

The following list of rules for Pamlico County Schools is provided as guidance for students, parents, teachers and administrators. This cannot be an all-inclusive list; however, administrators shall use their discretion in dealing with all specific behavior that violates the principles set forth in this policy. Consideration is to be given to the student's cognitive and developmental ability to appreciate the significance of his/her behavior and to assume responsibility for behavior.

Circumstances and degrees of involvement could mitigate an otherwise serious offense or make an otherwise minor offense more serious. The disciplinary measures specified in this Code shall be considered guidelines applicable to most cases. Particular facts and circumstances may justify a sanction that is more or less severe than the specified disciplinary measure, except as otherwise required by law. **A student who violates more than one section of this Code may be subject to more severe disciplinary action than is specified for any single violation. (It is expected that any subsequent infraction will build upon disciplinary actions of previous infractions.)**

Each school staff will establish the need for acceptable social conduct. Each school staff will cooperatively develop a good school climate and positively directed rules and regulations, including a continuum of disciplinary consequences.

- Schools will operate under existing federal, state, local and Board regulations.
- Discipline is the responsibility of all personnel.
- Principals will assign all authority roles.
- Teachers and principals will develop procedures for communications concerning disciplinary action taken.

When a school official learns or reasonably believes that any student has violated any Board or school policy, rule or regulation that may also be a criminal violation of the laws of the United States or the State of North Carolina, he shall determine whether it is necessary or appropriate to report such violation to the proper law enforcement agency. In such cases, school officials shall cooperate fully with the law enforcement agency; however, internal disciplinary proceedings shall proceed independently from the criminal investigation and prosecution.

**As required by G.S. § 115C-288(g), the principal shall immediately report to the appropriate local law enforcement agency when the principal has personal knowledge or actual notice from school personnel that any of the following acts has occurred on school property:**

1. Assault resulting in serious personal injury (defined in G.S. §14-32.4);
2. Assault involving the use of a weapon (defined in G.S. §14-32 through 14-34.9);
3. Sexual assault (defined in G.S. §14-27.5A and 14-33(c)(2));
4. Sexual offense (defined in G.S. §14-27.4 through 14-27.5 and 14-27.7A);
5. Rape (defined in G.S. §14-27.2 through 14-27.3 and 14-27.7A);
6. Kidnapping (defined in G.S. §14-39);
7. Indecent liberties with a minor (defined in G.S. §14-202.1, 14-202.2 and 14-202.4);
8. Possession of a firearm in violation of the law (defined in G.S. §14-269.2);
9. Possession of a weapon in violation of the law (defined in G.S. §14-269.2);
10. Possession of a controlled substance in violation of the law (defined in the North Carolina Controlled Substances Act in Article 5 of G.S. §90-86 through 90-113.8);

Willful failure to make the required reports of the above acts may subject the principal to dismissal or demotion. **In addition to those that are specifically spelled out in North Carolina General Statutes all larcenies, extortion as well as extortion attempts, robbery (armed or common law), hate crimes, stalking, possession of any explosive or incendiary device or arson/attempted arson should be immediately reported to law enforcement officials. The superintendent's office shall be notified.**

This policy pertains to all students in the Pamlico County Schools while they are on the campus of any school in the Pamlico County School System, while they are participating in any activity sponsored by the Pamlico County Schools, while they are being transported in a vehicle owned or operated by the Pamlico County Schools, while they are awaiting pick-up at a bus stop, while going to or from a bus stop, in route to and from school or a school-sponsored activity, while they are representing Pamlico County Schools in any way, or while students are off campus if the student's conduct has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the school, or the safety of individuals in the school environment. In circumstances where student behavior indicates that the student's continued presence in the school constitutes a clear threat to the safety of employees or other students, a student may be suspended or expelled regardless of where the acts and conduct occur.

Students have the responsibility to comply with the rules of their individual school and the school system to pursue the prescribed courses of study and to submit to the lawful authority of teachers or school officials and the law. **Students will also be subject to random searches for weapons or contraband in accordance with state and federal law.**

**In any case where out-of-school suspension is utilized, a parental conference with the principal and/or teacher(s) will be scheduled prior to the student's re-entry into school.** Parents are to be notified concerning any rule violation and should be informed of all out-of-school suspensions by phone if at all possible. If parents are not available by phone, a letter should be mailed in a timely manner. All rule infractions will be retained in the Pamlico County PowerSchool Database.

