects the privacy interests of the student during collection of saliva samples.
 - b. Provides a secure chain of custody of each student's saliva sample.
 - c. Provides for screening and confirming tests which use generally accepted testing procedures at an approved laboratory.

IX. MEDICAL REVIEW OFFICER

1. Any confirming test reported as "positive" for the presence of a tested substance shall be reported to the MRO.
2. The MRO shall notify the Superintendent of the test results and provide an opportunity to present information, such as the documented use of a prescription medication or an over-the-counter drug, which would render an apparent "positive" result invalid or "negative."
3. Failure or refusal of the student or the student's parent/guardian to cooperate with

the MRO shall constitute a refusal to test, which is considered a positive test.

4. The Principal shall inform the student and the student's parent/guardian of the opportunity for an additional confirming test at the student's/parent's expense using a 2nd sample of the student's saliva. If the additional confirming test is negative, the district will cover the costs.
5. If the MRO determines that an apparent "positive" test result is the result of a lawful use of a prescription or non-prescription drug, the test result shall be considered as "negative."
6. If the MRO determines that the test results are valid and positive, the MRO shall inform the Superintendent of this determination.

X. METHOD OF COLLECTION OF SALIVA SAMPLES

The following procedures shall be used for the collection of saliva specimens at the individual schools.

1. Notice of Collection. All students selected for testing at a school shall not be notified simultaneously. A school administrator, counselor or nurse will notify each student personally that he/she has been selected for testing immediately prior to testing. The student shall not be allowed to go to his/her locker for any reason. The student may not leave the testing area until he/she has provided a saliva specimen.
2. Cooperation. If the student refuses to cooperate with school employees or the Testing Administrator, the student's refusal to cooperate shall be treated as a "positive" test result.
3. Time of Collection. In general, saliva specimens will be collected as determined by the Testing Administrator in conjunction with a school administrator.
4. Collection Location, Supplies and Equipment. Each school and the Testing Administrator shall select by mutual agreement one or two rooms to use for collecting saliva samples.
5. Protection of Student's Privacy. The Testing Administrator shall view a student in the act of providing a specimen and shall monitor each student in a non-intrusive but controlled manner to detect any attempt to provide a false saliva specimen. Immediately upon receipt of a saliva specimen, it shall be tested to determine whether it is positive or negative.
6. Chain of Custody. The Testing Administrator shall implement procedures to ensure that each student's saliva sample is appropriately labeled and secured to

prevent each sample from being lost, misplaced, or contaminated. At a minimum, the Testing Administrator shall:

- a. Provide each student with a sanitized kit. The kit/sample will remain in the student's possession until a seal is placed on the container by the Testing Administrator. The student will sign a form certifying that the kit/container contains his/her saliva sample and that it has been sealed. The seal may be broken only by the lab testing the specimen.
- b. After the specimen has been sealed, the specimen shall be transmitted to the testing laboratory by the Testing Administrator.
- c. In order to maintain confidentiality, the specimen kit/container shall be labeled with the student's number and not the student's name.

7. Refusal or Inability to Provide Sample. The Testing Administrator shall implement appropriate procedures for use in the event a student refuses to provide a saliva sample or states that he/she is physically unable to provide a saliva sample. A refusal to provide a saliva sample will be treated as a "positive" test result.

XI. EVALUATION AND REVIEW OF POLICY

The Testing Administrator shall provide periodic statistical reports (without identifying students' names) to the Superintendent's designee, indicating the numbers of students tested and the numbers of first, second and third positive test results, by substance and by school. The Superintendent will make an annual report to the Board of Education regarding the impact of this policy.

XII. FORMS

RDT Form 1—Student Consent and Parent Permission

RDT Form 2—Superintendent Notification to Principal of Random Drug Testing Day

RDT Form 2A—Superintendent Memorandum to Principal of Selected Students

RDT Form 2B—Superintendent Follow-up Letter to Principal

RDT Form 3—Student Information Sheet

RDT Form 4—Principal Notification Letter to Parent of Testing

RDT Form 5—Principal Notification Letter to Parent of Negative Results

RDT Form 6—Principal Positive Notification Letter to Parent

I. RDT Form 7—Parent-Principal RDT Conference

Legal References: U.S. Const., Amend. IV; N.C. Gen. Stat. 115C-47(4); Bd. of Education of Independent School Dist. No. 92 of Pottawatomie County v. Earls, 122 S.Ct. 2559 (2002)

Adopted: May 5, 2008

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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. Each principal shall have the authority and be charged with the responsibility to take whatever reasonable and legal action is necessary to establish and maintain appropriate student behavior in accordance with Board policy. One of the basic goals of the Pamlico County Board of Education is to prevent dropouts, suspensions and expulsions. By the same token, the Board recognizes the absolute necessity of maintaining good order for the operation of effective and safe schools. Principals are authorized to take appropriate disciplinary actions in accordance with state law and these Board policies.

6500.1 Teachers shall have the responsibility and authority for discipline over students, except in those cases requiring the attention of the principal.

6500.2 Students may be referred to the school-based committee when:

- the teacher has requested assistance from the principal two or more times due to a student's disruptive behavior; and
- the teacher finds that the student's disruptive behavior continues to interfere with the academic achievement of that student or others in the class.

If a student is referred to the school-based committee because of disruptive behavior, the student is not required to be screened, evaluated, or identified as a child with special needs. A student may not refer a disciplinary matter on his behavior to this committee before discipline is imposed.

Before a school-based committee meeting can be held, the committee must provide reasonable notice to the student's parent, guardian, or legal custodian and encourage that individual to attend and participate in the meeting.

The following individuals may attend the school-based committee meeting:

- members of the school-based committee;
- the teacher requesting assistance;
- additional classroom teachers requested by the teacher seeking assistance;
- the student's parent, guardian, or legal custodian.

The school-based committee may take the following actions:

- advise the teacher on managing the student's behavior more effectively;
- recommend to the principal the transfer of the student to another class within the school;
- recommend to the principal a multi-disciplinary diagnosis and evaluation of the student;
- recommend to the principal that the student be assigned to an alternative learning program; or
- recommend to the principal that the student receive any additional services

that the school or the school unit has the resources to provide for the student. The recommendation of the school-based committee is final and not subject to appeal pursuant to N.C. Gen. Stat. § 115C-45.

If the principal does not follow the recommendation of the committee, the principal must provide written notice of action taken to resolve the matter and the reason the principal did not follow the recommendation of the committee to:

- the committee;
- the teacher who referred the matter to the committee; and
- the superintendent.

Legal Reference: G.S. 115C-47, -288, -307, -390, -391, -397.1.

Adopted: June 5, 2000

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6510

DISCIPLINARY ACTIONS

6510

It shall be the responsibility of the principal to investigate fully the cases of students appropriately referred to his office for misbehavior, and to determine such subsequent action as deemed warranted.

Legal Reference: G.S. 115C-47, -288, -390, -391
Adopted: June 5, 2000

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6511

IN-SCHOOL SUSPENSION

6511

The Board recognizes and approves the implementation and use of in-school suspension, Saturday in-school suspension, or assignment to the Alternative Learning Center as progressive disciplinary options and acceptable alternatives to more severe sanctions, in appropriate cases. The parent or guardian shall be notified when a child has been assigned to in-school suspension.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000
Revised: August 7, 2006

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6512

DETENTION

6512

If the principal deems it appropriate to require a student to stay after school for a stated period of time for a stated purpose, the principal may authorize such detention, provided the parent or guardian has received at least one day's notice. The parent or guardian shall be responsible for safe transportation of a student so detained.

