



# **DARE COUNTY SCHOOLS**

## **CODE OF STUDENT CONDUCT AND ANNUAL PARENTAL NOTIFICATION**

**2020-2021**

## VISION

*Our vision inspires us to work towards a possible future:*

**Together we are building extraordinary schools.**

## MISSION

*Our mission explains the purpose of our schools and our work:*

**Dare County Schools will empower every student to be an innovative problem solver and engaged global citizen.**

## CORE VALUES

*Our core values set the tone for our district's culture. These values shape our actions and lead us towards the path of achieving our vision. What we do is a reflection of our values.*



### **Every child matters**

We believe every student is uniquely capable and deserves to be challenged and engaged in relevant, rigorous, and personalized learning every day.



### **Safe and joyful schools**

We believe every student deserves to learn and grow in a safe, caring, respectful, inclusive, and supportive school environment.



### **Collective greatness**

We believe we are better together. Our schools can accelerate the attainment of our mission and goals through engaging parents and community members in meaningful partnerships.



### **Innovation ignites excellence**

We believe in the power of leveraging high-impact teaching strategies to inspire learning, global thinking, creativity, and problem-solving.



### **Extraordinary people**

We believe our staff members are phenomenal and care greatly for our students. We support talent development so our staff members discover their professional greatness.

## DISTRICT PRIORITIES

*Our district priorities outline our focus areas and goals over the next five years.*



**Healthy  
Schools**



**Active  
Learning**



**Talent  
Development**



**Community  
Partnerships**



## Superintendent's Message

Dear Parents,

Our Board of Education, administration, teachers and staff are committed to providing safe learning environments where our scholars can flourish. In alignment with our mission to empower every student to be an innovative problem solver and engaged global citizen, the Dare County Schools code of conduct has been developed to be consistent with laws as well as policies at the state and local level.

Student achievement increases when the home, school and community share the responsibility for children's learning. Thus, we are asking every family to review and become familiar with our policies and procedures. Dare County Schools expects students to know and follow the student code of conduct.

We believe in Dare County Schools that every student deserves to learn and grow in a safe, caring, respectful, inclusive, and supportive school environment. Our schools should first be physically and emotionally safe for all people. Safety is imperative for learning to take place. Our goal is for all students, staff, and families to be physically and emotionally safe during, before and after the instructional day. Each school has a comprehensive safety plan that includes processes and procedures for drills, lockdowns and crisis management. School leaders and staff are engaged in ongoing professional learning opportunities around school safety and mental health.

Strong communicative relationships with all stakeholders is vital to growth throughout our school community. I would encourage you to contact our schools when you have questions or when you want to provide input in how we are serving and supporting our scholars. I would also ask our stakeholders to follow our expectations for going directly to our building level teachers, staff, and administrators when you have initial concerns. We desire to be proactive problem solvers working together to best serve children.

In closing, I can ensure you that our staff is committed to providing your child with the best educational experiences possible. I am looking forward to leading instruction and providing your children with an outstanding education. Our expectations are extremely high for this academic year!

Respectfully,

***John D. Farrelly***

John D. Farrelly Ed.D  
Superintendent  
Dare County Schools

# Directory of Schools

<b>Cape Hatteras Elementary</b> .....	252-995-6196
PO Box 989, Buxton, NC 27920	
<b>First Flight Elementary</b> .....	252-441-1111
107 Veterans Drive, Kill Devil Hills, NC 27948	
<b>Kitty Hawk Elementary</b> .....	252-261-2313
16 S. Dogwood Trail, Kitty Hawk, NC 27949	
<b>Manteo Elementary</b> .....	252-473-2742
701 N. Hwy. 64/264, Manteo, NC 27954	
<b>Nags Head Elementary</b> .....	252-480-8880
3100 S. Wrightsville Avenue, Nags Head, NC 27959	
<b>First Flight Middle</b> .....	252-441-8888
109 Veterans Drive, Kill Devil Hills, NC 27948	
<b>Manteo Middle</b> .....	252-473-5549
1000 Hwy. 64/264, Manteo, NC 27954	
<b>Dare Learning Academy</b> .....	252-473-2264
132 Russell Twiford Road, Manteo, NC 27954	
<b>Cape Hatteras Secondary</b> .....	252-995-5730
PO Box 948, Buxton, NC 27920	
<b>First Flight High</b> .....	252-449-7000
100 Veterans Drive, Kill Devil Hills, NC 27948	
<b>Manteo High</b> .....	252-473-5841
829 Wingina Avenue, Manteo, NC 27954	

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## **Electronic/Online Forms to be Signed and Returned as Needed**

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## **Basic Rights and Responsibilities**

The maintenance of a positive school climate conducive to the individual pursuit of learning, working and living is shared by parent/guardians, students and all school personnel. Each is expected to work positively toward this goal and to respect the individuality and the rights of every person. Parent(s)/Guardian(s), students and school personnel are also expected to deal effectively with behavioral concerns.

All students shall comply with the Code of Student Conduct of the Dare County Schools, state and federal laws, Board of Education policies, and local school rules governing student behavior and conduct. This Code and other board and school behavior policies apply to any student while in any school building or on any school premises before, during or after hours; while on any bus or other vehicle as part of any school activity; while waiting at any bus stop; during any school function, extracurricular activity or event; while subject to the authority of school personnel; and at any time or place when the student's behavior has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment (including, but not limited to, use of electronic communications or social media on or off school grounds).

The regulations below are written in accordance with N.C. General Statutes 115C-390.1–390.12. These guidelines are subject to the provisions of the Individuals with Disabilities Education Act.

### **RESPONSIBILITIES**

#### **A. Board of Education Responsibilities**

1. To adopt a fair and consistent discipline policy which establishes clear standards of student behavior.
2. To ensure, through the Superintendent of Schools, that there is fair and consistent application of the discipline policy by school employees.

#### **B. Parent(s)/Guardian(s) Responsibilities**

1. To assume legal responsibility for the behavior of the child as determined by law community practice and to ensure that the child is familiar with the discipline policy and regulations.
2. To teach the child self-discipline, respect for authority and for the rights of others.
3. To make sure that the child attends school regularly and that the school receives notification of the reason for absences when the child cannot attend.
4. To work to the best of his/her ability to provide the necessary materials and a positive home learning environment for the child to succeed in school.
5. To maintain communication with the school and provide the school with a current, accessible telephone number through which he/she may be reached during the school day.
6. To respond quickly to school to pick up the child when called upon.
7. To be available for conferences when requested.
8. To cooperate with the school staff to develop strategies to benefit the child.

**C. Student Responsibilities**

1. To be aware of and to abide by system wide policies, regulations and school guidelines regarding acceptable behavior.
2. To be responsible for one's own behavior.
3. To conduct oneself in a manner which is conducive to learning and does not interfere with the teacher's right to teach or the student's right to learn.
4. To respect the personal, civil and property rights of all members of the school community.
5. To refrain from the use of physical force, verbal abuse or harassment, blackmail, stealing, vandalism, and other illegal activities.
6. To seek clarification from school personnel concerning the appropriateness of any action or behavior.
7. To attend school and classes regularly, on-time and to be prepared with the necessary learning materials.
8. To know and to follow the policies and regulations for every event considered part of the school program regardless of the time or place.
9. To immediately comply with any staff member's reasonable request to carry out school rules.

**D. Teacher Responsibilities**

1. To provide opportunities for all students to develop self-discipline and respect for the rights of others.
2. To accept shared responsibility for control and discipline of students throughout the school building and property.
3. To consider the physical, social, intellectual and emotional development of the students.
4. To establish and inform students of individual classroom behavior expectations, and to maintain discipline within the classroom.
5. To provide appropriate learning opportunities for all students.
6. To be aware of and to abide by system wide policies, regulations and school guidelines for discipline.
7. To confer with support personnel for possible solutions to inappropriate student behavior and to attend conferences upon request.
8. To use positive reinforcement, whenever possible, and not ridicule or use negative comparison when correcting a student.
9. To report to the parent/guardian at regular reporting periods and at other times, when appropriate, regarding the acceptability of a student's behavior.
10. To utilize all reasonable classroom strategies in addressing disruptive behavior prior to referring a student for out of class disciplinary action.
11. To refer, in writing, a disruptive student to the principal or his/her designee when appropriate teacher-initiated strategies have been unsuccessful or the severity of the offense makes it necessary.



**E. Principal Responsibilities**

1. To apply consistently the Code of Student Conduct guaranteeing clear standards and consequences for student behavior.
2. The principal of each school has primary responsibility for maintaining order on the campus.
3. To discipline students and to assign duties to teachers with regard to discipline. The principal shall have authority to exercise discipline over the pupils of the school pursuant to the policies adopted by the local board of education.
4. To report certain acts to law enforcement. When the principal has personal knowledge, a reasonable belief, or actual notice from school personnel that an act has occurred on school property involving: assault resulting in serious personal injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a weapon in violation of the law, or possession of a controlled substance in violation of the law, the principal shall immediately report the act to the appropriate local law enforcement agency.
5. To assign duties and responsibilities to an assistant principal designated by the local board or to an acting principal designated by the principal.
6. To assume the overall responsibility for the implementation of procedures and rules that are necessary to establish standards of acceptable student behavior in the school.
7. To be readily available to handle disruptive behavior, discipline and emergency situations.
8. To communicate effectively to parents the expectations of the school discipline program and the role of the parent/family in supporting the efforts of the school in providing a safe school environment.
9. To develop a strategic plan that will mobilize community resources/agencies that can provide additional services and support to the school discipline program.
10. To provide in-service training to teachers and parents on the issues related to a sound disciplinary program, i.e. intervention strategies, establishing effective rules and consequences, legal issues, etc.
11. To develop a viable communication network that informs the community, parents, and staff of the status and modification of the school's discipline policies and procedures.
12. To continuously monitor and assess current data in order to make modifications to the program and provide alternative disciplinary strategies to fit the needs of the school.

## NONDISCRIMINATION STATEMENT

***In compliance with Federal Law, Dare County Schools administers all education programs, employment activities and admissions without discrimination against any person on the basis of gender, race, color, religion, national origin, age or disability.***

The following persons have been designated to handle inquiries regarding the nondiscrimination policies:

Reida Roberts, Section 504  
Sandy Kinzel, Title II and Title IX




Each may be contacted c/o Dare County Schools,  
PO Box 1508, Nags Head, NC 27959 (252) 480-8888

<ul style="list-style-type: none"> <li>All students shall comply with the Code of Student Conduct of the Dare County Schools, state and federal laws, Board of Education policies, and local school rules governing student behavior and conduct. This Code and other board and school behavior policies apply to any student while in any school building or on any school premises before, during or after hours; while on any bus or other vehicle as part of any school activity; while waiting at any bus stop; during any school function, extracurricular activity or event; while subject to the authority of school personnel; and at any time, place, in cyberspace, on or off campus, when the student's behavior has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment).</li> <li>This list of infractions is not all-inclusive. The school administration reserves the right to assign consequences for misconduct not listed that a student would or should have known would be disruptive to the academic process or would endanger self or others, or that is in violation of state or federal law or regulations.</li> <li>The minimum and maximum levels of disciplinary action specified in this list are guidelines to be followed in most cases. The school administration reserves the right to assign consequences that are more or less severe than the guidelines, when called for by the circumstances of any particular case, up to the limits allowed by law. Level 2 interventions may include but are not limited to those identified in Policy 4300, Student Behavior Policies.</li> <li>Any student who has violated one or more sections of the Code may be subject to more severe disciplinary action than is recommended in the Code for violations of a single Code section.</li> <li>The Code applies to behavior that has or is reasonably expected to have a direct and immediate impact on the schools or other students and is conducted through the use of electronic communications or social media, on or off school grounds. Such use is particularly relevant, but is not limited to, Rules 9 (Disrespect), 10 (Insubordination), 11 (Profanity/Obscenity), 12 (Disruption), 13 (Threatening), 21 (Sexual Offenses), 26 (False Alarm), 31 (Serious Threat, Assault and/or Intimidation), 37 (Use of the Internet), 38 (Possession or Distribution of Pornographic and/or Profane Material), 39 (Bomb Threat), and 40 (Terrorist Acts and Threats).</li> <li>A Principal has the authority to suspend student privileges. As students do not have a right to participate in activities that are privileges, a student's ability to participate in privileged activities may be restricted or curtailed for good cause as determined by the principal, apart from any violation of the Code of Student Conduct.</li> </ul>			*Levels of Disciplinary Action		
ATTENDANCE VIOLATIONS			Min.	Grade	Max.
Rule 1:		Attendance: A student is to attend school (including all classes) each day of the school year. In addition, a student is to report to school and all classes on time. A student of compulsory school age who does not attend school is in violation of the law and the student and his/her parent(s)/guardians are subject to its penalties. Efforts will be made to communicate with parents of absent and truant students. Including but not limited to:	1 1	(pk-3) (4-12)	2 3*
	☞	<b>Tardiness:</b> Failure to be in a place of instruction at the assigned time without a valid excuse. Excessive tardies may result in progressive suspension. <b>Note:</b> Interventions must be in place before a suspension is levied, i.e., parent conference, time-out, lunch detention, after-school detention, in-school suspension. 064-Excessive Tardiness	1 1	(pk-3) (4-12)	2 3*
	☞	<b>Leaving Class Without Permission:</b> Failure to obtain authorization to leave class. 066-Leaving Class Without Permission	1 1	(pk-3) (4-12)	2 3*
	☞	<b>Leaving School Without Permission:</b> Failure to provide required parent authorization prior to leaving school before the end of the scheduled day. 067-Leaving School Without Permission	1 1	(pk-3) (4-12)	2 3*
	☞	<b>Class Cutting:</b> Failure to report to class without proper permission, knowledge, or excuse by the school or teacher. 074-Cutting Class	1 1	(pk-3) (4-12)	2 3*
	☞	<b>School Cutting:</b> Failure to report to school without prior permission, knowledge, or excuse by the school or the parent. 075-Skipping School	1 1	(pk-3) (4-12)	2 3*
	☞	<b>Excessive Absences (Truancy):</b> Excused or unexcused absences which are felt to adversely affect the student's education. 030-Truancy	1 1	(pk-3) (4-12)	2 2
*Suspensions under this rule shall not exceed two days, as dictated by N.C.G.S. 115C-390.2					
<b>*School Initiated Consequences:</b> Level 1 Conference Level 2 Intervention Level 3 Suspension (1-5 days) Level 4 Suspension (6-10 days) Level 5 Suspension (10 days) <b>Superintendent Initiated Consequences:</b> Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School Level 7 365 day suspension Level 8 Exclusion/Expulsion					