## **CLASS I**

### **RULE 1 CLASSROOM AND EXTRACURRICULAR DISRUPTION OR DISTRACTION—LASER POINTERS OR SIMILAR DEVICES PROHIBITED**

The act of disruption or distraction which affects the normal education process or interferes with any school extracurricular activity, including, but not limited to, interrupting the class, provoking other students or talking excessively. Laser pointers are prohibited. If a student uses a laser pointer, or similar devices, in a way that reasonably could or does cause physical harm, the laser pointer may be considered a dangerous instrument and the student may be charged with the violation of assault. See Rules 25, 26, and 29.

FIRST OFFICE REFERRAL: Verbal warning up to two (2) days in-school suspension.

SECOND OFFICE REFERRAL: Up to five (5) days in-school suspension. Special circumstances may warrant up to 2 days out-of-school suspension.

THIRD & SUBSEQUENT OFFICE REFERRAL(S): Up to three (3) days out-of-school suspension. Special circumstances may warrant suspension for remainder of the year.

### **RULE 2 BEING IN UNAUTHORIZED AREAS**

Students shall not be in unauthorized areas during the school day.

FIRST OFFENSE: Up to one (1) day in-school suspension.

SECOND OFFENSE: Up to three (3) days in-school suspension or up to two (2) days out-of-school suspension.

THIRD OFFENSE: Up to five (5) days in-school suspension or up to five (5) days out-of-school suspension.

### **RULE 3 SKIPPING (TRUANCY) SCHOOL ALL DAY OR ASSIGNED CLASSES DURING SCHOOL DAY**

Students shall be on campus and in their assigned classes unless they have been authorized to be elsewhere by authorized personnel.

FIRST OFFENSE: Up to three (3) days in-school suspension. (Punishment may include but is not limited to before or after school detention, or lunch detention.)

SECOND AND SUBSEQUENT OFFENSE(S): Up to five (5) days in-school suspension, loss of driving privileges.

### **UNEXCUSED TARDIES TO SCHOOL OR ASSIGNED CLASSES**

It is imperative that students realize and recognize the importance of arriving at school on time and being punctual to class on a daily basis. Habits formed in school often determine habits after school. Punctuality is a habit that should be cultivated, practiced and endorsed.

### **TARDY TO SCHOOL OR CLASS: (Grades K-8)**

The administration and teachers must be active in calling parents any time a child is absent. It should be stressed that good attendance will usually mean good grades. When appropriate, schools may also utilize lunch detention, before or after school detention, possible revocation of a student transfer if applicable, suspension of extracurricular opportunities, or in-school suspension as a means to emphasize the importance of attendance. **Schools shall not use out-of-school suspensions as punishment for being tardy to school.** Other methods of dealing with students who are tardy to school should also be explored by each school.

### **TARDY TO SCHOOL OR CLASS: (Grades 9-12)**

- Students tardy to school will check in at the office and be issued a pass.
- Teachers will refer students who are tardy to class to an administrator.

FIRST OFFENSE (1 –5 Tardies): Up to one (1) day in-school suspension (ISS) (day/period)

SECOND OFFENSE ( 5 – 10 Tardies): Up to two (2) days ISS and possible loss of driving privileges

THIRD OFFENSE (10+ Tardies): Up to three (3) days ISS, loss of driving privileges, mandatory parent conference

## **RULE 4 NON-COMPLIANCE WITH DIRECTIONS OF TEACHERS AND OTHER SCHOOL PERSONNEL OR PROVIDING FALSE INFORMATION**

Students shall comply with all lawful directions of teachers, substitute teachers, teacher assistants, student teachers and any other authorized school personnel during any period in which they are subject to school authority. **At no time shall a student provide false information to a teacher or staff member.**

FIRST OFFENSE: Up to two (2) days out-of-school suspension.

SECOND OFFENSE: Up to five (5) days out-of-school suspension based on the severity of the offense. Additional community service duties, such as picking up trash from the grounds, etc., may be assigned.

THIRD AND SUBSEQUENT OFFENSE(S): Up to ten (10) days out-of-school suspension.

## **RULE 5 INAPPROPRIATE APPEARANCE OR CLOTHING**

Appearance or clothing which is disruptive, provocative, indecent, vulgar, obscene, or which advertises illegal drugs or displays obnoxious or indecent signs, symbols or drawings, or which endangers the health or safety of the student or others is prohibited. Articles of clothing, which are patently offensive to race, creed, color, or sex will not be permitted.

See Pamlico County Schools Policy 6402 for complete School Dress Code.