Legal Reference: G.S. 115C-47, -288, -307, -390, -391
Adopted: June 5, 2000

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The Pamlico County Board of Education recognizes that the most effective discipline is preventive and not punitive in nature. However, there are times when corrective actions become necessary. Such actions should be reasonable and aimed at improvement of behavior.

School personnel may use reasonable force to control behavior or to remove a person from the scene in those situations when necessary:

- (1) To quell a disturbance threatening injury to others;
- (2) To obtain possession of weapons or other dangerous objects on the person or within the control of, a student;
- (3) For self-defense;
- (4) For the protection of persons or property;
- (5) To restrain or correct students and maintain order.
- (6) To maintain order on school property, in the classroom, or at a school-related activity on or off school property.

Physical Restraint

Physical restraint shall be considered a reasonable use of force in the following circumstances:

- As reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person;
- As reasonably needed to maintain order or prevent or break up a fight;
- As reasonably needed for self-defense;
- As reasonably needed to ensure safety of any student, school employee, volunteer, or other person present to teach a skill, to calm or comfort a student, or to prevent self-injurious behavior;
- As reasonably needed to escort students safely from one area to another;
- If used as provided for in a student's IEP or Section 504 plan, or behavior intervention plan; and
- As reasonably needed to prevent imminent destruction to school or another person's property.

Except in these circumstances, physical restraint shall not be considered a reasonable use of force and its use is prohibited by the Pamlico County Board of Education.

Mechanical Restraint

Mechanical restraint is permissible only in the following circumstances:

- When properly used as an assistive technology device included in the student's IEP or Section 504 plan, or behavior intervention plan, or otherwise prescribed for the student by medical or a related service provider;
- When using seatbelts or other safety restraints to secure students during transportation;
- As reasonably needed for self-defense; and
- As reasonably needed to insure the safety of any student, school employee, volunteer or other person present.

Except in these circumstances, mechanical restraint shall not be considered a reasonable use of force and is prohibited by the Pamlico County Board of Education.

Seclusion

Seclusion may be used in the following circumstances:

- As reasonably needed to respond to a person in control of a weapon or other dangerous object;
- As reasonably needed to maintain order or prevent or break up a fight;
- As reasonably needed for self-defense;
- As reasonably needed when a student's behavior poses a threat of imminent physical harm to himself or others or imminent substantial destruction or school or another's property;
- When used as specified in the student's IEP, 504 Plan, or behavior intervention plan, and the student is:
 1. Monitored in seclusion by an adult in close proximity who is able to see and hear the student at all times.
 2. Released from seclusion upon cessation of behaviors that led to seclusion.

3. Confined in a space approved for such use by the Pamlico County Board of Education.
4. Confined in a space appropriately lighted, ventilated, heated or cooled, and free of objects that unreasonably expose the student or others to harm.

Except in these circumstances, the use of seclusion is not a reasonable use of force and is not permitted by the Pamlico County Board of Education. Seclusion shall not be considered a reasonable use of force when used solely as a disciplinary consequence.

Isolation

Isolation is permitted as a behavior management technique provided that:

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

Time Out

Nothing in this policy prohibits or regulates the use of time out.

Aversive Procedures

An “aversive procedure” is a systematic physical or sensory intervention program for modifying behavior which causes or reasonably may be expected to cause:

1. significant physical harm, such as tissue damage, physical illness, or death
2. serious, foreseeable long-term psychological impairment
3. obvious repulsion on the part of observers who cannot reconcile extreme procedures with acceptable, standard practice

The use of aversive procedures is prohibited in the Pamlico County Schools.

Reporting Requirements

School personnel must promptly notify the principal or designee of:

1. Any use of aversive procedures.

2. Any prohibited mechanical restraint.
3. Any use of physical restraint resulting in observable physical injury to a student.
4. Any prohibited use of seclusion or seclusion that exceeds ten minutes or the amount of time specified in the student's behavior intervention plan.

When the principal or designee has personal knowledge or actual notice of any of these events, the principal or designee shall promptly notify the Superintendent and the student's parent or guardian and provide the name of the school employee that the parent or guardian can contact regarding the incident. This notification should occur at the end of the work day during which the incident occurred when reasonably possible, but never later than the end of the following work day. Within a reasonable period of time, but no later than thirty (30) days after the incident, the student's parent or guardian shall be provided with a written incident report that includes:

1. Date, time of day, location, duration and description of incident and intervention.
2. Events that led up to the incident.
3. Nature and extent of any injury to student.
4. Name of school employee to contact regarding incident.

The Superintendent or designee will maintain a record of all incidents required to be reported under this policy and shall provide this information annually to the State Board of Education.

The Pamlico County Board of Education and its employees are prohibited from retaliating against an employee for reporting an alleged violation of this policy unless the reporting employee knew or should have known the report was false.

Corporal punishment shall not be used in the Pamlico County Schools.

Nothing stated herein shall inhibit anyone from taking whatever action may be necessary in case of an attack on his person or in his own self-defense. Nothing stated herein prohibits the use of physical restraint, mechanical restraint, seclusion or any other use of force by law enforcement officers. Nothing stated herein creates a private right of action against the Pamlico County Board of Education, its agents or employees.

The Superintendent may adopt regulations to implement this policy.

Legal Reference: G.S. 115C-47(45), -288, -307, -390, -391, -391.1
Adopted: June 5, 2000
Revised: August 7, 2006

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If the principal is informed of or witnesses any serious misconduct and thinks that immediate removal of the student is necessary to restore order or to protect school property or persons or the school grounds, he may suspend the student immediately for not more than three days and promptly shall notify the parent or guardian of this action.

In such cases the principal is not required to conduct an investigation before the suspension. If the principal decides to conduct an investigation and the findings warrant further disciplinary action, the total suspension time shall not exceed ten school days, unless the procedures for long-term suspension are implemented. When a summary suspension is used the principal is not to send the student from the campus without adequate transportation. The student may be allowed to spend the remainder of the day at school and ride the bus if the principal feels it is appropriate for him to do so. If the student's remaining on campus, in the principal's opinion, creates a dangerous situation, then the student should be removed immediately by parents, sheriff or any other way that protects the school and its participants.

Legal Reference: G.S. 115C-47, -288, -390, -391
Adopted: June 5, 2000

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Before invoking a short-term suspension, the principal shall inform the student of the nature and basis of the alleged misconduct. The student is required to respond truthfully and completely. The student should be encouraged to raise any defense felt to be available. The nature and extent of further investigation by the principal is left to the sound discretion of the principal taking into account all the facts and circumstances of a particular situation. If a student requests that the principal question witnesses named by the student, or if the student claims the need for additional time to present evidence which may exculpate him, the principal shall give due consideration to these requests.

If the principal finds the allegations true, he may invoke a short-term suspension and shall make every effort to confer with the parent or guardian at that time. A short-term suspension is a denial to a student of the right to attend school and to take part in any school function for any period of time up to ten (10) school days. Concurrent with the short-term suspension, the principal may suspend a student's eligibility to participate in extracurricular activities or other school functions for a period of time up to or exceeding ten (10) school days.

The removal of a student from his class by the classroom teacher, principal or other authorized school personnel for the remainder of the subject period or school day and his location in another room or place on the school premises shall not be considered a short-term suspension.

When a student is suspended, the principal shall send a statement to his parents and to the Superintendent fully describing the misconduct, stating the rule violated and stating the principal's reason for action. The principal shall keep on file all documents and relevant information received about the misconduct.

Decisions on short-term suspensions may be appealed to the Superintendent. Within ten days of receiving the Superintendent's decision, the student (or parent or guardian) may petition the Board of Education for a hearing. The Board of Education shall notify the person filing the petition of its decision whether or not to grant a hearing. The Superintendent may, in her discretion, postpone the disciplinary action pending the Board's decision.

