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6410	CODE OF STUDENT CONDUCT	6410
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All students shall comply with the Code of Student Conduct of the Wake County Public School System, state and federal laws, school board policies, and local school rules governing student behavior and conduct. This code applies to any student who is on school property, who is in attendance at school or at any school-sponsored activity, or whose conduct at any time, place, or cyberspace, on or off campus, has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment.

A. Student Expectation

Students are expected to be familiar with all rules of behavior in the Code of Student Conduct. Students are to assist in promoting a safe and orderly school environment. Students are encouraged to report to school authorities any serious violation of the Code of Student Conduct.

B. Range of Interventions, Support, and Disciplinary Actions

Violation of Board policies, the Code of Student Conduct, regulations issued by the individual school, or North Carolina General Statutes may result in some level of disciplinary action. Teachers and principals are encouraged to utilize a variety of behavioral interventions and disciplinary consequences to accomplish a positive change in student behavior. When a student violates the Code of Conduct and a behavioral intervention or in-school discipline consequence is imposed, the school will attempt to notify the parent. For out of school suspensions the administration will provide notice to parents as required in Board Policy 6500.

Most behavioral interventions and disciplinary consequences can occur with the student remaining in school. Examples of in-school interventions include but are not limited to: behavior contract, peer mediation, in-school suspension, conflict resolution, detention, restitution, loss of privileges, and school or community service. If the principal deems it appropriate to require a student to stay after school for detention for a disciplinary reason, the principal may authorize such detention provided the parent or guardian has received at least one day's notice and has agreed to assume responsibility for transportation home.

When, after considering potential mitigating factors, the school principal determines a student's behavior warrants an out-of-school suspension, the principal may impose a short-term suspension (10 days or less) or, for more serious violations of the Code of Conduct, may recommend a long-term suspension (greater than 10 days), a 365-day suspension or expulsion, to the extent permitted by law and this policy. The Superintendent must approve any suspensions of greater than 10 days. The Board of Education must approve any expulsion from school based on a recommendation of both the principal and the Superintendent. Under state law, if a student in grades K-12 brings a firearm on to school property, the student shall be subject to a 365-day suspension from school.

Policies may be modified on a case-by-case basis to conform to the Policies Governing Services for Student with Disabilities.

Students in grades K-5 shall not be subject to long-term suspension except as required by law or in cases involving serious injury to students or staff or serious threat to safety or welfare of members of the school community.

The Student Code of Conduct rules are leveled, indicating the severity of violation and type of consequence.

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Level I- Level I rule violations are less serious and should generally result in in-school interventions in lieu of rather than out of school suspensions. A student may receive an out-of-school suspension for a Level I rule violation if it is the student's third (3rd) violation of a Level I rule within the same semester and in-school interventions were attempted in response to both prior violations or in cases where a student refuses to participate in the in-school interventions. or engages in persistent violations of a Level One rule, or where there are other aggravating circumstances the principal may impose a short-term suspension that shall not exceed two school days. In these cases a Level I rule violation may result in an out-of-school suspension of up to two (2) days, provided the parents or legal guardians have been offered the opportunity to meet with administrators to discuss behavioral issues in connection with at least one of the prior Level I offenses. A principal may impose an out-of-school suspension of up to two (2) days for the first or second Level I rule violation in any given semester only after consultation with the Area Superintendent and based on aggravating factors that are listed in the suspension notice. Level One rule violations shall not result in a long-term suspension.

Level II- Level II rule violations involve more serious misconduct that may warrant a short-term suspension that shall not exceed five school days. Principals may recommend a long-term suspension based upon aggravating factors regarding the severity of the violation and/or safety concerns which may warrant the recommendation of long-term suspension. Any long-term suspension recommendation based on aggravating factors shall be approved by an impartial **Review Panel** pursuant to Policy 6500E.

Level III- Level III rule violations are more severe in nature and support long-term suspension. The principal may recommend a short-term suspension (10 days or less) based on mitigating factors. Any reduction to short-term suspension based on mitigating factors shall be approved by the Discipline Review Committee appointed by the Superintendent.

Level IV- Level IV rule violations compromise the safety and welfare of students and staff and require a suspension under NC General Statutes.

Level V- Level V allows for expulsion of a student, as provided by state statute, for a violation of the Code of Conduct, if the student is fourteen (14) years of age or older and the student's behavior indicates that his/her continued presence in school constitutes a clear threat to the safety of other students or employees and the Board determines there is no appropriate alternative education program. Additionally, any student who is a registered sex offender under N.C. General Statutes 14-208 may be expelled.

