

The board is committed to creating a safe, orderly environment for students and employees. Principals are authorized and responsible for investigating conduct that may violate a board policy, school standard, school rule or the Code of Student Conduct.

All employees and students, including students alleged to have engaged in misconduct, are expected to respond fully and truthfully to any questions or issues raised in the course of the investigation and any related proceedings.

Any student who has violated a board policy, school standard, school rule or the Code of Student Conduct must accept the consequences for his or her misbehavior. All consequences must be administered in a fair and nondiscriminatory manner.

The school administrator shall take the following steps in addressing all cases of alleged misbehavior appropriately referred to his or her office:

1. investigate the facts and circumstances related to the alleged misbehavior;
2. offer the student an opportunity to be heard on the matter; and
3. determine whether a board policy, school standard, school rule or the Code of Student Conduct has been violated.

If a violation has occurred, the school administrator shall implement an appropriate consequence in accordance with the school's plan for managing student behavior, the Code of Student Conduct, or applicable board policy. Parents are to be notified and involved in accordance with Policy 4341, Parental Involvement in Student Behavior Issues.

Any of the following actions occurring on the school grounds; off of the school grounds at a school activity, function or event; or while waiting for, riding or leaving a school bus shall constitute Serious Student Misconduct and be subject to the provisions of this policy.

- Intentional disruption of any lawful mission, process or function of the school.
- Intentional damage or destruction of school property.
- Intentional damage or destruction of private property.
- Intentional assault on a school employee.
- Intentional physical abuse of a student or other person not employed by the school.
- Knowing possession of weapons and/or dangerous instruments.

- Knowing possession, use, or transmission of or being under the influence of any controlled substance (as defined under North Carolina General Statute 90-95, alcoholic beverage or intoxicant of any kind), or chemicals or products with the intention of bringing about a state of exhilaration, euphoria or otherwise altering the student's mood, excepting medicines accompanied by a physician's order. Reference Policy #6125 *Administering Medicines to Students* and Policy #4325, *Drugs and Alcohol*).

Conduct not occurring on school grounds or a school activity, function or event, but has, or is reasonably expected to have, a direct and immediate impact on the orderly and efficient operation of the schools or safety of individuals in the school environment shall constitute Serious Student Misconduct and be subject to the provisions of this policy.

When the misbehavior may result in a suspension or an expulsion from school, procedures provided in related board policies also will apply. See policy 4351, Short-Term Suspension, and policy 4353, Long-Term Suspension, 365-Day Suspension, Expulsion.

A student who brings a firearm, bomb or powerful explosive device to school, as defined by the Gun-Free Schools Act, shall be subject to 365 Day Suspension. The provisions of this Policy regarding Long-Term Suspension shall apply as indicated in policy 4353, Long-Term Suspension.

A student with disabilities recognized by Section 504 of the Rehabilitation Act of 1973 or the Individuals with Disabilities Education Act (IDEA) will be accorded all rights granted by federal and state laws and regulations (see policy 4307, Disciplinary Action for Exceptional Children/Students with Disabilities).

Legal References: Americans with Disabilities Act, 42 U.S.C. 12131 *et seq.*, 28 C.F.R. pt. 35; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 115C art. 9; 115C-47, -288, -390.4, -390.5, -390.6, -390.7, -390.8, -390.10, -390.11; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy GCS-D-000

Cross References: Student Behavior Policies (policy 4300), School Plan for Management of Student Behavior (policy 4302), Disciplinary Action for Exceptional Children/Students with Disabilities (policy 4307), Parental Involvement in Student Behavior Issues (policy 4341), Student Searches (policy 4342), Short-Term Suspension (policy 4351), Long-Term Suspension, 365-Day Suspension, Expulsion (policy 4353)

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