Legal Reference: G.S. 115C-47, -288, -390, -391

Adopted: June 5, 2000

Revised: July 1, 2002.

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This policy applies to out-of-school suspensions for any period of time in excess of ten school days.

6516.1 ACTIONS BY PRINCIPAL AND SUPERINTENDENT

If the principal determines that a suspension beyond ten days is appropriate, the principal shall recommend such penalty to the Superintendent in writing. The principal's recommendation shall contain the nature of the offense and the recommended penalty. A copy of the recommendation shall be sent by registered mail to the parent of the student and to the student.

The Superintendent and principal shall confer to review the recommendation. The Superintendent may confer with the student and/or the parent. The Superintendent may adopt, modify or reverse the principal's recommendation. A copy of the Superintendent's decision shall be sent by certified mail, return receipt requested, to the student and parent. The Superintendent's decision may be appealed to the Board of Education.

Whenever a student receives a long-term suspension, the student and parent will be provided a copy of this policy and a notice informing the student of the following: 1) the right to appeal the Superintendent's decision to the Board of Education; 2) the right to seek judicial review of the Board's decision; 3) the information that will be included in the student's official record; and 4) the procedure for expungement of this information, as set out in Board Policy 6300.

If English is not the first language of the parent/guardian, the notice shall be written in English and also in the parent or guardian's first language when the appropriate foreign language resources are readily available. Both versions shall be in plain language and shall be easily understandable.

A long-term suspension may extend through the remainder of the school year. In circumstances involving serious assaults, weapons, bomb threats, or acts of terror, the suspension may extend up to 365 days.

6516.2 APPEALS TO THE BOARD

A student or parent who desires to appeal a long-term suspension decision by the Superintendent may do so by giving written notice to the Superintendent within three (3) calendar days of receipt of the Superintendent's decision. A student or parent who appeals a long-term suspension must specify whether the appeal is challenging the alleged misconduct, the length of suspension, or both.

In the event of a timely appeal the Superintendent shall inform the Board chairperson and arrange a hearing before the Board (or a panel of the Board). If a notice of appeal is not received within the three (3) day period, there is no right to appeal or a hearing, and the suspension shall be final.

The long-term suspension imposed by the Superintendent need not be postponed pending the outcome of the appeal.

6516.3 BOARD HEARING PROCEDURES

The chairperson may appoint a panel of the Board consisting of at least three members to conduct the hearing and make a decision for and on behalf of the Board.

The hearing shall be held no later than the next regularly scheduled Board meeting or ten (10) calendar days after receipt of the written appeal, whichever is later. The Superintendent or designee shall send at least three (3) days written notice of the time and place of hearing and the offenses of which the student is accused to the student's parent and to the principal.

If the student or parent request a hearing but do not attend, the Board may conduct the hearing in their absence.

The following rules will govern the conduct of the hearing:

1. The hearing shall be conducted in private.
2. The student and parent may be present at the hearing. The student may be represented by an attorney at the hearing if the Superintendent is notified at least 2 school days prior to the hearing that the student will have an attorney present.
3. Witnesses should be present only when they are giving information. The hearing may be attended by the Board, the Superintendent, the principal and his administrative assistants, the student, his parents, and, if desired, his representative, and such other persons as the Board deems necessary.
4. The Board panel may consider the school records of the student as well as the testimony of any witnesses.
5. In presenting evidence, the principal or other representatives of the school have the burden of proof and shall present first the witnesses and documentary evidence against the student. Next, the student or his representative may present evidence, including any documents and witnesses.
6. Both the principal or school representative and the student or his representative may examine the witnesses presented by the other side. The chair-

person of the hearing panel has power to limit questioning by any person, if such questioning is unproductively lengthy or irrelevant.

7. The chairperson of the hearing panel shall provide for making a record of any information orally presented at the hearing.
8. After the evidence has been presented, all parties shall leave the hearing room, and the hearing panel shall reach its decision in private. The decision shall be based solely on the evidence presented at the hearing. If the student or parent challenges the factual allegations of misconduct, the decision shall set forth in writing the findings of fact upon which the decision rests. The chairperson of the hearing panel shall send a copy of the written decision to the Superintendent and the student's parents within three (3) school days after the hearing is completed. The Board of Education must be sure that: (1) the penalty was not excessive, 2) there was sufficient evidence to justify punishment, and (3) the proper procedures were followed.

6516.4 APPEAL TO SUPERIOR COURT

An adverse decision by the Pamlico County Board of Education may be appealed by the student to a court of law in accordance with Article 4 of Ch. 150B of the General Statutes. The person seeking judicial review must generally file the petition within 30 days after being served with the written copy of the board's decision.

Legal Reference: G.S. 115C-45, -47, -288, -307, -390, -391
Adopted: June 5, 2000
Revised: July 1, 2002
Revised: June 6, 2005
Revised: March 6, 2006
Revised: August 7, 2006

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Upon recommendation of the principal and Superintendent, the Board may permanently expel a student who is fourteen (14) years of age or older and whose behavior indicates that the student's continued presence in school constitutes a clear threat to the safety of other students or employees.

The Superintendent shall notify the student and the student's parent/guardian of the Superintendent's decision to recommend expulsion, by certified mail, return receipt requested. A student or parent who desires a hearing before the Board on the expulsion recommendation must provide a written request for hearing to the Superintendent within three (3) calendar days of receipt of the Superintendent's recommendation. If a request for hearing is not received by the Superintendent within the three-day period, the student and parent shall have no right to a hearing and the Board may make a decision on the expulsion recommendation without a hearing.

If a timely request for a hearing is received, the Superintendent shall inform the Board chairperson and arrange a Board hearing. The expulsion hearing may be scheduled for the same time as a long-term suspension appeal hearing for the same conduct. The hearing procedures set forth in Rules 1 through 7 of Policy 6516.3 shall govern Board expulsion hearings. The chairperson may appoint a panel of the Board consisting of at least three members to conduct the hearing and make a decision for and on behalf of the Board.

The Board's decision to expel a student shall be based on clear and convincing evidence. Prior to ordering the expulsion of such a student, the Board shall consider whether there is an appropriate alternative program offered by the Board that may provide education services to the student.

When notice of an expulsion is given to a student or parent, this notice shall identify what information will be included in the student's official record, and the procedure for expungement of this information, as set out in Board Policy 6300. The notice shall also explain the right to appeal the expulsion. If English is not the first language of the parent/guardian, the notice shall be written in English and also in the parent or guardian's first language when the appropriate foreign language resources are readily available. Both versions shall be in plain language and shall be easily understandable.

The decision of the Board under this policy is final, subject only to judicial review in accordance with Article 4 of Chapter 150B of the General Statutes.

Any student who has been expelled may request that the Board reconsider its decision at any time after the July 1 that is at least six months after the expulsion decision. If the student demonstrates to the Board's satisfaction that his presence in school no longer constitutes a threat to the safety of other students or employees, the Board shall readmit the student and assign him to a school on a date the Board deems appropriate.

Legal Reference: G.S. 115C-47, -391

Adopted: June 5, 2000

Revised: July 1, 2002

Revised: March 6, 2006.

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To maintain order and discipline in the schools and to protect the safety and welfare of students and school personnel, school authorities may search a student, student lockers or student automobiles under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search.

As used in this policy, the term "unauthorized" means any item dangerous to the health or safety of students or school personnel, or disruptive of any lawful function, mission or process of the school, or any item described as unauthorized in school rules available beforehand to the student.