**The school dress code also applies any time a student is participating in a school event, in the school library, and when being transported on a school bus.**

### **1<sup>st</sup> Offense**

Student will be asked to correct the inappropriate attire while at school or parent will be called to come to the school and replace the unacceptable clothing. If parents are unable to come immediately, student will be required to wear available alternate clothing provided by the school for the remainder of the day.

### **2<sup>nd</sup> Offense**

Any further offenses will result in disciplinary action as deemed appropriate by the principal.

## **RULE 6 CHEATING/INTEGRITY**

Students shall not cheat on tests/examinations, not copy the work of another student nor assist a student who is attempting to copy his/her work, nor plagiarize work, nor complete in a dishonest or deceptive manner, any type of academic assignment.

FIRST OFFENSE: Teacher conference with administration, student and parent(s) and a grade of zero (0) for assignment.

SECOND OFFENSE: Up to three (3) days in-school suspension and a grade of zero (0) for assignment.

THIRD OFFENSE: Up to three (3) days out-of-school suspension and a grade of zero (0) for assignment will be given.

## **RULE 7 INAPPROPRIATE INTERPERSONAL BEHAVIOR**

Inappropriate public displays of affection or indecent exposure, as determined by school personnel, are not allowed. Examples are, but are not limited to, kissing, inappropriate touching, mooning, etc.

FIRST OFFENSE: Conference with students and parent(s). Up to two (2) days in- school suspension. Extremely inappropriate acts may result in out-of-school suspension for the remainder of the school year.

SECOND OFFENSE: Up to four (4) days in-school suspension or up to two (2) days out-of-school suspension. Extremely inappropriate acts may result in out-of-school suspension for the remainder of the school year.

THIRD OFFENSE: Up to five (5) days out-of-school suspension. Extremely inappropriate acts may result in out-of-school suspension for the remainder of the school year.

## **RULE 8 BUS MISBEHAVIOR**

Students shall not engage in any type of behavior that interferes with the safe and efficient operation of the school bus and/or the safety of persons riding in the bus. Students at all times while riding a school bus or other school vehicle shall observe the directions of the school bus driver. **TO BE ALLOWED TO RIDE THE BUS IS A PRIVILEGE AND SHOULD BE TREATED AS SUCH.** All students are required to remain on their assigned bus during the entire bus trip with the exception of changing buses to continue their route or in an emergency situation.

FIRST OFFENSE: Conference with student and parent contact. Up to three (3) days suspension from riding the bus.

SECOND OFFENSE: Up to five (5) days suspension from riding the bus.

THIRD OFFENSE: Suspension from riding bus for up to 10 days.

SUBSEQUENT OFFENSE: Students may be suspended from riding the bus for the remainder of school year.

## **RULE 9 USE OF TOBACCO PRODUCTS**

Students **shall not use or possess** any type of tobacco products or electronic smoking devices, including electronic cigarettes, vaporizers, and other electronic smoking devices, whether or not they contain tobacco or nicotine, on school property during the time school is open for the school day or for any supervised school activities, or when being transported to and from school in a school financed vehicle. (This includes school-sponsored events such as dances, field trips, athletic functions, etc. or while participating or being under the direct supervision of a school staff member.) This policy is in effect for any Pamlico County student on any campus of the Pamlico County Schools.

For the purpose of this policy, the term “tobacco product” means any product that contains or is made or derived from tobacco and is intended for human consumption. “Use” of tobacco products includes, but is not limited to, smoking, chewing, or dipping.

**FIRST OFFENSE:** Up to three (3) days out-of-school suspension. Confiscate products. **Loss of driving privileges for one semester.**

**SECOND OFFENSE:** Up to five (5) days out-of-school suspension. Confiscate products. **Loss of driving privileges for one year.**

**THIRD OFFENSE:** Fourth violation of this rule may result in out-of-school suspension for remainder of year. **Loss of driving privileges for one year.** Confiscate products.

## **RULE 9A USE OF WIRELESS COMMUNICATION OR ELECTRONIC DEVICES**

Wireless Communication or Electronic Devices may include: Personal Entertainment Devices, Cell Phones, Pagers, Two-Way Radios, CD/MP3 Players, Electronic Game Players or Games, Media Players, and Similar Devices, etc.

Wireless Communication or Electronic Devices will not be used during class time and need to be turned off or silent. Teachers may direct the use of Wireless Communication or Electronic Devices during class if the use is of an educational purpose related to the North Carolina Curricular Standards. Students may use Wireless Communication or Electronic Devices outside of class time, as designated by Administration for specific times and locations, provided it does not violate any sections of the Student Code of Conduct.