		<b>*Levels of Disciplinary Action</b>		
		<b>Min.</b>	<b>Grade</b>	<b>Max.</b>
<b>Rule 2.</b>	<b>Food/Beverages: A student will not eat/drink in unauthorized areas of the school.</b> <b>058-Other School Defined Offense</b>	1 1	(pk-3) (4-12)	2 3
<b>Rule 3A.</b>	<b>Medication: Each school has established rules on administering non-prescription and prescription drugs. Students are to adhere to the rules of the school, as confirmed in policy code #6125.</b> <b>086-Possession of Student's Own Prescription Drug</b> <b>087-Possession of Another Person's Prescription Drug</b> <b>088-Distribution of a Prescription Drug</b>	1 1	(pk-3) (4-12)	2 3
<b>Rule 3B.</b>	<b>Medication: A student may not give, sell, or distribute non-prescription, over the counter, or prescription drugs to any other students.</b> <b>088-Distribution of a Prescription Drug</b>	1 1	(pk-3) (4-12)	2 5
<b>Rule 4.</b>	<b>Student Dress: Any type of dress which is disruptive, lewd or sexually suggestive, glorifies or depicts alcohol, tobacco or illegal drugs, or endangers the safety, education, and/or health of another person will not be permitted. For specific information, refer to student handbook.</b> <b>031-Dress Code Violation</b>	1 1	(pk-3) (4-12)	3 3
<b>Rule 5.</b>	<b>Personal Property: A student will not bring or possess any object that has no educational purpose that may distract from teaching and learning or would cause disruption within the school environment. (Items may include: toys, hoverboards, laser pointers, cigarette lighters, matches, juul or other vaping paraphernalia etc.) Note: Pagers, headphones, portable CD/tape players, etc. are not permitted in the school buildings without administrative approval. Cell phones shall not be used at any time during the instructional day unless directed by a teacher as part of an approved instructional activity. Otherwise, all cell phones must be kept in student vehicles or lockers from student arrival through dismissal time and must be powered off (except as indicated above). Any student in possession of a cell phone in violation of this policy will have the phone confiscated and placed in the school office until the end of the day. If school officials have reasonable cause to suspect the phone has been used inappropriately, e.g. for cheating or taking unauthorized photos or the like, school officials may search the phone's memory for text messages and pictures. Repeated offenders of cell phone rules may lose cell phone privileges.</b> <b>040-Inappropriate Items on School Property</b>	1 1	(pk-3) (4-12)	4 5
<b>Rule 6:</b>	<b>Significant Amount of Money: Students need only enough money to meet school obligations (lunch, fees, special purchases).</b> <b>058-Other School Defined Offense</b>	1 1	(pk-3) (4-12)	4 5

**\*School Initiated Consequences: Level 1** Conference **Level 2** Intervention **Level 3** Suspension (1-5 days) **Level 4** Suspension (6-10 days) **Level 5** Suspension (10 days)

**Superintendent Initiated Consequences: Level 6** Long-term Suspension, assigned community service, or assignment to an Alternative School  
**Level 7** 365 day suspension **Level 8** Exclusion/Expulsion

		<b>*Levels of Disciplinary Action</b>		
		<b>Min.</b>	<b>Grade</b>	<b>Max.</b>
<b>Rule 7:</b>	<b>Selling Items on Campus*: Students are not to sell any objects on campus that are not authorized through the school as an organized, approved school activity.</b>	1	(pk-3)	3
	<b>058-Other School Defined Offense</b>	1	(4-12)	3
<b>Rule 8:</b>	<b>Misrepresentation: A student will not lie or cheat.</b>	1	(pk-3)	3
	<b>035-Falsification of Information</b>	1	(4-12)	3
	<b>Including but not limited to:</b>			
	 <b>Altering Report Cards or Notes:</b> Tampering with report cards, official passes, notes or other school documents in any manner, including changing grades or forging names to excuses.	1	(pk-3)	3
		1	(4-12)	3
	 <b>False Information:</b> Making false statements, written or oral, to anyone in authority.	1	(pk-3)	3
		1	(4-12)	3
	 <b>Cheating:</b> Violating rules of honesty, such as plagiarism, copying another student's test, assignment, etc.	1	(pk-3)	3
		1	(4-12)	3
<b>Rule 9:</b>	<b>Disrespect: A student will behave in a respectful manner. Examples of disrespectful behavior are: Walking away, talking back, etc.</b>	1	(pk-3)	3
	<b>061-Disrespect of Faculty and Staff</b>	1	(4-12)	3
<b>Rule 10:</b>	<b>Insubordination: A student will obey the lawful direction of any authorized staff member during the time the student is in school, participating in a school activity, or on school property.</b>	1	(pk-3)	3
	<b>033-Insubordination</b>	1	(4-12)	4

\* The first violation will result in confiscation with the item returned at the discretion of the principal. The second and succeeding violation(s) will result in confiscation and the item will not be returned to the student until the end of the year. Parents may pick up item prior to the end of the year.

**\*School Initiated Consequences: Level 1** Conference **Level 2** Intervention **Level 3** Suspension (1-5 days) **Level 4** Suspension (6-10 days) **Level 5** Suspension (10 days)

**Superintendent Initiated Consequences: Level 6** Long-term Suspension, assigned community service, or assignment to an Alternative School **Level 7** 365 day suspension **Level 8** Exclusion/Expulsion

**Rule 11: Profanity/Obscenity: A student will not use profane or obscene language or make obscene gestures.**  
032-Inappropriate Language/Disrespect

**Including but not limited to:**

- ☞ **Offensive Language:** Cursing, or saying anything that conveys a lewd, vulgar, obscene or sexually suggestive message.
- ☞ **Obscene/Offensive Gestures:** Making any sign or gesture that conveys a lewd, vulgar, obscene or sexually suggestive message.
- ☞ **Derogatory Written Materials:** Having any written material or pictures that convey a lewd, vulgar, obscene or sexually suggestive message.
- ☞ **Directed at Staff Member:** Writing, saying, or making gestures that convey a lewd, vulgar, obscene, or sexually suggestive message to or about a staff member.

**Rule 12: Disruption: No student may disrupt the class, school, or bus activity.**  
042-Disruptive Behavior

**Including but not limited to:**

- ☞ **Verbal Harassment:** Name calling, teasing or bullying.
- ☞ **Throwing Objects at Someone:** Willfully throwing anything that could serve to harass or harm another, including from school buses.
- ☞ **Hitting, Biting, Spitting, Which Causes Harassment on Another Student or Adult:** Hitting, biting, spitting at a student or adult for the purpose of harassment or which could cause harm.
- ☞ **Horseplay:** Excessive pushing, shoving, aggressive behavior, etc.
- ☞ **Other:** Any other action that disrupts or interferes with educational activities or the school environment.

**\*Levels of Disciplinary Action**

Min.	Grade	Max.
1	(pk-3)	3 or 4
1	(4-12)	3-6
1	(pk-3)	3
1	(4-12)	3
1	(pk-3)	3
1	(4-12)	3
1	(pk-3)	3
1	(4-12)	5
1	(pk-3)	4
1	(4-12)	6
1	(pk-3)	3 or 4
1	(4-12)	4 or 5
1	(pk-3)	3
1	(4-12)	4
1	(pk-3)	4
1	(4-12)	4
1	(pk-3)	3
1	(4-12)	5
1	(pk-3)	3
1	(4-12)	4
1	(pk-3)	3
1	(4-12)	4

**\*School Initiated Consequences: Level 1** Conference **Level 2** Intervention **Level 3** Suspension (1-5 days) **Level 4** Suspension (6-10 days) **Level 5** Suspension (10 days)

**Superintendent Initiated Consequences: Level 6** Long-term Suspension, assigned community service, or assignment to an Alternative School  
**Level 7** 365 day suspension **Level 8** Exclusion/Expulsion

		*Levels of Disciplinary Action		
		Min.	Grade	Max.
Rule 13:	<b>Threatening: A student will not threaten another student or staff member or the school community. Any threatening statement or conduct that leads a member of the school community to reasonably have concern that the threat might be carried out is prohibited, regardless of the intent of the person communicating the threat. Students who threaten another student or adult, whether orally, in writing, or by any other means, may be charged with a criminal violation. In a case where charges are not filed with the police for communicating threats and the threat of violence is minimal, the appropriate Code of Student Conduct violation would be Rule 12.</b> <b>019-Communicating Threats</b>	1	(pk-5)	4
		2	(6-12)	6
Rule 14:	<b>Fighting: The exchange of mutual physical contact between students by pushing, shoving, or hitting with or without injury is prohibited.</b> <b>021-Affray—The exchange of mutual physical contact between students by pushing, shoving or hitting which causes fear for their safety or others present at the scene</b> <b>024 Fighting</b> <b>027-Aggressive Behavior</b>	1	(pk-5)	4
		1	(6-12)	6
Rule 15:	<b>Blatant Disregard for School Rules: Continuous violation of the Dare County Schools Code of Student Conduct.</b> <b>058-Other School Defined Offense</b>	2	(pk-5)	5
		3	(6-12)	6
Rule 16:	<b>Trespassing: A student will not enter any school property or school facility without proper authority (includes entering any Dare County school during a period of suspension or exclusion).</b> <b>059-Being in an Unauthorized Area</b>	1	(pk-3)	4
		1	(4-12)	4
Rule 17:	<b>Reckless Vehicle Use: A student will not operate any motorized or self-propelled vehicle on school grounds in a manner that is a threat to health, safety, or a disruption to the educational process. The use of a motor vehicle in driving to school is considered a privilege which may be limited or revoked at any time by the principal of the school.</b> <b>058-Other School Defined Offense</b>	3	(pk-3)	4
		4	(4-12)	8
Rule 18:	<b>Vandalism: A student will not willfully or maliciously damage or destroy property belonging to another, or participate in a plan with others to damage or destroy property, i.e. school property, at a school sponsored or school-related activity on or off school property, or property belonging to a school employee. A student or parent/guardian will be held financially responsible, as allowed by North Carolina Law, for willful or malicious destruction of property.</b> <b>039-Property Damage</b>	1	(pk-5)	4
		2	(6-12)	6
Rule 19:	<b>Gambling: A student will not play games of skill or chance for money or property.</b> <b>034-Gambling</b>	1	(pk-5)	4
		2	(6-12)	6
Rule 20:	<b>Theft: A student will not steal or possess stolen property, or participate in a plan with others to do so.</b> <b>036-Theft</b>	2	(pk-5)	4
		2	(6-12)	6

\*Time frame for financial restitution to be set by the principal or the court.

**\*School Initiated Consequences: Level 1** Conference **Level 2** Intervention **Level 3** Suspension (1-5 days) **Level 4** Suspension (6-10 days) **Level 5** Suspension (10 days)

**Superintendent Initiated Consequences: Level 6** Long-term Suspension, assigned community service, or assignment to an Alternative School  
**Level 7** 365 day suspension **Level 8** Exclusion/Expulsion

		*Levels of Disciplinary Action		
		Min.	Grade	Max.
<b>Rule 21:</b>	<b>Sexual Behaviors/Assault-(not involving rape or sexual offense): A student will not engage in sexual misconduct or sexual harassment.</b>	2	(pk-5)	4
		2	(6-12)	6
	<b>Including but not limited to:</b>			
	☞ Deliberate, unwelcome touching			
	☞ Suggestions or demands for sexual involvement accompanied by implied or overt promises or preferential treatment or threats.			
	☞ Pressure for sexual activity			
	☞ Continued or repeated offensive sexual flirtations, advances or propositions.			
	☞ Sexually degrading words used toward an individual or to describe an individual.			
	☞ The display in the work place of sexually suggestive objects or pictures.			
	☞ Sexual harassment does not include personal compliments welcomed by the recipient, or social interactions or relations freely entered into. Students engaging in this type of behavior are subject to disciplinary procedures that will be determined by the nature and severity of the offense. Any student who feels he or she has been sexually harassed by a fellow student or adult school personnel is encouraged to report the act in confidence to a school counselor or administrator. All complaints of sexual harassment will be promptly and thoroughly investigated in accordance with board policy #1758.			
	<b>014-Sexual Assault not Involving Rape or Sexual Offense</b>			
	<b>015-Taking Indecent Liberties With a Minor</b>			
	<b>038-Harrassment - Sexual</b>			
<b>Rule 22:</b>	<b>Sexual Offense/Rape or Attempted Rape: Committing or attempting to commit a sexual assault or unlawful sexual intercourse.</b>	2	(pk-5)	6
	<b>012-Rape</b>	6	(6-12)	8
<b>Rule 23:</b>	<b>Breaking and Entering: A student will not break into school board property.</b>	2	(pk-5)	4
	<b>039-Property Damage</b>	3	(6-12)	8
<b>Rule 24:</b>	<b>Robbery: A student will not take another person's property by force or violence.</b>	2	(pk-5)	4
	<b>010-Robbery With a Dangerous Weapon</b>	3	(6-12)	8
	<b>093-Robbery Without a Weapon</b>			
<b>Rule 25:</b>	<b>Extortion: A student will not take or threaten to take the property of others through intimidation.</b>	2	(pk-5)	4
	<b>023-Extortion</b>	3	(6-12)	8
<b>Rule 26:</b>	<b>False Alarm: Calling 911, signaling or setting off an automatic signal falsely indicating the presence of a fire or an emergency is prohibited. This includes making statements/phone calls that such an emergency exists in the school.</b>	2	(pk-5)	4
	<b>029-False Fire Alarm</b>	5	(6-12)	6
<b>Rule 27:</b>	<b>Arson: A student will neither set fire nor attempt to set fire to anything on school property, or participate in a plan with others to damage or destroy school property through the use of fire.</b>	2	(pk-5)	4
	<b>018-Unlawfully Setting a Fire</b>	6	(6-12)	8
	<b>053-Burning of a School Building</b>			
<b>Rule 28:</b>	<b>Tobacco: A student may not have or use tobacco products, to include e-cigarettes or e-cigarette products, on school premises, on school bus, at any school function or event.</b>	1	(pk-5)	3
	<b>041-Possession of Tobacco</b>	2	(6-12)	3
	<b>070-Use of Tobacco</b>			
	<b>116-Possession of Vaping (Non-Tobacco) Device</b>			
	<b>117-Use of Vaping (Non Tobacco) Device</b>			

