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**2015-16**

# **Student Code of Conduct & Annual Notifications**

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Apple Valley Middle - Atkinson Elementary - Balfour Education Center  
Bruce Drysdale Elementary - Clear Creek Elementary - Dana Elementary  
East Henderson High - Edneyville Elementary - Etowah Elementary  
Flat Rock Middle - Fletcher Elementary - Glenn C. Marlow Elementary  
Hendersonville Elementary - Hendersonville High - Hendersonville Middle  
Hillandale Elementary - Mills River Elementary - North Henderson High - Rugby Middle  
Sugarloaf Elementary - Upward Elementary - West Henderson High - HCPS Early College

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*Henderson County Public Schools - 414 Fourth Avenue West - Hendersonville, NC 28739-4261*

828-697-4733

[www.hendersoncountypublicschoolsnc.org](http://www.hendersoncountypublicschoolsnc.org)

Henderson County Public Schools

Central Office

David L. Jones, *Superintendent*

Dr. Kathy Revis, *Assistant Superintendent/Curriculum/Instructional Services*

Hardy “Bo” Caldwell, *Assistant Superintendent Administrative Services*

John Bryant, *Senior Director for Human Resources*

Rick Fender, *Senior Director for Technology Services*

Bernie Sochia, *Chief Finance Officer*

Principals

Melanie Adams, <i>Apple Valley Middle</i> .....	697-4545
Mark Page, <i>Atkinson Elementary</i> .....	697-4755
Kent Parent, <i>Balfour Education Center</i> .....	697-4629
Christine Smith, <i>Bruce Drysdale Elementary</i> .....	697-5568
Marcie Wilson, <i>Clear Creek Elementary</i> .....	697-4760
Kim Morgan, <i>Dana Elementary</i> .....	685-7743
Scott Rhodes, <i>East Henderson High</i> .....	697-4768
Donna Brackett, <i>Edneyville Elementary</i> .....	685-7600
Michael Thorpe, <i>Etowah Elementary</i> .....	891-6560
Jeff Roper, <i>Flat Rock Middle</i> .....	697-4775
Jennifer Shelton, <i>Fletcher Elementary</i> .....	684-0580
John Hart, <i>Glenn C. Marlow Elementary</i> .....	654-3225
Kerry Stewart, <i>Hendersonville Elementary</i> .....	697-4752
Bobby Wilkins, <i>Hendersonville High</i> .....	697-4802
Luke Manuel, <i>Hendersonville Middle</i> .....	697-4800
Jenny Moreno, <i>Hillandale Elementary</i> .....	697-4782
Chad Auten, <i>Mills River Elementary</i> .....	891-6563
John Shepard, <i>North Henderson High</i> .....	697-4500
Scott Moore, <i>Rugby Middle</i> .....	891-6566
Peggy Marshall, <i>Sugarloaf Elementary</i> .....	697-4600
Brooke Ballard, <i>Upward Elementary</i> .....	697-4764
Dean Jones, <i>West Henderson High</i> .....	891-6571
Beth Caudle, <i>HCPS Early College</i> .....	697-4561

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## **A Message from the Superintendent**

*David L. Jones*

Welcome to the Henderson County Public Schools family. A positive learning environment is necessary if students are to receive a quality education. Every student has the right to feel safe and protected in our schools. It is my wish that each child attending Henderson County Public Schools has a rewarding and satisfying school experience. We have an outstanding school system staffed with committed, caring, and efficient personnel. We are proud of the many accomplishments and successes of our students and staff.

We have developed and implemented a *Student Code of Conduct* that is designed to provide uniform and consistent guidelines for student behavior. This handbook will provide each student, parent, and school employee with information on understanding school rules, their legal basis, and the consequences of breaking these rules. It is important that students, parents, and school personnel read and become familiar with the guidelines contained in this handbook. Adhering to standards and expectations is an important part of every student's learning process. Our goal is that every student will be treated with respect and dignity. Please support your school personnel, whose responsibility it is to enforce these standards for all students. Please note the public notices that are part of this handbook. We hope this information will be informative as we work together for the betterment of each student.

Another very important part of success is regular school attendance. Lost instruction time can only hinder a student's educational growth. The Attendance Policy (#405) for all grade levels, K-12, is referenced in this handbook and can be viewed at our website. All Board Policies on which this handbook is based are available in the school offices, the Henderson County Public Schools Administrative Offices, and on our website ([www.hendersoncountypublicschoolsnc.org](http://www.hendersoncountypublicschoolsnc.org)) Please feel free to contact us if you have any questions regarding this handbook.

*Henderson County Public Schools, in the interest of creating a more readable product, has elected to utilize the terms "he" or "his" in a gender-neutral manner throughout this Student Code of Conduct. No discriminatory intent exists.*

### **Student Behavior Guidelines**

Ensuring the safe, secure, and orderly operation of Henderson County Public Schools, while maintaining an atmosphere conducive to teaching, learning, and quiet study, is a major responsibility of school administrators, teachers, parents, and students.

Each school campus will operate by a mutual "Code of Respect." This "Code of Respect" states: All students will have respect for self and respect for others and their rights. All students will respect the diversity of others. All students will not cheat or engage in any other inappropriate activity. All students will utilize appropriate language. All students will dress appropriately. *(The principal at each school will determine appropriate dress, but students are not permitted to wear/display symbols or other items that would be perceived to be disruptive.)* All students will contribute to a safe and positive climate.

Each school administrator has the authority to remove any student from any elected/appointed school leadership position or from any school team (athletic or otherwise) if the student's actions, on or off the campus, are of such nature that in the eyes of the principal, the student would not be a good representative of the school to the public.

### **Disclaimer**

School-based administrators reserve the right to handle any incident that is not covered or mentioned in this handbook in a timely and appropriate manner. Serious or repeated violation of one or more rules would suggest a need for strong parent-student-administrator communication, coordination, and consideration of outside assistance, and may result in suspension and possible recommendation for long-term suspension or expulsion. The severity of the offense will be taken into consideration when determining consequences.

### **Admission To The Henderson County Public School District**

Persons under the age of twenty-one (21) years who are domiciled in the Henderson County Public Schools Administrative Unit, who have not been removed from school for cause, or who have not obtained a high school diploma, are eligible for enrollment in the Henderson County Public School System.

No student currently under suspension or expulsion from either a public or private school will be admitted into the Henderson County Public Schools until he is eligible for readmission at his previous school. Notwithstanding this provision, students under suspension or expulsion who have been identified as having a disability pursuant to the Individuals with Disabilities Education Act, and who otherwise meet the requirements of enrollment in the school system are entitled to services as mandated by federal and state law. *(Reference Board Policy #410)* The Henderson County Public School System reserves the right to place any transferring student into the Balfour Education Center whenever it matches the student's most recent school placement; gives the student the best possibility of earning credit; or is in the best interest of school operations.

### **Searches of Students, Students' Possessions and Lockers**

Students do not give up their constitutional rights when they come to school or attend school events. The Supreme Court of the United States has established a standard whereby students may be searched. The Henderson County Public Schools will comply with that standard in all student searches. Students may be searched when a "reasonable suspicion" has been established that the student may have illegal items secreted on their person, in their school locker, in their personal car, or in other personal possessions. Other searches may occur, which include but are not limited to, metal detectors and drug detecting canines. Student lockers are the property of the Henderson County Public Schools and are subject to routine inspection without student permission. Searches may be conducted by school administrators in accordance with Board of Public Education Policy #460.

## **Medication**

Students who are on an approved medication must turn in medication to an appropriate school official upon arrival at school. Possession and/or distribution of either prescribed or over-the-counter drugs is considered a violation of the *Student Code of Conduct*. (Reference Board Policy #421)

## **Athletic Participation**     *Reference Henderson County Public Schools Policy #470 (Athletic Participation)*

Students assigned ISS or OSS may not participate in or be in attendance at any extracurricular activities, including athletic practices and club activities, whether home or away, during the period of suspension. Any student who is subject to the NCHSAA eight semester rule who (1) is convicted of a crime classified as a felony under North Carolina or federal law, or (2) is adjudicated delinquent for an offense that would be a felony if committed by an adult, is not eligible to participate in the North Carolina High School Athletic Association sports program. A student transferred from one high school to another forfeits, for one year, athletic eligibility in any sport in which the student was on an eligibility roster at their former high school during the immediately preceding year to the transfer approval. This does not apply to students who make a bonafide change of domicile to another school attendance zone. Complete athletic guidelines are addressed later in this handbook.

## **Prohibition of Gangs and Gang Activities**

No student shall commit any act that furthers gangs or gang-related activities. A gang is any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts and having a common name or common identifying sign, colors, or symbols. Conduct prohibited includes:

- Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs, or other items which may be evidence of membership or affiliation in any gang;
- Communicating, either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.), to convey membership or affiliation in a gang;
- Tagging, or otherwise defacing school or personal property with gang or gang-related symbols or slogans;
- Requiring payment of protection, insurance, or otherwise intimidating, or threatening any person related to gang activity;
- Inciting other students to intimidate or to act with physical violence upon any other person related to gang activity;
- Soliciting others for gang membership;
- Conspiring to commit any violation of this policy or committing or conspiring to commit any other illegal act or other violation of school district policies that relates to gang activity.

Before being suspended for a first offense of wearing gang-related attire (when not involved in any kind of altercation), a student may receive a warning and be allowed to immediately change or remove the attire, if the school administration determines that the student did not intend the attire to show gang affiliation.

## **Role of Teachers and Administrators In School Safety and Student Discipline**

State law requires a principal or designee to immediately report to law enforcement agencies (sheriff or police) certain acts that occur on school property. When the principal has personal knowledge or actual notice that one of the acts listed below has occurred on school property, the principal shall immediately report the act to the appropriate local law enforcement agency. For purposes of this subsection, “*school property*” shall include any public school building, bus, public school campus, grounds, recreational area, or athletic field in the charge of the principal. (G.S. § 115C-307(a). Teachers and other school employees have a legal obligation to report these same acts to the principal. (G.S. § 115C-288(g). Required reportable acts are as follows:

- Assault resulting in serious injury
- Assault involving use of a weapon
- Assault on school personnel (*not resulting in serious injury*)
- Bomb threat
- Burning of a school building
- Homicide
- Kidnapping
- Possession of alcoholic beverage
- Possession of a controlled substance
- Possession of a firearm or powerful explosive
- Possession of a weapon
- Robbery with a dangerous weapon
- Sexual assault (not involving rape or sexual offense)
- Sexual Offense
- Rape
- Taking indecent liberties with a minor

## **Principal Responsibilities – Powers and Duties of the Principal (G.S. § 115C-288)**

The principal has the authority and responsibility to investigate and take appropriate action regarding any antisocial or criminal student behavior and any other behavior appropriately referred to him. The principal is responsible for informing students and parents of any standards or rules that, if violated, could result in short-term or long-term suspension, 365-day suspension, or expulsion. The principal shall have authority to exercise discipline over the pupils of the school. The principal may suspend a student for ten (10) days or less, recommend long-term suspension, or recommend a 365-day suspension, or expulsion of a student. The principal shall use reasonable force to discipline students and shall assign duties to teachers with regard to the general well-being and the medical care of students, pursuant to the provisions of G.S. § 115C-390 and G.S. § 115C-307.

### **Duties of Teachers (G.S. § 115C-307 (a)) To Maintain Order and Discipline**

The teacher has the authority and responsibility to manage student behavior in the classroom and while students are under his supervision. It shall be the duty of all teachers, including student teachers and teacher assistants, when given authority over some part of the school program by the principal or supervising teacher, to maintain good order and discipline in their respective schools. The teacher may develop other standards or rules consistent with the direction provided by the Board and school. Every teacher, student teacher, substitute teacher, voluntary teacher, or teacher assistant is required to report to the principal all acts of violence occurring in school, on school grounds, or at any school-related activity. The teacher has the authority to manage or remove disruptive or dangerous students. School personnel may use reasonable force to control behavior or to restrain or remove a person from the scene in those situations when necessary:

- To quell a disturbance threatening injury to others;
- To obtain possession of a weapon or other dangerous object on the person, or within the control, of a student;
- For the protection of persons or property, self-defense.

### **School Personnel May Use Reasonable Force (G.S. § 115C-390)**

Except as restricted or prohibited by rules adopted by the local board of education, principals, teachers, substitute teachers, voluntary teachers, teacher assistants, and student teachers in the public schools of this state may use reasonable force in the exercise of lawful authority to restrain or correct pupils and maintain order.

### **Parent Responsibilities**

Parents have the responsibility to provide a home atmosphere, which enhances the total development of the child. Parents should know the school's rules and regulations and support the school's discipline efforts. Parents should see that their child attends school regularly, and parents should regularly schedule and attend parent-teacher conferences. Parents should contact school officials whenever the need arises. Parents should provide the school with documentation relevant to their child's well-being, such as pertinent medical information, custody orders, etc.