C. Rules of Conduct

LEVEL I *In-School Discipline / Possible Short-Term Suspension not to exceed 2 days*

I-1	Noncompliance - Students shall comply with all directions of school personnel or volunteers who are authorized to give such directions.
I-2	Disrespect- Students shall exhibit appropriate respect towards school personnel and volunteers.
I-3	School/Class Attendance - Being tardy to class, skipping class/school, leaving campus without permission, or being in an unauthorized area is prohibited. <i>Out of school suspension should be used as a last resort as a consequence for violation of this rule.</i>
I-4	Inappropriate Language - Cursing or use of vulgar, profane, or obscene language is prohibited.
I-5	Inappropriate Dress - Principals shall exercise appropriate discretion

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	<p>in implementing this policy, including making reasonable accommodations on the basis of student's religious beliefs or medical conditions. Students are expected to adhere to standards of dress and appearance that are compatible with an effective learning environment. Presenting a bodily appearance or wearing clothing which is disruptive, provocative, revealing, profane, vulgar, offensive or obscene, or which endangers the health or safety of the student or others is prohibited. Examples of prohibited dress or appearance include, but are not limited to exposed undergarments; sagging pants; excessively short or tight garments; bare midriff shirts; strapless shirts; attire with messages or illustrations that are lewd, indecent or vulgar or that advertise any product or service not permitted by law to minors; head covering of any kind; see-through clothing; attire that exposes cleavage; any adornment such as chains or spikes that reasonably could be perceived as or used as a weapon; and any attire that is prohibited by Policy 6410 Level III:2, Gang and Gang-Related Activities. Individual schools are free to specify additional examples of dress or appearance that are prohibited at that school under the terms of this policy.</p> <p>If a student's dress or appearance is such that it constitutes a threat to the health or safety of others, distracts the attention of other students or staff from their work, or otherwise violates this dress code, the principal or principal's designee may require the student to change his or her dress or appearance.</p>
I-6	<p>Electronic Devices - Except as permitted by this policy, 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 necessarily limited to, cell phones, pagers, two-way radios, CD/ MP3 players, and electronic games, or any laser pointer or similar devices until after the conclusion of the instructional day.</p> <p>Wireless communication devices or laser pointers may be used by students for instructional purposes with the permission and under the supervision of the teacher. School 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.</p> <p>Any device possessed or used in violation of this policy shall be confiscated and only returned to the students' parents/guardian. Penalties for violation of this policy are set at the discretion of the principal.</p> <p>If a student uses a laser pointer in a way that reasonably could or does cause physical harm, the laser pointer may be considered a dangerous instrument and the student may be charged with violation of Policy Level III-3 and disciplined accordingly.</p>
I-7	<p>Trespassing - No student shall be on the campus of any school except the one to which the student is assigned without the knowledge and consent of the officials of that school. Students who remain at school after the close of the school day or come onto school grounds when school is not in session without permission will be considered trespassers. If the student does not leave when instructed to do so, he/ she may be prosecuted. A student under suspension from school is trespassing if he/she appears on the property of any school or at any</p>

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		school sponsored activity during the suspension period without the express permission of the principal.
I-8		Tobacco - No student shall possess, display, or use any tobacco product. This restriction applies even when the student is on school system property or at any school-sponsored activity as a visitor or spectator. For the purpose of this policy:
	a.	Tobacco Product: cigarettes, cigars, pipes, chewing tobacco, snuff, and any other items containing or reasonably resembling tobacco or tobacco products.
	b.	Tobacco Use: smoking, chewing, dipping, or any other use of tobacco products.
	c.	Display: having any tobacco product in a location or position that is visible to students or school personnel.
		The exceptions to this policy are:
	a.	The display of tobacco products does not extend to display that has a legitimate instructional or teaching purpose and is approved by a teacher or school administrator, and
	b.	A principal may permit tobacco products to be included in instructional or research activities in the school building if the activity is conducted or supervised by the faculty member overseeing the instruction or research and the activity does not involve smoking, chewing, or otherwise ingesting the tobacco product.
I-9		Gambling - Students shall not participate in any unauthorized games of chance in which money or items of value may be won or lost.
I-10		Misconduct on School Vehicle - School transportation service is a privilege, not a right. Students at all times while riding a school bus or other school vehicle shall observe the directives of the school bus driver. The following conduct or violation of any other rule of the Code of Student Conduct while on the school bus or other school vehicle is specifically prohibited:
	a.	Delaying the bus schedule,
	b.	Getting off at an unauthorized stop,
	c.	Failing to observe established safety rules and regulations, and
	d.	Willfully trespassing upon a school bus.