
Student Code of Conduct & Annual Notifications

2024-2025



[Apple Valley Middle](#) - [Atkinson Elementary](#)
[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](#) - [HCPS Career Academy](#)

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

828-697-4733

www.HCPSNC.org

Henderson County Public Schools

Central Office

Mr. Mark Garrett, *Superintendent*

Dr. Shannon Marlowe, *Assistant Superintendent for Instructional Services*

Mr. Scott Rhodes, *Assistant Superintendent for Human Resources*

Mr. Carl Taylor, *Chief Administrative Officer*

Mr. Bernie Sochia, *Chief Finance Officer*

Principals

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Mark Page, <i>Atkinson Elementary</i>	697-4755
Kirbey Farley, <i>HCPS Career Academy</i>	697-4629
Jason Joyce, <i>Bruce Drysdale Elementary</i>	697-5568
Dena Wolfe, <i>Clear Creek Elementary</i>	697-4760
Amy Cleveland, <i>Dana Elementary</i>	685-7743
Brandon Scott, <i>East Henderson High</i>	697-4768
Andrew VunCannon, <i>Edneyville Elementary</i>	685-7600
Amanda Childers, <i>Etowah Elementary</i>	891-6560
Brent Stepp, <i>Flat Rock Middle</i>	697-4775
Matthew Haney, <i>Fletcher Elementary</i>	684-0580
John Hart, <i>Glenn C. Marlow Elementary</i>	654-3225
Kirbey Farley, <i>HCPS Early College</i>	697-4561
Carolyn Henderson, <i>Hendersonville Elementary</i>	697-4752
Laura Bruegger, <i>Hendersonville High</i>	697-4802
Joni Allison, <i>Hendersonville Middle</i>	697-4800
Katie Bradley, <i>Hillandale Elementary</i>	697-4782
Chad Auten, <i>Mills River Elementary</i>	891-6563
John Shepard, <i>North Henderson High</i>	697-4500
John McDaris, <i>Rugby Middle</i>	891-6566
Ashley Newcomer, <i>Sugarloaf Elementary</i>	697-4600
Michael Gates, <i>Upward Elementary</i>	697-4764
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Title IX Coordinator Information

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Henderson County Public Schools	1
Central Office	1
Student Behavior Guidelines	4
Disclaimer	4
Admission To The Henderson County Public Schools District	4
Reassignment Information	5
Attendance	5
Attendance Requirements for Credit and Promotion	6
Role of Teachers and Administrators In School Safety and Student Discipline	6
Principal Responsibilities – Powers and Duties of the Principal (G.S. § 115C-288)	6
Duties of Teachers (G.S. § 115C-307 (a)) To Maintain Order and Discipline	7
School Personnel May Use Reasonable Force (G.S. § 115C-390)	7
Parent Responsibilities	7
Student Responsibilities	7
Concerns or Complaints	7
Searches of Students, Students’ Possessions and Lockers	8
Medication	8
Prohibition of Gangs and Gang Activities	8
Assault or Violence Directed Toward Any Student or School Employee	9
Threatening Acts	9
Hazing, Harassment or Bullying	9
Sexual Harassment/Sexual Offenses	10
Disruptive Behavior	10
Reckless or Belligerent Behavior Which Might Result in Bodily Harm	10
Weapons	10
Bomb Threat, Engaging a Fire Alarm, or Hoax (False 911 Calls)	11
Terrorist Threats	11
Drugs and Alcohol	11
Sale or Distribution of Drugs	12
Cutting Class, Leaving School Grounds Without Permission, Truancy	12
Possession of Inappropriate/Obscene/Pornographic Material	12
Smoking or Use of Tobacco or Tobacco Products	12
Unauthorized Entry to a School Building or School Property	13
Theft, Vandalism and Damage to Property	13
Distribution of Non-School Materials	13
Motorized Vehicles on School Grounds	13