**\*School Initiated Consequences:** Level 1 Conference Level 2 Intervention Level 3 Suspension (1-5 days) Level 4 Suspension (6-10 days) Level 5 Suspension (10 days)

**Superintendent Initiated Consequences:** Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School  
Level 7 365 day suspension Level 8 Exclusion/Expulsion



**Rule 29:** **Substance Abuse Policy and Procedure:** Students are prohibited from possessing, using, transmitting, selling or being under the influence of any of the following substances: narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana or any other controlled substance, any alcoholic beverage, malt beverage or fortified wine or intoxicating liquor, or any chemicals or products with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student's mood or behavior.

Students are also prohibited from possessing, using, transmitting, or selling drug paraphernalia or counterfeit (fake) drugs. In all circumstances in which students must comply with board policies, students may not in any way participate in the selling or transmitting of prohibited substances, regardless of whether the sale or transmission ultimately occurs on school property. For offenses related to a student's personal and proper use of prescription or over the counter drugs, see Rule 3A.

Including but not limited to:

**005-Possession of Controlled Substance in Violation of Law-Cocaine**

**006-Possession of Controlled Substance in Violation of Law-Marijuana**

**017-Possession Controlled Substance in Violation of Law-Other**

**020-Alcohol Possession**

**048-Use of Alcohol**

**049-Use of Controlled Substance**

**051-Possession of Chemical or Drug Paraphernalia**

**095-Under the Influence of Alcohol**

**096-Under the Influence of Controlled Substances**

**118-Possession of Controlled Substance Violation of Law – Opioid**

**119-Sale of Controlled Substance in Violation of Law – Opioid**

☞ **Possession/Attempt:** Possessing or attempting to possess any alcoholic beverage or any illegal or controlled substance, or any action that contributes to the possession of any alcoholic beverage or any illegal or controlled substance. Under N.C.G.S. §20-11 (n1) this violation can result in the loss of a driver's license. Possession of quantities large enough to indicate use by more than one individual may be considered a violation of "Sale/Distribution" listed below.

☞ **Possession in Vehicle:** Students who drive a vehicle onto Dare County Schools property shall be responsible for the contents of the vehicle. The presence of a prohibited substance or drug paraphernalia in a vehicle owned or operated by a student shall be considered possession by the student, unless the student establishes that he or she was not aware of the presence of the prohibited substance or paraphernalia and had taken reasonable steps to ensure that the vehicle contains no prohibited substances or drug paraphernalia.

☞ **Paraphernalia:** Possessing, distributing or using any drug related paraphernalia.

☞ **Inhalants:** Possessing, distributing or inhaling any substance/product (off-the-shelf, controlled, or illegal) that is intended to bring about a temporary change in the student's mind, mood or behavior.

☞ **Sale/Distribution (Attempt or Actual):** Distributing or selling any illegal or controlled substance attempting to sell or distribute any illegal or controlled substance or any action that contributes to the sale or distribution of any illegal or controlled substance or the giving or offering to give any illegal or controlled substance to another individual. This prohibition will include sale/distribution of tobacco products to underage student(s). Under N.C.G.S. 20-11 (n1) this violation can result in the loss of a driver's license.

**054-Sale of Controlled Substance in Violation of Law-Cocaine**

**055-Sale of Controlled Substance in Violation of Law-Marijuana**

**056-Sale of Controlled Substance in Violation of Law-Ritalin**

**057-Sale of Controlled Substance in Violation of Law-Other**

**\*Levels of Disciplinary Action**

Min.	Grade	Max.
2	(pk-5)	4 or 5
5 or 6	(6-12)	8

2	(pk-5)	4
5	(6-12)	8

2	(pk-5)	4
5	(6-12)	8



2	(pk-5)	4
5	(6-12)	8

2	(pk-5)	4
5	(6-12)	8

2	(pk-5)	5
6	(6-12)	8

**\*School Initiated Consequences:** Level 1 Conference Level 2 Intervention Level 3 Suspension (1-5 days) Level 4 Suspension (6-10 days) Level 5 Suspension (10 days)

**Superintendent Initiated Consequences:** Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School Level 7 365 day suspension Level 8 Exclusion/Expulsion

		<b>*Levels of Disciplinary Action</b>		
		<b>Min.</b>	<b>Grade</b>	<b>Max.</b>
<b>Rule 29 Continued</b>	<b>Use/Under the Influence:</b> Using any alcoholic beverage, narcotic, illegal or controlled drug, anabolic steroid or any illegal substance, on school grounds, to and from school, on school bus, field trips, or at any school function, or coming to school or school activities after consumption.	2 5	(pk-5) (6-12)	4 8
<b>Rule 30</b>	<b>Disorderly Conduct:</b> A student will not disrupt, disturb or interfere with any school activity or engage in conduct which disturbs the peace, order, or discipline at any school or grounds adjacent thereto. <b>022-Disorderly Conduct</b>	2 6	(pk-5) (6-12)	5 8
<b>Rule 31:</b>	<b>Serious Threat, Assault and/or Intimidation:</b> A student will not assault, seriously threaten or intimidate another individual.  <b>Including but not limited to:</b>	2 5	(pk-5) (6-12)	4 8
	 <b>Against Student:</b> Unlawful threatening or any physical force or violence, to include tearing clothes, striking, or threatening to seize or strike another student, either alone or in combination with another student(s), or making one fearful by intimidation.	2 5	(pk-5) (6-12)	4 8
	 <b>Against staff or other adult who is not a student:</b> Unlawful threatening or any physical force or violence, to include tearing clothes, striking, or threatening to seize or strike any adult, either alone or in combination with another student(s), or making one fearful by intimidation. Under N.C.G.S. § 20-11 (n1) this violation can result in the loss of a driver's license.  <b>001 - Assault Resulting in Serious Injury</b> <b>002 - Assault Involving the Use of a Weapon</b> <b>003 - Assault on School Personnel Not Resulting in a Serious Injury</b> <b>044 - Assault on Student</b> <b>045 - Assault -Other</b> <b>071 - Assault on Non-Student w/o Weapon &amp; Not Resulting in Serious Injury</b> <b>072 - Assault on Student w/o Weapon &amp; Not Resulting in Serious Injury</b> <b>090 - Violent Assault Not Resulting in Serious Injury</b> <b>104 - Physical Attack With a Firearm or Explosive Device</b> <b>105 - Threat of Physical Attack With a Firearm</b> <b>106 - Threat of Physical Attack With a Weapon</b> <b>107 - Threat of Physical Attack Without a Weapon</b>	2 5	(pk-5) (6-12)	4 8

**Students should be cautioned that all verbal or written statements threatening racial violence, the health and/or safety of students, school personnel, and/or school facilities will be considered serious. Such statements will not be tolerated or dismissed as idle comments or jokes. Any threatening statement or conduct that leads a member of the school community to reasonably have concern that the threat might be carried out is prohibited, regardless of the intent of the person communicating the threat. This standard will be applied to all threats that are prohibited by the Code of Student Conduct.**

**\*School Initiated Consequences:** Level 1 Conference Level 2 Intervention Level 3 Suspension (1-5 days) Level 4 Suspension (6-10 days) Level 5 Suspension (10 days)

**Superintendent Initiated Consequences:** Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School Level 7 365 day suspension Level 8 Exclusion/Expulsion

**Rule 32: Weapons and Dangerous Instruments/Objects:** A student will not possess, handle, transport, or use any weapon, dangerous object, object that can be reasonably considered a weapon, or substance that could cause harm or irritation to another individual. Under N.C.G.S. § 20-11(n1) this violation can result in the loss of a driver's license.

Including but not limited to:

☞ 1. **Firearms and destructive devices**, as described Rule 33

☞ **Knife\*: Simple Possession - Blade 2 ½ inches or smaller:** A knife brought accidentally, without intent, will result in the knife being confiscated and a suspension may be imposed. Any subsequent incident will result in confiscation and progressive suspension.

☞ **Knife\*: Simple Possession - Blade greater than 2 ½ inches:** Possession of any knife longer than 2 ½ inches, regardless of intent.

☞ **Camouflaged Weapon \*:** i.e., knife blades, or other sharp devices, camouflaged as tubes of lipstick, ink pens, hair combs, etc.

☞ **Anti-personnel Spray\*:** Possession of chemical such as Mace, or pepper sprays, tear gas, etc.

☞ **Possession of an instrument or device that resembles or looks like a knife, pistol, revolver or any type of weapon or explosive not capable of propelling a missile\*:** May include, but not be limited to, a cap pistol, water pistol, inoperable antique firearm, or any look-alike gun.

☞ **Other:** Possession of any object or substance that could cause injury including, but not limited to, slungshots, slingshots, ice picks, multi-fingered rings, metal knuckles, numchucks, bowie knife, dirk, dagger, leaded cane, switchblade knife, razors and razor blades, any sharp-pointed or sharp-edged instrument, clubs, stun guns, and/or the use of any object or any substance that will potentially cause harm, irritation, or bodily injury to students or any other persons.

☞ **Possession in Vehicle:** Possession in Vehicle: Students who drive a vehicle onto Dare County Schools property shall be responsible for the contents of the vehicle. The presence of a weapon or dangerous object in a vehicle owned or operated by a student shall be considered possession by the student, unless the student establishes that he or she was not aware of the presence of the prohibited weapon or dangerous object and had taken reasonable steps to ensure that the vehicle contains no weapon or dangerous object.

008-Possession of Weapon (Excluding Firearms and Powerful Explosives)

**\*Levels of Disciplinary Action**

Min.	Grade	Max.
2	(pk-5)	4 or 7
2-6	(6-12)	6 or 8
2	(pk-5)	7
6	(6-12)	8
2	(pk-5)	4
3	(6-12)	6
2	(pk-5)	4
4	(6-12)	8
2	(pk-5)	4
4	(6-12)	8
2	(pk-5)	4
4	(6-12)	8
2	(pk-5)	4
3	(6-12)	8
2	(pk-5)	4
2	(6-12)	8
2	(pk-5)	4 or 5
5/6	(6-12)	8

\*All items will be confiscated and turned over to law enforcement.

**Special Note:** Any student who inadvertently possesses or finds a weapon or substance that may subject a student to a suspension or expulsion may or may not be recommended for this sanction if the student voluntarily surrenders the property to a school staff person. This should be done as soon as the student realizes that he/she is in possession of the weapon or substance.

Under N.C.G.S. § 20-11 (n1) possession of a weapon on school property or at a school-related activity can result in the loss of a student's driver's license/permit. Any student found in possession of a weapon on school grounds or at school related activities who is expelled, or who is suspended for more than 10 days or is assigned to an alternative educational setting for more than 10 consecutive days will lose his/her driver's license.

\*School Initiated Consequences: Level 1 Conference Level 2 Intervention Level 3 Suspension (1-5 days) Level 4 Suspension (6-10 days) Level 5 Suspension (10 days)

Superintendent Initiated Consequences: Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School Level 7 365 day suspension Level 8 Exclusion/Expulsion

**Rule 33:****Firearms and destructive devices: A student will not possess, handle, or transport any firearm.**

A firearm includes any of the following:

1. A weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive.
2. The frame or receiver of any such weapon.
3. Any firearm muffler or firearm silencer.
4. Any destructive device, meaning any explosive, incendiary, or poison gas. This includes any bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, similar device, or other device meeting the federal definition under 18 U.S.C. §921.

A firearm shall not include an inoperable antique firearm, a BB gun, stun gun, air rifle, or air pistol.

**Under N.C.G.S. § 20-11(n1) this violation can result in the loss of a driver's license.**

**Including but not limited to:**



**Possession of a firearm\*.** NOTE: N.C.G.S. 115C-390.10 requires a principal to recommend to the superintendent the 365-day suspension of any student believed to have possessed, handled, or transmitted a firearm or destructive device on educational property or at a school-sponsored event off educational property. The superintendent may impose the suspension or make modification. However, the superintendent shall not impose a 365 day suspension if the superintendent determines that the student:

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



**Destructive devices**, including an explosive, incendiary, or poison gas: bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device. N.C.G.S. 115C-390.10 requires a principal to recommend to the superintendent the 365-day suspension of any student believed to have possessed, handled, or transmitted a firearm or destructive device on educational property or at a school-sponsored event off educational property. The superintendent may impose the suspension or make modification. However, the superintendent shall not impose a 365 day suspension if the superintendent determines that the student:

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



**Possession of any other weapon or device other than a firearm\*.** Examples may include but are not limited to BB gun, air rifle, air pistol or stun gun.