**Any wireless communication or electronic devices used inappropriately, displayed, or possessed in the “on” position will be confiscated.** Confiscated devices will be labeled by student names and the date confiscated.

At the end of the confiscation period, the device(s) will be returned to the parent/guardian.

**1<sup>ST</sup> OFFENSE:**

Pre-K-5 Warning, confiscate device and contact parent

6-12 Warning, confiscate device and contact parent.

**2ND OFFENSE:**

Pre-K-5 Confiscate device and require parent conference. Device will be returned to parent at conference

6-12 Confiscate device for three (3) days and return device to parent.

At the principal's discretion, continued violation of this rule could result in violation of rule 4, Non-Compliance with Directions of Teachers and Other School Personnel or Providing False Information.

**SUBSEQUENT OFFENSES:**

Pre-K-5 Confiscate device for (5) days and require parent conference. Parent will retrieve device at conference.

6-12 Confiscate device for 5 days and require parent conference. Parent will retrieve device at conference. Student can be assigned up to (10) days in school suspension.

**NOTE:** If the student has inappropriately used the Wireless Communication or Electronic device, the incident may be forwarded to law enforcement to determine if a crime has been committed.

Principals may authorize individual students to possess and/or use for personal purposes wireless communication devices if, in the opinion of the principal, there is a reasonable need for such communication.

Pamlico County Schools is not liable for any personal Wireless Communication or Electronic Device that may be stolen, lost or damaged.

**CLASS II**

**RULE 10 INSULTING, DISRESPECTFUL, ABUSIVE, PROFANE, OBSCENE WORDS, SIGNS, GESTURES, AND OTHER ACTS**

Students shall not direct insulting, abusive, profane, obscene words, signs, gestures, and other acts toward other students, visitors, school employees, and other persons.

**FIRST OFFENSE:** Up to five (5) days out-of-school suspension.

**SECOND OFFENSE:** Up to ten (10) days out-of-school suspension.

THIRD OFFENSE: Up to full period of long-term suspension. Long-term suspension shall not be used unless the principal determines that aggravating factor(s) raise a violation of this provision from a minor offense to a major offense.

#### **RULE 11 SEXUAL HARASSMENT**

Students shall not direct unwelcome sexual advances, requests for sexual favors, or other inappropriate oral, written, or physical conduct of a sexual nature to another student. Harassing conduct that is not sexual in nature but is directed against another student based on his or her gender is also prohibited. All students must be allowed to learn and work in an environment free from such harassment. **Law enforcement officials may be notified.**

FIRST OFFENSE: Up to five (5) days out-of-school suspension.

SECOND OFFENSE: Up to ten (10) days out-of-school suspension.

THIRD OFFENSE: Up to full period of long-term suspension.

#### **RULE 12 GAMBLING**

Students shall not participate in any form of gambling or games of chance/skill for money and/or other items of value.

FIRST OFFENSE: Up to five (5) days in-school suspension.

SECOND OFFENSE: Up to three (3) days out-of-school suspension.

THIRD OFFENSE: Up to ten (10) days out-of-school suspension.

#### **RULE 13 INAPPROPRIATE USE OF COMPUTERS/INTERNET/EMAIL/NETWORK/ETC.**

Students shall not violate the Pamlico County Public Schools Appropriate Internet Use Policy (5451)

FIRST OFFENSE: Up to five (5) days in-school suspension and loss of technology privileges.

SECOND OFFENSE: Up to three (3) days out-of-school suspension and possible loss of technology privileges.

THIRD OFFENSE: Up to ten (10) days out-of-school suspension and possible loss of technology privileges.

### **CLASS III**

Class III rules refer to student behaviors which are disruptive to the educational process and may have the potential for physical injury to others. In cases in which these behaviors are violations of North Carolina General Statutes, **involvement of law enforcement officers will be required.**

#### Required Suspension of Driver's Permit Or License

General Statute 20-11 requires a student's driver's permit or license to be suspended one year by the Department of Motor Vehicles if a student is given an expulsion/suspension for more than 10 consecutive days or an assignment to an alternative educational setting for more than 10 consecutive days for one of the following reasons:

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 firearm or destructive device that resulted in disciplinary action under G.S. 115C-390.10 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 school personnel on school property.