A student's failure to permit searches and seizures as provided in this policy will be considered grounds for disciplinary action.

6600.1 Personal Searches - A student's person and/or personal effects (e.g., purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials.

If a pat down search of a student's person is conducted, it will be conducted in private by a school official of the same sex and with an adult witness present, when feasible.

If the school official has reasonable suspicion to believe that the student has on his or her person an item imminently dangerous to the student or to others, a more intrusive search of the student's person may be conducted. Such a search may only be conducted in private by a school official of the same sex, with an adult witness of the same sex present, and only upon the prior approval of the Superintendent or his designee, unless the health or safety of students will be endangered by the delay which might be caused by following these procedures.

A. Use of Metal Detectors - A metal detector may be used to search a student's person and/or personal effects whenever a school authority has reasonable suspicion to believe that the student is in possession of a weapon. The search must be conducted by a school official, or by the school resource officer in conjunction with school officials. The search will be conducted in private, when feasible.

A school is authorized to conduct general searches of students and their personal effects with a metal detector before a student enters the school campus or any school-sponsored extracurricular activity. Prior to initiating general searches, the school must substantiate to the satisfaction of the Superintendent the need for general searches based upon a pattern of or potential for violence or disruption or, for

an extracurricular activity, a need for additional security. The Superintendent or principal should provide notice to students and parents of the school policy for general searches, but not necessarily of specific times or places where searches will be conducted. Any general search conducted pursuant to this policy must be conducted by a school official, or by the school resource officer in conjunction with school officials.

- 6600.2 Locker Searches - Student lockers are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers. Periodic general inspections of lockers may be conducted by school authorities for any reason at any time without notice, without consent, and without a search warrant.
- 6600.3 Automobile Searches - Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.
- 6600.4 Seizure of Illegal Materials - If a properly conducted search yields illegal or contraband materials, such findings shall be turned over to proper legal authorities for ultimate disposition.

Legal Reference: G.S. 115C-47, -288(e), -307(a)
Adopted: June 5, 2000
Revised: May 7, 2007

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If the interrogation of a student indicates that the completion of the interrogation should be carried out by a police officer or other legal officer, the principal shall make a reasonable attempt to notify the parents (except in cases of suspected child abuse or neglect by the parent) and give them an opportunity to be present at the time of questioning.

Legal Reference: G.S. 115C-36, -47, -288

Adopted: June 5, 2000

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A principal immediately must notify local law enforcement authorities and the Superintendent when the principal has personal knowledge or actual notice from school personnel that an act has occurred on school property involving any of the following: assault resulting in serious personal injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a weapon in violation of the law, or possession of a controlled substance in violation of the law. The principal should notify the superintendent and the superintendent should notify the Board of any reports made to law enforcement. Failure to make the required reports may subject the principal to a class 3 misdemeanor. School property includes any public school building, bus, public school campus, grounds, recreational area or athletic field, in the charge of the principal.

The Superintendent shall establish a procedure by which all acts of school violence shall be reported to the State Board of Education pursuant to State law and regulation.

Legal Reference: G.S. 115C-12, -47, -288

Adopted: June 5, 2000

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The Board requires the adoption of safe school plans setting forth, at each school, procedures for identifying and serving the needs of students who are at risk of academic failure or of engaging in disruptive or disorderly behavior. These procedures will also include mechanisms for:

- Assessing the needs of disruptive and disorderly students;
- Providing them with services for academic achievement and behavior modification; and
- Removing them from the class when necessary.

Safe School Plans shall comply with any applicable guidelines issued by the State Board of Education.

Legal Reference: N.C. Gen. Stat. § 115C-105.47(b)(5)(6).

Adopted: June 5, 2000

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In the interest of providing a safe and secure environment for students and school personnel, and consistent with the mandate of the Pamlico County Schools' Safe Schools Plan, the Pamlico County Board of Education has cooperatively arranged for deputies of the Pamlico County Sheriff's Department to serve as School Resource Officers (SROs) in designated schools.

SROs work in full cooperation with school administrators, faculty, staff, and students to help maintain a safe and secure environment at the schools through the prevention of criminal activities and disturbances; help prevent juvenile delinquency; and serve as a resource for the dissemination of information regarding students' rights and responsibilities as citizens.

The following rules shall govern the SRO program.

6604.1 Basic Qualifications of SROs. An SRO shall meet the following basic qualifications:

- A. The SRO shall be a commissioned law enforcement officer with at least three years of law enforcement experience;
- B. The SRO shall possess sufficient knowledge of all applicable federal and state laws, including the Juvenile Code of North Carolina; County ordinances; and Board of Education policies and administrative regulations;
- C. The SRO shall be capable of conducting in-depth criminal investigations;
- D. The SRO shall possess an even temperament and set a good example for students; and
- E. The SRO shall possess good communication skills to enable the officer to function effectively within the school environment.

6604.2 Duties of SROs

- A. To protect lives and property in the school system;
- B. To provide law enforcement services to the school system;
- C. To investigate criminal activity committed on or adjacent to school property;
- D. To help prevent juvenile delinquency through close contact with students and school personnel;

- E. To counsel certain students, such as students suspected of engaging in criminal misconduct, when requested by the principal, the principal's designee, or the parents of the student;
- F. To answer questions that students may have about North Carolina criminal or juvenile laws, and to make classroom presentations at the request of the principal or teachers, but not give legal advice;
- G. To assist other law enforcement officers with outside investigations concerning students attending public school in Pamlico County;
- H. To provide security and/or traffic control for special school events or functions, such as PTO meetings or athletic events; and
- I. To provide traffic control during the arrival and departure of students when a school crossing guard is absent.

6604.3 Search and Seizure. In investigating crimes and performing interrogations, searches, and arrests of students, SROs shall at all times comply with applicable Pamlico County Sheriff's Department policies, as well as state and federal law.

6604.4 Enforcement of School Rules. Violations of school rules, as opposed to violations of the criminal law, should be handled at the school level by school personnel. SROs are available for advice, assistance, and consultation, but those matters that are the exclusive concern of the school administration and do not constitute violations of the law should be handled by school personnel. Where student misconduct involves a violation of both school rules and the criminal law, school personnel and SROs shall consult together about the situation and their respective roles.

6604.5 SRO Access to Education Records

- A. School officials shall allow SROs to inspect and copy any public records maintained by the school including student directory information such as yearbooks. SROs may not inspect and/or copy confidential student education records except in emergency situations, consistent with state and federal law.
- B. If information in a student's cumulative record is needed in an emergency to protect the health or safety of the student or other individuals, school officials may disclose to the SRO that information which is needed to respond to the emergency situation based on the seriousness of the threat to someone's health or safety, the need for the information to meet the emergency situation, and the extent to which time is of the essence.
- C. If confidential student records information is needed, but no emergency situation exists, the information may be released only upon the issuance of a search

warrant, subpoena, or court order to produce the records, or upon consent of the parent or eligible student.

- 6604.6 Maintenance of SRO Records. Any arrest records, citations, charges, or other law enforcement documentation generated by SROs in the course of their law enforcement duties shall be: a) maintained separately from education records; b) maintained solely for law enforcement purposes; and, c) disclosed only to law enforcement officials of the same jurisdiction.
- 6604.7 Access to SRO Records. Any arrest records, citations, charges, or other law enforcement documentation generated by SROs in the course of their law enforcement duties shall be considered law enforcement records of the Pamlico County Sheriff's Department. Such records shall not be available to students, parents, school officials, or the general public, except as provided by law.
- 6604.8 Dress Code. SROs shall wear their regular Sheriff's Department uniform.
- 6604.9 Training. SROs shall be required to undergo appropriate in-service training as required under Sheriff's Department policy and state law. In addition, as directed by the Board of Education, all SROs may be required to engage in training tailored to the school system environment, such as the School Resource Officer basic and advanced training programs offered by the North Carolina Academy of Justice and the workshops and training sessions conducted by the Center for the Prevention of School Violence.
- 6604.10 Evaluation of School Resource Officers. The Superintendent (or his designee) shall annually evaluate the SRO program and the performance of each SRO.