Dress Code	13
Electronic Devices/Cellular Telephones	14
Chromebook Expectations	15
Chromebook Support Information	16
Chromebook User Agreement	16
Chromebook Damage Fees and Information	16
Suggested Precautions for General Chromebook Use	17
Extortion	17
Violations of North Carolina Criminal Statutes	17
Cheating and Plagiarism	17
Student Bus Conduct	18
Use of Videotape Recorders on School Buses	18
Non-Discrimination Statement	19
Dropout Prevention/Driver's License Legislation	19
Lose Control, Lose Your License Legislation	20
Athletic Guidelines (Reference Board Policy 470)	20
Athletic Participation	20
Eligibility	20
Attendance	21
Scholastic Requirements	21
Medical Examination	21
Eight Semester Rule	21
Age of Player	21
Dressing for a Game or Practice	21
Practice Time	22
Sportsmanship	22
Student-Athlete Conduct	22
In School Suspension (ISS), Out of School Suspension (OSS)	22
Tobacco Products, Alcoholic Beverages, Illegal Drugs & Controlled Substances	23
Tobacco	23
Alcoholic Beverages, Illegal Drugs, and Controlled Substances	23
Criminal Violations of Local, State and Federal Laws.	23
Review Procedure for Drugs and Alcohol Violation	24
Quitting	24
Hazing and Initiations	24
Appendices	24
A. Definition of Terms	24

B. Due Process Procedures for Long-Term Suspension and/or Expulsion	26
C. Disciplinary Suspension of Students with Disabilities	28
D. Corporal Punishment	29
Annual Public Notices	29
Information and Media Opt-Out	30

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 Schools 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/she is eligible for readmission at his/her 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. The Henderson County Public School System reserves the right to place any transferring student into an alternative educational setting 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. (Reference [Board Policy #4120](#))

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.

- **Applications** – All Henderson County Public Schools will have applications available. The application will also be available on the website, www.HCPSNC.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 1st through April 30th for first semester, and October 1st through October 31st 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 2023-2024 school year, the annual fee is \$2,280.00. 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 4400](#))

Attendance Requirements for Credit and Promotion

- Elementary Schools
Elementary students may only have a maximum combined total of fourteen (14) excused and unexcused absences in a school year.

- Middle Schools
Middle School students may only have a maximum combined total of fourteen (14) excused and unexcused absences per school year.

- High Schools
 - a. Semester-Long Courses
High School students in semester-long courses may only have a maximum combined total of five (5) excused and unexcused absences per semester per class.
 - b. Year-Long Courses
High School students in year-long courses may only have a maximum combined total of ten (10) excused and unexcused absences per class.

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/her. 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/her 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/her actions. Each student is responsible for knowing all regulations and policies, which may affect him/her, 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

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. (Reference [Board Policy 1742/5060](#))

Searches of Students, Students' Possessions and Lockers

School officials have the authority to conduct reasonable searches of students and to seize students' unauthorized materials for the purposes of maintaining a safe, orderly environment and upholding standards of conduct established by the board or school. Any searches or seizures must be conducted in accordance with the standards described in [Board Policy 4342](#) and any other applicable legal requirements. This policy applies to searches conducted on school grounds, in school facilities, or at school-sponsored events.

A student or the student's possessions may be searched when a school official has reasonable suspicion that the search will turn up evidence that the particular student has violated or is violating a specific law or school rule. School officials may search a student's desk, locker, motor vehicle, and/or personal effects, including but not limited to purses, book bags, and outer clothing. Other searches may occur, which include but are not limited to, metal detectors and trained dogs (canines).

A student's failure to cooperate with a reasonable search or seizure as provided in this policy will be considered a violation of the expected standard of behavior, and will subject the student to appropriate consequences.

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 4325](#))

Prohibition of Gangs and Gang Activities

Gangs and gang-related activities are prohibited within Henderson County Public Schools (Reference [Board Policy 4328](#)). 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. The violence and crime that accompany gangs pose a serious threat to the safety of students and employees of the school system. Even absent acts of violence or crime, the existence of gang-related activity within the schools creates an atmosphere of fear and hostility that obstructs student learning and achievement.

Conduct prohibited includes:

1. wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs, or other items with the intent to convey membership or affiliation in a gang;
2. communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.) with the intent to convey membership or affiliation in a gang;
3. tagging, or otherwise defacing school or personal property with symbols or slogans intended to convey membership or affiliation in a gang;
4. requiring payment of protection or insurance or otherwise intimidating or threatening any person related to gang activity;

5. inciting others to intimidate or to act with physical violence upon any other person related to gang activity;
6. soliciting others for gang membership; and
7. committing any other illegal act or other violation of school system policies in connection with gang-related activity.

Before receiving disciplinary consequences for a violation of (1) or (2), above, a student shall receive an individualized warning as to what item or conduct is in violation of this policy and shall be permitted to immediately change or remove any prohibited items.