Violations of Class III offenses shall be considered on their own set of facts and circumstances. Appropriate punishment shall be determined by the principal, superintendent, and the school board where appropriate. **The punishment set out under each Rule for first or second offenses is a guideline only. Any punishment, including expulsion of a student over 14 years of age, may be warranted in the circumstances, even for first offenses. Expulsion will be appropriate provided that the school board determines that the student's continued presence at school threatens the safety of other students or school staff. The expulsion process in Policy 6517 shall apply.**

### **RULE 14 TRESPASSING**

Students shall not willfully enter or remain in any school structure, conveyance or property without having been **authorized or invited**, nor refuse to depart after being directed to leave by **authorized** personnel. **Law enforcement may be notified based on the severity of the act.**

- No student shall be on the campus of another school in the Pamlico County Schools during the school day without the knowledge and consent of the officials of the school he is visiting.
- Students who loiter at any school after the close of the school day without specific need or supervision will be considered trespassers and may be prosecuted if they do not leave when instructed to do so.

- Any student who has been suspended from school may be considered trespassing if he appears on school property during the suspension period without the express permission of the principal.

FIRST OFFENSE: Up to ten (10) days out-of-school suspension depending on severity of the act. Special circumstances may warrant out-of-school suspension for the remainder of school year.

SECOND OFFENSE: Up to full period of long-term suspension.

#### **RULE 15 MAKING AND/OR POSSESSING FIRECRACKERS OR SIMILAR DEVICES**

Students shall not make or possess firecrackers or similar pyrotechnic, explosive, incendiary, or smoke-creating devices. **Law enforcement and parents shall be notified. For powerful explosives, see Rule 30.**

FIRST OFFENSE: Up to five (5) days out-of-school suspension. Special circumstances may warrant out-of-school suspension for remainder of school year. Confiscate device.

SECOND OFFENSE: Confiscate device. Up to full period of long-term suspension.

#### **RULE 16 EXPLODING FIRECRACKERS OR IGNITING SIMILAR DEVICES**

Students shall not explode firecrackers or ignite pyrotechnic, explosive, incendiary, or other smoke-creating devices. **Law enforcement and parents shall be notified. For powerful explosives, see Rule 30.**

FIRST OFFENSE: Confiscate device. Up to ten (10) days out-of-school suspension. Special circumstances may warrant suspension for the remainder of the school year.

SECOND OFFENSE: Confiscate device. Up to full period of long-term suspension.

#### **RULE 17 POSSESSION OR USE OF MARIJUANA, NARCOTICS, STIMULANTS, DEPRESSANTS, ALCOHOLIC BEVERAGES, ANY OTHER UNAUTHORIZED OR ILLEGAL SUBSTANCE OR DRUG PARAPHERNALIA, AND COUNTERFEIT FORM OF SAID SUBSTANCES**

Students shall not possess or use marijuana, narcotics, stimulants, depressants, counterfeit form of an illegal substance, alcoholic beverages or any other unauthorized or illegal substance or drug paraphernalia. Prohibited substances include any synthetic substances that are listed on the schedules of controlled substances including but not limited to synthetic cannabinoids (K2 or Spice), MDPV (synthetic cocaine), MDPK (MTV, Magic, Maddie,

Super Coke, PV) or Mephedrone (M4, meph, drone, MCAT). **Law enforcement and parents shall be notified.**

FIRST OFFENSE: Confiscate substance. Up to ten (10) days out-of-school suspension with a minimum of five (5) days required if student is allowed to return during current school year. Special circumstances may warrant suspension for remainder of the year. Active involvement in a substance abuse/chemical dependency program if student is allowed to return to school.

SECOND OFFENSE: Confiscate substance. Up to full period of long-term suspension.

**RULE 18 SALE, DELIVERY, OR DISTRIBUTION OF MARIJUANA, NARCOTICS, STIMULANTS, DEPRESSANTS, ALCOHOLIC BEVERAGES, AND ANY OTHER UNAUTHORIZED OR ILLEGAL SUBSTANCE, DRUG PARAPHERNALIA OR COUNTERFEIT FORM OF SAID SUBSTANCES**

Students shall not sell, deliver, or distribute marijuana, narcotics, stimulants, depressants, counterfeit form of an illegal substance, alcoholic beverages, or any other unauthorized or illegal substance or drug paraphernalia. Prohibited substances include any synthetic substances that are listed on the schedules of controlled substances including but not limited to synthetic cannabinoids (K2 or Spice), MDPV (synthetic cocaine), MDPK (MTV, Magic, Maddie, Super Coke, PV) or Mephedrone (M4, meph, drone, MCAT). **Law enforcement and parents shall be notified.**

Confiscate substance. A student who sells, delivers, or distributes marijuana, narcotics, stimulants or any other unlawful or unauthorized substance, drug paraphernalia or counterfeit form of such substance may be suspended up to full period of long-term suspension. (Special circumstances may warrant expulsion.)