### **Student Responsibilities**

Each student has the right to attend the public schools of Henderson County and must accept the consequences for his actions. Each student is responsible for knowing all regulations and policies, which may affect him, and for following those regulations. Students share with school officials the responsibility of maintaining order at school through their compliance with all lawful directions of principals, teachers, substitute teachers, teacher assistants, and other school personnel authorized to give directions.

### **Concerns or Complaints** *(Reference Board Policy 325 – Public Complaints)*

While it is our goal that each classroom and school campus runs smoothly, it is inevitable that conflicts will arise in the classroom or on the school campus. Complaints and grievances are best handled and resolved as close to their origin as possible. We strongly encourage you to speak with your child's teacher or the school principal when an issue arises. The school principal is responsible for the operation and supervision of their school. With appropriate cooperation, they will do their best to resolve the issue.

### **STUDENT INFRACTIONS**

**These regulations apply to any student whose conduct at any time or place has a direct and immediate effect on maintaining order and discipline in the schools. This includes during all school related activities and all school-sponsored or school-related functions, whether they occur before, during, or after school hours, on or off school property, or on the school bus. When appropriate, school officials shall contact law enforcement and criminal charges may be filed. All violations are subject to the general statutes of the State of North Carolina. (Reference Board Policy #450.)**

### **Assault or Violence Directed Toward Any Student**

Upon recommendation of the principal, the Superintendent may remove any student who assaults another student if the assault is witnessed by school personnel or who physically assaults and seriously injures another student (even if not witnessed by school personnel) to an alternative educational setting. Under North Carolina law, assault or violence includes the use of any "laser light" device used toward any student. Any student who commits the above violation could receive short-term suspension, long-term suspension, or even expulsion, depending on the seriousness of the act. It may be recommended to the Superintendent that the student be removed to an alternative educational setting, or given a long-term suspension

### **Assault or Violence Directed Toward Any School Employee**

No student shall assault, cause bodily harm to, or threaten any school employee. Assault can include threatening language (oral or written), signs or gestures. Under North Carolina law, assault or violence includes the use of any "laser light" device used toward any school employee. Any student who commits the above violation could receive short-term suspension, long-term suspension, or even expulsion, depending on the seriousness of the act. It may be recommended to the Superintendent that the student be removed to an alternative educational setting, or given a long-term suspension. Assault upon a school employee when they are discharging or attempting to discharge official duties will result in a misdemeanor.

**Possession or Use of a Weapon, Incendiary, or Explosives [This Includes Guns (Pellet, BB, Air Soft, etc), Knives, Fireworks and Ammunition] or Use of Any Object as a Weapon to Cause Bodily Harm or Injury**

No student shall possess, handle, transmit, manufacture, or use any weapon on any school grounds or on any school bus. Any student who commits the above violation, shall be suspended (OSS) by the principal for 5-10 days. It may be recommended to the Superintendent that the student be removed to an alternative educational setting, or given a long-term suspension. Based on the severity of the incident, the student may be subject to expulsion. **The possession or use of any firearm on a school campus or at any school event, wherever held, will result in an automatic 365-day suspension from school. There will be an automatic hearing review in each instance.**

**North Carolina Safe Storage Law** — Applies to homes in which children reside. If a person who resides in the same premises as a minor leaves a firearm in a manner in which the person knew or should have known that a minor would be able to gain access, it is a class “1” misdemeanor if a minor gains access and does one of the following: • Possesses it on school property • Exhibits it in public in a careless or angry manner • Uses it to cause personal injury or death, not in self defense, or • Uses it in the commission of a crime.

**Bomb Threat, Engaging a Fire Alarm, or Hoax (False 911 Calls)**

No student shall, by any means of communication to any person or group of persons, make a report, knowing or having reason to know the report is false, that there is located on any school property, bus, or other site owned by the Henderson County Public School System, or at any school-sponsored curricular or extracurricular activity off school property, any device designed to cause destruction or damage by explosion, blasting, or burning. This includes the engaging of a fire alarm or false 911 calls. Any student who commits the above violation, shall be suspended (OSS) by the principal for 5-10 days. It may be recommended to the Superintendent that the student be removed to an alternative educational setting, or issued a long-term suspension.

**Terrorist Acts and Threats**

Any student who commits the above violation, shall be suspended (OSS) by the principal for 5-10 days. It may be recommended to the Superintendent that the student be removed to an alternative educational setting, or given a long-term suspension for: (1) making a false report that there is any device, substance, or material on school property or at a school-sponsored activity that is designed to cause harmful or life-threatening illness or injury to another person; (2) placing or displaying such a device, substance, or material on school property or at a school-sponsored activity, with intent to perpetrate a hoax; (3) threatening to commit on school property or at a school-sponsored activity an act of terror that is likely to cause serious injury or death, when that threat is intended to cause or does cause significant disruption to the instructional day or school-sponsored activity; (4) making a false report that such an act of terror is occurring or about to occur on school property or at a school-sponsored activity; (5) or conspiring to commit any of these acts.

**Possession or Being Under the Influence of Any Illegal Drug, Counterfeit Drug, or Alcohol, or Possession of Drug Paraphernalia on School Grounds, or in Any Private Vehicle on School Grounds, or at Any School Function, Wherever Held**

No student shall possess, use, transmit or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or other drug defined as a controlled substance, or alcohol, or drug paraphernalia while in any school building, on any school premises, at any school function or event before, during or after school hours, or during any period of time when the student is subject to the authority of school personnel. The only exception to such possession, use, or transmission is by authorization by law and school regulations, or unless as prescribed by and taken in accordance with the prescription of a physician. The possession, or being under the influence, of any prescription drug not specifically prescribed and taken in accordance with the physician’s directions is subject to the following disciplinary measures. Any student who commits the above violation, shall be suspended (OSS) by the principal for 5-10 days. It may be recommended to the Superintendent that the student be removed to an alternative educational setting, or given a long-term suspension. Possession of any amount of an illegal drug is a criminal offense in North Carolina. Counseling shall be available to the individual who is in violation of this Policy during his Balfour Education Center stay.

**Sale or Distribution of Any Illegal Drug, Prescription Drug, Counterfeit Drug, or Drug Paraphernalia on School Grounds, or in Any Private Vehicle on School Grounds, or at Any School Function, Wherever Held**

The distribution or sale of illegal drugs, prescription drugs, counterfeit drugs, or drug paraphernalia will not be tolerated on any school grounds, in any private vehicle on school grounds, or at any school function of the Henderson County Public Schools. Any student who commits the above violation shall be **subject to a long-term suspension for the remainder of the school year and may**, at the discretion of the Superintendent, be assigned to the *Balfour Education Center* for the first semester of the next school year. Counseling will be available to the individual in violation of this Policy during his Balfour Education Center stay.

**Sexual Harassment/Sexual Offenses**

No student shall engage in any type of behavior which is verbally or physically abusive in a sexual nature. This includes inappropriate touching, intentional exposure of private body parts (including “mooning”), verbal abuse of a sexual nature, sexual activity involving willing participants, sexual activity, or attempted sexual activity by force, threat, or fear. Any student who believes that he is the victim of sexual harassment or of a sexual offense committed by another student or any adult must immediately notify the school principal. If the principal is the accused, then the student must notify the Superintendent of Schools directly. Corrective action will be the responsibility of the principal or the Superintendent accordingly. Any student who commits the above violation, could receive short-term suspension, long-term suspension,

or even expulsion, depending on the seriousness of the act. It may be recommended to the Superintendent that the student be removed to an alternative educational setting, or given a long-term suspension. (*Reference Board Policy #455*)

### **Hazing, Harassment or Bullying**

The Henderson County Board of Public Education believes that all students and employees should be free of unlawful discrimination, harassment, hazing, and bullying as a part of a safe, orderly, caring, and inviting working and learning environment. The Board commits itself to nondiscrimination in all its educational and employment activities. The Board expressly prohibits unlawful discrimination, harassment, hazing, or bullying, including on the basis of race, color, religion, ancestry, national origin, gender, sex, age, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, pregnancy or mental, physical, developmental or sensory disability or by association with a person who has or is perceived to have one or more of these characteristics. The Board also prohibits retaliation against a student or an employee who has exercised any rights made available through state or federal law, including prohibiting retaliation for reporting violations of Policy #456. Any violation of Policy #456 is considered serious and appropriate action will be taken in response. North Carolina law makes hazing illegal for any student. Incidents of hazing, harassment, or bullying could lead to short-term suspension, long-term suspension, or even expulsion, depending on the seriousness of the act. (*Reference Board Policy #456*)

### **Cutting Class, Leaving School Grounds Without Permission, Truancy**

Every adult, having legal charge or control of a child, who enrolls that child in a public school shall also cause the child to attend school continuously until age 16. No person shall encourage, entice, or counsel any such child to be unlawfully absent from school. In accordance with local school policy, the parent, legal guardian, or legal custodian of a child shall notify the school of the reason for each known absence of the child. After the initial arrival on campus, no student shall leave the school grounds until the normal dismissal time without prior permission from the school authorities.

### **Possession of Inappropriate/Obscene/Pornographic Material**

A student shall not have possession of any written material or pictures that convey offensive, derogatory, obscene, or sexually suggestive messages on school property, including the school bus. The reader is referred to the "Acceptable Use Policy #630" regarding the use of computers and Internet access for additional policies regarding this behavior. (*Reference Board Policy #630*)

### **Purposeful Acts Intended to Disrupt School, Inciting a Riot or Disturbance, Encouraging Others to Disrupt School**

No student shall purposely disrupt the lawful function of the school or its special activities, events, trips, or performances. In the classroom, no student shall unreasonably impair the teaching or learning process.

### **Reckless or Belligerent Behavior Which Might Result in Bodily Harm**

No student shall engage in any behavior which is so careless, wanton, reckless, or belligerent that it could result in bodily harm to oneself or others (including reckless driving on school property).

### **Smoking or Use of Tobacco or Tobacco Products**

In an effort to reinforce the teaching of the harmful effects of tobacco use and to provide a healthful working environment for employees, students, and the public, the Henderson County Board of Public Education directs that there be no tobacco use by anyone while in its buildings or on school grounds. A student shall not be permitted to smoke, possess, or use tobacco or tobacco products, or electronic cigarettes or products, on the school grounds or in any facility. Henderson County Public Schools and grounds are "tobacco free." (*Reference Board Policy #736*) Violation of this policy will result in the student being assigned ISS or suspended OSS depending on the mitigating circumstances.

### **Unauthorized Entry to a School Building or School Property, Trespassing on School Property or School Bus**

No student shall enter a school building or school bus unless authorized by school officials. Unauthorized entry, either by force, contrivance, or otherwise, is considered breaking and entering and is a serious criminal offense. Other charges, such as larceny, may be filed by school officials.

### **Vandalism, Writing on Walls (Graffiti), Theft, Defacing, Damage, Destruction, or Arson to School Buildings, Buses or Other Property; Theft or Damage to Private Property**

No student shall willfully damage, deface, mar, or destroy any building, school bus, vehicle, property, grounds, supplies, furnishings, or equipment belonging to the school or other public property. No student shall damage or steal any property while participating in any school-sponsored activity, or while riding the school bus. Intentional damage to school property, vehicles, furnishings, or textbooks is against State law. Larceny is a criminal offense, which could result in a misdemeanor or felony conviction.

### **Distribution of Non-School Materials**

No one, including students or parents, shall distribute, disseminate, or otherwise communicate pamphlets, tracts, or other publications on any school campus, including material that reflects his philosophy, religion, political, or other personal beliefs without the prior written approval of the school's principal.

### **Motorized Vehicles on School Grounds**

No motorized vehicles (motor bikes, motor scooters, motorcycles, go-carts, 3 or 4 wheel all-terrain vehicles) shall be permitted to be operated on a school parking lot, on a school campus, or on a school track, either during school hours or after school hours, except when utilized as a mode of transportation to and from school or when used by the school for a demonstration or exhibit or by law enforcement. Disciplinary action in this area shall be handled by the local school administration, in accordance with their school rules.



## **Dress Code**

Students are expected to dress in a manner that is neat, clean, and proper for a learning environment. Clothing styles are constantly changing; therefore, it is impossible to list all dress and grooming trends that are inappropriate for school wear. Students shall not wear clothing or hairstyles that distract other students, interfere with the classroom participation of other students, or present a health or safety hazard. If a student's dress or appearance is distracting, disruptive to the school climate, or detrimental to his health and safety, the principal may require the student and the student's parent(s), legal custodian(s), or legal guardian(s) to take appropriate action to remedy this situation. Following are examples of dress that are considered not appropriate for school. This list is not intended to be inclusive. Schools may formulate expectations. The interpretation of inappropriate clothing rests with the local school administration. Failure to comply with dress code standards shall be handled by the local school administration, in accordance with their school rules. The principal may require a student to change his dress or appearance for failure to comply with the dress code.