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 4300.](#))

Assault or Violence Directed Toward Any Student or School Employee

Students are prohibited from assaulting, physically injuring, attempting to injure, or intentionally behaving in such a way as could reasonably cause injury to any other person (Reference [Board Policy 4331](#)). Any student who commits the above violation, shall be suspended (OSS) by the principal for 5-10 days. The principal may recommend 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.

Threatening Acts

Students are prohibited from directing toward any other person any language that threatens force, violence, or disruption, or any sign or act that constitutes a threat of force, violence, or disruption (Reference [Board Policy 4331](#)). Any student who commits the above violation is subject to a short-term suspension, long-term suspension, or even expulsion, depending on the seriousness of the act.

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 [Board Policy 4329/7311](#). Any violation of [Board Policy 4329/7311](#) 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.

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 s/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, 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. (Reference [Board Policy 1725/4035](#))

Disruptive Behavior

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. Any student who commits the above violation is subject to being assigned ISS or suspended OSS depending on the circumstances. (Reference [Board Policy 4315](#))

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). Any student who commits the above violation is subject to being assigned ISS or suspended OSS depending on the circumstances. (Reference [Board Policy 4333](#))

Weapons

Students are prohibited from possessing, handling, using, or transmitting, whether concealed or open, any weapon or any instrument that reasonably looks like a weapon or could be used as a weapon (Reference [Board Policy 4333](#)). Any student who commits the above violation shall be suspended (OSS) by the principal for 5-10 days. The principal may recommend 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. As required by law, a student who brings or possesses a firearm or destructive device on school property or at a school-sponsored event must be suspended for 365 days, unless the superintendent modifies, in writing, the required 365-day suspension for an individual student on a case-by-case basis.

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 (Reference [Board Policy 4333](#)). 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 Threats

Students are prohibited from making a terrorist threat or perpetrating a terrorist hoax by:

- a. threatening to commit an act of mass violence on school property or at a school system event, regardless of whether the student intends to or has the means to carry out the threat;
- b. making a report, knowing or having reason to know the report is false, that an act of mass violence is going to occur on school property or at a school system event;
- c. making a report, knowing or having reason to know the report is false, that a device, substance, or material designed to cause harmful or life-threatening injury to another person is located on school system property or at a school system event; or
- d. concealing, placing, disseminating, or displaying on school system property or at a school system event any device, substance, or material, so as to cause a reasonable person to believe the same to be a weapon of mass destruction or to be intended to cause harmful or life-threatening illness or injury to another person.

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. (Reference [Board Policy 4333](#))

Drugs and Alcohol

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. (Reference [Board Policy 4325](#))

Sale or Distribution of Drugs

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 an alternative educational setting for the first semester of the next school year. (Reference [Board Policy 4325](#))

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 [Board Policy 3225/4312/7320](#) regarding the responsible use of technology and [Board Policy 3226/4205](#) regarding internet safety for additional policies regarding this behavior.

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 on the school grounds or in any facility. Henderson County Public Schools and grounds are "tobacco free." (Reference [Board Policy 4320](#)) 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

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. Any student who commits the above violation is subject to being assigned ISS or suspended OSS depending on the circumstances. (Reference [Board Policy 4330](#))

Theft, Vandalism and Damage to 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. Any student who commits the above violation is subject to being assigned ISS or suspended OSS depending on the circumstances. (Reference [Board Policy 4330](#))

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. (Reference [Board Policy 5210](#))

Motorized Vehicles on School Grounds

No motorized vehicles (motor bikes, motor scooters, motorcycles, go-karts, 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 that distract other students, interfere with the classroom participation of other students, or present a health or safety hazard. If a student's dress is distracting, disruptive to the school climate, or detrimental to his/her 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

Students are permitted to possess cellular phones and other wireless devices on school property so long as the devices are not activated, used, displayed, or visible during the instructional day or as otherwise directed by school rules or school personnel. Wireless communication devices include, but are not limited to, cellular phones, electronic devices with internet capability, paging devices, two-way radios, and similar devices. Students are personally and solely responsible for the security of their wireless communication devices. The school system is not responsible for the theft, loss, or damage of a cellular phone or other personal wireless communication device.

Teachers and administrators may authorize individual students to use the devices for instructional purposes, provided that they supervise the students during such use. Although use generally is permitted before and after school, use of cellular phones and other wireless communication devices may be prohibited on school buses when noise from such devices interferes with the safe operation of the buses. In addition, elementary and middle school students who participate in after-school programs are prohibited from using wireless communication devices during such programs.