Legal Reference: G.S. 115C-47, -402; Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and 34 C.F.R. Part 99.

Adopted: June 5, 2000

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6700

OPTIONAL STUDENT PROGRAMS

6700

The Board may from time to time elect to provide various optional programs or services to students.

Legal Reference: 115C-36, -40, -47, Art. 16

Adopted: June 5, 2000

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6710

FREE AND REDUCED PRICE MEALS

6710

Free or reduced price meals shall be served to students who qualify in accordance with current State guidelines. Such guidelines shall be available to the public in each school.

Legal Reference: G.S. 115C-47, -263, -264

Adopted: June 5, 2000

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A student accident insurance program shall be made available annually to all students on a volunteer basis. The premium will be assumed by the respective parent or guardian.

6720.1 Every student participant in a student activity which requires accident insurance shall be required to:

- A. Furnish proof of membership in the student accident insurance program, or
- B. Furnish proof that comparable coverage is carried in another insurance policy.

6720.2 Student activities requiring student accident insurance coverage or waivers are:

- A. Interscholastic athletic programs
- B. Intramural athletic programs
- C. Marching bands
- D. Cheerleaders
- E. Activities groups making overnight trips or excursions.

6720.3 In such programs as vocational education, it shall be the responsibility of the instructor to see that each firm or business providing work-study experience for a student carries appropriate insurance coverage for the protection of the student.

Legal Reference: G.S. 115C-36, -40, -47

Adopted: June 5, 2000

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The Board fully supports the law requiring any person, including any employee of the Pamlico County Board of Education, who has cause to suspect that a juvenile (less than eighteen years old who is not married or emancipated) is or has been abused or neglected by his or her parent or other person responsible for his care, or that a juvenile is "dependent" (needs assistance or placement because of the lack of a parent or caretaker or whose parent or caretaker is unable to provide supervision) or has died as the result of maltreatment, to report the case of that juvenile to the Director of the Pamlico County Department of Social Services. The Board endorses the active cooperation of all of its employees with the Department of Social Services in order that the Department of Social Services may investigate the report of alleged neglect or abuse, offer immediate protection to any child needing protection, and provide or arrange for services to help the parent solve those problems which lead to abuse or neglect. The Board shall actively support all employees who make a report of child abuse or neglect in good faith. Employees should be aware that the law protects from liability any person who makes such a good faith report and that the law presumes such reports to have been made in good faith.

- 6730.1 The Superintendent shall prepare and disseminate current regulations and procedures for reporting suspected child abuse and/or neglect.
- 6730.2 Periodic staff development opportunities shall be provided for all staff members on the subject of identifying and reporting suspected cases of child abuse or neglect.
- 6730.3 The Superintendent and all associate or assistant superintendents, personnel administrators and principals are required to inform the State Superintendent of Public Instruction when the reporting employee knows or has substantial reason to believe that a licensed employee:
- a) has been convicted or entered a plea of no contest in a criminal case involving physical abuse or sexual abuse of a child or student; or
 - b) has been dismissed on the basis of immorality pursuant to N.C. Gen. Stat. § 115C-325(e)(1)b for any behavior involving physical abuse or sexual abuse of a child or student; or
 - c) has committed any physical abuse or sexual abuse of a child or student.

Legal Reference: G.S. 7A-543 through -552; 115C-400; 16 N.C.A.C. 6C.0312
Adopted: June 5, 2000

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The Superintendent shall be responsible for the preparation and dissemination of a set of procedures concerning health services for students. Such procedures shall provide for timely review, cooperative agreements, reporting, and directions to employees of the school system.

Legal Reference: G.S. 115C-81(e1); Ch. 130A, Art. 6
Adopted: June 5, 2000

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The Pamlico County Board of Education is committed to a sound, thorough school health education program that provides students with accurate information and encourages them to be responsible for their own health and behavior. The Board recognizes the primary role of parents/guardians in providing for the health and well-being of their children and seeks to involve parents/guardians in the schools as provided in this policy. The school health education program provided by the school district will meet all requirements established by state and federal law, including the Basic Education Program, N.C. Gen. Stat. § 115C-81(e1). Further, the Board will follow the North Carolina Standard Course of Study for Healthful Living Education.

The Board's school health education program will encompass all major aspects of healthful living for students from kindergarten through ninth grade. As required by law, this program will include instruction on the benefits of sexual abstinence until marriage ("abstinence"), the avoidance of out-of-wedlock pregnancy, and the prevention of sexually transmitted diseases ("STD's") at appropriate grade levels.

A copy of all program objectives relating to abstinence until marriage, avoidance of out-of-wedlock pregnancy, or the prevention of sexually transmitted diseases will be available for review at any school where the program will be taught, prior to their use with students. Instructional materials relating to these topics will be available for review either at the school or at an identified central location. Before students may participate in a portion of a program that includes these topics, the school system will notify the parents/guardians of the opportunity to review the material and the right to withhold consent for the student to participate. Any parent/guardian wishing to withhold consent must do so in writing to the principal, on an annual basis. Otherwise, consent to the program is presumed.

A determination of what will be appropriate education for any student with identified exceptionalities will be made in accordance with the student's individualized education plan, following all procedures as provided in the North Carolina Procedures Governing Programs and Special Services for Children with Special Needs.

Contraceptives shall not be made available or distributed on school property. Further, the Pamlico County Board of Education and its employees shall not provide information to students about where to obtain contraceptives or abortion referral services, unless consent is given by the parent/guardian in person.

Legal References: N.C. Gen. Stat. 115C-36, Art. 9, -81(e1); Procedures Governing Programs and Services for Children With Special Needs

Adopted: June 5, 2000

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The Pamlico County Board of Education recognizes the importance of students maintaining physical health and proper nutrition in order to take advantage of educational opportunities. The board further recognizes that student wellness and proper nutrition are related to a student's physical well-being, growth, development and readiness to learn. The board is committed to providing a school environment that promotes student wellness, proper nutrition, nutrition education, and regular physical activity as part of the total learning experience.

The Pamlico County Board of Education is also concerned about the prevalence of childhood obesity and consequent health implications during the remainder of their lives. In the short-term, overweight children may exhibit compromised health, with effects on school attendance and academic performance.

The Superintendent shall maintain procedures to carry out the goals of this policy, including a plan to evaluate the effectiveness of efforts to promote high-quality nutrition and physical activity programs.

A. School Health Advisory Council

The board will appoint a School Health Advisory Council to help plan, implement, and monitor this policy as well as other health and nutrition issues within the school district. Of those appointed to the council, there will be at least one person from each of the following groups: school board member, school district administrator, district food service representative, student, parent/guardian, a member of the public, a local health department representative, and a representative from each of the following school health areas: physical/health education, staff wellness, and mental and social health.

The council will assist the superintendent, or his designee, in creating an annual report, which includes the minutes of physical activity and the minutes of physical education and/or healthful living education received by students in the Pamlico County Schools each school year, and any other information required by the State Board of Education.

B. Nutrition Education

Nutrition Education and Healthy Living Skills shall be taught as part of the regular instructional program in order to provide opportunity for all students to understand and practice concepts and skills related to health promotion and disease prevention.