- Shoes or sandals are to be worn at all times during the school day.
- Clothing with vulgar language, obscenities, or clothing advertising drugs or alcoholic beverages are not permissible.
- Clothing worn to reveal underwear or cleavage, pants worn below waist level, or clothing that is excessively baggy or tight is not permissible.
- Distractive clothing, scanty clothing, and transparent or see-through mesh garments clothing is not permissible.
- Belts, if worn, must be kept on and tied or buckled at all times.
- Gang related jewelry, dress, bandanas, insignias, or any other gang related attire will not be tolerated.
- Coats must fit and be appropriate for the season.
- Sunglasses are not to be worn inside school buildings.

## **Electronic Devices/Cellular Telephones**

It is unlawful to intentionally point a laser device at the head or face of another person. Students may not possess and/or use in school or on school property any laser pointer or similar device. Cellular telephones, pagers, beepers, fire radios, and other personal electronic devices are prohibited unless authorized by the school administration and teacher(s), and are to be utilized for instructional use only. Disciplinary action in this area shall be handled by the local school administration, in accordance with the established guidelines at their school.

## **Extortion**

Students shall not extort through verbal, written, or physical threats, coercion, or intimidation anything of value from any other student or school employee. Restitution of costs may be required.

## **Violations of North Carolina Criminal Statutes**

Students shall not violate any criminal statute or local ordinance or commit any act which could result in criminal prosecution or juvenile proceedings not previously covered elsewhere in these rules at any time while a student is at school in any school building and on any school premises, attending school-sponsored activities, on or about any school-owned or operated vehicle, off school property at any school-sponsored or school-approved activity or function, or during any period of time when students are subject to the authority of school personnel and at any time when the student's behavior has a direct and immediate effect on maintaining order and discipline and protecting safety and welfare of students and staff.

## **Cheating and Plagiarism**

No student shall use unfair or dishonest methods to gain advantages in any test, classwork, or project. This includes plagiarism, which is the act of stealing and passing off as one's own, the ideas or words of another. Reduction in grade could be imposed for cheating, plagiarism, or similar offenses. Disciplinary action in this area shall be handled by the local school administration, in accordance with their school rules.

## **Student Bus Conduct**

Safety is of paramount concern in providing student transportation services. A safe and orderly environment is critical whenever transporting students. Providing safe transportation requires the cooperation of students, parents, and staff. School bus transportation is a privilege, not a right, and the transportation of any student is subject to compliance with the lawful rules and regulations adopted by the School Board.

## **Use of Videotape Recorders on School Buses**

It is the practice of the Henderson County Public Schools to utilize videotape recorders on school buses. Utilization of such videotape recorders shall be for the purposes of identifying safety concerns and to substantiate bus conduct violations. Such videotape recordings may be periodically and regularly reviewed by school officials, are considered confidential, but may be disclosed as part of school disciplinary proceedings or safety programs. The placing of a student on a school bus shall constitute parental consent to have a child videotaped in such a manner. Disciplinary action in this area shall be handled by the local school administration, in accordance with their school rules.

- A student shall be subject to all school rules while riding on the school bus, activity bus, or other vehicle when being transported to and from school, athletic events, contests, or field trips. Harassment or bullying is prohibited on school grounds, as well as on the school bus or activity bus. Such behavior can jeopardize the student's privilege to ride a bus.
- The driver of the school bus, subject to the direction of the school administrator, has the authority over and responsibility for, the operation of the bus and maintenance of good order and conduct. The student is to obey the directions of the driver.

- The bus driver may assign seating for a student or students while they are riding on a school bus.
- A student involved in any violation of bus rules or failure to cooperate will be promptly reported by the bus driver to the school administrator.
- No student shall interfere in any way with the safe operation of school buses. Behavior that distracts the driver from his function of operating the bus will not be tolerated.
- Vandalism of the bus is prohibited. If the repair cost is over \$100, in addition to providing restitution, the student involved may be required to serve an out-of-school suspension (OSS).
- The emergency door shall not be opened while the bus is moving or stopped, except in cases of emergency.
- Throwing items out of the windows of the bus or having arms or other items held out the window of the bus is prohibited.
- Loud and boisterous talking will not be permitted.
- Food items shall not be taken onto any bus, with the exception of authorized (lunch) containers.
- A student shall ride only the bus(es) to which he has been assigned and shall not be discharged at any stop other than his regular stop, unless expressly authorized by the school administrator. No student who boards the bus at his home shall leave the bus until he arrives at their assigned school.
- No student shall stand in front of the bar behind the driver or move from seat to seat while the bus is in motion.

The severity of the offense will be taken into consideration when determining consequences. Students may be assigned a seat or loose their privilege to ride the bus based on their behavior. The following are possible discipline actions:

- Conference with the parent, legal guardian, or legal custodian.
- Assign the student a seat on the bus.
- Assign the student ISS or OSS, at the discretion of the school administrator.
- Student will not be allowed to ride the bus for a certain period of time. The time a student is removed from the bus could range from one day to the remainder of the year, based on the severity of the offense. The removal and duration of a student off the bus is at the discretion of the school administrator. The length of a bus suspension may increase with each offense, for example:
  - The first offense may be one (1) to five (5) days.
  - The second offense may be five (5) to ten (10) days.
  - The third offense may be for the remainder of the school semester or school year.
  - Certain infractions may require school administrators to report the incident to law enforcement.

### **Non-Discrimination Statement**

It is the policy of the Henderson County Public School System not to discriminate on the basis of race, ethnic origin, sex, or disability in its educational programs, activities, or employment policies as required by Title IX of the 1972 Education Amendments, Section 504 of the Rehabilitation Act of 1973, and Title II of the 1990 Americans with Disabilities Act (ADA).

### **Dropout Prevention/Driver's License Legislation**

North Carolina has legislation reflecting a coordinated statewide effort to motivate and encourage students to complete their high school education. The new law requires the revocation of the student's driving permit or license if the student does not maintain adequate academic progress or drops out of school. Adequate academic progress is defined as passing three (3) out of four (4) classes in a block schedule school, and five (5) out of seven (7) classes for traditional schedule. The law became effective August 1, 1998. This law applies to all North Carolina students under the age of 18 who are eligible for a driving permit or license. Any student who received a permit or license prior to December 1, 1997, (implementation date of the Graduated Driver's License Program) is not affected by this legislation. Previously, a student had to present a birth certificate, social security card, and Driver Education Completion Certificate to the Department of Motor Vehicles in order to obtain a permit or license. Additionally, the legislation requires a student to present a Driving Eligibility Certificate, issued by the school and good for 30 days, to the Department of Motor Vehicles to obtain a permit or license. The Driving Eligibility Certificate will only be issued to students making adequate academic progress. Students who do not meet the academic progress requirements will be reported to the Department of Motor Vehicles and their permit or license will be revoked. There is a provision for a request for a review of the student's situation based on hardship considerations. Students may regain academic eligibility at the end of each semester.

### **Lose Control, Lose Your License Legislation**

Effective July 1, 2000, students given an expulsion/suspension for more than 10 consecutive days for one of the three reasons listed below are subject to having their permit/license suspended for up to one calendar year. 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 personnel on school property. Students who are at least 14 years old or who are rising 8th graders are subject to this law. This law applies to all students, even to those exempted under Dropout Prevention/Driver's License Legislation. Unlike the Dropout Prevention/Driver's License Legislation law that ends when a student turns 18 years old, the "Lose Control" law does not stop at age 18 nor does it stop when the student graduates. Students who may lose their permit/license under this legislation may

be eligible to regain the permit/license after a six-month period by displaying exemplary behavior in an alternative educational setting or having successfully completed a school district approved drug or alcohol treatment counseling program.

### **Athletic Guidelines**

#### **Reference Henderson County Public Schools Policy #470 (Athletic Participation)**

##### **Eligibility**

- All students must be eligible prior to dressing or participating in any interscholastic contests.
- Only students in grades seven and eight may participate in middle school interscholastic contests.
- All students must meet the residence requirement to be eligible. A student transferred from one high school to another forfeits, for one year, athletic eligibility in any sport in which the student was on an eligibility roster at their former school during the immediately preceding year to the transfer approval.

##### **Attendance**

- A student-athlete enrolled at a 4x4 block schedule school must be in attendance for two (2) full periods of class in order to practice or play.
- A student-athlete enrolled in a traditional seven period day or enrolled in a middle school must be in attendance at least half of the school day in order to practice or play.

##### **Scholastic Requirements** (*Reference Henderson County Public Schools Policy #470 (Athletic Participation)*)

- All student-athletes must meet the Henderson County Public Schools promotion standards.
- A student-athlete, upon first entering the ninth grade, is academically eligible for competition on high school teams.
- A student-athlete who is promoted from the sixth grade to the seventh grade automatically meets the course passed requirements for the first semester of the seventh grade.
- A student-athlete enrolled at a 4x4 block schedule school must have passed three courses and maintained a 2.0 GPA during the preceding semester to be eligible.
- A student-athlete enrolled in a traditional seven period day must have passed five courses and maintained a 2.0 GPA during the preceding semester to be eligible.
- High School student-athletes who attend summer school and receive recovered course credit will have credit count during the semester the course was taken. High School student-athletes who attend summer school and receive new course credit will have credits count toward the preceding semester.
- A student-athlete enrolled in a middle school must have passed three core courses during the preceding semester to be eligible.

##### **Medical Examination**

- All student-athletes must receive a medical examination once every 365 days by a licensed physician, nurse practitioner, or physician's assistant in order to be eligible for practice or participation in interscholastic athletic contests.

##### **Eight Semester Rule**

- No student may be eligible to participate at the high school level for a period lasting longer than eight consecutive semesters, beginning with the student's first entry into ninth grade or participation on a high school team, whichever occurs first.
- No student may be eligible to participate at the middle school level for a period lasting longer than four consecutive semesters, beginning with the student's first entry into seventh grade.

##### **Age of Player**

- No student may be approved for any athletic contest if his 19<sup>th</sup> birthday comes on or before August 31<sup>st</sup> of that school year at the high school level.
- A student shall not participate on a seventh or eighth grade team if his 15<sup>th</sup> birthday comes on or before August 31<sup>st</sup> of that school year at the middle school level.

##### **Dressing for a Game or Practice**

- A student-athlete shall not dress for a game, practice, or scrimmage when he is not eligible to participate. Dressing and sitting on the bench shall be interpreted as participating in the game.

##### **Practice Time**

- There shall be no athletic practice during the regular school day. Practice may begin after the last regularly scheduled instructional period.
- No authorized practice or contest may occur during a teacher workday. Exception: If the Superintendent gives permission for schools to practice prior to the end of a workday, due to inclement weather only.

- Each coach, for his team, will schedule practice times. Players should be in attendance for all scheduled practices. It is the responsibility of the student-athlete to contact their coach prior to a practice or game if they wish to be excused from a practice or game.
- There shall be no Sunday practice, Sunday team meeting, or Sunday interscholastic contest in any sport on or off the school campus.

### **Sportsmanship**

- Interscholastic athletic events should be conducted in such a manner that good sportsmanship prevails at all times. Every effort should be made to promote a climate of wholesome competition. Sportsmanship is more important than victory and student-athletes, coaches, and spectators should respect the judgment and integrity of game officials at all times. The primary purpose of interscholastic athletics is to promote the physical, mental, moral, social, and emotional well being of the players through the medium of contest. Student-athletes who are penalized in a contest for unsportsmanlike actions will be subject to the North Carolina High School Athletic Association mandated suspension and ejection policy.

### **Sportsman / Ejection Policy**

- The NCHSAA Sportsman/Ejection Policy applies to all persons involved in athletic contests, including student-athletes, coaches, managers, and game administrators. The following examples include behavior or conduct which will result in an ejection from a contest: fighting, biting observed by an official, taunting, baiting, or spitting toward an opponent, profanity, obscene gestures, or disrespectfully addressing an official, (making physical contact with an official is subject to automatic expulsion and can result in ineligibility for remainder of career).
- Players receiving two ejections for unacceptable behavior will be suspended from all sports for the remainder of that sports season.
- Receiving a third ejection in a school year will result in suspension from athletics for one calendar year (365 days) from the date of the third ejection.
- For soccer, five yellow cards accumulated by the same player will result in a suspension. An additional five yellow cards accumulated by the same player will result in an ejection. The player will be suspended from all sports for the remainder of that season on the 15<sup>th</sup> yellow card. A red card disqualification that is not an ejection is the equivalent of two yellow cards.
- For wrestling, track, tennis, golf, cross-country, and swimming any individual ejected from an individual event or individual tournament may not participate for the remainder of the event from which he was ejected.

### **Student-Athlete Conduct**

- All student-athletes are to abide by the policies and *Student Code of Conduct* of the Henderson County Public Schools. Student-athletes who violate policies, regulations, or the *Code of Conduct* may be subject to additional consequences, as determined by their school or coach. Consequences for student-athletes engaging in prohibited behavior will be provided in accordance with the *Student Code of Conduct* and the school's rules and regulations. Each school is responsible for setting guidelines in regards to their athletic program. Each coach is responsible for setting and administering their team rules.
- It is the expectation of the Henderson County Public Schools that all student-athletes conduct themselves appropriately, realizing that each student-athlete represents their school and the school system.
- Any student-athlete who is convicted of a crime classified as a felony under North Carolina or federal law or is adjudicated delinquent for an offense that would be a felony if committed by an adult, is not eligible to participate in the Henderson County Public Schools or the North Carolina High School Athletic Association sports program.

