

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.

#### **1<sup>st</sup> 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

#### **2<sup>nd</sup> 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

### **3<sup>rd</sup> 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

### **4<sup>th</sup> 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.

1<sup>ST</sup> 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**

Bullying is prohibited in the Pamlico County schools. The Pamlico County schools and staff shall not tolerate any bullying on school property and grounds or at any school activity on or off campus. A student shall not bully another student, a staff member, a volunteer, or any other person.

Bullying means verbal or physical conduct that is intended to intimidate, injure, degrade, or disgrace another student or person, or that has such an effect. Bullying may include a pattern of abuse over time and involves a student being "picked on". It can include a variety of behaviors, such as but not limited to:

- Physical attacks and violence
- Derogatory verbal comments (e.g., name-calling, hostile teasing, cruel rumors, taunts, put-downs, epithets, false accusations, harassment or discriminatory acts, slurs and mean-spirited jokes)
- Threatening gestures or actions; oral or written threats
- Extortion or stealing money and possessions
- Shunning and exclusion from peer group

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

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**6401**

**STUDENT CODE OF CONDUCT**

**6401**

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