**009-Possession of a Firearm or Powerful Explosive**

**103-Robbery With a Firearm or Explosive Device**

**\*Levels of Disciplinary Action**

Min.	Grade	Max.
2	(pk-5)	6/7
6	(6-12)	8

2	(pk-5)	7
6	(6-12)	8

2	(pk-5)	7
6	(6-12)	8

2	(pk-5)	6
6	(6-12)	8

**\*School Initiated Consequences:** Level 1 Conference Level 2 Intervention Level 3 Suspension (1-5 days) Level 4 Suspension (6-10 days) Level 5 Suspension (10 days)

**Superintendent Initiated Consequences:** Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School Level 7 365 day suspension Level 8 Exclusion/Expulsion

## LAW VIOLATIONS Continued

## Parents and Law Enforcement Notified

**Rule 34:** **Gang Activity:** Participation in any gang related activity. A gang is any ongoing organization, association or group of three or more persons having as a primary activity the commission of criminal acts and having a common name or common identifying sign, color or symbol. Prohibited gang-related activity includes 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; 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 or affiliation in a gang; requiring payment of protection, insurance or otherwise intimidating or threatening any person related to gang activity; inciting others to intimidate or to act with physical violence upon any other person related to gang activity; soliciting others for gang membership; and committing any other illegal act or other violation of school system policies in connection with gang-related activity.  
079-Gang Activity

**Rule 35:** **Refusal to Comply With A Reasonable Individual Search:** In an effort to address the Safe Schools Mandate, the school administration has the right to conduct a search reasonable in scope of a student or his/her possessions if the administration has a reasonable suspicion that the student may be in possession of a weapon, illegal substance, or other items prohibited by law or the Code of Student Conduct.

Including but not limited to:

- ☞ **Search of an Individual or his/her Possessions:** A student must cooperate with and may not obstruct or interfere with a reasonable search of the student, his/her bookbag, purse or other possessions which are present on school property or at a school activity.
- ☞ **Search of a Vehicle:** A student must cooperate with and may not obstruct or interfere with a reasonable search of the student's vehicle and its contents when it is present on school property or at a school activity. Violation of this rule may result in the student losing his/her parking privilege in addition to other applicable disciplinary action.
- ☞ **Metal Detector Scans:** With prior approval of the superintendent, a metal detector can be used to search a student's person and/or personal effects whenever a school official has reasonable suspicion to believe that a student is in possession of a weapon. Board Policy #4342(c)  
058-Other School Defined Offense

## \*Levels of Disciplinary Action

Min.	Grade	Max.
2	(pk-5)	4
3	(6-12)	8
2	(pk-5)	4
2	(6-12)	6
2	(pk-5)	4
2	(6-12)	6
2	(pk-5)	4
2	(6-12)	6

Under N.C.G.S. § 20-11 (n1) possession of a weapon on school property or at a school-related activity can result in the loss of a student's driver's license/permit. Any student found in possession of a weapon on school grounds or at school related activities, who is suspended for more than 10 days or is assigned to an alternative educational setting for more than 10 consecutive days will lose his/her driver's license.

**\*School Initiated Consequences:** Level 1 Conference Level 2 Intervention Level 3 Suspension (1-5 days) Level 4 Suspension (6-10 days) Level 5 Suspension (10 days)

**Superintendent Initiated Consequences:** Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School Level 7 365 day suspension Level 8 Exclusion/Expulsion

**Rule 36: Refusal To Comply With Other Reasonable Searches:****Including but not limited to:**

**Student Lockers and Desks:** Student lockers and desks are the property of the school and are assigned to the student with the understanding that he/she is responsible for all property placed in the locker or desk. Lockers and desks shall be used only for storage of those items which are reasonably necessary for the student's school activities such as books, gym clothes, coats, school assignments, etc. A student must cooperate with and may not obstruct or interfere with any inspection or search of his/her desk or locker and the items therein.



**Canine Searches:** With prior approval of the superintendent, school officials may use trained dogs in inspections for illegal, unauthorized or contraband materials in school facilities, grounds, and school parking lots. Board Policy #4342(f)

**058-Other School Defined Offense**

**\*Levels of Disciplinary Action**

Min.	Grade	Max.
2	(pk-5)	4
2	(6-12)	6
2	(pk-5)	4
2	(6-12)	6
2	(pk-5)	4
2	(6-12)	6

**\*School Initiated Consequences:** **Level 1** Conference **Level 2** Intervention **Level 3** Suspension (1-5 days) **Level 4** Suspension (6-10 days) **Level 5** Suspension (10 days)

**Superintendent Initiated Consequences:** **Level 6** Long-term Suspension, assigned community service, or assignment to an Alternative School **Level 7** 365 day suspension **Level 8** Exclusion/Expulsion

		<b>*Levels of Disciplinary Action</b>		
		<b>Min.</b>	<b>Grade</b>	<b>Max.</b>
<b>Rule 37:</b>	<b>Inappropriate Use of The Internet:</b> Students must refrain from accessing the Internet without proper authority. This would include unauthorized use of logins, communication of threats or implied threats and/or unauthorized communication to or from any computer station, including, but not limited to, hacking or intentional creation or transmission of viruses. This encompasses any inappropriate behavior, regarding use of Internet as set forth in Board Policy #3225/7320 and their accompanying regulations. 091-Misuse of School Technology	2	(pk-5)	4
		2	(6-12)	6
<b>Rule 38:</b>	<b>Possession Or Distribution Of Pornographic And/or Profane Material:</b> A student must refrain from having any pornographic or profane material in his/her possession. This includes pictures, magazines, CDs, etc. 040-Inappropriate Items on School Property	2	(pk-5)	4
		2	(6-12)	6
<b>Rule 39:</b>	<b>Bomb Threat:</b> Any false notification (verbal or written), indicating the presence of a bomb or explosive on school grounds, school bus or at any school activity. 043-Bomb Threat	2	(pk-5)	6
		6	(6-12)	8
<b>Rule 40:</b>	<b>Terrorists Acts and Threats:</b> Includes (1) making a false report that there is any device, substance or material on school property or at a school-sponsored activity that is designed to cause harmful or life-threatening illness or injury to another person; (2) placing or displaying such a device, substance or material on school property or at a school-sponsored activity, with intent to perpetrate a hoax; (3) threatening to commit on school property or at a school-sponsored activity an act of terror that is likely to cause serious injury or death, when that threat is intended to cause or does cause significant disruption to the instructional day or school-sponsored activity; (4) making a false report that such an act of terror is occurring or about to occur on school property or at a school-sponsored activity; (5) or conspiring to commit any of these acts. 105-Threat of Physical Attack With a Firearm 106-Threat of Physical Attack With a Weapon 107-Threat of Physical Attack Without a Weapon	2	(pk-5)	6
		6	(6-12)	8

Students should be cautioned that all verbal or written statements threatening racial violence, the health and/or safety of students, school personnel, and/or school facilities will be considered serious. Such statements will not be tolerated or dismissed as idle comments or jokes. Any threatening statement or conduct that leads a member of the school community to reasonably have concern that the threat might be carried out is prohibited, regardless of the intent of the person communicating the threat. This standard will be applied to all threats that are prohibited by the Code of Student Conduct.

Any law violation or criminal activity committed on school property or at a school sponsored activity which is not otherwise specifically set forth in this Code of Student Conduct shall be considered a violation of the Code and will be handled accordingly.

**\*School Initiated Consequences:** Level 1 Conference Level 2 Intervention Level 3 Suspension (1-5 days) Level 4 Suspension (6-10 days) Level 5 Suspension (10 days)

**Superintendent Initiated Consequences:** Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School Level 7 365 day suspension Level 8 Exclusion/Expulsion

**Rule 41: Harassment and Bullying**

**Definition of Harassment and Bullying:** As used in this policy, harassing or bullying behavior refers to any pattern of gestures or written, electronic or verbal communications, or any physical act or threatening communications, that:

1. Places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his/her property; or
2. Creates or is certain to create a hostile learning environment. A "hostile environment" means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that is bullying or harassing behavior.

Harassing or bullying behavior includes verbal or physical conduct that is intended to intimidate, injure, degrade, or disgrace another student or person, or that has such an effect. It may include a pattern of abuse over time and may involve a student's being "picked on." It can include a variety of behaviors, such as but not limited to the following:

- Physical intimidation or assault
- Derogatory verbal comments (e.g., name-calling, hostile teasing, cruel rumors, taunts, put-downs, epithets, false accusations, harassment or discriminatory acts, slurs and mean-spirited jokes)
- Threatening gestures or actions; oral, cyber, or written threats
- Extortion or stealing money and possessions
- Shunning and exclusion from peer group
- Hazing

Harassing or bullying behavior includes, but is not limited to, behavior described above that is reasonably perceived as being motivated by an actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, development, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

Board Policy #1760 – Harassment and Bullying

**026-Hazing**

**028-Honor Code Violation**

**080-Discrimination**

**101-Harassment – Racial**

**102-Harassment – Disability**

**109-Harassment – Sexual Orientation**

**110-Harassment – Religious Affiliation**

*Levels of Disciplinary Action		
Min.	Grade	Max.
2	(pk-5)	4
2	(6-12)	6

Min.	Grade	Max.
2	(pk-5)	4
2	(6-12)	6

**Students should be cautioned that all verbal or written statements threatening racial violence, the health and/or safety of students, school personnel, and/or school facilities will be considered serious. Such statements will not be tolerated or dismissed as idle comments or jokes. Any threatening statement or conduct that leads a member of the school community to reasonably have concern that the threat might be carried out is prohibited, regardless of the intent of the person communicating the threat. This standard will be applied to all threats that are prohibited by the Code of Student Conduct.**

Revised: June 10, 2008

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Revised: April 10, 2018



ANNUAL

PARENTAL

NOTIFICATION

SECTION

## **Bus and Bus Stop Rules**

Parents are encouraged to explain to the students that school bus safety and adherence to bus rules are expected of everyone so that students may travel to and from home in a safe and orderly manner. It is important for students to remember that disciplinary offenses at the bus stop and while on the bus will be dealt with by school administration. **Student's Responsibilities**

- Learn and follow the rules and regulations of bus and bus stop behavior.
- Take responsibility for your actions and behavior

### **Parent's Responsibilities**

- Encourage student to learn and follow the rules and regulations of bus and bus stop behavior.
- Know the bus and bus stop rules and regulations of the school.
- Assume the responsibility of monitoring bus stop behavior and notifying the police and the school if assistance is needed.

**BUS RIDERSHIP IS A PRIVILEGE PROVIDED FOR STUDENTS BY THE DARE COUNTY BOARD OF EDUCATION. THIS PRIVILEGE MAY BE REVOKED BY THE PRINCIPAL AND/OR ASSISTANT PRINCIPAL FOR FAILURE TO ABIDE BY BUS AND BUS STOP RULES.**

### **Important Phone Numbers**

- Parents should call the following numbers for assistance:  
Dare County Schools Transportation Department 473-3717  
Dare County Schools Digital Communications Director 480-8888, ext. 1944

Students are expected to observe the following rules for safety and courtesy on the bus and at the bus stop.

### **At the Bus Stop**

- Arrive at the assigned bus stop five (5) minutes before bus pickup
- Stand on the sidewalk or the edge of the street by the curb
- Stay off private property
- Avoid standing on the traveled part of the roadway
- Be respectful and watchful of traffic
- Wait in a quiet and orderly manner

### **When the Bus Arrives**

- Allow the bus to come to a complete stop
- Look both ways before crossing the street
- Watch for the drivers hand signals before crossing the street
- Only start toward the bus after getting the "all clear" from the bus driver
- Board the bus in a quiet and orderly manner

### **On the Bus**

- Remain seated at all times
- Speak in a quiet voice, cooperate with the driver, and practice orderly conduct
- Refrain from the following while on the bus:
  - use of inappropriate language
  - eating or drinking
  - vandalism
  - displaying body parts outside the bus
  - audible radios, tapes, or electronic audio/video devices
  - in possession of live animals
  - in possession of unsafe objects or weapons
  - throwing of items from the bus or on the bus

**Leaving Bus**

- Remain seated until the bus comes to a complete stop
- Leave the bus in an orderly manner
- Leave at your assigned bus stop
- Cross in front of the bus. "Remain clear of the School Bus Danger Zone" - anywhere within ten (10) feet of the bus. If you cannot see the bus driver, the bus driver cannot see you and know where you are with regard to the bus.

If a student has left a personal item on the bus, please call the Transportation Department. Transportation personnel will do their very best to ensure personal property is returned. Remind students they should not attempt to reenter the bus after being discharged. Safety and the well being of students is more important than a personal item left on the bus.

**PROCEDURES FOR ACCIDENTS**

Emergency service agencies (Police, Fire, or EMS) will take charge of the accident scene upon their arrival. The EMS will set up a Triage Area and a Holding Area near the accident scene. The responsibility for the determination of injuries and potential injuries for any person involved in the accident rests with the highest appropriately trained on-scene EMS personnel.

All injuries and potentially injured persons (as determined by EMS personnel) will be transported to area hospitals. The number of ambulance utilized and hospital destinations will be determined by the on-scene emergency services personnel. No student shall be permitted to leave the accident scene without a parent or guardian signing a Refusal Form provided by the EMS personnel.

The school shall have two (2) school representatives at the Holding Area to provide information to the emergency personnel.