**RULE 19 MAJOR DISRUPTION OF THE SCHOOL ENVIRONMENT (INCITING OR PARTICIPATING IN A STUDENT DISORDER; i.e. riots, walk outs, sit-ins, assaults, etc.)**

Students shall not lead, participate in, or encourage others to participate in major group disruptions, which adversely affect the educational process. **Law enforcement and parents shall be notified.**

FIRST OFFENSE: Minimum five (5) days out-of-school suspension, up to out-of-school for remainder of school year.

SECOND OFFENSE: Up to full period of long-term suspension.

## **RULE 20 PARTICIPATION IN A GANG OR GANG ACTIVITY THAT DISRUPTS THE NORMAL SCHOOL ENVIRONMENT**

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, color, or symbols. Conduct prohibited includes:

- Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs or other items with intent to convey membership or affiliation in any gang;
- Communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.) with the intent to convey membership or affiliation in a gang;
- Tagging, or otherwise defacing school or personal property with symbols or slogans intended to convey membership in or affiliation with a gang;
- 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.

**Law enforcement and parents shall be notified.**

FIRST OFFENSE: Minimum five (5) days out-of-school suspension, up to out-of-school for remainder of school year.

SECOND OFFENSE: Up to full period of long-term suspension.

## **RULE 21 UNJUSTIFIED ACTIVATION OF A FIRE ALARM OR MAKING A FALSE REPORT OF AN EMERGENCY**

Students shall not activate any fire alarm unless authorized to do so by school employees, or unless there are reasonable grounds for the student to believe an actual emergency condition exists. At no time shall a student call in or in any other manner communicate a false report concerning a bomb, other explosive device, or any emergency situation. **Law enforcement and**

parents shall be notified.

FIRST OFFENSE: Up to ten (10) days out-of-school suspension. Special circumstances may warrant out-of-school suspension for the remainder of the school year.

SECOND OFFENSE: Up to full period of long-term suspension.

**BOMB HOAXES:**

**THE BOARD OF EDUCATION MAY LONG-TERM SUSPEND ANY STUDENT WHO, BY ANY MEANS OF COMMUNICATION TO ANY PERSON OR GROUP OF PERSONS, MAKES A REPORT, KNOWING OR HAVING REASON TO KNOW THE REPORT IS FALSE, THAT THERE IS LOCATED ON EDUCATIONAL PROPERTY OR AT A SCHOOL SPONSORED ACTIVITY OFF EDUCATIONAL PROPERTY ANY DEVICE DESIGNED TO DESTROY OR DAMAGE PROPERTY BY EXPLOSION, BLASTING, OR BURNING, OR WHO, WITH INTENT TO PERPETRATE A HOAX, CONCEALS, PLACES, OR DISPLAYS ANY DEVICE, MACHINE, INSTRUMENT, OR ARTIFACT ON EDUCATIONAL PROPERTY OR AT A SCHOOL-RELATED ACTIVITY ON OR OFF EDUCATIONAL PROPERTY, SO AS TO CAUSE ANY PERSON REASONABLY TO BELIEVE THE SAME TO BE A BOMB OR OTHER DEVICE CAPABLE OF CAUSING INJURY TO PERSONS OR PROPERTY. UPON CONVICTION, THE COURTS MUST REVOKE THE PERMIT OR LICENSE OF A PERSON UNDER THE AGE OF 18 PER G.S. 20-13.2. STUDENTS AND PARENTS MAY BE HELD RESPONSIBLE FOR ACTUAL COMPENSATORY AND CONSEQUENTIAL DAMAGES RESULTING FROM THE DISRUPTION OR DISMISSAL OF SCHOOL OR THE SCHOOL-SPONSORED ACTIVITY.**

**RULE 22 FIGHTING AMONG STUDENTS**

Students shall not fight other students. If a student is a victim of a sudden, unprovoked attack or fight, he/she may defend himself/herself long enough to disengage from fighting to report it to an appropriate school official. **Students who instigate fights will be subject to the same consequences as those who are actually involved in fighting. Law enforcement may be contacted at the discretion of the principal or his/her designee and parents shall be notified.** If the fight results in injury, see Rule 26.

FIRST OFFENSE: Up to ten (10) days out-of-school suspension.

SECOND OFFENSE: Up to ten (10) days out-of-school suspension. Special circumstances may warrant out-of-school suspension for the remainder of the school year.

THIRD OFFENSE: Up to full period of long-term suspension. Long-term suspension will not be used for minor physical altercations that do not involve weapons or injury unless the principal determines that aggravating factors justify treating the altercation as a serious offense.