School employees may immediately confiscate any wireless communication devices that are on, used, displayed, or visible in violation of this policy. School administrators may, at their discretion, confiscate wireless communication devices and return confiscated devices only to the student's parent/guardian. Seized wireless communication devices may be turned over to law enforcement if school administrators have reasonable suspicion that a crime or other unlawful act has been committed or may be maintained by school officials if the item is needed for a disciplinary due process hearing. (Reference [Board Policy 4318](#))

Violations of this policy may result in the student being assigned ISS or suspended OSS depending on the circumstances.

Chromebook Expectations

This information applies to the use of all Chromebooks owned by Henderson County Public Schools (HCPS). Students are expected to follow these guidelines when using any Chromebook owned by HCPS. All Chromebooks owned by HCPS are district property provided to students for a period of time as deemed appropriate by the HCPS administration. District Chromebooks are to be used as a productivity tool for school-related business, curriculum enhancement, research, and communications. Students will act in accordance with applicable HCPS Board of Education Policies, when using the District's Chromebook computers, electronic devices and accessories.

As a student, parent and/or guardian of the Henderson County Public Schools computer network and recipient of a Henderson County Public Schools' Chromebook, I acknowledge understanding and hereby agree to comply with the HCPS Board of Education Policies "***Technology Responsible Use: 3225/4312/7320***" and "***Internet Safety: 3226/4205***". To review Board Policies, visit bit.ly/HCPSpolicy. I understand that my use of a Chromebook is subject to the Student Code of Conduct and all other policies, procedures and guidelines of the Henderson County Public Schools.

Students must comply with and agree to the following conditions prior to being issued a Chromebook and Charger:

- Students must NOT attempt to install software, hardware, or change the system configuration, including network settings (except for connecting to a wireless network) on any equipment assigned to the student without prior consultation with the HCPS Technology Department.
- Students who take HCPS Chromebook devices home must bring a fully charged device each day to school.
- Students are expected to prevent damage and theft to all District electronic equipment assigned to them.
- Students are held personally and monetarily responsible for any loss or damage caused by intentional vandalism or negligence concerning assigned district electronic devices.
- Students will not be held responsible for manufacturing defects or technical problems resulting from regular school-related use.
- Students must provide access to any equipment and/or accessories they have been assigned upon the District's request.
- HCPS administrative staff and faculty reserve the right to collect and/or inspect Chromebooks at any time, including electronic remote access to the Chromebook. Teachers, school administrators, and the Technology Department staff may use monitoring software that allows them to view the screens and activity on student Chromebooks.
- The Chromebook operating system, ChromeOS, updates automatically.
- HCPS utilizes an Internet content filter that is in compliance with the federally mandated Children's Internet Protection Act (CIPA).
- In the past, students have been allowed to bring their own devices, but moving forward, all students are required to use an HCPS-provided Chromebook on campus.
- After repeated times of not bringing the assigned Chromebook to and from school or after repeated damage, the administrator may require a student to be a "day user". If a

student is designated a “day user” the student will pick up their assigned device or a temporarily loaned device from the designated area in the morning and return it at the end of each day.

- Students without a completed Chromebook User Agreement must also be a “day user”.

Chromebook Support Information

- The first point of contact for support is the student’s teacher or the school’s Media Specialist.
- Chromebooks must be returned immediately when a student transfers out of HCPS, is expelled, or terminates enrollment for any reason.
- Any repairs that need to be made on the Chromebook should be completed by HCPS and not an outside party.
- All activity on the Chromebook and district-issued email account, whether conducted at school or off-site, are subject to search by the district.

Chromebook User Agreement

All families will be provided with a Chromebook User Agreement on an annual basis to complete. This agreement goes over the expectations of use, fee schedule, and insurance information for the school year. Completion of this agreement allows the student to have the ability to take the device home as needed in conjunction with school procedures on students taking devices home. Agreements must be signed by both a parent/guardian and the student. Students without agreements returned will be “day users” and will still be subject to the fee schedule (<http://hcpsnc.org/cbfees>). The Chromebook User Agreement can be completed at <http://hcpsnc.org/cbform>, or paper copies can be obtained from the school.