**Off-Campus Pick-up (In Event of Emergencies)**

If an emergency required the evacuation of a school and if re-entry into the building was not possible, students may be transported to a secure site off-campus until they would be taken home by bus or until parents could pick them up. Parents would be notified of the location for off-campus pickup in the following ways:

- Dare County Schools Website on the District Alerts (front page)
- Automated phone notification system (subscription required)
- Email communication (subscription required)
- Beach 104 radio station

Depending on the reason a school is evacuated, law enforcement may block access roads to the school from all traffic. Please be advised that students may not be able to retrieve personal items (including backpacks or vehicles) until law enforcement deems it is advisable to grant access to the school campus and/or to personal property. Updates regarding access to the school would be provided on the district website.

## NOTICE TO PARENTS

### **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) And RELEASE OF RECORDS TO OTHERS (Policy 4700f)**

The Family Educational Rights and Privacy Act (FERPA) is a Federal law that governs the maintenance and release of student records. Under this law, parents of students or students (if they are at least 18 years of age) have both the right to inspect records kept by the school about the student and the right to correct the inaccuracies in the records.

Federal law requires that Dare County Schools, with certain exceptions, obtain written consent prior to the disclosure of personally identifiable information from any student's education records. Student records will be released promptly when a student transfers to another school and in other circumstances specifically required or permitted by law. **Federal laws require local education agencies that receive assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters or institutions of higher education, upon request, with three directory information categories – names, addresses and telephone listings – unless parents have advised the school system that they do not want their secondary student's information disclosed without their prior written consent. In addition, Dare County Schools may make public appropriately designated "directory information" without written consent, unless a parent, guardian or student (age 18 or older) notifies school officials in writing of objection to the disclosure.**

If you do not want Dare County Schools to disclose directory information from your child's education records without your prior written consent, you must notify school officials in writing. In School Board Policy 4700f, Dare County Schools has designated the following information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic Mail Address
- Date and place of birth
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Dates of attendance
- Grade Level
- Diplomas, certifications and awards received
- Most recent previous school or educational institution attended by the student
- Pictures or videos taken on buses, school grounds, in school buildings and at school activities unless the picture or video may reveal confidential or embarrassing information about a student
- Eligibility for driver's license or permit under North Carolina General Statutes 20-11(n) and 20-13.2(cl).

Parents also have the right to withhold consent for their child to participate in certain curricular, counseling and information-gathering activities that are detailed in School Board Policy 4002.

Copies of all policies may be found in the office of the Superintendent, on the school system's web site, and in the Principal's office of each school within the Dare County School system.

Complaints about failures of the Dare County Schools to comply with the Family Educational Rights and Privacy Act may be made, in writing, to FERPA Office, Federal Building Number 6, 400 Maryland Avenue SW, Washington, DC 20202.

## Protection of Pupil Rights Notification

The Protection of Pupil Rights Amendment (PPRA) gives parents and students who are 18 or older or emancipated minors ("eligible students") certain rights regarding the school district's conduct of surveys, collection and use of information for marketing purposes, and conduct of certain physical exams. These include the right to:

1. *Consent to federally funded surveys concerning "protected information."* If the U.S. Department of Education funds a survey in whole or in part, a student's parents or an eligible student must consent in writing before the student may provide information relating to the following categories:
  - Political affiliations;
  - Mental or psychological problems of the student or student's family;
  - Sexual behavior or attitudes;
  - Illegal, anti-social, self-incriminating, or demeaning behavior;
  - Critical appraisals of student's family members;
  - Privileged or similar relationships recognized by law, such as with attorneys, doctors, and ministers;
  - Religious practices, affiliations, or beliefs of the student or student's parents; or
  - Income other than that required by law to determine program eligibility.

A survey that concerns any of these points is called a "protected information survey."

2. *Opt out of certain surveys or exams.* Parents and eligible students will receive notice of any of the following activities and will have the right to opt out of them:
  - Activities involving collection, disclosure, or use of personal information obtained from students for purposes of marketing or selling or otherwise distributing the information to others;
  - Any protected information survey, regardless of funding; and
  - Any nonemergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent and scheduled by the school, and not necessary to protect the immediate health and safety of a student or of another student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under state law.
3. *Inspect certain material.* Parents and eligible students have the right to inspect the following, upon request, before the district administers or uses them:
  - Protected information surveys of students (including any instructional materials used in connection with the survey);
  - Documents used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
  - Instructional material used as part of the educational curriculum.
4. *Receive notification of district policy.* The School District has developed a policy, in consultation with parents, regarding these rights, and has made arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Dare County Schools will directly notify parents and eligible students of this policy at least annually at the start of each school year and after any substantive changes are made.
5. *Report violations.* Parents and eligible students who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-4605

## **EDUCATIONAL RIGHTS OF STUDENTS IN HOMELESS SITUATIONS**

Federal law protects the educational rights of students experiencing homelessness and requires school districts to disseminate public notice of these rights where children and youth receive services.

### **Who is homeless?**

The law defines homelessness very broadly. The term “homeless children and youth”

- a) means individuals who lack a fixed, regular and adequate nighttime residence, and
- b) includes
  - children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
  - children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
  - children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
  - migratory children who qualify as homeless because the children are living in circumstances described above.

### **Students in homeless situations have the right to:**

- Go to school, no matter where they live or how long they have lived there.
- Get help enrolling and succeeding in school from the school district’s liaison for the Education of Homeless Children and Youth. Every school district must have a liaison and the central office can put families in touch with the liaison. Liaisons have a special responsibility to help youth who are on their own.
- Stay in the school they went to before becoming homeless or whatever school they were enrolled in last (called “school of origin”), even if they move out of the district, if that is feasible. Students can stay in their school of origin the entire time they are homeless. Students can also finish the school year in their school if they find permanent housing during the year.
- Get transportation to their school of origin, provided or arranged by the school district, or a joint effort among school districts.
- Go to the local school in the area where they are living. The school must immediately let students enroll, attend classes, and participate fully in school activities, even if students do not have a parent or guardian with them or documents such as proof of residence, immunization records, other medical records, school records, or other documents. Once students are enrolled, the school must get records from the last school, and the liaison must help students get immunizations or immunization and medical records.
- Get a written explanation from the school district if the district refuses to send students to the school they choose, and have the liaison settle such disagreements.
- Have disagreements settled quickly and go to the school they choose while disagreements are settled.
- Get preschool services, free or reduced school meals, services for English language learners, special education, Title I services, vocational/technical education, gifted and talented services, and before- and after-school care, as needed.
- Go to school with children who are not homeless. Students cannot be separated from the regular school program because they are homeless.
- Get information and referrals from liaisons including information about all available educational programs and how parents can participate, public notice about their rights, and referral to health, mental health, dental and other services.
- Have the opportunity to meet the same high academic achievement standards as all students.

**NOTIFICATION OF SAFE SCHOOLS PLAN  
and  
LAW REGARDING PERMISSIBLE USE OF SECLUSION AND RESTRAINT**

House Bill 1032 – “The Deborah Greenblatt Act” is an act to clarify the permissible use of seclusion and restraint in public schools and to provide for training in management of student behavior. The Dare County Schools is dedicated to implementing and following all the requirements as set forth in this law.

The Dare County Schools will ensure that all appropriate school personnel are trained in the management of disruptive or dangerous student behavior. This will include instruction in positive management of student behavior, effective communication for defusing and deescalating disruptive or dangerous behavior, and safe and appropriate use of seclusion and restraint. Appropriate school personnel to receive training include, but are not limited to, teachers, teacher assistants, school administrators, bus drivers, school resource officers, school psychologists, and school counselors, with priority for those staff members most likely to be called upon to prevent or address dangerous student behavior. The Dare County Schools will also ensure that all lateral entry teachers receive pre-service training in the areas described above, as well as training in the identification and education of children with disabilities.

The effectiveness of this training will be evaluated by a continual review of the documentation and reporting data required for each incident.

Finally, the Dare County Schools will follow all procedures as set forth in this law as required for notification, reporting and documentation.

**AN ACT TO CLARIFY THE PERMISSIBLE USE OF SECLUSION AND RESTRAINT IN PUBLIC SCHOOLS AND TO PROVIDE FOR TRAINING IN MANAGEMENT OF STUDENT BEHAVIOR.**

The General Assembly of North Carolina enacts:

SECTION 1. This act shall be known as the “Deborah Greenblatt Act”.

SECTION 2. Chapter 115C of the General Statutes is amended by adding a new section to read:

115C-391.1. Permissible use of seclusion and restraint.

(a) It is the policy of the State of North Carolina to:

- 1) Promote safety and prevent harm to all students, staff, and visitors in the public schools.
- 2) Treat all public school students with dignity and respect in the delivery of discipline, use of physical restraints or seclusion, and use of reasonable force as permitted by law.
- 3) Provide school staff with clear guidelines about what constitutes use of reasonable force permissible in North Carolina public schools.
- 4) Improve student achievement, attendance, promotion, and graduation rates by employing positive behavioral interventions to address student behavior in a positive and safe manner.
- 5) Promote retention of valuable teachers and other school personnel by providing appropriate training in prescribed procedures, which address student behavior in a positive and safe manner.

(b) The following definitions apply in this section:

- 1) “Assistive technology device” means any item, piece of equipment, or product system that is used to increase, maintain, or improve the functional capacities of a child with disabilities.
- 2) “Aversive procedure” means a systematic physical or sensory intervention program for modifying the behavior of a student with a disability which causes or reasonably may be expected to cause one or more of the following:
  - a. Significant physical harm, such as tissue damage, physical illness, or death.
  - b. Serious, foreseeable long-term psychological impairment.
  - c. Obvious repulsion on the part of observers who cannot reconcile extreme procedures with acceptable, standard practice, for example: electric shock applied to the body; extremely loud auditory stimuli; forcible introduction of foul substances to the mouth, eyes, ears, nose, or skin; placement in a tub of cold water or shower; slapping, pinching; hitting, or pulling hair; blindfolding or other forms of visual blocking; unreasonable withholding of meals; eating one’s own vomit; or denial of reasonable access to toileting facilities.
- 3) “Behavioral intervention” means the implementation of strategies to address behavior that is dangerous, disruptive, or otherwise impedes the learning of a student or others.
- 4) “IEP” means a student’s Individualized Education Plan..
- 5) “Isolation” means a behavior management technique in which a student is placed alone in an enclosed space from which the student is not prevented from leaving.
- 6) “Law enforcement officer” means a sworn law enforcement officer with the power to arrest.
- 7) “Mechanical restraint” means the use of any device or material attached or adjacent to a student’s body that restricts freedom of movement or normal access to any portion of the student’s body and that the student cannot easily remove.

- 8) "Physical restraint" means the use of physical force to restrict the free movement of all or a portion of a student's body.
  - 9) "School personnel" means:
    - a. Employees of a local board of education.
    - b. Any person working on school grounds or at a school function under a contract or written agreement with the public school system to provide educational or related services to students.
    - c. Any person working on school grounds or at a school function for another agency providing educational or related services to students.
  - 10) "Seclusion" means the confinement of a student alone in an enclosed space from which the student is:
    - a. Physically prevented from leaving by locking hardware or other means.
    - b. Not capable of leaving due to physical or intellectual incapacity.
  - 11) "Time-out" means a behavior management technique in which a student is separated from other students for a limited period of time in a monitored setting.
- (c) Physical Restraint:
- 1) Physical restraint of students by school personnel shall be considered a reasonable use of force when used in the following circumstances:
    - a. As reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person.
    - b. As reasonably needed to maintain order or prevent or break up a fight.
    - c. As reasonably needed for self-defense.
    - d. As reasonably needed to ensure the safety of any student, school employee, volunteer, or other person present, to teach a skill, to calm or comfort a student, or to prevent self-injurious behavior.
    - e. As reasonably needed to escort a student safely from one area to another.
    - f. If used as provided for in a student's IEP or Section 504 plan or behavior intervention plan.
    - g. As reasonably needed to prevent imminent destruction to school or another person's property.
  - 2) Except as set forth in subdivision (1) of this subsection, physical restraint of students shall not be considered a reasonable use of force, and its use is prohibited.
  - 3) Physical restraint shall not be considered a reasonable use of force when used solely as a disciplinary consequence.
  - 4) Nothing in this subsection shall be construed to prevent the use of force by law enforcement officers in the lawful exercise of their law enforcement duties.
- (d) Mechanical Restraint:
- 1) Mechanical restraint of students by school personnel is permissible only in the following circumstances:
    - a. When properly used as an assistive technology device included in the student's IEP or Section 504 plan or behavior intervention plan or as otherwise prescribed for the student by a medical or related service provider.
    - b. When using seat belts or other safety restraints to secure students during transportation.
    - c. As reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person.
    - d. As reasonably needed for self-defense.
    - e. As reasonably needed to ensure the safety of any student, school employee, volunteer, or other person present.
  - 2) Except as set forth in subdivision (1) of this subsection, mechanical restraint, including the tying, taping, or strapping down of a student, shall not be considered a reasonable use of force, and its use is prohibited.
  - 3) Nothing in this subsection shall be construed to prevent the use of mechanical restraint devices, such as handcuffs by law enforcement officers in the lawful exercise of their law enforcement duties.
- (e) Seclusion:
- 1) Seclusion of students by school personnel may be used in the following circumstances:
    - a. As reasonably needed to respond to a person in control of a weapon or other dangerous object.
    - b. As reasonably needed to maintain order to prevent or break up a fight.
    - c. As reasonably needed for self-defense.
    - d. As reasonably needed when a student's behavior poses a threat of imminent physical harm to self or others or imminent substantial destruction of school or another person's property.
    - e. When used as specified in the student's IEP, Section 504 plan, or behavior intervention plan; and
      - The student is monitored while in seclusion by an adult in close proximity who is able to see and hear the student at all times.
      - The student is released from seclusion upon cessation of the behaviors that led to the seclusion or as otherwise specified in the student's IEP or Section 504 plan.
      - The space in which the student is confined has been approved for such use by the local education agency.
      - The space is appropriately lighted.



