

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 judgement 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

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