

6410	<b>CODE OF STUDENT CONDUCT</b>	6410
<p>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.</p>		
<b>A.</b>	<b>Student Expectation</b>	
	<p>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.</p>	
<b>B.</b>	<b>Range of Interventions, Support, and Disciplinary Actions</b>	
	<p>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.</p> <p>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.</p> <p>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 expulsions 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.</p> <p>Policies may be modified on a case-by-case basis to conform to the Policies Governing Services for Student with Disabilities.</p> <p>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.</p> <p>The Student Code of Conduct rules are leveled, indicating the severity of</p>	

violation and type of consequence.

**Level I-** Level I rule violations ~~should generally~~ shall result in in-school interventions in lieu of out of school suspensions. ~~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. Level One rule violations shall not result in a long-term suspension.~~

Or

Level I- Level 1 rule violations are less serious and should generally result in in-school interventions rather than out-of school suspensions. A student may receive an out-of-school suspension for a Level I rule violation only if it is the student's third (3<sup>rd</sup>) violation of the same rule within the same semester and in-school interventions were attempted in response to both prior violations. In that case, and in that case only, a Level I rule violation may result in an out-of-school suspension of up to two (2) days. A Level I rule violation 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. *Out of school suspension should be used as a last resort as*

		<b>a consequence for violation of this rule.</b>
	I-4	<b>Inappropriate Language</b> - Cursing or use of vulgar, profane, or obscene language is prohibited.
	I-5	<p><b>Inappropriate Dress</b> - Principals shall exercise appropriate discretion 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><b>Electronic Devices</b> - 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	<b>Trespassing</b> - 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 school sponsored activity during the suspension period without the express permission of the principal.
	<b>I-8</b>	<b>Tobacco</b> - 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.
	<b>I-9</b>	<b>Gambling</b> - Students shall not participate in any unauthorized games of chance in which money or items of value may be won or lost.
	<b>I-10</b>	<del><b>Misconduct on School Vehicle</b> - 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:</del>
		<del>a. Delaying the bus schedule,</del>
		<del>b. Getting off at an unauthorized stop,</del>
		<del>e. Failing to observe established safety rules and regulations, and</del>
		<del>d. Willfully trespassing upon a school bus.</del>

<b>LEVEL II Short-term Suspension not to exceed five (5) days / Possible Long-Term Suspension with Aggravating Factors</b>	
II-1	<b>Integrity</b> - Any student who engages in or attempts to engage in cheating, plagiarism, falsification, violation of software copyright laws, or violation of computer access shall be subject to disciplinary action. The following actions are specifically prohibited:
	a. <b>Cheating</b> - giving or receiving of any unauthorized assistance on academic work.
	b. <b>Plagiarism</b> - copying the language, structure, or idea of another and representing it as one's own work.
	c. <b>Falsification</b> - verbal or written statement of any untruth.
	d. <b>Violation of software copyright laws</b> - unauthorized duplication of computer software (computer piracy), printed material related to computer software, and/or the use of pirated computer software.
II-2	<b>Inappropriate Literature, Illustrations and Images</b> - The possession of literature, illustrations, or other images which significantly disrupt the educational process or which are obscene is prohibited.
II-3	<b>Violation of computer access</b> - No student shall engage in conduct prohibited by Policy 6446. <i>(Reference entire policy)</i>
II-4	<b>Class/Activity Disturbance</b> Any physical or verbal disturbance which occurs within the school environment and which interrupts or interferes with teaching or orderly conduct of class/school activities is prohibited.
II-5	<b>School Disturbance</b> - No student shall, by use of passive resistance, noise, threat, fear, intimidation, coercion, force, violence, or any other form of conduct, cause the disruption of any lawful function, mission, or process of the school.
II-6	<b>School Transportation Disturbance</b> Any physical or verbal disturbance which occurs on school transportation vehicle and which interrupts or interferes with the safe and orderly operation of the vehicle is prohibited.
II-7	<b>Disruptive Protest</b> - No student on school property or on property adjacent thereto shall engage in any protest, march, picket, sit-in, boycott, walkout, or other activity which has as its purpose the disruption of any lawful function, mission, or process of the school, or in fact creates such a disruption.
II-8	<b>False Fire Alarm</b> - No student shall set off, attempt to set off, or aid and abet anyone in giving a false fire alarm. No student shall interfere with or damage any part of a fire alarm, fire detection, smoke detection, fire extinguishing system, or emergency escape system.
II-9	<b>Fire Setting/Incendiary Material</b> - The possession of any incendiary material (including but not limited to matches, lighters, or lighter fluid) or the use of any material reasonably likely to result in a fire on school property is prohibited.
II-10	<b>Property Damage</b> - No student shall intentionally damage or attempt to damage or deface school property, or personal property.
II-11	<b>Theft</b> - No student shall steal, attempt to steal, or knowingly be in possession of stolen property.
II-12	<b>Extortion</b> - No student shall attempt to extort money, personal property, or personal services.
II-13	<b>Indecent Exposure/Sexual Behavior</b> - No student shall engage in behavior which is indecent, consensual, overly affectionate, or of a sexual nature.
II-14	<b>Harassment/Bullying</b> No student shall engage in conduct prohibited by

		Policy 6414. <i>(Reference entire policy)</i>
II-15		<b>Sexual Harassment</b> No student shall engage in conduct prohibited by Policy 6415. <i>(Reference entire policy)</i>
II-16		<b>Threat/False Threat</b> - No student shall make any threat through written or verbal language, sign, or act which conveys a serious expression of intent to cause harm or violence.  Furthermore, no student shall make a false threat of harm or violence, even jokingly, which causes or is reasonably likely to cause fear or a disruption to school activities.
II-17		<b>Physical Aggression/Fighting</b> Physical aggression or fighting toward students and other people is prohibited. A student who is attacked may use reasonable force in self-defense, but only to the extent necessary to get free from the attack and notify proper school authorities. A student who exceeds reasonable force may be disciplined even though someone else provoked the fight.  No student shall engage in fighting or physical aggression towards others, including but not limited to:
	a.	Choking, hitting, slapping, shoving, scratching, spitting, biting, blocking the passage of, or throwing objects at another person in an aggressive, confrontational or dangerous manner.
	b.	Taking any action or making comments or writing messages that might reasonably be expected to result in a fight or physical aggression.
II-18		<b>Failure to Report Firearm</b> - Any student who has knowledge that another student possesses or intends to bring a firearm on any school campus or to any school activity shall report this information to school or law enforcement authorities immediately.
II-19		<b>Hazing</b> - Hazing is prohibited. No group or individual shall require a student to wear abnormal dress, play abusive or ridiculous tricks on him/her, frighten, scold, beat, harass, or subject him/her to personal indignity.
II-20		<b>Search and Seizure</b> - A student's failure to permit searches and seizures as provided in Policy 6600 is prohibited. <i>(Reference entire policy)</i>
II-21		<b>Aiding and Abetting</b> - No student shall aid or abet another student in violating any rule in the Code of Student Conduct.