### **In School Suspension (ISS), Out of School Suspension (OSS)**

- Students assigned ISS, or OSS are not permitted to participate in or be in attendance at any extracurricular activities, including practices, during the assigned time. Therefore, student-athletes cannot practice, play, or attend practice or a contest if serving a suspension. The suspension does not end until midnight of the last day assigned.

### **Tobacco Products, Alcoholic Beverages, Illegal Drugs & Controlled Substances**

- The Henderson County Public Schools and the North Carolina High School Athletic Association emphatically opposes the use of tobacco, alcohol, and other drugs by students, student-athletes, coaches, and officials. Henderson County Public Schools and grounds are "tobacco free."
- Spectators, participants, coaches, and other team representatives and officials should not use any tobacco products, alcoholic beverages, or controlled substances at any game sites or on any Henderson County Public School grounds.
- Student-athletes who violate rules and regulations in regards to tobacco, alcohol, and illegal drugs are subject to consequences as outlined in the *Student Code of Conduct*, as well as the athletic consequences outlined below.

### **Tobacco**

- The use or possession of tobacco products on school grounds, in school buildings and facilities, on school property, or at school related or school sponsored events is detrimental to the health and safety of students and staff.
- Any student-athlete engaging in the prohibited behavior will be subject to consequences outlined in the *Student Code of Conduct*, as well as additional athletic consequences as determined by the school and coach.

## **Alcoholic Beverages, Illegal Drugs, and Controlled Substances**

The possession, use, distribution and/or sale of illegal or counterfeit drugs/alcohol, including possession of paraphernalia is not acceptable and prohibited. If school officials receive credible evidence, such as a police report or criminal charges related to a drug or alcohol offense, or have a reasonable suspicion that a violation under this section has occurred, the school officials will investigate. If after investigation of the charges, school officials determine that the participating student committed the violation, he/she shall be subject to disciplinary action as outlined below. If the student has been charged with criminal violation of local, state, or federal laws; then the student shall be subject to the disciplinary actions outlined under **CRIMINAL VIOLATIONS OF LOCAL, STATE AND FEDERAL LAWS**.

If the student has not been charged with a criminal violation, but school officials, after their investigation, have determined that the student committed the violation the student will be held to the following disciplinary action.

**A. First Offense:** The principal will suspend the student for the remainder of that sports season from all athletic activities (practices and contests). The suspension must be for the remainder of that sport season, and must last a minimum of 20 school days. Note: The suspension will carry over into the next sports season if at least 20 days have not been served.

**B. Second Offense:** The principal will suspend the student from all athletic activities for a period of 180 school days from the first day of the offense.

**C. Third Offense:** The principal will suspend the student from all athletic activities for the remainder of his/her middle school career or high school career in the Henderson County Public Schools.

If there are mitigating circumstances, the student may request a review of the evidence surrounding the charge by the Principal. The student is ineligible to participate in athletic activities until the Principal renders a final decision.

### **Review Procedure for Drugs and Alcohol Violation**

A student may request a review of the disciplinary action by providing written notice to the Principal within two (2) school days of the date of the Principal's notification to the student and/or parent. The notice shall state the reason for the review.

The Principal will review the record of the disciplinary action and issue a decision within five (5) school days of receipt of the request for review. The Principal will inform the student and parent of the decision of whether to uphold, modify, or overturn the disciplinary action in writing. The decision of the Principal shall be final.

Any disciplinary action, including suspension from participation, will remain in effect during the review process. Failure by the student to adhere to appeal content requirements and timelines as set forth will result in immediate dismissal of the appeal.

### **Quitting**

- Student-athletes are strongly discouraged from quitting an athletic team. Athletics can be a valuable experience that helps prepare student-athletes for their future. Life will be full of challenges and obstacles and it is our hope that athletic experiences will help prepare student-athletes for such difficulties. Quitting is not a trait we wish to endorse. A student-athlete who quits a sport will be held to each school's guidelines with regard to this issue.

### **Hazing and Initiations**

- Hazing is defined as deliberately subjecting another person to physical injury as part of an initiation or prerequisite for membership... (HB 171) and it is against North Carolina law (G.S. 14.35). Regardless of a student's willingness to participate, hazing and other humiliating activities expected of a student to belong to a team or group, have many negative consequences. Incidents of hazing could lead to short-term suspension, long-term suspension, or even expulsion, depending on the seriousness of the act. Such an incident would also have athletic consequences as determined by the school.

## **Appendices**

### **A. Definition of Terms**

#### **1. In-School Suspension (ISS): Usually short-term (1-10 days), but can be longer**

During an in-school suspension, the student will work on his regular school assignments, will be counted in attendance, and will receive his earned grades.

- *The decision of the principal is final in terms of ISS suspension.*
- *Board policy and North Carolina Law do not allow for any appeal of in-school suspensions.*
- *Time spent in ISS applies only to days school is in session for students. Teacher workdays, weekends, holidays, and school days missed due to inclement weather do not count toward the completion of an ISS.*
- *Students assigned to ISS are not permitted to participate in or be in attendance at any extracurricular activities during the assigned time. The suspension does not end until midnight of the last day assigned. Placement in ISS cannot be delayed.*

#### **2. Short-Term Out-of-School Suspension (OSS): Lasts from 1-10 days**

The principal shall send a written notification to the parents or guardians informing them of their child's suspension. Following any short-term out-of-school suspension, students shall have the opportunity to take any quarterly, semester, or grading period examinations missed during the suspension. Students shall also have the opportunity to: 1) take their textbooks home for the duration of the suspension; and 2) have access to homework assignments.

- *The decision of the principal is final in terms of short-term OSS suspension.*
- *Board policy and North Carolina Law do not allow for appeal of any short-term (1-10 day) out-of-school suspensions.*
- *Opportunities may be provided for partial academic credit at the Balfour Education Center.*
- *Time spent in OSS applies only to days school is in session for students. Teacher workdays, weekends, holidays, and school days missed due to inclement weather do not count toward the completion of an OSS assignment.*
- *Students assigned to OSS are not permitted to participate in or be in attendance at any extracurricular activities during the assigned time. The suspension does not end until midnight of the last day assigned.*

**3. Long-Term Out-of-School Suspension: Lasts from 11 to 365 days**

Following any long-term out-of-school suspension, students shall have the opportunity to take any quarterly, semester, or grading period examinations missed during the suspension. However, announced tests, “pop” tests, and daily grades missed during the suspension are not subject to the required “makeup” opportunities, and zero grades will be earned.

- *The decision for the implementation of a principal recommended long-term suspension rests with the Superintendent.*
- *Any student receiving a long-term out-of-school suspension shall not return to campus and shall not be on any other property of Henderson County Public Schools, nor shall he attend any athletic contests or any extracurricular student activities during the suspension period.*
- *Time spent in OSS applies only to days when school is in session for students. Teacher workdays, weekends, holidays, and school days missed due to inclement weather do not count toward the completion of an OSS assignment.*

**4. Expulsion: The Permanent Exclusion of a Student From School**

The decision for the implementation of a principal recommended expulsion rests with the Superintendent and the Board.

An expulsion is the permanent removal of a student from school. The expelled student shall be permanently prohibited from returning to the school system unless the School Board reverses its decision. A student may not apply for readmission until six (6) months have passed. The student may then apply on the following July 1.

A student may be expelled only if:

- the student is at least 14 years of age; and
- the continued presence of the student in school constitutes a clear threat to the safety and health of other students or school employees; or
- the student is found guilty of a Felony in North Carolina or any other state.

**5. Alternative to Suspension**

Students who misbehave may be given the opportunity to take responsibility for the behavior, and to restore damaged relationships and material losses through a variety of agreed upon strategies.

**B. Due Process Procedures for Long-Term Suspension and/or Expulsion**

The school administrator shall conduct an investigation of the reported incident. The student shall be informed of the charges and of the administrator’s decision to issue a ten (10) day Out-of-School Suspension.

Parent(s), legal guardian(s), or legal custodian(s) shall be notified immediately in writing, by letter, of the suspension and the additional recommendation of a long-term suspension (remainder of semester/year) to the Superintendent. Information specifying the appeal process shall be included in this correspondence.

The school administrator shall: 1) notify the Superintendent in writing of the recommendation of long term suspension; 2) include a copy of correspondence mailed to the student’s parent(s), legal guardian(s), or legal custodian(s); and 3) shall schedule a hearing, at which the administrator’s decision may be appealed. The appeal process is required.

1. **Committee Make-up:** No Committee member shall serve on the Committee who is under the direct supervision of the principal recommending the suspension. The Committee will be made up of at least one (1) faculty member from each school in the applicable high school attendance area (excluding individuals from the school where the student currently attends). Each school will elect/name two (2) faculty members to serve in this capacity. The two (2) may alternate appearances on the Committee or one (1) may serve as a member and one (1) as an alternate. In the absence of a Committee member or alternate, the Chair shall have the authority to appoint another faculty member to the Committee.
2. **Chair:** The Chair shall be an administrator from a school in the student's applicable high school attendance area (excluding an administrator from the school where the student currently attends). The Chair has no vote except to break a tie vote. The Chair has all other rights and duties of a Committee member as well as the following specific duties and powers:
  - (a) He/she schedules the hearing for a specified date, time and place. He/she has the authority to postpone the date and time or change the place for good cause.

- (b) He/she assures the presence of a full Committee at the hearing.
- (c) He/she is available before the hearing to answer any questions that the student (or his parent or representative) may have about the nature and conduct of the hearing.
- (d) He/she has full charge of the hearing and has authority to direct its proceedings and to control the conduct of all persons present, subject to the general direction of this procedural code. He/she may limit questioning that is unproductively lengthy or irrelevant.
- (e) He/she writes the Committee's findings and recommendations for action. He/she may delegate this responsibility to another member of the Committee.

The school administrator shall notify the student's parent(s), legal guardian(s), or legal custodian(s) in writing, by letter, of the scheduled time, date, and location of the hearing. The scheduled time shall not exceed ten (10) school days from the date of the first day of the suspension, unless mutually agreed upon by both parties. In addition, notice will advise the student of his rights during the hearing:

- a. right to legal advisor at his own expense;
- b. right to have and to question witnesses;
- c. right to make a statement in his own behalf;
- d. right to review any documents being used as part of the hearing;
- e. right to present evidence in his behalf.

The Appeal Committee Chairperson shall convene and conduct the hearing, which shall be recorded by audiotape or digitally. The hearing shall be closed to the public. At the conclusion of the hearing, the Committee shall consider all evidence presented and formulate a recommendation, which shall be submitted in writing within 24 hours to the Superintendent. The recommendation may be to uphold or deny the administrator's recommendation.

The Superintendent shall review the committee's report and findings and render a decision communicated in writing, by letter, to the student's parent(s), legal guardian(s), or legal custodian(s) within three (3) school days.

For long-term suspension, the parents or guardians must request an appeal to the Board of Education, in writing, within three (3) calendar days of receipt of the Superintendent's decision. For expulsion, the parents or guardians must request a hearing before the Board of Education, in writing, within five (5) days of receipt of the Superintendent's recommendation. If the parents, legal guardians, or legal custodians wish to appeal the Superintendent's decision, they may do so in writing to the Chairperson of the Henderson County Board of Public Education. The completed record will be certified to the Henderson County Board of Public Education by the Hearing Committee Chairperson. The Board shall consider the matter in closed session at a special called meeting, or at its regularly scheduled meeting, at the discretion of the Board Chair.

The Board shall review the Superintendent's recommendations and the record of the hearing. The student and the parent(s), legal guardian(s), or legal custodian(s) may present a written statement and may be allowed ten (10) minutes to make oral comments to the Board. The Henderson County Board of Public Education shall render a written decision by mail within a reasonable period of time. The decision of the Board is final.

### **C. Disciplinary Suspension of Students with Disabilities**

When a student with disabilities violates a code of student conduct that warrants suspension from school for ten (10) school days or less in a given school year, the school may follow its normal disciplinary procedures. School personnel may consider any unique circumstances on a case-by-case basis when determining whether suspension is appropriate. Circumstances considered should include area of disability, functioning level of the student, intent of the behavior, and other relevant factors.

After a student with a disability has been removed from his or her current placement for ten (10) school days in the same school year, during any subsequent days of removal, the school must provide services to the extent required by N.C. Policies.

In-School-Suspension (ISS) does not count in the ten (10) days total as long as the student receives his or her special education and related services, as set forth in the child's IEP.

Suspension from bus transportation is counted as any other suspension if the bus suspension results in the student not being able to get to school by other means.