- The space is appropriately ventilated and heated or cooled.
- The space is free of objects that unreasonably expose the student or others to harm.
- 2) Except as set forth in subdivision (1) of this subsection, the use of seclusion is not considered reasonable force, and its use is not permitted.
- 3) Seclusion shall not be considered a reasonable use of force when used solely as a disciplinary consequence.
- 4) Nothing in this subsection shall be construed to prevent the use of seclusion by law enforcement officers in the lawful exercise of their law enforcement duties.
- (f) Isolation. – Isolation is permitted as a behavior management technique provided that:
  - 1) The space used for isolation is appropriately lighted, ventilated, and heated or cooled.
  - 2) The duration of the isolation is reasonable in light of the purpose of the isolation.
  - 3) The student is reasonably monitored while in isolation.
  - 4) The isolation space is free of objects that unreasonably expose the student or others to harm.
- (g) Time-Out. – Nothing in this section is intended to prohibit or regulate the use of time-out as defined in this section.
- (h) Aversive Procedures. – The use of aversive procedures as defined in this section is prohibited in public schools.
- (i) Nothing in this section modifies the rights of school personnel to use reasonable force as permitted under G.S. 115C-390 or modifies the rules and procedures governing discipline under G.S. 115C-391(a).
- (j) Notice, Reporting, and Documentation.
  - 1) Notice of procedures. – Each local board of education shall provide copies of this section and all local board policies developed to implement this section to school personnel and parents or guardians at the beginning of each school year.
  - 2) Notice of specified incidents:
    - a. School personnel shall promptly notify the principal or principal's designee of:
      - Any use of aversive procedures.
      - Any prohibited use of mechanical restraint.
      - Any use of physical restraint resulting in observable physical injury to a student.
      - Any prohibited use of seclusion or seclusion that exceeds 10 minutes or the amount of time specified on a student's behavior intervention plan.
    - b. When a principal or principal's designee has personal knowledge or actual notice of any of the events described in this subdivision, the principal or principal's designee shall promptly notify the student's parent or guardian and will provide the name of a school employee the parent or guardian can contact regarding the incident.
  - 3) As used in subdivision (2) of this subsection, "promptly notify" means by the end of the workday during which the incident occurred when reasonably possible, but in no event later than the end of the following workday.
  - 4) The parent or guardian of the student shall be provided with a written incident report for any incident reported under this section within a reasonable period of time, but in no event later than 30 days after the incident. The written incident report shall include:
    - a. The date, time of day, location, duration, and description of the incident and interventions.
    - b. The event or events that led up to the incident.
    - c. The nature and extent of any injury to the student.
    - d. The name of a school employee the parent or guardian can contact regarding the incident.
  - 5) No local board of education or employee of a local board of education shall discharge, threaten, or otherwise retaliate against another employee of the board regarding that employee's compensation, terms, conditions, location, or privileges of employment because the employee makes a report alleging a prohibited use of physical restraint, mechanical restraint, aversive procedure, or seclusion, unless the employee knew or should have known that the report was false.
- (k) Nothing in this section shall be construed to create a private cause of action against any local board of education, its agents or employees, or any institutions of teacher education or their agents or employees or to create a criminal offense.

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**Prepay on-line for school meals**  
**K12paymentcenter.com**

Now parents can:

- Make meal payments on the Internet using their credit or debit card
- Check meal account balances
- Get low balance alerts by e-mail
- See what their children are buying

For more information visit [k12paymentcenter.com](http://k12paymentcenter.com) or look on your child's school website. To set up an account, you will need each child's student number. The number is typically found on report cards to the right of the student's name. Transactions may take 24 to 48 hours to post. If you need assistance with a student number or have questions, contact the school nutrition bookkeeper at (252) 480-8888, X1920.

## ACKNOWLEDGMENT OF RECEIPT

I hereby acknowledge that I have received and read the Code of Student Conduct 2020-21 and that it contains the following policies, regulations, authorizations, and agreements:

- Basic Rights and Responsibilities
- Nondiscrimination Statement
- Code of Student Conduct
- Conduct on School Buses
- Family Educational Rights and Privacy Act (FERPA)
- Protection of Pupil Rights Notification
- Release of Records to Others-Policy – #4700c
- Educational Rights of Students in Homeless Situations
- Notification of Safe Schools Plan and Law Regarding Permissible Use of Seclusion and Restraint
- Acknowledgment of Receipt
- Acceptable Use Agreement (Student and Parent Signature Sheet)
- Student E-mail Parent Permission Form (Student and Parent Signature Sheet)
- Student Laptop User Agreement – Policy #3230-R
- Administering Medicines to Students – Policy #6125
- Consent for Medication/Treatment During School Hours
- Medical History Update
- Information about Meningitis, Influenza and their Vaccines
- Student Attendance Policy and Regulations
- Harassment and Bullying Policy
- Random Drug Testing of Students Policy
- Drug Testing Consent, Opt-In and Withdrawal of Consent Forms

The following forms should be read, signed, and verified by parents, **as appropriate**:

1. **All parents and students** – Sign below indicating your receipt of this information.
2. **All parents and students** – Sign the Acceptable Use of the Internet Policy (page 38).
3. **All parents and students** – Sign the Student E-mail Permission Form (page 39)
4. **All parents and students** – Sign the Dare County Schools Laptop Agreement (page 42).
5. A Medication Consent Form (page 47) must be completed and signed **only** for students requiring medication during school hours.
6. Drug Testing Consent or Opt-In Form for parents and students in grades 6-12 who agree to participate in the random drug testing program (page 73 or 74) **OR** Drug Testing Withdrawal of Consent Form for parents and students in grades 6-12 who do not wish the student to participate in voluntary and privileged activities (page 75).

Students should be cautioned that all verbal or written statements threatening racial violence, the health and/or safety of students, school personnel, and/or school facilities will be considered serious. Such statements will not be tolerated or dismissed as idle comments or jokes.

\_\_\_\_\_  
Name of Student (Please Print)

\_\_\_\_\_  
Signature of Student

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Email Address of Parent/Guardian

**PLEASE SIGN AND RETURN TO YOUR CHILD'S SCHOOL**

**Dare County Schools**  
**Non-Emergency Automated Calls**  
**Opt-In/Opt-Out Consent Form**

Emergency and non-urgent calls (upcoming events, early dismissals) are made by Dare County Schools to residential land lines and to cell phones. Dare County School system and its schools are giving parents an opportunity to opt out of receiving such automated calls.

Name of Student(s)	School(s)

☐

I do not wish to receive non-emergency automated calls from Dare County Schools or any of its schools.

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Printed Name

Signature

Date

Changes to the Opt-In/Opt-Out Consent Form may be made at any time by contacting the school.

## **Military Connected Survey**

In an effort to ensure that the unique needs of military-connected students are met, Session Law 2014-15 requires the North Carolina State Board of Education/North Carolina Department of Public Instruction to collect information on military-connected students. The goal is to help accommodate these students by providing support and consistency when their parents are deployed, when they are transitioning between schools, and at other pivotal times during their academic career.

The requirements of Session Law 2014-15 related to military-connected students may be viewed at <http://www.ncleg.net/sessions/2013/bills/house/PDF/H1060v3.pdf>.

For purposes of Session Law 2014-15, a "military-connected student" means a student enrolled in a local school administrative unit who has a parent, step-parent, sibling, or any other person who resides in the same household serving in the active or reserve components of the Army, Navy, Air Force, Marine Corps, Coast Guard or National Guard.

To ensure compliance with Session Law 2014-15, please complete the survey below if an immediate family member that would normally reside in the same household as your child is serving or has served in any branch of the US Military listed above. Complete the information for each family member with a military connection.

**Student Name:** \_\_\_\_\_ **Military Connected: Yes** \_\_\_\_ **No** \_\_\_\_  
Last First If Yes, complete below

**Which immediate family member?** Check all that apply

Father ☐ Stepfather ☐ Guardian ☐ Other \_\_\_\_\_  
Mother ☐ Stepmother ☐ Sibling ☐ Relationship \_\_\_\_\_

**Branch:**

Air Force ☐ Army ☐ Coast Guard ☐ Marine Corps ☐ Navy ☐

**Status:**

Active Duty ☐ National Guard ☐ Reserves ☐  
Retired Military ☐ Disable Veteran ☐  
Civil Service Employee ☐

**Grade:**

E1 ☐ E2 ☐ E3 ☐ E4 ☐ E5 ☐ E6 ☐ E7 ☐ E8 ☐ E9 ☐  
O1 ☐ O2 ☐ O3 ☐ O4 ☐ O5 ☐ O6 ☐ O7 ☐ O8 ☐ O9 ☐ O10 ☐  
W-1 ☐ W-2 ☐ W-3 ☐ W-4 ☐ W-5 ☐  
Civil Service Employee ☐

**Installation:**

Camp Lejeune <input type="checkbox"/>	MCAS Cherry Point <input type="checkbox"/>
Fort Bragg <input type="checkbox"/>	MCAS New River <input type="checkbox"/>
Pope Army Air Field <input type="checkbox"/>	Seymore Johnson Air Force Base <input type="checkbox"/>
Coast Guard-Elizabeth City <input type="checkbox"/>	Coast Guard-Fort Macon <input type="checkbox"/>
Coast Guard-Wilmington <input type="checkbox"/>	Coast Guard-Special Missions Training Center <input type="checkbox"/>
Other _____	

**Unit/Squadron:** \_\_\_\_\_

The board provides its students and staff access to a variety of technological resources. These resources provide opportunities to enhance learning and improve communication within the school community and with the larger global community. Through the school system's technological resources, users can observe events as they occur around the world, interact with others on a variety of subjects, and acquire access to current and in-depth information.

The board intends that students and employees benefit from these resources while remaining within the bounds of safe, legal, and responsible use. Accordingly, the board establishes this policy to govern student and employee use of school system technological resources. This policy applies regardless of whether such use occurs on or off school system property, and it applies to all school system technological resources, including but not limited to computer networks and connections, the resources, tools, and learning environments made available by or on the networks, and all devices that connect to those networks.

#### **A. EXPECTATIONS FOR USE OF SCHOOL TECHNOLOGICAL RESOURCES**

The use of school system technological resources, including access to the Internet, is a privilege, not a right. Individual users of the school system's technological resources are responsible for their behavior and communications when using those resources. Responsible use of school system technological resources is use that is ethical, respectful, academically honest, and supportive of student learning. Each user has the responsibility to respect others in the school community and on the Internet. Users are expected to abide by the generally accepted rules of network etiquette. General student and employee behavior standards, including those prescribed in applicable board policies, the Code of Student Conduct, and other regulations and school rules, apply to use of the Internet and other school technological resources.

In addition, anyone who uses school system computers or electronic devices or who accesses the school network or the Internet using school system resources must comply with the additional rules for responsible use listed in Section B, below. These rules are intended to clarify expectations for conduct but should not be construed as all-inclusive.

Within the first month of school, all students must receive instruction on appropriate online behavior as provided in policy 3226/4205, Internet Safety.

All students and employees must be informed annually of the requirements of this policy and the methods by which they may obtain a copy of this policy. Before using school system technological resources, students and employees must sign a statement indicating that they understand and will strictly comply with these requirements and acknowledging awareness that the school system uses monitoring systems to monitor and detect inappropriate use of technological resources. Failure to adhere to these requirements will result in disciplinary action, including revocation of user privileges. Willful misuse may result in disciplinary action and/or criminal prosecution under applicable state and federal law.

#### **B. RULES FOR USE OF SCHOOL TECHNOLOGICAL RESOURCES**

1. School system technological resources are provided for school-related purposes only. Acceptable uses of such technological resources are limited to responsible, efficient, and legal activities that support learning and teaching. Use of school system technological resources for commercial gain or profit is prohibited. Student personal use of school system technological resources for amusement or entertainment is also prohibited. Because some incidental and occasional personal use, the board permits infrequent and brief personal use so long as it occurs on personal or non-instructional time, does not interfere with school system business, and is not otherwise prohibited by board policy or procedure.

2. Under no circumstance may software purchased by the school system be copied for personal use.

3. Students and employees must comply with all applicable laws, including those relating to copyrights and trademarks, confidential information, and public records. Any use that violates state or federal law is strictly prohibited. Plagiarism of Internet resources will be treated in the same manner as any other incidents of plagiarism, as stated in the Code of Student Conduct.
4. No user of technological resources, including a person sending or receiving electronic communications, may engage in creating, intentionally viewing, accessing, downloading, storing, printing, or transmitting images, graphics (including still or moving pictures), sound files, text files, documents, messages, or other material that is obscene, defamatory, profane, pornographic, harassing, abusive, or considered to be harmful to minors.
5. The use of anonymous proxies to circumvent content filtering is prohibited.
6. Users may not install or use any Internet-based file sharing program designed to facilitate sharing of copyrighted material.
7. Users of technological resources may not send electronic communications fraudulently (i.e., by misrepresenting the identity of the sender).
8. Users must respect the privacy of others. When using e-mail, chat rooms, blogs, or other forms of electronic communication, students must not reveal personal identifying information or information that is private or confidential, such as the home address or telephone number, credit or checking account information, or social security number of themselves or fellow students. For further information regarding what constitutes personal identifying information, see policy 4705/7825, Confidentiality of Personal Identifying Information. In addition, school employees must not disclose on school system websites or web pages or elsewhere on the Internet any personally identifiable, private, or confidential information concerning students (including names, addresses, or pictures) without the written permission of a parent or guardian or an eligible student, except as otherwise permitted by the Family Educational Rights and Privacy Act (FERPA). Users also may not forward or post personal communications without the author's prior consent.
9. Users may not intentionally or negligently damage computers, computer systems, electronic devices, software, computer networks, or data of any user connected to school system technological resources. Users may not knowingly or negligently transmit computer viruses or self-replicating messages or deliberately try to degrade or disrupt system performance.
10. Users may not create or introduce games, network communications programs, or any foreign program or software onto any school system computer, electronic device, or network without the express permission of the technology director or designee. An approval process will include the review of a vendor's privacy policies.
11. Users are prohibited from engaging in unauthorized or unlawful activities, such as "hacking" or using the computer network to gain or attempt to gain unauthorized or unlawful access to other computers, computer systems, or accounts.
12. Users are prohibited from using another individual's ID or password for any technological resource without permission from the individual. Students must also have permission from the teacher or other school official.
13. Users may not read, alter, change, block, execute, or delete files or communications belonging to another user without the owner's express prior permission.
14. Employees shall not use passwords or user IDs for any data system (e.g., the state student information and instructional improvement system applications, time-keeping software, etc.) for an unauthorized or improper purpose.