- Nutrition education will be provided in accordance with the North Carolina Healthful Living Curriculum and can be integrated into other areas of the curriculum such as math, science, language arts and social studies.

- The school cafeteria is an integral part of the total school environment. It will serve as a “learning laboratory” to allow students to apply critical thinking skills taught in the classroom and to learn and practice healthy living skills.
- Nutrition education will be shared with families and the broader community to provide a positive impact on students and on the health of the community. (Examples include newsletters, brochures, participation in health fairs, etc.)
- Professional development opportunities will be made available to the staff responsible for nutrition education.

C. Physical Education

Physical education and physical activity shall be an essential element of each school’s instructional program. The program will provide the opportunity for all students to develop the skills, knowledge, and attitudes necessary to participate in a lifetime of healthful physical activity. Physical education programs will comply with state and local requirements.

- Time allotted for moderate to vigorous physical activity for students K-8 will meet the state requirement of 30 minutes each day as required by the North Carolina Healthy Active Children Policy, and grades 6-8 will work toward the goal of 225 minutes average per week. This can be achieved through regular physical education classes and/or through physical activities such as Classroom Energizers, Take 10, Awaken the Brain, or through use of walking areas and other activities.
- Physical education, Energizers and other forms of physical activity shall not be taken away from students as a form of punishment. In addition, severe and/or inappropriate exercise may not be used as a form of punishment for students.
- Physical education courses will be conducted in an environment where students learn, practice, and are assessed on developmentally appropriate motor skills, social skills, and knowledge. Class size will be in accordance with North Carolina State Board of Education standards.
- Physical education courses will be taught under the direction of a licensed physical education teacher.
- Schools will work toward having adequate equipment available for all students to participate in physical education and physical activity.
- Schools will work toward having safe physical activity facilities on campus.
- Schools are requested to encourage community members to make use of the school’s physical activity facilities outside of the normal school day.

D. Nutrition Guidelines

All foods available in the Pamlico County Schools during the school day will be offered to students with consideration for promoting student health, reducing childhood obesity, providing a variety of nutritional meals, and promoting life-long healthy eating habits. Foods and beverages available on each school campus shall meet all applicable federal and state nutritional guidelines. Students with special dietary needs will be reasonably accommodated.

The Student Health Advisory Council shall establish separate nutritional standards for those foods and beverages for which there are no mandatory state or federal guidelines.

E. Activities to Promote Wellness

In addition to the standards outlined above, the Pamlico County Board of Education adopts the following goals for school-based activities designed to promote wellness:

- Pamlico County Schools will provide an attractive, clean, and safe meal environment.
- Students will be provided adequate time to eat meals (at least 10 minutes for breakfast and 15 minutes for lunch for the time the student is seated.)
- Drinking water will be available at all meal periods and throughout the school day.
- Professional development will be provided for district nutrition staff.
- To the extent possible, the Pamlico County Schools will utilize funding and outside programs to enhance staff and student wellness.
- Food should not be used in the Pamlico County Schools as a reward unless they meet Winners' Circle guidelines.
- As appropriate, the goals of this student wellness policy will be considered in planning all school-based activities.
- Administrators, teachers, food service personnel, students, parents/guardians, and community members will be encouraged to serve as positive role models to promote student wellness.
- Students will be encouraged to start each day with a healthy breakfast. The school breakfast program will be available at all schools.
- The Child Nutrition Department will work with local media and the School Health Advisory Council to inform the community about health issues of school children and the programs that are in place at the schools to address such issues.

F. Guidelines For Reimbursable Meals

The child nutrition supervisor will ensure that school district guidelines for reimbursable meals are not less restrictive than regulations and guidelines issued for schools in accordance with federal law.

G. Monitoring And Review Of Policy

The superintendent or his/her designee will be responsible for overseeing implementation of this policy and monitoring the Pamlico County Schools' programs and curriculum to ensure compliance with this policy, related policies, and established guidelines or administrative regulations.

In each school, the principal or designee will ensure compliance with this policy and will report on the school's compliance to the superintendent or designee.

Legal References: The Child Nutrition and WIC Reauthorization Act of 2004, P.L. 108-265, Sec. 204; National School Lunch Act, *as amended*, 42 U.S.C. § 1751, *et seq.*; G.S. § 115C-264.2, -264.3; G.S. § 115C-81(e); State Board of Education Policy # HSP-S-000 and EEO-S-000.

Cross References: School Health Education Program (Policy 5050, 6750), Free and Reduced Price Meals (Policy 6710, 7041), Health Services (Policy 6740); Child Nutrition (Policy 7000), Child Nutrition Programs (Policy 7040), Cooperation with Other Agencies (Policy 7042), Menu Preparation and School Food Service Purchasing (Policy 7050), Food Service Safety and Sanitary Practices (Policy 7060).

Adopted: June 29, 2006

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The Superintendent shall ensure that all students in Grades 9 through 12 are provided annually with information on the manner in which a parent may lawfully abandon a newborn baby with a responsible person, in accordance with G.S. 7B-500.

Legal Reference: G.S. 7B-500

Adopted: January 5, 2009

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Student activities shall be considered an integral part of the school instructional program and shall be conducted in accordance with the policies of the Board of Education and the regulations of the Superintendent.

During the regular school day, activities allowed should be only those making the greatest contribution to the educational objectives of the school, and thus enforcing and extending the educational experiences provided in the subjects taught. The school principal shall approve all school activities.

Legal Reference: G.S. 115C-47, -84

Adopted: June 5, 2000

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6801

PARTICIPATION IN EXTRACURRICULAR ACTIVITIES

6801

Participation in extracurricular school activities is a privilege, not a right. Appropriate student behavior may be considered in determining student eligibility to participate in extracurricular activities and events. When any student is charged with a criminal offense, the student's principal shall investigate the circumstances of the charge to determine whether the student may continue to participate in extracurricular school activities. The principal may make his determination before the student's criminal case reaches final disposition.

Legal Reference: G.S. 115C-36, -47, -288
Adopted: June 5, 2000

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6802
7404

ATTENDANCE AT ATHLETIC EVENTS
AND EXTRACURRICULAR ACTIVITIES

6802
7404

Attendance at athletic events and other extracurricular activities sponsored by the Pamlico County Schools is limited to students, parents, staff and other persons whose presence poses no threat to the goals of the program or the safety of persons attending the program. Any person who has been convicted of a felony involving the manufacture, sale, delivery or possession of a controlled substance under federal, state or territorial law and whose citizenship has not been restored will not be permitted to attend athletic events or other extracurricular activities sponsored by the Pamlico County Schools.

Legal Reference: G.S. 115C-47(4)
Adopted: June 5, 2000

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The Board of Education shall establish a schedule of fees which may be charged to students. A listing of approved local school fees shall be filed in the office of the Superintendent and reported to the State Superintendent of Public Instruction. School personnel shall issue to each student a receipt for the fees collected.

- 6805.1 Fees may be waived or reduced in the event of inability to pay. The following procedures shall be used to ascertain the ability of students or their parents to pay the assessed fees.
- A. All students/parents shall be notified at the beginning of each school year of the fees appropriate for their individual schools.
 - B. All students/parents shall be notified of the possibility of waiver or reduction of fees for persons financially unable to pay.
 - C. On appropriate forms made available upon request, students/parents may apply in confidence to the school principal for waiver or reduction of school fees.
 - D. The School principal will approve or disapprove each request.
 - E. Students/parents may appeal the action of the principal to the superintendent's office.
 - F. No sanctions may be imposed or publicity given to students whose fees have been waived or reduced.
- 6805.2 Once fees have been paid, any student transferring to another school within the county will not be assessed additional fees for the same services in the new school for that school year.
- 6805.3 If a student transfers from Pamlico County Schools to another local school administrative unit or is compelled to withdraw because of illness or for any other good and valid reason, then the student/parents shall be entitled to a refund of the fees paid by them prorated in accordance with the schedule established by law.