#### **Suspensions Greater Than Ten (10) Cumulative School Days**

If the current removal is for not more than ten (10) consecutive school days, and is not determined to be a pattern of removals that constitutes a change in placement, school personnel, in consultation with at least one of the student's teachers, determine the extent to which services are needed to enable the student to continue to participate in the general curriculum, although in another setting, and to progress toward meeting the goals of the IEP.

### **Suspensions Greater Than Ten (10) Consecutive School Days**

Within ten (10) school days of any decision to change the placement of a student with a disability because of a violation of a code of conduct, the IEP team must review all relevant information in the student's file, including the student's IEP to determine (1) if the conduct in question was caused by, or had a direct and substantial relationship to the student's disability (a manifestation of the disability) or (2) the conduct in question was the direct result of a failure to implement the IEP.

If the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the student's disability, school personnel may apply the relevant disciplinary procedures in the same manner and for the same duration as the procedures would be applied to students without disabilities. The student must continue to receive educational services and receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation to prevent recurrence.

If the behavior in question was determined to be a manifestation of the student's disability, the IEP Team must conduct or review a functional behavior assessment and implement or continue a behavioral intervention plan. The student must return to the placement from which the student was removed, unless the parent and the LEA, through the IEP process, agree to a change of placement.

### **Special Circumstances**

School personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability, if the violation of the school code involved possession of a weapon; possession, including use or sales, of an illegal drug; or serious bodily injury. Upon the end of the removal, the student shall be returned to the placement from which he or she was removed, unless the parent and the LEA, through the IEP process, agree to a change of placement.

### **D. Corporal Punishment**

The Henderson County Board of Public Education prohibits corporal punishment believing that other consequences are more appropriate and effective for teaching self-control. No principal, teacher, substitute teacher, voluntary teacher, teacher assistant, student teacher, bus driver, or other employee, contractor or volunteer may use corporal punishment to discipline any student. Reasonable force that is necessary to protect oneself or others is not considered corporal punishment.

### **Reassignment Information**

Individuals who wish to transfer to another school within the county must follow the reassignment process outlined below. While it is our desire to accommodate as many requests as possible, we must be cautious not to exceed the space available at each grade level. (*Reference Board Policy #410*)

- **Applications** – All Henderson County Public Schools will have applications available. The application will also be available on the website, [www.hendersoncountypublicschoolsnc.org](http://www.hendersoncountypublicschoolsnc.org) and at the Central Office.
- **Submission of application** – Mail or hand deliver the completed application, attention principal, to the school requested.
- **Timeline** – The timeline for requesting a reassignment is April 1<sup>st</sup> through April 30<sup>th</sup> for first semester, and October 1<sup>st</sup> through October 31<sup>st</sup> for second semester.
- **Lottery** – Each principal will review the applications to ensure a child's eligibility. Should the number of applications exceed the number of open spots, the principal will use a lottery to determine who may attend.
- **Eligibility** – Eligibility means that a student must be in good standing with their previous school, with records of good attendance and good behavior
- **Athletic eligibility** – A student transferred from one high school to another forfeits, for one year, athletic eligibility in any sport in which the student was on the eligibility roster at their former high school during the immediately preceding year to the transfer approval.
- **Tuition fee for out-of-county students** – Any student approved to attend a Henderson County School whose domicile is outside Henderson County will be required to pay an out-of-county tuition equal to the local current expense appropriation from the Henderson County Board of Commissioners for the previous school year. For the 2014-2015 school year, the annual fee is \$1,532.00. Fifty percent (50%) of the annual out-of-county tuition can be paid at the beginning of each semester.
- **Transportation** – The parent/legal guardian custodian shall be responsible for transportation of the student for any approved reassignment request.

### **Attendance**

Regular school attendance is of crucial importance for educational achievement. The learning experiences that occur in the classroom are essential components of the learning process and time lost from class tends to be irretrievable in terms of opportunity for instructional interaction. Students should attend school every day, and the responsibility for regular attendance resides with the parents/guardians and the individual student. If a parent fails to assure the child's attendance at school, the parent may be prosecuted for violating the compulsory attendance law. (*Reference Board Policy #405*)



## **Attendance Requirements for Credit and Promotion**

- A high school student on the block schedule must be in attendance for a minimum of 85 days to obtain credit in each course.
- A high school student on the traditional schedule must be in attendance for a minimum of 170 days to obtain credit in each course.
- A middle school student must be in attendance for a minimum of 166 days to be considered for promotion to the next grade.
- An elementary school student must be in attendance for a minimum of 164 days to be considered for promotion to the next grade.
- Excessive absences can result in high school course failure or non-promotion in grades K-8.
- Educational opportunities will be available for students who need to make up days because of excessive absences. You should contact your school for information on the makeup sessions provided.

## **Annual Public Notices**

### **Student Records: Family Educational Rights and Privacy Act (FERPA)**

The Family Educational Rights and Privacy Act (FERPA), a federal law, gives parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. These rights are:

- the right to inspect and review your child’s education records within 45 days of the day the school receives a request for access. You should submit to the school principal a written request that identifies the record(s) you wish to inspect. The principal will make arrangements for access and notify you of the time and place where the records may be inspected.
- the right to request the amendment of your child’s education records that you believe are inaccurate or misleading. You should write the school principal, clearly identify the part of the record you want changed, and specify why it is inaccurate or misleading. If the school decides not to amend the record as requested, the school will notify you of the decision and advise you of your right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to you when you are notified of the right to a hearing.
- the right to consent to disclosures of personally identifiable information contained in your child’s education records. FERPA requires that the school obtain your written consent prior to the disclosure of any such information with certain exceptions. By law, we are required to give you specific notice of the following three exceptions:
  1. disclosure to a school official who needs to review an education record in order to fulfill his professional responsibility. A school official has a legitimate education interest if the official needs to review an education record in order to fulfill his or her professional responsibility. A school official is: (i) a person employed by the School District as an administrator, supervisor, teacher, counselor or support staff member (including health or medical staff and law enforcement unit personnel); (ii) a person serving on the School Board; (iii) a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or (iv) a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his tasks.
  2. disclosure of education records, including disciplinary records of long-term suspension or expulsion, upon request, to officials of other school districts in which a student seeks or intends to enroll.
  3. disclosure of “directory information” about a student, unless you have advised the school to the contrary. The School District has designated the following information as directory information:
    - Student’s name
    - Address
    - Telephone listing
    - Photograph
    - Major field of study
    - Grade level
    - Dates of attendance
    - Degrees, honors, and awards received
    - Date and place of birth
    - Electronic mail address
    - Participation in officially recognized activities and sports
    - Weight and height of members of athletic teams
    - Most recent educational agency or institution attended
    - Enrollment status
- The primary purpose of directory information is to allow the school to include this type of information from your child’s education records in certain school publications. Examples include:
  - a playbill, showing your student’s role in a drama production;
  - the annual yearbook;
  - honor roll or other recognition lists;
  - graduation programs; or
  - sports activity sheets, showing weight and height of team members.
- Directory information may also be disclosed to outside organizations without your prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

- In addition, under federal law we are required to provide military recruiters and institutions of higher education, upon their request, with the names, addresses and telephone numbers of high school students, unless the student or parent has advised the school that they do not want such information disclosed without their prior written consent.
- If you do not want the school to disclose some or all of the directory information described above from your child's education records to all or certain recipients without your prior written consent, the School District must be notified in writing within fourteen (14) days of the beginning of the school year or within fourteen (14) days of your enrolling in the School District. For your convenience, a form that can be used for this purpose is provided at the end of this handbook.
- The right to file a complaint with the U.S. Department of Education concerning alleged failures of the School District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

**Protection of Pupil Rights Amendment (PPRA)**

The Protection of Pupil Rights Amendment requires that the School District notify you and obtain consent or allow you to opt-out your child from participating in certain school activities. These activities include a student survey, analysis or evaluation that concerns one or more of the following eight areas:

1. Political affiliates or beliefs of the student or student's parents;
2. Mental or psychological problems of the student or student's family;
3. Sexual behavior or attitudes;
4. Illegal, anti-social, self-incrimination or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors or ministers;
7. Religious practices, affiliations or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

This requirement also applies to the collection, disclosure or use of student information for marketing purposes and certain physical exams or screenings.

The School District will, within a reasonable period of time prior to the administration of the surveys and activities, provide notice of said surveys and activities and give you or your son/daughter, if he/she is 18 years old or older, the opportunity to opt-out.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

**NON DISCRIMINATION**

**Title VI of the Civil Rights Act of 1964; TITLE IX of the Education Amendments of 1972; The Rehabilitation Act of 1973 (Section 504) and The Americans With Disabilities Act of 1990 (ADA)**

It is the policy of the Henderson County Public School System not to discriminate on the basis of race, ethnic origin, sex, age, or disability in its educational programs, activities, or employment policies.

For inquiries or complaints or to request a copy of the School District's grievance procedures, please contact:

Title IX Coordinator	504/ADA Coordinator
Bo Caldwell, Assistant Superintendent	Ms. Lynn Metcalf, Director of Exceptional Children
414 Fourth Avenue West	414 Fourth Avenue West
Hendersonville, NC 28739 (828) 697-4733	Hendersonville, NC 28739 (828) 697-4733

**Students with Disabilities – Individuals with Disabilities Education Act (IDEA)**

Pursuant to the IDEA, a federal law, the Henderson County Public Schools must provide special education services to all children residing in the school district who are between the ages of 3 and 21 who have been diagnosed with or are suspected to have mental, physical, or emotional disabilities and who are unable to benefit from a regular school program without special assistance. If your child or a child you know may qualify for such special assistance, please contact:

Ms. Lynn Metcalf, Director of Exceptional Children  
414 Fourth Avenue West  
Hendersonville, NC 28739 (828) 697-4733

## **Homeless Students – McKinney-Vento Homeless Assistance Act**

For information concerning the educational rights of homeless students, please contact:

Mr. Matt Gruebmeier, Director of Title I and Homeless Education  
414 Fourth Avenue West  
Hendersonville, NC 28739 (828) 697-4733

## **Student Health Issues**

With the passage of N.C. General Statute § 115C-375.4, local school systems have been asked to provide families with information on Influenza and Meningococcal diseases and the vaccines that are available to prevent each.

Influenza (“flu”) is caused by a virus that spreads from infected persons to the nose or throat of others. Influenza can cause:

- Fever
- Sore Throat
- Chills
- Cough
- Headache
- Muscle aches

Anyone can get influenza. Most people are ill with flu for only a few days, but some get much sicker and may need to be hospitalized. Influenza causes an average of 36,000 deaths each year in the U.S., mostly among the elderly.

Influenza vaccine is available in two types. Inactivated (killed) flu vaccine, given as a shot, has been used in the U.S. for many years. A live, weakened vaccine, FluMist, was licensed in 2003. It is sprayed into the nostrils. It is available for persons age 5-49 years of age. Influenza viruses change often. Therefore, influenza vaccine is updated every year. Protection develops in about 2 weeks after getting the shot and may last up to a year. The best time to get the vaccine is in October or November. Contact your local health department or physician for more details on cost and time vaccine will be available.

Meningococcal disease is a serious illness, caused by bacteria. It is the leading cause of bacterial meningitis in children 2-18 years old in the United States. Meningitis is an infection of the brain and spinal cord coverings. Meningococcal disease can also cause blood infections. About 2,600 people get meningococcal disease each year in the U.S. Ten to fifteen percent of these people die, in spite of treatment with antibiotics. Of those who live, another 10% have chronic complications. It is most common in infants less than one year of age, international travelers, and people with certain medical conditions. College freshmen, particularly those who live in dormitories, have a slightly increased risk of getting meningococcal disease.

How can you learn more about these vaccines? Ask your doctor or nurse. Call the Henderson County Department of Public Health at 692-4223, or contact the Centers for Disease Control and Prevention (CDC) 1-800-232-2522 (English) or 1-800-232-0233 (Español). Visit CDC’s website at [www.cdc.gov/vaccines](http://www.cdc.gov/vaccines)

North Carolina General Statute § 115C-47(51) requires schools to provide information concerning cervical cancer, cervical dysplasia and human papillomavirus and the vaccines available to prevent these diseases. Information on these diseases and the vaccines can be found at [www.cdc.gov/vaccines/vpd-vac](http://www.cdc.gov/vaccines/vpd-vac). Those individuals without internet access can contact a school nurse or the Henderson County Department of Public Health at 692-4223.

Pursuant to N.C.G.S. § 7B-500(b), a female may legally surrender her newborn baby to a responsible adult without fear of criminal prosecution. While any responsible adult may receive a newborn, School Social Workers, School Nurses, counselors and law enforcement agents are examples of responsible adults who are familiar with this law. More information can be found at [www.safesurrender.net](http://www.safesurrender.net). Those individuals without internet access can contact a school nurse or those individuals without internet access can contact a school nurse or the Henderson County Department of Public Health at 692-4223.