### **RULE 23 EXTORTION**

Students shall not obtain through verbal or physical threats, coercion, or intimidation anything of value (personal property, money or information) from any other student or school employee. **Law enforcement and parents shall be notified.**

FIRST OFFENSE: Up to five (5) days out-of-school suspension. Special circumstances may warrant out-of-school suspension for the remainder of the school year.

SECOND OFFENSE: Up to full period of long-term suspension.

NOTE: FULL RESTITUTION WILL BE SOUGHT.

### **RULE 24 THEFT, ROBBERY, BURGLARY OR DAMAGE TO SCHOOL OR PERSONAL PRIVATE PROPERTY OR POSSESSION OF STOLEN PROPERTY**

Students shall respect school property and the personal property of other students, school employees, and other persons. Students shall not steal, rob, attempt to burn or convert school property and property of any other person or entity, nor cause damage to such property. **Law enforcement and parents shall be notified.**

FIRST OFFENSE: Up to five (5) days out-of-school suspension. (Special circumstances may warrant out-of-school suspension for the remainder of the school year.)

SECOND OFFENSE: Up to ten (10) days out-of-school suspension. (Special circumstances may warrant out-of-school suspension up to full period of long-term suspension).

THIRD OFFENSE: Up to full period of long-term suspension.

NOTE: FULL RESTITUTION WILL BE SOUGHT.

**RULE 25 VERBAL OR PHYSICAL ASSAULT (INCLUDING THREATS) OR PHYSICAL INJURY TO SCHOOL PERSONNEL (THIS INCLUDES INJURY TO REAL OR PERSONAL PROPERTY)**

Students shall not cause, attempt to cause or threaten to cause injury or harm to school employees, volunteers or visitors, or their property. Use of a laser pointer or similar device in a way that reasonably could or does cause harm or injury will be considered a violation of this rule. **Law enforcement shall be notified if there is a serious injury or at the discretion of the principal. Parents should be notified.**

FIRST OFFENSE: Up to full period of long-term suspension. (Special circumstances may warrant expulsion).

**RULE 26 VERBAL OR PHYSICAL ASSAULT OR PHYSICAL INJURY TO STUDENTS**

Students shall not cause, attempt to cause or threaten to cause damage to property, physical or bodily injury to another student or her/his property. Use of a laser pointer or similar device in a way that reasonably could or does cause harm or injury will be considered a violation of this rule. Law enforcement shall be notified if there is a serious injury or at the discretion of the principal. **Parents should be notified.**

FIRST OFFENSE: Up to ten (10) days out-of-school suspension. (Special circumstances may warrant out-of-school suspension for the remainder of the school year.)

SECOND OFFENSE: Up to full period of long-term suspension. Long-term suspension shall not be used for minor physical altercations unless the principal determines that aggravating circumstances make the offense a serious violation. (Special circumstances may warrant expulsion.)

**RULE 27 HAZING**

Students shall not commit any act of hazing. Hazing is defined as follows: "To subject another student to physical injury as part of an initiation, or a prerequisite to membership, into any organized school group, including any society, athletic team, fraternity or sorority, or similar group." Any student who aids or abets hazing shall be disciplined as a principle actor. **Law enforcement and parents shall be notified. Law enforcement notification is mandatory.** Hazing could result in criminal conviction.

FIRST OFFENSE: Up to ten (10) days out-of-school suspension. (Special circumstances may warrant expulsion.)

SECOND OFFENSE: Up to full period of long-term suspension. (Special circumstances may warrant expulsion.)

## **RULE 28 BULLYING, HARASSMENT AND DISCRIMINATION**

Bullying, harassment, and discrimination are prohibited in the Pamlico County schools. The Pamlico County schools and staff shall not tolerate any bullying, harassment, or discrimination on school property and grounds or at any school activity on or off campus. A student shall not bully, harass or discriminate against another student, a staff member, a volunteer or any other person.

Bullying, harassment and discrimination are defined in policy 3037/4037/8337, Prohibition of Bullying, Harassment and Discrimination. Students who have been subjected to bullying, harassment or discrimination shall report the behavior to the school principal or other person designated by that policy.

Retaliation against any person for reporting bullying, harassment, or discrimination is prohibited and is considered a violation of this Rule 28.

Any violation of this policy is considered a serious violation and appropriate action will be taken in response to a violation.

### **Consequences for Grades K-12**

- **FIRST OFFENSE:** Up to ten (10) days out-of-school suspension. (Special circumstances may warrant expulsion.)
- **SECOND OFFENSE:** Up to full period of long-term suspension. (Special circumstances may warrant expulsion.)