Legal Reference: G.S. 115C-47(6);-384

Adopted: June 5, 2000

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A basic purpose of education is to prepare students for reasonable self-expression. The right to free expression is constitutionally guaranteed and shall be accorded all students so long as such expression does not interfere with the rights of others or unduly interrupt the educational process.

6810.1 Publications sponsored or in any way funded by the school or under school control shall be known as school publications and shall be assigned faculty advisors.

6810.2 Independent student or off-campus publications shall not be published or circulated on school premises except upon the approval of the principal.

Legal Reference: U.S. Constitution, Amendment I
Adopted: June 5, 2000

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The Pamlico County Board of Education recognizes the need for school-sponsored organizations to have adequate financial support for their programs. The Board prohibits door-to-door sales by students in grades K-8, but it also realizes the necessity of having some fund-raising sales.

In order to keep these fund-raising activities at a minimum, each school that participates in fund-raising shall establish a fund-raising committee composed of at least five staff members for the purpose of reviewing, approving and overseeing all fund-raising activities. Each school committee shall coordinate all fund-raising activities. Projects classified as service activities such as bake sales, car washes and yard work are not considered sales but shall also come under the supervision of the fund-raising committee.

Any such activity should be undertaken only after careful consideration of such factors as the disrupting influence upon the individual pupil and the reputation of the school within the community.

PTO sponsored fund-raising activities are encouraged as an expression of community support of its schools and may, but do not necessarily, come under the above stated committee. PTA's are encouraged to be creative in the types of projects they choose, in an attempt to avoid door-to-door sales.

Legal Reference: G.S. 115C-47

Adopted: June 5, 2000

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College and university researchers and some of our own students may request the privilege of administering surveys to students. Absolutely no surveys are to be taken unless the guidelines listed below are observed and cleared with the Superintendent.

1. The researcher requesting permission to administer a poll shall submit in writing a statement of the objectives of the project and the intended uses of the findings, including publication, to the principal.
2. The substance and form of the poll shall conform to reasonable standards of good taste.
3. Arrangements for administration shall be made so that the project shall not be disruptive of any normal school activity.
4. A reasonable time and place for administration shall be arranged.
5. The time arrangements shall be sufficient to obtain an adequate sample of responses but shall not exceed such boundaries.
6. It is strongly recommended that student poll writers obtain the counsel of club advisors or other qualified adults in preparing the poll.

Legal Reference: G.S. 115C-36, -47

Adopted: June 5, 2000

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Properly established and operated clubs and organizations facilitate human development and education. Clubs and organizations may be authorized and shall be given staff supervision and leadership.

6840.1 Secret organizations shall not be permitted in any school in the system.

6840.2 Clubs and organizations established and sponsored by outside agencies or groups shall not be considered school clubs and shall not function on school grounds or during the school day unless they meet the staff supervision and leadership requirements of the lead paragraph.

Legal Reference: G.S. 115C-40, -47

Adopted: June 5, 2000

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Student-initiated, noncurriculum-related student groups shall be permitted to conduct voluntary meetings on school grounds after the school day regardless of the size of the group or the religious, political, philosophical or other content of the speech at the meetings, provided that the meetings do not materially and substantially interfere with the orderly conduct of the educational activities of the school. Such meetings shall be open to all students without regard to race, color, religion or national origin.

- 6841.1 School employees shall not promote, lead or participate in the meetings of these noncurricular student groups; however, a school employee may be present at the meetings to maintain order and protect the general welfare of the students involved. School employees also may not influence the form or content of any prayer or other religious activity, nor require any person to participate in prayer or any other religious activity. In addition, non-school persons may not direct, conduct, control or regularly attend the activities of noncurricular student groups.
- 6841.2 No public funds may be expended on behalf of the student groups covered by this policy except for the incidental cost of providing space for the group meetings.
- 6841.3 Students seeking to establish a voluntary noncurricular group shall seek approval from the principal.
- 6841.4 The Superintendent shall develop regulations and procedures consistent with this policy and state and federal law.
- 6841.5 This policy shall apply to high schools only.

Legal Reference: The Equal Access Act, P.L. 98-377, Title VIII (1984)
Adopted: June 5, 2000

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6850

STUDENT COUNCIL

6850

All student councils, whatever names they bear, shall be organized and receive the prior approval of the principal.

6850.1 Each student council shall have a faculty advisor approved by the principal and the advisor shall be responsible for its performance.

Legal Reference: G.S. 115C-47
Adopted: June 5, 2000

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6900

EQUAL EDUCATIONAL OPPORTUNITIES

6900

It is the policy of the Pamlico County Board of Education not to discriminate on the basis of race, national origin, sex, marital status, religion, and handicapping conditions in its educational programs and activities.

Complaints or grievances regarding this policy may be addressed in accordance with Policy 6902.

Inquiries from students and their parents, and employees regarding compliance with Title IX may be directed to the Superintendent, or to the Director of the Office for Civil Rights, Department of Education, Washington, D.C.

Legal Reference: Civil Rights Acts of 1866, 1964, 1970, and 1971; Age Discrimination in Employment Act of 1967; Equal Pay Act of 1963; Executive Order 11246; Title IX of the Education Amendments of 1972; Vocational Rehabilitation Act of 1973; 20 U.S.C. § 1703; G.S. 126-16
Adopted: June 5, 2000

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The Board assumes responsibility for providing continuing educational opportunities for the pregnant student. The following reasonable safeguards shall be exercised:

- 6901.1 The student shall make known the condition of pregnancy to school officials as soon as it has been medically determined.
- 6901.2 School officials shall assess the need for changes in a student's program on an individual basis.
- 6901.3 Any decision to modify the student's program shall be made only after consultation with the student, parent or guardian, and medical consultant, as appropriate.
- 6901.4 The school shall make appropriate referrals for services to community agencies in situations judged to be beneficial to the student.
- 6901.5 The educational program shall meet the standards required by the law and rules related to the classification of pregnant students as children with special needs.
- 6901.6 Any services available to a student who is temporarily disabled for any medical and/or physical reason shall not be denied a pregnant student.
- 6901.7 No student shall be excluded from any class or extracurricular activity on the basis of the student's pregnancy, child birth, false pregnancy, termination of pregnancy or recovery therefrom, unless by request of the student.

Legal Reference: G.S. 115C-109, -111, -113(h), -366; Title IX of the Education Amendments of 1972, as amended; 45 C.F.R. 86.40

Adopted: June 5, 2000

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The Pamlico County student grievance procedure shall be on file in the principals' offices and the office of the Coordinators of Title IX and the Individuals With Disabilities Education Act. It also follows herein, for easy reference.

Legal Reference: G.S. 115C-45, -47; Title IX of the Education Amendments of 1972, as amended; 20 U.S.C. §§ 1400 et seq.

Adopted: June 5, 2000

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The grievance procedure may be used to address any situation occurring within the operation or normal procedures of the school which causes a student and/or parent to believe he has been wronged, including cases of alleged discrimination on the basis of race, color, sex, age, national origin, or handicap. Students and their parents are encouraged to discuss their concerns informally with the person(s) involved before invoking formal grievance procedures. *Exception: Appeals of suspensions and expulsion will follow the procedure outlined in Board Policy.*

1. Initiation

A student may initiate a grievance proceeding when either the student or his parent believes that a violation, misapplication or misinterpretation of school board policy or state or federal law or regulation has occurred.