Chromebook Damage Fees and Information

- There is no annual technology fee.
- Chromebooks deemed lost or having non-repairable damage will incur a device replacement fee, dependent on the model issues to the student. Specific device replacement fees can be located on the HCPS Chromebook Repair Fee Schedule page of the website (<http://hcpsnc.org/cbfees>).
- Chromebooks with repairable damage will incur a fee equal to the cost of parts required to complete the repair documented in the CPS Chromebook Repair Fee Schedule page (<http://hcpsnc.org/cbfees>), not to exceed the cost of the device replacement fee.
- Families may purchase optional accidental device damage insurance to mitigate the financial liability of fees described above in scenarios where a valid insurance claim can be filed. This insurance is offered through a third party, School Device Coverage, and must be purchased within 30 days of receiving a device. For more information on accidental device damage insurance, please visit hcpsnc.org/cbinsure.
- “Day users” of Chromebooks can still purchase accidental device damage insurance.
- Regardless of insurance status or Chromebook User Agreement completion, students and families may be held financially liable for loss or damage caused to HCPS Chromebooks.

Suggested Precautions for General Chromebook Use

- Do not place drinks or food in close proximity to your Chromebook.
- Extreme temperatures or sudden changes in temperature can damage a Chromebook. Do not leave your Chromebook in a vehicle.
- Chromebooks must remain free of any writing, drawing, stickers, and labels (unless added by HCPS staff).
- When using your Chromebook, keep it on a flat, solid surface. This will allow air to circulate through it. For example, using a Chromebook directly on a bed can cause damage due to overheating.
- When charging a Chromebook, always keep it plugged into a surge protector.
- Chromebooks must never be left unattended in any unsupervised area.
- Always transport Chromebooks with care with the screen closed, never lifting them by the screen. When transporting to and from school, Chromebooks should be zipped into the provided case for added protection, even if it is in a backpack.
- To clean the Chromebook, please use a microfiber cloth. DO NOT spray anything onto the Chromebook.
- All students should recognize and guard their personal and private information. While on the Internet, students shall not reveal personal information, including a home address or phone number, or the address or phone number of other students.

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 lose their privilege to ride the bus based on their behavior. The following are possible disciplinary actions:

- Conference with the parent, legal guardian, or legal custodian.
- Assigned seat on the bus.
- Assignment to ISS or OSS, at the discretion of the school administrator.
- Students 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 a 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 Board 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 North Carolina High School Athletic Association (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.

Eligibility

- All students must be eligible prior to dressing or participating in any interscholastic contests.
- Sixth grade students may participate in any sport except football.
- 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

- All student-athletes must meet the Henderson County Public Schools promotion standards.
- A student-athlete, upon first entering the 9th grade, is academically eligible for competition on high school teams.
- A student-athlete, upon first entering the 6th grade, is academically eligible for competition on middle school teams.
- 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 9th 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 six consecutive semesters, beginning with the student's first entry into 6th grade.

Age of Player

- No student may be approved for any athletic contest if his 19th birthday comes on or before August 31st of that school year at the high school level.
- A student shall not participate on a 6th, 7th or 8th grade team if his/her 15th birthday comes on or before August 31st 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 Sportsman/Ejection Policy.

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 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 the following section.

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.

- 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.
- 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.
- 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 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.*
- *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 s/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/her rights during the hearing:

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

Annual Public Notices

Information and Media Opt-Out

In the past, HCPS parents/guardians used a district-specific "Information & Media Opt-Out Form" to opt out of sharing certain student directory information, which is their right under the federal Family Educational rights and Privacy Act (FERPA). (Reference [U.S. Department of Education](#))

Beginning with the Fall 2021 semester, HCPS eliminated its district-specific form since the N.C. Department of Public Instruction has standardized the student directory opt-out procedures across North Carolina school districts through PowerSchool's Parent Portal.

For the 2022-2023 school year, all "opt outs" in HCPS will be informed by parent and guardian answers to the required Parent Portal screening questions. (Reference: www.HCPSNC.org/parents/opt-out-info)

Answering "No" to the ParentPortal screening Question 1: "Do you grant permission to allow directory information for non-commercial purposes?" will exclude your child's directory information (including name and photo) from use in all of the following:

- School yearbooks
- Media coverage of school activities / student awards
- School / district newsletters
- School / district social media
- Published honor roll lists
- Published graduation announcements and lists
- StudentAccess library service through HCPS

Parents/guardians will be prompted to indicate their preferences in the Parent Portal at the beginning of each school year, and may update those preferences at any time. Parents/guardians

without Parent Portal access should contact their school's data manager to create a Parent Portal account, or request a paper copy of the NCDPI screening questions.

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.

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