## **RULE 29 WEAPONS AND/OR OTHER DANGEROUS INSTRUMENTS**

Students shall not possess, handle, transmit or conceal any weapon (as defined by NC General Statute 14-269.2) or any other instrument that could cause bodily harm or be used to threaten bodily harm. Use of a laser pointer or similar device in a way that reasonably could or does cause harm or injury will be considered a violation of this rule. **Law enforcement and parents shall be notified.**

### **POSSESSION OF FIREARMS OR DESTRUCTIVE DEVICES SHALL BE GOVERNED BY RULE 30.**

A "weapon" includes any loaded or unloaded firearm, including a gun, pistol, or rifle; fireworks or explosives, including a bomb, grenade, or mine;

ammunition; knife, including a pocket knife, bowie knife, switchblade, dirk, or dagger; or other weapon, including a slingshot, slungshot, leaded cane, blackjack, metal knuckles, BB gun, air rifle, air pistol, stun gun or other electric shock weapon, ice pick, razor or razor blade (except solely for personal shaving), or any sharp pointed or edged instrument except unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance; or a facsimile of a gun, incendiary device, or other object that can reasonably be considered a weapon or dangerous instrument.

No student shall knowingly or willfully cause, encourage, or aid any other student to possess, handle, or transmit any of the weapons or facsimiles of weapons listed above.

FIRST OFFENSE: Confiscate weapon or device. Up to ten (10) days out-of-school suspension. (Special circumstances involving an assault may warrant out-of-school suspension for up to full period of long-term suspension)

SECOND OFFENSE: Confiscate weapon or device. Up to full period of long-term suspension.

### **RULE 30 POSSESSION OF FIREARMS OR DESTRUCTIVE DEVICES**

Students shall not bring to school or possess, handle, transmit or conceal any firearm or destructive device. **Law enforcement and parents shall be notified**.

For purposes of this rule, a "firearm" and "destructive device" have the meaning set out in G.S. 115C-390.1(b)(5) and (8) respectively, and include:

- Any gun, rifle, pistol, or other firearm of any kind, except for a BB gun, stun gun, air rifle or air pistol; and
- Any dynamite cartridge, bomb, grenade, mine, or powerful explosive, except for fireworks.

This section shall not apply to pupils who are members of the Reserve Officer Training Corps and who are required to carry arms or weapons in the discharge of their official class duties; nor does this section apply to weapons used in school-approved instruction or ceremonies.

If a student brings a weapon to school or possesses a weapon at school; confiscate firearm or weapon. Out-of-school suspension for 365 days (a calendar year) pursuant to GS 115C-390.10. However, the superintendent shall not impose a 365-day suspension if the superintendent determines that the student:

1. Took or received the firearm or destructive device from another person on educational property or at a school-sponsored event off educational property or found the firearm or destructive device on educational property or at a school-sponsored event off educational property;
2. Delivered or reported the firearm or destructive device as soon as practicable to a law enforcement officer or a school employee; **and**
3. Had no intent to use the firearm or destructive device in a harmful or threatening way.

### **RULE 31 SEXUAL ASSAULT, SEXUAL OFFENSES, ETC.**

Students shall not commit any sexual offense, sexual assault or take indecent liberties with any students or any person. **Law enforcement and parents shall be notified.**

FIRST OFFENSE: Up to ten (10) days out-of-school suspension. (Special circumstances may warrant out-of-school suspension up to full period of long-term suspension or expulsion.)

SECOND OFFENSE: Up to full period of long-term suspension. (Special circumstances may warrant expulsion.)

### **RULE 32 OTHER NORTH CAROLINA CRIMINAL STATUTES AND LOCAL ORDINANCES NOT PREVIOUSLY COVERED**

Students shall not violate any North Carolina Criminal Statute or local ordinances not previously covered. A student convicted of a felony or serious misdemeanor may be recommended for expulsion from Pamlico County Schools. (Any plea of nolo contendere or the entry of a "prayer for judgment" shall be deemed as a conviction for the purposes of this policy.) Law enforcement officials shall be notified.

FIRST OFFENSE: Up to ten (10) days out-of-school suspension. (Special circumstances may warrant out-of-school suspension for the remainder of the school year and or exclusion from all extracurricular activities.)

SECOND OFFENSE: Up to full period of long-term suspension.

Legal Reference:G.S. 14-269.2; 20-11, -13.2; 115C-288, -390.5 through -390.11

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