15. If a user identifies a security problem on a technological resource, he or she must immediately notify a system administrator. Users must not demonstrate the problem to other users. Any user identified as a security risk will be denied access.
16. Teachers shall make reasonable efforts to supervise students' use of the Internet during instructional time.
17. Views may be expressed on the Internet or other technological resources as representing the view of the school system or part of the school system only with prior approval by the superintendent or designee.

### **C. Restricted Material on the Internet**

The Internet and electronic communications offer fluid environments in which students may access or be exposed to materials and information from diverse and rapidly changing sources, including some that may be harmful to students. The board recognizes that it is impossible to predict with certainty what information on the Internet students may access or obtain. Likewise, it is impossible to block all potentially inappropriate sites on the Internet. Nevertheless, school system personnel shall take reasonable precautions to prevent students from accessing material and information that is obscene, pornographic, or otherwise harmful to minors, including violence, nudity, or graphic language that does not serve a legitimate pedagogical purpose. The superintendent shall ensure that technology protection measures are used as provided in policy 3226/4205, Internet Safety, and are disabled or minimized only when permitted by law and board policy. The board is not responsible for the content accessed by users who connect to the Internet via their personal mobile telephone technology (e.g., 3G, 4G service).

### **D. Parental Consent**

The board recognizes that parents of minors are responsible for setting and conveying the standards their children should follow when using media and information sources. Accordingly, before a student may independently access the Internet, the student's parent must be made aware of the possibility that the student could obtain access to inappropriate material while engaged in independent use of the Internet. The parent and student must consent to the student's independent access to the Internet and to monitoring of the student's Internet activity and e-mail communication by school personnel.

In addition, in accordance with the board's goals and visions for technology, students may require accounts in third party systems for school related projects designed to assist students in mastering effective and proper online communications or to meet other educational goals. Parental permission will be obtained when necessary to create and manage such third party accounts.

### **E. PRIVACY**

Students, employees, visitors, and other users have no expectation of privacy in anything they create, store, send, delete, receive, or display when using the school system's network, devices, Internet access, email system, or other technological resources owned or issued by the school system, whether the resources are used at school or elsewhere, and even if the use is for personal purposes. Users should not assume that files or communications created, transmitted, or displayed using school system technological resources or stored on servers or on the storage mediums of individual devices will be private. The school system may, without notice, (1) monitor, track, and/or log network access, communications, and use; (2) monitor and allocate files server space; and (3) access, review, copy, store, delete, or disclose the content of all user files, regardless of medium, the content of electronic mailboxes, and system outputs, such as printouts, for any lawful purpose. Such purposes may include, but are not limited to, maintaining system integrity, security, or functionality, ensuring compliance with board policy and applicable laws and regulations, protecting the school system from liability, and complying with public records requests. School system personnel shall monitor online activities of individuals who access the Internet via a school-owned device.

By using the school system's network, Internet access, email system, devices, or other technological resources, individuals consent to have that use monitored by authorized school system personnel as described in this policy.

**F. USE OF PERSONAL TECHNOLOGY ON SCHOOL SYSTEM PROPERTY**

Each principal may establish rules for his or her school site as to whether and how personal technology devices (including, but not limited to smart phones, tablets, laptops, etc.) may be used on campus. Students are responsible for following expectations for acceptable use of the Internet even if using a personal device. Students' devices are governed also by policy 4318, Use of Wireless Communication Devices. The school system assumes no responsibility for personal technology devices brought to school.

**G. PERSONAL WEBSITES**

The superintendent may use any means available to request the removal of personal websites that substantially disrupt the school environment or that utilize school system or individual school names, logos, or trademarks without permission.

**1. Students**

Though school personnel generally do not monitor students' Internet activity conducted on non-school system devices during non-school hours, when the student's online behavior has a direct and immediate effect on school safety or maintaining order and discipline in the schools, the student may be disciplined in accordance with board policy (see the student behavior policies in the 4300 series).

**2. Employees**

Employees' personal websites are subject to policy 7335, Employee Use of Social Media.

**3. Volunteers**

Volunteers are to maintain an appropriate relationship with students at all times. Volunteers are encouraged to block students from viewing personal information on volunteer personal websites or online networking profiles in order to prevent the possibility that students could view materials that are not age-appropriate. An individual volunteer's relationship with the school system may be terminated if the volunteer engages in inappropriate online interaction with students.

Legal References: U.S. Const. amend. I; Children's Internet Protection Act, 47 U.S.C. 254(h)(5); Electronic Communications Privacy Act, 18 U.S.C. 2510-2522; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; 17 U.S.C. 101 *et seq.*; 20 U.S.C. 7131; G.S. 115C-325(e) (applicable to career status teachers), -325.4 (applicable to non-career status teachers)

Cross References: Curriculum and Instructional Guides (policy 3115), Technology in the Educational Program (policy 3220), Internet Safety (policy 3226/4205), Copyright Compliance (policy 3230/7330), Web Page Development (policy 3227/7322), Student Behavior Policies (all policies in the 4300 series), Student Records (policy 4700), Confidentiality of Personal Identifying Information (policy 4705/7825), Public Records – Retention, Release, and Disposition (policy 5070/7350), Use of Equipment, Materials, and Supplies (policy 6520), Network Security (policy 6524), Staff Responsibilities (policy 7300), Employee Use of Social Media (policy 7335)

Adopted: June 11, 2019



**Mandatory Orientation/Acknowledgement.** To educate students on proper Computer, Network, and Internet use and conduct, a mandatory orientation session is required by the end of the first month of school each school year. Employees will receive a copy of the regulations and sign an acknowledgement form indicating that they have read and understand the regulations.

### **Availability of Access**

**Acceptable Use.** Information technology resource access will be used to improve learning and teaching consistent with the educational goals of Dare County Schools. The District requires legal, ethical, and appropriate use of the information technology resources.

**Privilege.** Access to the Dare County Schools information technology resources is a privilege, not a right. Any users of these resources, including staff and students, must comply with the following requirements. Any student's failure to comply may lead to serious disciplinary action. Any employee's failure to comply may lead to serious disciplinary action up to and including dismissal.

**Access to Information Technology Resources.** Information technology resources are provided to all Dare County Schools teachers and staff. Students may be allowed to use the local network with campus permission, but may only use the Internet and school-based email communication with parent permission. Student's Internet access will be under the direction and guidance of a Dare County Schools teacher or staff member. Access to the District's electronic communications system, including the Internet, shall be made to students and employees primarily for instructional and administrative purposes in accordance with this policy and regulations.

**Subject to Monitoring.** All Dare County Schools information technology resource usage shall not be considered confidential and is subject to monitoring by designated staff at any time to ensure appropriate use.

**User Responsibilities.** Information technology resource users, like traditional library users, are responsible for their actions.

1. Users with accounts will be required to maintain password confidentiality by not sharing the password with others. Users will also be required to logout of the network prior to leaving the computer.
2. Users are expected to use appropriate language: Swearing, vulgarity, ethnic or racial slurs, and any other inflammatory languages are prohibited.
3. Revealing such personal information as addresses or phone numbers of users to others is prohibited.
4. System users are asked to purge electronic mail or outdated files on a regular basis.
5. System users are responsible for making sure they do not violate any copyright laws.
6. Users are to notify the appropriate supervisor or district designee if they should encounter any material or electronic communication that is inappropriate.
7. System users may not use another person's system account.
8. System users and parents of students with access to the District's system should be aware that use of the system may provide access to other electronic communications systems in the global electronic network that may contain inaccurate and/or objectionable material.
9. A user who gains access to inappropriate material is expected to discontinue the access as quickly as possible. Students should report the incident to the supervising teacher; all other users should report the incident to the Technology Department.
10. A student who knowingly brings prohibited materials into the school's electronic environment will be subject to suspension of access and/or revocation of privileges on the District's system and will be subject to disciplinary action in accordance with the Board-approved Student Code of Conduct.
11. An employee who knowingly brings prohibited materials into the school's electronic environment will be subject to disciplinary action in accordance with District policies.
12. Users who bring personal equipment into the school must coordinate with the technology staff prior to connecting it to the network. Dare County Schools will not be liable for any damage to and will not provide technical services to repair/fix personal equipment.
13. Students who are issued district-owned and maintained laptops must follow the guidelines in the district's Laptop Handbook for Students and Parents.
14. Those who use district-owned and maintained technologies to access the Internet at home are responsible for both the cost and configuration of such use.
15. Students with permission to use their personal devices during school are subject to the same rules and expectations for acceptable use outlined in policy and this regulation.

**Student Responsibilities.** Students of Dare County Schools are bound by all portions of the Information Technology Resources Use and Regulations.

**Campus Level Responsibilities.** The Principal or designee will:

1. Be responsible for disseminating and enforcing the Information Technology Resource Use Regulation for the District's system at the campus level.
2. Ensure that employees supervising students who use the District's systems provide information emphasizing the appropriate and ethical use of this resource.

**Inappropriate Use** Inappropriate use includes, but is not limited to, those uses that violate the law, that are specifically named as violations in this document, that violate the rules of network etiquette, or that hamper the integrity or security of any components that are connected to the Information Technology Resources.

The following actions are considered inappropriate uses and are prohibited:

**Violations of Law.** Transmission of any material in violation of any US or state law is prohibited. This includes, but is not limited to: copyrighted material; threatening, harassing, or obscene material; material protected by trade secret; or confidential information, or public records. Any attempt to break the law through the use of a Dare County Schools Information Technology Resources account may result in litigation against the offender by the proper authorities. If such an event should occur, Dare County Schools will fully comply with the authorities to provide any information necessary for the litigation process.

**Modification of Computer.** Modifying or changing computer settings and/or internal or external configurations without appropriate permission is prohibited.

**Commercial Use.** Use for the purpose of product advertisement, commercial, income-generating or "for-profit" activities is prohibited.

**Vandalism/Mischief.** Any malicious attempt to harm or destroy District equipment or materials, data of another user of the District's system, or any of the agencies or other networks to which the District has access is prohibited. Deliberate attempts to degrade or disrupt system performance may be viewed as violations of district policy and, possibly, as criminal activity under applicable state and federal laws. This includes, but is not limited to, the uploading or creating of computer viruses.

Vandalism as defined above will result in the cancellation of system use privileges, possible prosecution, and will require restitution for costs associated with system restoration, hardware, or software costs.

**Personal Websites and Social Networking Sites.** The superintendent may use any means legally available and appropriate to request the removal of personal websites that substantially disrupt the school environment or that utilize school system or individual school names, logos or trademarks without permission.

1. **Students**  
Though school personnel generally do not monitor students' Internet activity conducted on non-school system computers during non-school hours, when a student's on-line behavior has a direct and substantial effect on school safety or maintaining order and discipline in the schools, the student may be disciplined in accordance with board policy (see the student behavior policies in the 4300 series).
2. **Employees**  
Employees are to maintain an appropriate professional relationship with students at all times. If an employee creates and/or posts inappropriate content on a website or profile and allows students access to the site, or if not, said content otherwise has a negative impact on the employee's ability to perform his or her job as it relates to working with students, the employee may be subject to appropriate discipline. This section applies to all employees, volunteers and student teachers working in the school system. Employees must review and acknowledge understanding of the expectations for use of social media outlined in Policy #7335 annually.

As role models for the school system's students, employees are responsible for their public conduct even when they are not performing their job duties as employees of the school system. Employees will be held to the same professional standards in their public use of social media and other electronic communications as they are for any other public conduct.

Employees are responsible for the content on their social media sites. Employees who use social media for personal purposes must be aware that the content they post may be viewed by anyone, including students, parents and community members. Employees shall observe the following principles when communicating through social media:

1. Employees shall not post confidential information about students, employees or school system business.
2. Employees shall be professional in all Internet postings related to or referencing the school system, students or their parents, and other employees.
3. Employees shall not use profane, pornographic, obscene, indecent, lewd, vulgar or sexually offensive language, pictures or graphics or other communication that could reasonably be anticipated to cause a substantial disruption to the school environment.
4. Employees shall not post content that negatively impacts their ability to perform their jobs.

**Electronic Mail Violations.** Forgery of electronic mail messages is prohibited. Reading, deleting, copying, or modifying the electronic mail of other users, without their permission is prohibited. Sending unsolicited junk mail, chain letters, political lobbying, transmitting obscene messages or pictures is prohibited.

**Illegally Accessing or Hacking Violations.** Illegally accessing or hacking and subsequent manipulation of information of private databases/systems is prohibited.