2. Procedure

The procedure for initiation and conduct of a grievance procedure shall be:

a. Step I – Principal Conference

A student, parent or guardian wishing to invoke the grievance procedure shall make a written request for a conference with the principal to discuss the grievance and seek resolution. The following guidelines shall be observed in Step 1:

- (1) A grievance shall be filed in writing as soon as possible but in no event longer than ten (10) school days after disclosure of the facts giving rise to the grievance.
- (2) The request shall include a statement describing the grievance and naming the specific policy, rule or law believed to have been violated.
- (3) The principal shall grant the conference within five (5) school days following receipt of the request.
- (4) The principal shall state his position on the question in writing to the student within five (5) school days following the conference.
- (5) Only the parent or someone acting in loco parentis shall be permitted to join or represent the student in the conference with the principal.

b. Step II – Appeal to the Superintendent

If the grievance is not resolved at Step I, the student may appeal the principal's decision in writing to the superintendent.

- (1) The appeal must be made in writing within five (5) school days following receipt of the principal's position statement on Step I.
- (2) The superintendent or his designee shall review the grievance within five (5) school days following receipt of the appeal.

- (3) A written response shall be made to the student, the parent, or the guardian, and the principal from the superintendent or his designee within ten (10) school days following the superintendent's review.

c. Step III – Appeal to the Board of Education

If the grievance is not resolved at Step II, the student may appeal the superintendent's decision to the Pamlico County Board of Education.

- (1) The appeal must be made in writing within ten (10) school days following the response of the superintendent.
- (2) To the extent possible, a written record of all prior proceedings shall be prepared which fairly and accurately expresses the facts and contentions of all parties to the grievance, which record shall be sent to the Board.
- (3) The hearing before the Board shall, in an informal manner, permit each party to be heard concerning the grievance. The hearing may, at the discretion of the Board, be held in executive session. The Board may, at the request of any party, require the attendance of witnesses or the production of documents.
- (4) The Board shall render a decision, in writing, within forty-five (45) calendar days of the hearing, and notify all parties.

SPECIAL NOTE: *The time limits, as specified within this policy, are the maximum allowable time limits in which to resolve a grievance; however, **most** grievance appeals take much less time.*

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It is the policy of the Pamlico County Schools not to discriminate against anyone on the basis of sex in its educational programs, activities, or employment policies, in accordance with Title IX of the Education Amendments of 1972. Inquiries regarding compliance with Title IX may be directed to:

Title IX Coordinator
Pamlico County Schools
507 Anderson Dr.
Bayboro, NC 2828515-9799

or to:

Regional Civil Rights Director
U.S. Department of Education
Office for Civil Rights, Southern Division
District of Columbia Office
Post Office Box 14620
Washington, DC 20044-4620

Legal Reference: Title IX of the Education Amendments of 1972, as amended
Adopted: June 5, 2000

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It is the policy of the Pamlico County Board of Education to attempt to provide a safe and secure environment for all students and employees. Under certain circumstances students with communicable diseases may pose a threat to the health and safety of students and staff. In an effort to maintain a balance between the need to educate all eligible students, to protect students' and employees' rights, and to control communicable diseases, decisions regarding the educational status of students with communicable diseases shall be made on a case-by-case basis, in accordance with this policy.

1. In order to prevent the spread of communicable diseases, guidelines for necessary health and safety precautions shall be distributed by the administration and shall be followed by all school employees.
2. The Pamlico County Schools shall include health, hygiene and safety education in its curriculum. The curriculum shall include age-appropriate information concerning safe health practices that will inhibit and prevent the spread of diseases.
3. In accordance with N.C.G.S. § 130A-136, school principals shall report suspected cases of communicable diseases, including AIDS, to the Pamlico County Health Department. Confidentiality of such reports is protected by law, and school principals are presumed by law to be immune from liability for making such reports in good faith. The principal also shall report suspected cases of communicable diseases, including AIDS and HIV infection, to the Superintendent.
4. In order to address the needs of the student within the school environment, parents and school employees shall notify the principal in the event they are aware of any student suffering from a communicable disease.
5. Children with AIDS and HIV infection shall be permitted to attend school without special restrictions, except in accordance with 15A N.C.A.C. 19A.0201 and .0202 and this subsection.

When the local health director notifies the Superintendent that a child with AIDS or HIV infection may pose a significant risk for transmission, the Superintendent, in consultation with the local health director, shall appoint an interdisciplinary committee in accordance with state health regulations and procedures established by the Superintendent. The committee shall consult with the local health director regarding the risk of transmission and advise the Superintendent regarding the placement of the student. The committee shall include appropriate school system personnel, medical personnel, and the child's parent or guardian and may include legal counsel. The Superintendent shall inform the Board whenever a committee has been formed and shall advise the Board of the professional composition of the committee.

The interdisciplinary committee shall review each case individually in consultation with the local health director to determine how the student's disease is transmitted, how long the student will be infectious, to what degree the student's presence in school exposes other students and staff to harm, and the probability that the disease will be transmitted to others in the school community. If the local health director concludes that a significant risk of transmission exists in the student's current placement, the committee shall determine if an appropriate adjustment can be made to the student's school program to eliminate this risk. If that is not possible, an alternative educational program which incorporates protective measures required by the local health director shall be designed by appropriate school officials.

Periodic reevaluation of the student's condition and status shall be undertaken by the committee and the local health director. The student's placement shall continue until the health director determines that the risk has abated, whereupon the committee shall determine the appropriate educational placement for the student.

All deliberations of the interdisciplinary committee shall be kept strictly confidential.

6. If the administrative or instructional personnel on the committee determine that the student has limited strength, vitality or alertness due to a chronic or acute health problem that adversely affects the student's educational performance, they shall make a referral of the student for possible identification and placement as a student with special needs.
7. Students who are immunodeficient due to AIDS, HIV infection or other cause face increased risk of severe complications from exposure to communicable diseases that appear in the school setting. Accordingly, students and their parents should report to the principal in the event a student suffers from any such immunodeficiency. Whenever possible, the principal of a school should notify the parents of an infected or immunodeficient student of the existence of chicken pox, influenza, meningococcus, measles or tuberculosis occurring in the school that may represent a serious threat to the student's health. Students who are removed from school as a result of such conditions shall be provided an alternative educational instructional program.
8. The local health director shall determine which school personnel shall be informed of the identity of a student with AIDS or HIV infection. Any employee who is informed or becomes aware of the student's condition shall respect and maintain that student's right of privacy and the confidentiality of his records. Employees who are informed of the student's condition shall be provided with appropriate information concerning necessary precautions and shall be made aware of confidentiality requirements.
9. Nothing in this policy is intended to grant or confer any school attendance or education rights beyond those existing by law.

Legal Reference: G.S. 130A-136, -142, -143; 15A N.C.A.C. 19A.0201 through .0204

Adopted: June 5, 2000

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6911

CONTROL OF LICE AND NITS

6911

It shall be the policy of the Pamlico County Board of Education that students who have *pediculosis capitis* (head lice and nits) must be kept out of school until they are effectively treated. The principal may request medical advice or require appropriate medical documentation to determine whether a student has been effectively treated.

Legal Reference: G.S. 130A-6, -41, -133, -145

Adopted: June 5, 2000

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6920

ACCIDENTS, ILLNESS OR INJURY AT SCHOOL

6920

Whenever a child is ill or injured at school, the principal or his designee shall immediately notify the parent(s), and/or cause the child to receive medical attention at the hospital emergency room if necessary.

Legal Reference: G.S. 115C-47, -288, -307

Adopted: June 5, 2000

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