## **Student Restraint/Seclusion/Isolation**

The Henderson County Public Schools has adopted School Board Policy 451–Student Restraint-Seclusion-Isolation, as required by North Carolina General Statute 115C-391.1. Policy 451–Student Restraint-Seclusion-Isolation, as well as statute 115C-39.1.1, are set out below verbatim for your information.

### **Policy 451 – Student Restraint/Seclusion/Isolation**

#### **I. Reasonable Force**

The Henderson County Board of Public Education believes that ensuring safety for students and staff is essential. Securing order in the school environment sometimes requires that students be subject to greater controls than those appropriate for adults. Except as restricted or prohibited by rules adopted by the Board of Public Education, principals, teachers, substitute teachers, voluntary teachers, teacher assistants, and student teachers may use reasonable force in the exercising of lawful authority to restrain or correct students and maintain order. (G.S. § 115C-390)

Notwithstanding any Board of Public Education policy, school personnel may use reasonable force, including corporal punishment, 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 their person, or within the control, of a student;
- for self-defense;

- for the protection of persons or property; or
  - to maintain order on school property, in the classroom, or at a school related activity on or off school property. (G.S. § 115C-391a)
- Notwithstanding any other law, no officer or employee of the Board of Public Education shall be held civilly liable for using reasonable force, including corporal punishment, in conformity with State law.

## **II. Physical/Mechanical Restraint**

Physical restraint is defined as the use of physical force to restrict the free movement of all or a portion of a student's body. Physical restraint shall be allowed by Henderson County Public School personnel as a reasonable use of force under the following circumstances in accordance with North Carolina General Statute § 115C-391.1:

- as reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person;
- as reasonably needed to maintain order or prevent or break up a fight;
- as reasonably needed for self defense;
- as reasonably needed to ensure the safety of any student, school employee, volunteer, or other person present;
- to teach a skill, to calm or comfort a student, or to prevent self-injurious behavior;
- as reasonably needed to escort a student safely from one area to another; (Students should only be physically escorted when it is deemed safe or if the current setting conditions pose hazards for the student or staff. Escorts should only be conducted in accordance with training procedures adopted by the system.)
- if used as provided for in a student's IEP or Section 504 plan or Behavior Intervention Plan as a brief intervention strategy to assist the student in regaining self-control; or
- as reasonably needed to prevent imminent destruction to school or another's person's property. [G.S. § 115C-391.1(c)(1)]

Physical restraint shall not be considered a reasonable use of force if used solely as a disciplinary consequence.

Mechanical restraint is defined as the use of any device or material attached or adjacent to a student's body that restricts freedom of movement or normal access to any portion of the student's body and that the student cannot easily remove. Mechanical restraint shall be allowed only in the following circumstances:

- when properly used as an assistive technology device included in the student's IEP or as otherwise prescribed for the student by a medical or related services provider;
- when using seat belts or other safety restraints to secure student during transportation;
- as reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person;
- as reasonably needed for self-defense; or
- as reasonably needed to ensure the safety of any student, school employee, volunteer, or other person. [G.S. § 115C-391.1(d)(1)]

If used for the purpose of preventing self-injurious behavior, the use of mechanical restraints should be included in the IEP as part of a Behavior Intervention Plan.

Nothing in the policy prevents the use of physical or mechanical restraint by School Resource Officers or other sworn law enforcement officers in the lawful exercise of their law enforcement duties.

Physical restraint in Henderson County Public Schools shall follow the prescribed methods taught by the Crisis Prevention Institute (CPI).

## **III. Seclusion**

Seclusion is defined as the confinement of a student alone in an enclosed space from which the student is:

- physically prevented from leaving by locking hardware or other means; or
- not capable of leaving due to physical or intellectual capacity.

Seclusion of students by school personnel may be used in the following circumstances:

- as reasonably needed to respond to a person in control of a weapon or other dangerous object;
- as reasonably needed to maintain order or prevent or break up a fight;
- as reasonably needed for self-defense;
- as reasonably needed when a student's behavior poses a threat of imminent physical harm to self or others or imminent substantial destruction of school or another person's property; or
- when used as specified in the student's IEP, Section 504 behavior intervention plan; and
  - the student is constantly monitored by an adult in close proximity who is able to see and hear the student at all times;
  - the student is released from seclusion upon cessation of the behaviors that led to the seclusion or as otherwise specified in the students' IEP, 504 or behavior intervention plan;
  - the confining space has been approved for such use by the local education agency;

- the space is appropriately lighted, ventilated and heated or cooled; and
- the space is free of objects that unreasonably expose the student or others to harm. [G.S. § 115C-391.1(e)(1)]

**IV. Isolation**

Isolation means a behavior management technique in which a student is placed alone in an enclosed space from which the student is not prevented from leaving. Henderson County Public Schools personnel may use isolation provided that:

- a. the space used for isolation is appropriately lighted, ventilated, and heated or cooled;
- b. the duration of the isolation is reasonable in light of the purpose of the isolation;
- c. the student is reasonably monitored while in isolation; and
- d. the isolation space is free of objects that unreasonably expose the student or others to harm. [G.S. § 115C-391.1(f)]

**V. Aversive Procedures**

Aversive procedures are defined as the systematic physical or sensory intervention for modifying behavior of student with disabilities that causes or reasonably may be expected to cause significant physical harm, serious, foreseeable long-term psychological impairment to student, or obvious repulsion to observers of the intervention due to procedures which do not follow acceptable standard practice. Henderson County Public Schools prohibits the use of aversive procedures as defined above by its employees, volunteers, or personnel permitted in schools in accordance with interagency agreements. [G.S. § 115C-391.1(b)(2)]

**VI. Notice, Reporting, and Notification**

Henderson County Public Schools personnel shall follow the following notification procedures when physical restraint or seclusion is implemented. All employees and parents/guardians shall be provided a copy of N.C.G.S., Section 115C-391.1 and receive a copy of this policy and any related Board of Public Education policy at the beginning of each school year.[G.S. § 115C-391.1(j)(1)].

School personnel shall promptly notify the Principal or designee of any use of aversive procedures, any use of physical restraint resulting in observable physical injury to a student, any prohibited use of mechanical restraint, or any prohibited use of seclusion or seclusion lasting more than 10 minutes or the time specified on a student’s Behavior Intervention Plan. When a principal or designee has personal knowledge or actual notice of these incidents, they shall promptly notify the parent/guardian and provide the name of a school employee they can contact regarding the incident. Prompt notification means by the end of the workday during which the incident occurred, but in no event no later than the end of the following workday.

In addition, the parent/guardian of the student shall be provided with a written incident report of any incident reported under this section within a reasonable period of time, but in no event no later than 30 days, after the incident. The written documentation shall include:

- a. the date, time of day, location, duration, and description of the incident and interventions used;
- b. the event or events that led up to the incident;
- c. the nature and extent of any injury to the student; and
- d. the name of a school employee the parent/guardian can contact regarding the incident.

In the case of seclusion incidents, the school personnel supervising the seclusion shall maintain a log of observations of the student, which shall be available for inspection upon request by the parent/guardian.

All schools shall maintain a record of incidents reported to the principal and parents under G.S. § 115C-391.1(j)(4) and provide this information annually to the State Board of Education.

**VII. Training of Personnel**

Henderson County Public Schools personnel who are most likely to be called upon to prevent or address disruptive or dangerous student behavior, shall receive appropriate training in the management of such behavior. Training shall include instruction in:

- a. positive management of student behavior,
- b. effective communication for defusing and de-escalating disruptive or dangerous behavior, and
- c. safe and appropriate use of seclusion and restraint. [Ref. G.S. § 115C-105.47(b)(9)]

Henderson County Public Schools will provide pre-service training for all lateral entry employees in:

- a. the identification and education of children with disabilities;
- b. positive management of student behavior;
- c. effective communication for defusing and de-escalating disruptive or dangerous student behavior; and
- d. safe and appropriate use of seclusion and restraint. [Ref. G.S. § 115C-296(c)]

**VIII. Compliance by Community Agency Personnel**

All personnel working within Henderson County Public Schools, in accordance with interagency agreements, shall adhere to the above policies. In all circumstances in which a community agency employee is assigned to work with a student or students in a Henderson County school, an intervention plan which describes the crisis prevention and intervention procedures to be utilized must be developed by a team that includes parents, school, and agency personnel.

## **IX. Legal Notices**

Nothing in this policy modifies the rights of school personnel to use reasonable force, as permitted under G.S. § 115C-390, or modifies the rules and procedures governing discipline under G.S. § 115C-391(a). Nothing in this policy is intended to prohibit or regulate the use of “time-out” as a behavior management technique where a student is separated from other students for a limited period of time in a monitored setting. Nothing in this policy shall be construed to create a private cause of action against a local board of education, its agents, or employees or to create a criminal offense.

### **North Carolina General Statute § 115C-391.1. Permissible Use of Seclusion and Restraint**

- (a) It is the policy of the State of North Carolina to:
1. Promote safety and prevent harm to all students, staff, and visitors in the public schools.
  2. Treat all public school students with dignity and respect in the delivery of discipline, use of physical restraints or seclusion, and use of reasonable force as permitted by law.
  3. Provide school staff with clear guidelines about what constitutes use of reasonable force permissible in North Carolina public schools.
  4. Improve student achievement, attendance, promotion, and graduation rates by employing positive behavioral interventions to address student behavior in a positive and safe manner.
  5. Promote retention of valuable teachers and other school personnel by providing appropriate training in prescribed procedures, which address student behavior in a positive and safe manner.
- (b) The following definitions apply in this section:
1. “Assistive technology device” means any item, piece of equipment, or product system that is used to increase, maintain, or improve the functional capacities of a child with a disability.
  2. “Aversive procedure” means a systematic physical or sensory intervention program for modifying the behavior of a student with a disability which causes or reasonably may be expected to cause one or more of the following:
    - (a) Significant physical harm, such as tissue damage, physical illness, or death.
    - (b) Serious, foreseeable long-term psychological impairment.
    - (c) Obvious repulsion on the part of observers who cannot reconcile extreme procedures with acceptable, standard practice, for example: electric shock applied to the body; extremely loud auditory stimuli; forcible introduction of foul substances to the mouth, eyes, ears, nose, or skin; placement in a tub of cold water or shower; slapping, pinching, hitting, or pulling hair; blindfolding or other forms of visual blocking; unreasonable withholding of meals; eating one’s own vomit; or denial of reasonable access to toileting facilities.
  3. “Behavioral intervention” means the implementation of strategies to address behavior that is dangerous, disruptive, or otherwise impedes the learning of a student or others.
  4. “IEP” means a student’s Individualized Education Plan.
  5. “Isolation” means a behavior management technique in which a student is placed alone in an enclosed space from which the student is not prevented from leaving.
  6. “Law enforcement officer” means a sworn law enforcement officer with the power to arrest.
  7. “Mechanical restraint” means the use of any device or material attached or adjacent to a student’s body that restricts freedom of movement or normal access to any portion of the student’s body and that the student cannot easily remove.
  8. “Physical restraint” means the use of physical force to restrict the free movement of all or a portion of a student’s body.
  9. “School personnel” means:
    - (a) Employees of a local board of education:
    - (b) Any person working on school grounds or at a school function under a contract or written agreement with the public school system to provide educational or related services to students.
    - (c) Any person working on school grounds or at a school function for another agency providing educational or related services to students.
  10. “Seclusion” means the confinement of a student alone in an enclosed space from which the student is:
    - (a) Physically prevented from leaving by locking hardware or other means.
    - (b) Not capable of leaving due to physical or intellectual incapacity.
  11. “Time-out” means a behavior management technique in which a student is separated from other students for a limited period of time in a monitored setting.
- (c) Physical Restraint:
- (1) Physical restraint of students by school personnel shall be considered a reasonable use of force when used in the following circumstances:

- a. As reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person.
  - b. As reasonably needed to maintain order or prevent or break up a fight.
  - c. As reasonably needed for self-defense.
  - d. As reasonably needed to ensure the safety of any student, school employee, volunteer, or other person present, to teach a skill, to calm or comfort a student, or to prevent self-injurious behavior.
  - e. As reasonably needed to escort a student safely from one area to another.
  - f. If used as provided for in a student's IEP or Section 504 plan or behavior intervention plan.
  - g. As reasonably needed to prevent imminent destruction to school or another person's property.
- (2) Except as set forth in subdivision (1) of this subsection, physical restraint of students shall not be considered a reasonable use of force, and its use is prohibited.
  - (3) Physical restraint shall not be considered a reasonable use of force when used solely as a disciplinary consequence.
  - (4) Nothing in this subsection shall be construed to prevent the use of force by law enforcement officers in the lawful exercise of their law enforcement duties.
- (d) Mechanical Restraint:
- (1) Mechanical restraint of students by school personnel is permissible only in the following circumstances:
    - (a) When properly used as an assistive technology device included in the student's IEP or Section 504 plan or behavior intervention plan or as otherwise prescribed for the student by a medical or related service provider.
    - (b) When using seat belts or other safety restraints to secure students during transportation.
    - (c) As reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person.
    - (d) As reasonably needed for self-defense.
    - (e) As reasonably needed to ensure the safety of any student, school employee, volunteer, or other person present.
  - (2) Except as set forth in subdivision (1) of this subsection, mechanical restraint, including the tying, taping, or strapping down of a student, shall not be considered a reasonable use of force, and its use is prohibited.
  - (3) Nothing in this subsection shall be construed to prevent the use of mechanical restraint devices, such as handcuffs by law enforcement officers in the lawful exercise of their law enforcement duties.
- (e) Seclusion:
- (1) Seclusion of students by school personnel may be used in the following circumstances:
    - (a) As reasonably needed to respond to a person in control of a weapon or other dangerous object.
    - (b) As reasonably needed to maintain order or prevent or break up a fight.
    - (c) As reasonably needed for self-defense.
    - (d) As reasonably needed when a student's behavior poses a threat of imminent physical harm to self or others or imminent substantial destruction of school or another person's property.
    - (e) When used as specified in the student's IEP, Section 504 plan, or behavior intervention plan; and
      - 1. The student is monitored while in seclusion by an adult in close proximity who is able to see and hear the student at all times.
      - 2. The student is released from seclusion upon cessation of the behaviors that led to the seclusion or as otherwise specified in the student's IEP or Section 504 plan.
      - 3. The space in which the student is confined has been approved for such use by the local education agency.
      - 4. The space is appropriately lighted.
      - 5. The space is appropriately ventilated and heated or cooled.
      - 6. The space is free of objects that unreasonably expose the student or others to harm.
  - 2. Except as set forth in subdivision (1) of this subsection, the use of seclusion is not considered reasonable force, and its use is not permitted.
  - 3. Seclusion shall not be considered a reasonable use of force when used solely as a disciplinary consequence.
  - 4. Nothing in this subsection shall be construed to prevent the use of seclusion by law enforcement officers in the lawful exercise of their law enforcement duties.
- (f) Isolation. — Isolation is permitted as a behavior management technique provided that:
- 1. The space used for isolation is appropriately lighted, ventilated, and heated or cooled.
  - 2. The duration of the isolation is reasonable in light of the purpose of the isolation.
  - 3. The student is reasonably monitored while in isolation.
  - 4. The isolation space is free of objects that unreasonably expose the student or others to harm.

- (g) Time-Out. — Nothing in this section is intended to prohibit or regulate the use of time-out as defined in this section.
- (h) Aversive Procedures. — The use of aversive procedures as defined in this section is prohibited in public schools.
- (i) Nothing in this section modifies the rights of school personnel to use reasonable force as permitted under G.S. 115C-390 or modifies the rules and procedures governing discipline under G.S. 115C-391(a).
- (j) Notice, Reporting, and Documentation.
  - 1. Notice of procedures. — Each local board of education shall provide copies of this section and all local board policies developed to implement this section to school personnel and parents or guardians at the beginning of each school year.
  - 2. Notice of specified incidents:
    - (a) School personnel shall promptly notify the principal or principal’s designee of:
      - 1. Any use of aversive procedures.
      - 2. Any prohibited use of mechanical restraint.
      - 3. Any use of physical restraint resulting in observable physical injury to a student.
      - 4. Any prohibited use of seclusion or seclusion that exceeds 10 minutes or the amount of time specified on a student’s behavior intervention plan.
    - (b) When a principal or principal’s designee has personal knowledge or actual notice of any of the events described in this subdivision, the principal or principal’s designee shall promptly notify the student’s parent or guardian and will provide the name of a school employee the parent or guardian can contact regarding the incident.
  - 3. As used in subdivision (2) of this subsection, “promptly notify” means by the end of the workday during which the incident occurred when reasonably possible, but in no event no later than the end of following workday.
  - 4. The parent or guardian of the student shall be provided with a written incident report for any incident reported under this section within a reasonable period of time, but in no event no later than 30 days after the incident. The written incident report shall include:
    - (a) The date, time of day, location, duration, and description of the incident and interventions.
    - (b) The events or events that led up to the incident.
    - (c) The nature and extent of any injury to the student.
    - (d) The name of a school employee the parent or guardian can contact regarding the incident.
  - 5. No local board of education or employee of a local board of education shall discharge, threaten, or otherwise retaliate against another employee of the board regarding that employee’s compensation, terms, conditions, location, or privileges of employment because the employee makes a report alleging a prohibited use of physical restraint, mechanical restraint, aversive procedure, or seclusion, unless the employee knew or should have known that the report was false.
- (k) Nothing in this section shall be construed to create a private cause of action against any local board of education, its agents or employees, or any institutions of teacher education or their agents or employees or to create a criminal offense.

**Use of Pesticides: N.C.G.S. 115C-47(47)**

The Henderson County Public Schools Board of Education supports clean and safe facilities for its staff, students, and the public. To that end, the school system shall use an Integrated Pest Management (IPM) Program to prevent and control pest problems in school buildings and grounds, and minimize pesticide use. Integrated Pest Management is a comprehensive approach to pest management that combines biological, physical, chemical, and cultural tactics, as well as effective, economic, environmentally sound, and socially acceptable methods to prevent and solve pest problems that emphasizes pest prevention. (*Reference Policy 830*)

**Asbestos Hazard Emergency Response Act**

This notice is provided to you with information regarding the Asbestos Hazard Emergency Response Act (AHERA) Management Plan for the Henderson County Public Schools. AHERA is a provision of the Toxic Substance Control Act and was passed by Congress in 1986. It requires schools to "ensure that workers and building occupants, or their legal guardians, are informed at least once each school year about inspections, response actions, and post-response action activities, including periodic re-inspection and surveillance activities that are planned or in progress as well as the availability of the AHERA Management Plan for public review (§763.84(c)).

The AHERA Management Plan contains documents of the initial AHERA inspection, 6-month periodic Surveillances, Triennial re-inspections, employee training and Operations and Maintenance procedures.

If you have any questions regarding the AHERA Management Plan for this school district, you can contact Mr. Martin Ballard, Director of Facilities and Maintenance at 828-698-4421.

**Internet/Computer Acceptable Use**

The Henderson County Public School System believes that access to the Internet and other computer and informational services should be available to all students, faculty, and staff. The Internet and other computer and informational services offer vast, diverse, and unique resources that can educate and inform. The Internet and these other services have an important place as educational resources in school media centers and classrooms. In order to provide to our school community this resource in a manner consistent with the school district’s instructional mission, HCPS has established Policy #630, *Procedures for Acceptable Use of the Internet and Computer Resources*, which you



will find below. If a parent/guardian of a student does not wish the child to have access to the Internet, the individual shall send a letter to this effect to the school administrator on behalf of the student.

Electronic communication has provided students an opportunity to communicate virtually worldwide. Student communication via the Internet or “cyberspeech” shall not include threatening, pornographic, obscene, or vulgar language. The First Amendment never protects physical threats, defamation, obscenity, child pornography, or speech inciting others to imminent violence and unlawful conduct.

### **Policy 630 – ACCEPTABLE USE OF INTERNET AND COMPUTER RESOURCES**

It is the belief of the Henderson County Public School District that access to the Internet and other computer resources should be available to all students, faculty, and staff. The Internet, a network of networks, and other computer and information resources offer vast, diverse, and unique resources that can educate and inform. These resources have an important place as educational resources in our schools by facilitating information-sharing, innovation, and communication.

The Internet connects computers all over the world and millions of individuals. The Internet offers access to:

1. communication through electronic mail (e-mail);
2. information and news from various research institutions and organizations, such as NASA, as well as the opportunity to correspond with personnel at these sites;
3. discussion groups on an endless variety of topics;
4. many library catalogs, including universities and the Library of Congress;
5. opportunities for sharing of information and projects with peers in similar schools and situations; and
6. public domain software and shareware of all types.

The Internet is in a constant state of change, and it is difficult to predict what will be available from day to day. With access to the Internet, the possibility increases that material may be accessible that may not be considered to be of educational value in the context of the school setting. Just as the purchase, availability and use of media materials does not indicate an endorsement of their contents by school officials, neither does making electronic information available to students imply endorsement of that content. The Henderson County Public School District consistently takes strong precautions to restrict access to controversial materials; however, on a global network, it is impossible to control all materials and information. It is the belief of the Henderson County Public Schools that the valuable information and interaction available on the Internet are worthwhile, even though the possibility exists for access to materials which are not educationally appropriate.

Students, parents, and all school personnel must work together to ensure the efficient and appropriate use of the Internet and other computer network services. The effective and productive use of the network depends upon end users who practice etiquette, exhibit proper ethical and legal conduct and adhere to strict guidelines. If a computer user violates any of these guidelines, consequences may be imposed. These consequences include, but are not limited to, restriction or loss of network privileges.

This policy is available online to the public and the school community on the Henderson County Public Schools website and is also included in the Student Code of Conduct. Use of the network and computer resources shall indicate a commitment by each individual to the terms set forth. If a parent/guardian of a student or an employee does not wish to have access to the Internet, the individual shall send a letter to this effect to either the school principal on behalf of the student or, if an employee, to the Superintendent or his designee.

### **Henderson County Public Schools Internet And Computer Network Policies**

#### **Information Security Awareness**

Information Security Awareness is to ensure that employees and contractors are familiar with information technology security policies, standards and procedures. School administrators shall lead by example by establishing a climate that gives information security a high priority in all current and future activities and initiatives.

Henderson County Public Schools shall provide regular and relevant information security awareness communications to all staff in multiple formats. All employees and contractors shall be provided with security awareness information to enhance awareness and to educate them regarding the range of information technology security threats and appropriate safeguards.

#### **Acceptable Use**

Acceptable use of the Internet and computer network involves engaging in activities which support education and research and are consistent with the educational purposes and objectives of HCPS. All use of any other organization’s network or computing resources accessed through the Internet must comply with the rules established for that network. Transmission of any material in violation of any United States or state regulation is prohibited. This includes, but is not limited to, copyrighted material, threatening, profane, or obscene material, and material protected by trade secret. All Henderson County Public School copyright guidelines are to be adhered to in regards to acceptable use of internet and computer network. Any use of the network for commercial or for-profit purposes, for product advertisement, or political lobbying is prohibited. Personal use that generates an additional cost, or inhibits the function of the network, is prohibited. All private business is prohibited.

To the extent practical, steps shall be taken to promote the safety and security of users of the Henderson County Public School computer network when using electronic mail, chat rooms and other forms of direct forms of communication.

When posting websites for any and all educational and work-related postings or communications with students, all employees are required to host official staff websites on the HCPS web server. Staff may use other HCPS-approved online tools with the understanding that the staff member who utilizes one of these approved tools will be held responsible for ensuring only educational use and work-related postings or communications with students. The superintendent, or his designee, may use any means available to request the removal or de-activation of any HCPS approved online tool that has a negative impact on the educational environment or is being used for non-work-related communications.

Employees are to maintain an appropriate relationship with students at all times. Having a public personal website, a public personal blog, or an online profile is considered a form of direct communication with students. Therefore, employees should block students from viewing any material or profiles that are not age appropriate. Any employee found to have created and/or posted inappropriate content on a website or profile that has a negative impact on the educational environment or as it relates to working with students will be subject to discipline, up to and including dismissal. This section applies to all employees, volunteers, and student teachers working for or in the Henderson County School System.

#### **Privileges**

The use of the Internet and other computer networks and resources is a privilege, not a right, offered to persons associated with the Henderson County Public School District. Employee e-mail addresses shall be considered public information and, upon request, shall be made available to parents and members of the public for legitimate educational purposes. Misuse and/or violation of established policies may result in consequences, including, but not limited to, suspension, restriction, or cancellation of user privileges. The administration, faculty, and staff of the Henderson County Public School District may request the superintendent, or designee, to deny, revoke, or suspend specific user accounts, and the superintendent, or designee, may close an account at any time, as warranted. Any decision to restrict, or revoke, access to the Internet may be appealed to the superintendent, or designee. The Henderson County Public School District has a process in place for determining the appropriateness of information/materials.

#### **Education, Supervision and Monitoring**

It shall be the responsibility of all members of the Henderson County Public School staff to educate, supervise and monitor appropriate usage of the computer network and access to the Internet in accordance with this policy, the Children's Internet Protection Act (CIPA) and the Protecting Children in the 21st Century Act.

Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Senior Director for Technology or designated representatives.

Files stored on the HCPS server, electronic mail, and other uses of the school system's network are not private and may be subject to inspection and/or monitoring. Users of the internet/intranet are hereby informed that there can be no expectation of privacy, as designated district staff reserves authority to monitor and examine all system activities to insure their proper use. Messages related to, or in support of, illegal activities may be reported to the authorities and may result in consequences including, but not limited to, suspension, the loss of use privileges, termination of employment, or suspension/expulsion from school.

#### **Virus Protection**

The purpose of virus protection is to protect district computers, data, and networks against viruses and other destructive programs. Files downloaded to district computers might potentially harbor computer viruses, Trojan horses, logic or time bombs, worms or other destructive programs (collectively, "virus" or "viruses"); therefore, all downloaded files must be scanned for such viruses. Virus detection programs and practices shall be implemented throughout the district. Guidelines exist to ensure that all computer users know and understand safe computing practices. The Technology Department will ensure that district computers and networks have current software on their network to prevent the introduction or propagation of computer viruses and that district users perform frequent backups on sensitive data files.

#### **Remote Access**

Henderson County Public Schools' computer systems, networks and data repositories are critical resources and must be protected against unauthorized access, malicious access, and disruption of service. Authorized users may be permitted to connect remotely to systems, networks and data repositories for the conduct of business only through secure, authenticated and carefully managed access methods. Authorized users of such systems must take every precaution to prevent compromising confidential data. Such precautions include, but may not be limited to, proper user identifications and passwords, as well as securing the actual device used for access. Hardware used to access these systems must have the latest security software and patches, including antivirus, anti-spyware, and anti-adware with up-to-date definition files.

#### **Network Etiquette**

All network users are expected to follow the generally accepted rules of network etiquette. These rules include, but are not limited to, the following:

- a. Be polite. Do not get abusive in your messages to others.
- b. Use appropriate language. Do not swear, use vulgarities, or any other inappropriate language. Illegal activities are prohibited.
- c. Hate mail, harassment, cyberbullying (harassing others repeatedly with the intent to harm or bully using a digital format), discriminatory remarks and other antisocial behaviors are prohibited.
- d. Do not reveal your personal information, addresses, or phone numbers, or those of other students or colleagues.
- e. Remember that your electronic mail may not be private. The system administrator of HCPS, or designee, operates the system and has access to all mail. Messages relating to, or in support of, illegal activities may be reported to authorities and may result in the loss of user privileges and /or termination of employment.
- f. Do not use the network in a way that may disrupt the use of the network for others. Network users are not to intentionally seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users on the network.
- g. Users should practice discretion regarding the handling of information and communications accessible through the network.

#### **Warranties/Issues of Liability**

The Henderson County Public School District makes no warranties of any kind, whether expressed or implied, for the service it provides, nor will the District be responsible for any damages a user suffers. This includes damage or loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions caused by the Henderson County Public Schools' negligence or by the user's negligence, errors/omissions; or by technical or other difficulties. Use of any information obtained through the Internet is at the user's own risk. The Henderson County Public School District specifically denies any responsibility for the accuracy or quality of information obtained through its services. All users need to consider the validity of that information.

#### **Security**

Security on any computer system or network is a high priority. Toward that end, the Henderson County Public School District uses a filtering software that denies access to material that is obscene, that is child pornography or any other types of pornography, and that is harmful to minors (including access to inappropriate information and electronic communication). Do not use another individual's account number, or password, without written permission from the individual. Each user must protect his/her password and account number to ensure system security and to maintain use privileges. Attempts to log on to the Internet as the system administrator, or designee, may result in consequences, which include, but may not be limited to, revocation of privileges, suspension/expulsion employment termination, and notification of authorities. Any user identified as a security risk, or possessing a history of problems with other computer systems, may be denied access to the Internet. Network users have a duty to report to the building principal, the system administrator, or designee, knowledge of any security problems, or security breach, on the Internet and other computer networks. Do not demonstrate the problem to other users. The Henderson County Public School District reserves the right to temporarily or permanently remove a user account on the network for any reason, or no reason at all.

#### **Vandalism and Harassment**

Vandalism and harassment will result in cancellation of privileges.

- a. Vandalism is defined as any malicious attempt to harm, disrupt, degrade or destroy equipment, software or system performance. This includes system files or data of another user, the system or school computer systems, Internet, or any of the agencies or other networks that are connected to the Internet backbone. No use of the network shall serve to disrupt the use of the network by others. Hardware or software shall not be destroyed, modified, or abused in any way.
- b. Harassment is defined as the persistent annoyance of another user or the interference of another user's work. Harassment includes, but is not limited to, sending unwanted mail, cyberbullying, and inappropriate social network communication. Hate mail, discriminatory remarks, or language that offends or degrades others is not permitted and must be reported to the building principal, system administrator, or designee.
- c. Malicious use of the network to develop programs that harass other users or infiltrate a computer or computing system and/or damage the software components of a computer or computing system is prohibited. This includes, but is not limited to, uploading or creating computer viruses.

#### **Controversial Material**

Users may encounter material which others may consider inappropriate or offensive. On a global network, it is impossible to control completely the content of data, and an industrious user may discover controversial material. It is the user's responsibility not to initiate access to such material or to download, upload, store, or print files or messages that are profane, obscene, or that use language that offends or degrades others. Use of the network to access or process pornographic material, inappropriate text files, or files dangerous to the integrity of the local area network is prohibited. Any decision by the Henderson County Public School District to restrict access to Internet material shall not be deemed to impose any duty on the District to regulate the content of material on the Internet.

### **Public Records**

Users are advised that all material in whatever form in the school system's network may be considered a public record within the meeting of Chapter 132 of the General Statutes of North Carolina, commonly known as the Public Records Act. Under the Public Records Act all material is considered the property of the people of the State of North Carolina, which may be inspected, copied, used, republished, and otherwise made public.

Users are further advised that public records may not be destroyed, altered, defaced, or mutilated, and that doing so may result in conviction of a criminal misdemeanor.

Users are also advised that denying any person access to public records can result in a civil lawsuit requiring disclosure and the payment of fees and costs.

### **Parental Involvement**

The Henderson County Public Schools believe that parental involvement is vital in the education of our youth and has adopted School Board Policy #300-Parental Involvement. The policy is set out below verbatim for your information.

#### **PARENTAL INVOLVEMENT**

The Henderson County Public School District values the children it serves. HCPS believes that it is essential for a cooperative effort to exist between the schools and its parents. Meaningful involvement by all parents in the education of the children has a positive impact on student achievement, and our schools are committed to ensuring a cooperative climate.

Henderson County Public Schools will comply with the requirements contained within the "No Child Left Behind Act" of 2001 and the Elementary and Secondary Educational Act of 2001, Title I, section 1118(2) regarding parental involvement. The Henderson County Public Schools believe that the term "parental involvement" means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, ensuring the following:

- that parents play an integral role in assisting their child's learning;
- that parents are encouraged to be actively involved in their child's education;
- that parents are full partners in their child's education and are included, as appropriate, in the decision making and on advisory committees to assist in the education of their child; and
- that the school district engages in activities to support parental involvement in the Title I programs and other programs throughout the district.

HCPS will inform and involve parents throughout the school year. Some examples include, but may not be limited to, school open houses, PTO meetings, Title I activities, and other special occasions during the day and evening, parent conferences, report cards, interim reports and standardized achievement results. Publications will be generated and dispersed, and every effort will be made to ensure that written and oral information is presented to parents in a language and form that parents can understand. Henderson County Public Schools will utilize the school district web site, school web sites and the Alert-Now notification system to enhance communications with parents. A Superintendent-Parent Advisory Committee will meet on a regular basis. Schools will be centers of the community.

### **Parental Information for Title I Schools**

The following schools in this District receive federal funding through Title I: Atkinson, Bruce Drysdale, Clear Creek, Dana, Edneyville, Etowah, Fletcher, Hendersonville, Hillandale, Glenn C. Marlow, Mills River, Sugarloaf and Upward Elementary Schools. These funds are used to provide supplemental instruction to students who are in need of assistance in the area of reading and, on occasion, in the area of mathematics. Our goal is to provide early intervention to struggling learners.

Federal guidelines require that school districts provide a process by which parents may request the qualifications of their child's teacher, insuring that the teacher meets Highly Qualified standards. As a parent of a student in a Title I school, you have the right to know the following information:

1. Whether the teacher has met state qualifications for the grade levels and subject areas in which the teacher provides instruction;
2. Whether the teacher is teaching under emergency or other provisional status through which state qualifications have been waived;
3. The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree;
4. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

To request this information, please contact Mr. Matt Gruebmeier at 828-697-4733.

## **Free or Reduced School Lunch**

A Free or Reduced Lunch Application form will be sent home with your child at the beginning of the school year. Please complete the form and return it to your child's teacher or the Cafeteria Manager. To access the Free or Reduced Lunch Application online, please [click here](#). You will be notified if your child(ren) qualifies for free or reduced meal prices. All information is strictly confidential.

**These Annual Public Notices have been adopted and approved by the Board of Education and are a supplement to existing Board of Education policy. To the extent that a conflict exists between these Annual Public Notices and existing board policy, these Annual Public Notices shall control. The Superintendent has the authority to amend these Annual Public Notices from time to time in conformity with existing laws.**

### **Conclusion**

The Henderson County Public Schools system is committed to providing a quality education within a safe and orderly environment so that every student in the school system can attend a school or school activity which is safe and secure, which promotes non-violence and is conducive to learning. We encourage you to communicate with the teachers and administrators at your child's school. With cooperation and support we can make a positive difference for every student.

**CLB /FERPA Opt-Out Letter**  
**Henderson County Public Schools**

If you wish to restrict the disclosure of your student's directory information, please check all boxes that apply and return to your child's school.

The *No Child Left Behind Act of 2001* requires schools to release a secondary student's name, address, and phone number to military recruiters and institutions of higher education unless the student or his parent requests in writing that such information be withheld. In addition, the *Family Educational Rights and Privacy Act* (FERPA) gives parents (or students, if 18 years of age or older) the authority to prohibit schools from disclosing any or all directory information by providing notification in writing.

Please consider this letter notice of the following:

As parent, I hereby exercise my right to request that you do not disclose the name, address, or telephone number of the following student to:

Military recruiters

Institutions of higher education

As a secondary student, I hereby exercise my right to request that you do not disclose my name, address, or telephone number to:

Military recruiters

Institutions of higher education

As parent, I hereby exercise my right under FERPA to request that you do not disclose any directory information for the following student for any purpose, except: [List directory information or purposes that you do permit, if any].

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As a student 18 years of age or older, I hereby exercise my right under FERPA to request that you do not disclose any of my directory information for any purpose, except: [List directory information or purpose that you do permit, if any].

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Student Name: \_\_\_\_\_ Grade \_\_\_\_\_  
*Please print*

Name of School: \_\_\_\_\_  
*Please print*

\_\_\_\_\_  
*Signature of Parent* \_\_\_\_\_  
Date

\_\_\_\_\_  
*Signature of Student (if 18 years of age or older)* \_\_\_\_\_  
Date

*It is the policy of the Henderson County Public School System not to discriminate on the basis of race, color, ethnic origin, sex, religion, age, genetic information, veteran status, or disability in its educational programs, activities, or employment policies.*

## **Mission Statement**

*Henderson County Public Schools will provide all students the opportunity to learn and the encouragement to succeed in a safe environment. We will honor the individual and nurture the potential of all children.*

## **Vision Statement**

*Every student will achieve success and graduate as a life-long learner, globally competitive, prepared for career, college, and life.*

## **Core Values**

*We are here for the children we serve.*

- *We value each child.*
- *We value the development of the whole child.*
- *We value a safe, supportive, and caring learning environment.*
- *We value respect, honesty, and integrity.*
- *We value the commitment of quality employees.*
- *We value effective learning through high-quality instruction.*
- *We value the pursuit of excellence.*

## **Strategic Plan**

**Goal I:** *100% of schools will meet or exceed expected growth, student achievement will increase by 5 percentage points as indicated by all state assessments, and Henderson County Public Schools will meet all Annual Measurable Objective targets.*

*Objective A: Close the performance gap between Limited English Proficient/Exceptional Children students and all students by 5 percentage points.*

*Objective B: Increase math achievement in 5th grade and in Math I by 5 percentage points.*

*Objective C: Increase English II achievement by 5 percentage points.*

**Goal II:** *Every student will be taught by highly qualified and highly effective teachers, staff, and administrators as measured by Educator Value Added Assessment System growth and/or composite student learning data.*

*Objective A: 100% of teachers, staff and administrators will participate and implement learning from Professional Development based on stakeholder and student learning data.*

*Objective B: Henderson County Public Schools will recruit, promote and retain (95%) of highly effective professional educators.*

*Objective C: Henderson County Public Schools will provide engaging technology tools and services to support the development of highly effective educators and college and career ready students.*

**Goal III:** *100% of Henderson County Public Schools will provide an environment that is safe and conducive to learning as measured by the AdvancED survey, the North Carolina Teacher Working Conditions survey, school based discipline data and locally developed surveys.*

*Objective A: 100% of School Improvement Plans will include a safe schools goal related specifically to their individual needs.*

*Objective B: 100% of Henderson County Public Schools will annually review and update, as needed, school safety plans and procedures in accordance with the Henderson County Public Schools Documentation Report.*

## **Guiding Principle**

*The success of a child is the result of a collaborative partnership of school, child, parents and community.*

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**It is the policy of the Henderson County Public School System not to discriminate on the basis of race, ethnic origin, sex, or disability in its educational programs, activities, or employment policies.**