**File/Data Violations.** Deleting, examining, copying, or modifying files and/or data belonging to other users, without their permission is prohibited.

**Copyright Violations.** Downloading or using copyrighted information without following approved Dare County Schools procedures is prohibited.

**System Interference/Alteration.** Deliberate attempts to exceed, evade or change resource quotas (printing, downloading, storage) are prohibited. The deliberate causing of network congestion through mass consumption of system resources is prohibited.

**Participation in Chat Rooms, Instant Messaging, and Newsgroups.** Students and employees utilizing this district's electronic communications system, including access to the Internet, are prohibited in any chat room, Instant Messaging, or newsgroup accessed on the Internet, other than those approved and given access by the Technology Department.

**Denial, Revocation, or Suspension of Access Privileges.** With just cause, the System Administrator and/or building principal, may deny, revoke, or suspend Network/Internet access as required, pending an investigation.

## **Security**

**Reporting Security Problem.** If knowledge of inappropriate material or a security problem on the Network/Internet is identified, the user should immediately notify his/her supervisor. The security problem should not be shared with others.

**Impersonation.** Attempts to log on to the Network/Internet impersonating a system administrator or Dare County Schools employee, student, or individual other than oneself, will result in revocation of the user's access to Network/Internet.

**Other Security Risks.** Any user identified as having had access privileges revoked or denied on another computer system may be denied access to the Dare County Schools Network/Internet.

**Warning.** Sites accessible via the Network/Internet may contain material that is illegal, defamatory, inaccurate or controversial. Dare County Schools makes every effort to limit access to objectionable material, however, controlling all such materials on the Network/Internet is impossible. With global access to computers and people, a risk exists that students may access material that may not be of educational value in the school setting. The Dare County Schools Internet connection is the only system to be used in schools. No commercial Internet accounts may be used.

**Disclaimer.** This agreement applies to stand-alone computers as well as computers connected to the Network/Internet. Dare County Schools shall not be liable for users' inappropriate use of electronic communication resources or violations of copyright restrictions, users' mistakes or negligence, or costs incurred by users. Dare County Schools shall not be responsible for ensuring the accuracy or usability of any information found on the internet.

The board is aware that there is information on the Internet that is not related to the educational program. The board also is aware that there is information and opportunities to communicate on subjects that are not suitable for school-age children and that many parents would find objectionable. The school district will take reasonable precautions to prevent students from having access to inappropriate materials, such as violence, nudity, obscenity or graphic language which does not serve a legitimate pedagogical concern. The school district will not limit access to the Internet for the purpose of restricting access to political ideas or social perspectives if the action is not rated simply by a school district official's disapproval of the ideas involved. However, the user is ultimately responsible for his or her activity on the Internet.

Legal Reference: U.S. Const. Amend. I; 17 U.S.C. 100 et seq.; Electronic Communications Privacy Act, 18 U.S.C. 2510-2522; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 115C-391, -325(e).

Cross Reference: Curriculum and Instructional Guides (policy 3115), Technology in the Educational Program (policy 3220), Copyright Complaint (policy 3230/7330), Standards of Expected Student Behavior (policy 4310), Public Records (policy 5070), Staff Responsibilities (policy 7300)

Adopted: July 25, 2003

Revised: October 13, 2009

August 4, 2014

August 21, 2017

Revised: June 11, 2019

# Dare County Schools

## Acceptable Use of the Internet

Online resources, including Internet access, will be available to students and staff at Dare County Schools. In order to promote personal growth in gathering techniques, critical thinking skills, and communication skills, Internet accounts will be available in support of educational research consistent with the educational objectives of Dare County Schools. Transmission of any material in violation of any U.S. or state regulation is prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene material, and the uploading or creation of computer viruses.

Although all Internet usage is filtered and many inappropriate areas will be blocked for student access, students are expected to always have a specific topic of interest assigned by a teacher for research using the Internet. It is the student's responsibility to avoid accessing inappropriate or questionable material. Internet access is a privilege, not a right, and access entails responsibility. All Internet activity is monitored by Dare County Schools personnel for compliance with Dare County policy 3225/7320.

**I have reviewed Policy 3225/7320 and Regulations 3225/7320-R and agree to abide by them. In order that the Internet be used appropriately for education purposes, I agree to access only those sites that are determined by my teacher to be of educational value. I agree to download/print only information that has been approved by my teacher. I understand that any violation of this policy may result in the termination of my access to the Internet.**

Print Student Name \_\_\_\_\_

Student Signature \_\_\_\_\_ Date \_\_\_\_\_

**As parent(s) I/we agree have reviewed Policy 3225/7320 and Regulation 3225/7320-R and will allow our student to access the Internet after signing this agreement. I/we understand that my child will be held responsible for any fees incurred by the school system for deliberate violations of the law, including the copyright law.**

Printed Parent(s) Name \_\_\_\_\_

Parent Signature \_\_\_\_\_ Date \_\_\_\_\_

**PLEASE SIGN AND RETURN TO YOUR CHILD'S SCHOOL**

**Dare County Schools**  
**Student E-Mail Parent Permission Form**  
**Acceptable Use Policy Addendum**

Student \_\_\_\_\_ Date \_\_\_\_\_

School \_\_\_\_\_

Parents and Students:

Your child's teachers will be using email for class assignments this year and in future years as long as the student is enrolled in Dare County Schools. Since school-assigned, individual email accounts are now an option for Dare County Schools' students, your approval is necessary for your child to participate.

The use of email by individual students is not specifically included in the Dare County Schools Information Technology Resource Use regulation which you approve separately (see page 39). This form serves as an addendum to your approval of the **Dare County Schools - Acceptable Use of the Internet**.

With your permission, your student will be assigned his or her own username and will be allowed to send and receive email. All district policies are still in effect, and apply, as indicated in the Information Technology Resource Use Policy. Every attempt has been made to provide safe, secured student email, however it is still the responsibility of users to follow all school rules, as well as teacher directions and procedures and to report any inappropriate use or material to school personnel.

As explained in the Acceptable Use Regulation, the use of school technology, networks, and Internet services does not create any expectation of privacy. Dare County Schools reserves the right to search and/or monitor any information, created, accessed, sent, received, and/or stored in any format by students on school equipment.

By signing below you are indicating that you understand and agree to follow the district and school policies as detailed above and in board policies 3225/7320 and their supporting regulations. To read the entire policy and regulations, see pages 33-38 of this booklet or look online at: <http://www.dcs.daretolearn.org>

\_\_\_\_\_  
Printed Student Name

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_ I **DO** grant permission for my child to use the student email services referred to above to be provided by the school system.

\_\_\_\_\_ I **DO NOT** grant permission for my child to use the student email services referred to above to be provided by the school system.

\_\_\_\_\_  
Printed Parent Name

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Date

PLEASE SIGN AND RETURN TO YOUR CHILD'S SCHOOL

**Issuance and Return of Laptop**

- Students and their parent/guardian must sign and return the student laptop user agreement and pay the home usage fee (if home use option is selected) before a laptop will be issued.
- Students may be issued a laptop for school use only or for school and home use. Students who do not sign up for home use of the computer will be responsible for turning in the laptop for secure storage overnight at the school at the time and place to be determined by the school principal.
- Laptops will be collected by school personnel on or before the last day of the school year or upon student withdrawal from school. If the laptop is not returned as required, a student's privileges may be restricted by the principal until such a time as the student complies with this requirement. Seniors are required to return laptops prior to being allowed to participate in graduation ceremonies. Additionally, if the laptop is not returned, the student and the student's parent/guardian may be assessed the full replacement cost of the laptop. If necessary, Dare County Schools may institute legal actions against the student and/or the student's parent/guardian for failing to return the computer or pay replacement costs.

**Laptop Usage Fee**

- Students who have been issued a laptop for home use must pay an annual laptop usage fee of \$25.00.
- The laptop usage fee covers the device for the first accidental damage, including but not limited to, cracked screens (within limits), damaged keyboards, or broken internal components. All additional breaks may incur an additional charge. A student will receive a loaner computer (if available) while his/her computer is being repaired or replaced.
- The usage fee does not cover lost, stolen, or intentionally damaged laptops. If the laptop is lost, stolen, intentionally damaged or destroyed during the time it is issued to the student, the student and the student's parent/guardian will be responsible for the actual cost or repair or replacement, whichever is less. The student will not be issued a replacement laptop for home use until the costs have been paid in full.
- Dare County Schools officials will investigate all incidents of laptops reported as lost, stolen, or intentionally damaged and may refer any such incidents to law enforcement. Any theft, conspiracy to steal, or unauthorized sale of or conspiracy to sell a Dare County Schools-owned laptop will be prosecuted to the fullest extent of the law.
- If the laptop malfunctions in any way or if the laptop is accidentally damaged, the student will immediately report the problem to a teacher or administrator.

If a student withdraws from the school system, the laptop usage fee may be prorated and refunded, based on condition of the laptop and time of year.

**Student Responsibilities**

- The student will make sure that the laptop is fully charged each day prior to arrival at school.  
(A fully charged computer is projected to operate for a period of 9 to 12 hours.)
- Laptops will include a power supply cord. Lost power cords are not covered by the usage fee. If a student loses the power cord, a fee of \$20 will be charged to the student for a Dell replacement cord with approved specifications for proper charging capability. Dell replacement cords will be provided by Dare County Schools. The use of replacement cords other than those issued by the school system is prohibited.

- The student's possession and use of the laptop is a privilege, not a right. The student and the student's parent/guardian acknowledge that they have no right or entitlement to possession or use of the laptop and that neither this document nor any conversation, correspondence or understanding between themselves and any representative of Dare County Schools gives them any ownership or contractual rights of any kind to the laptop.
- Because the laptop is school property and is intended only for approved educational uses, the student's possession and use of the laptop will be subject at all times, both on and off campus, to the terms and conditions described in this document, as well as Policy 3225/7320 (Technology Responsible Use Policy) found in the *Code of Student Conduct*. Additional policies, regulations, rules and restrictions may be imposed by Dare County Schools. All applicable state and federal laws and regulations govern appropriate use of the laptop. Dare County Schools may recall the laptop or place additional restrictions on the student's use or possession of the laptop, at any time and for any reason, with or without prior notice.
- The laptop may be inspected at any time by Dare County Schools officials, with or without prior notice, either in person or remotely via the Internet or network connections, for purposes of maintenance and/or to monitor the student's use of the laptop (including any email communications and internet activities) to determine whether the student is complying with the terms and conditions set forth or described in this document. The student and parent/guardian acknowledge that they have no reasonable expectation of privacy to any data or information of any kind contained on the laptop, which shall at all times remain the property of Dare County Schools and is intended to be used only for school purposes. The student and the student's parent/guardian further acknowledge that if any such inspection reveals evidence that the student has violated the *Code of Student Conduct* or any criminal law, such evidence may be used in support of disciplinary action against the student and may be shared with law enforcement.
- The student will not attempt to bypass or disable any internet filtering software installed on the laptop.
- A student will not install or permit to be installed on the laptop any hardware, software, drivers, or other programs or devices without the advance written approval of the School's Technology Facilitator. A student will not delete, uninstall, or attempt to circumvent any hardware, software, drivers, filters, or other programs or devices installed on the laptop by Dare County Schools. The exterior of the laptop will not be altered in any way by the student or the student's parent/guardian, including but not limited to attaching stickers or making any type of inscriptions or markings.
- The student may not use the laptop, or permit the laptop to be used, to access any websites or online resources that have not been approved by a Dare County Schools' teacher or school administrator.
- Should the student inadvertently gain access through the laptop to any confidential information about other students or staff members of Dare County Schools, including but not limited course work or grade information, the student will immediately report the incident to a teacher or administrator and will not share the information with any other person.
- The student and the student's parent/guardian accept responsibility for any violation of the United States copyright laws and for any charges, fees, fines and/or legal fees associated with a student's noncompliance with these regulations.
- The student and the student's parent/guardian acknowledge that they are solely responsible for ensuring that the student's use of the laptop to access the Internet while off campus will be safe and responsible and in compliance with all applicable laws, policies, rules, and regulations. The student and student's parent/guardian will hold Dare County Schools and its employees harmless for any harm that may come to the student or any other person as a result of the student's off-campus Internet activities.
- The student may not use the laptop or permit the laptop be used in furtherance of any crime or unlawful or inappropriate activities of any kind, including but not limited to, fraud; threat; defamation; plagiarism; copyright, patent, or trademark infringement; illegal downloading; theft of intellectual property; gambling; accessing, viewing, or transmission of pornographic or violent images or content; illegal or unauthorized accessing or use of data; bullying or harassment; malicious Internet activities (including "hacking" of other computers or websites); advertising or commercial activities; abusive or insulting communications.



# ANNUAL STUDENT AND PARENT/GUARDIAN AUTHORIZATION FORM

## Dare County Schools Student Laptop User Agreement

PLEASE PRINT ALL INFORMATION

Student Name: \_\_\_\_\_  
Last Name First Name Student ID #

Name of School \_\_\_\_\_ School Year \_\_\_\_\_

Parent/Guardian Name: \_\_\_\_\_  
Last Name First Name

Parent Email Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

**Please Select One of the Following Options for School/Home Use of Laptop:**

- ☐ We request a laptop to be issued for at-school and off-campus use. My usage fee of \$25.00 accompanies this form.
- ☐ We request a laptop to be issued for at-school use only (does not require usage fee).

---

### Signatures

By signing this form, the student and the student's parent/guardian certify indicate we have read the revised Policy 3230-R, accept its terms and conditions, and will comply with these regulations at all times. Any charges, fines, fees, or legal costs resulting from a student's noncompliance with these regulations, including but not limited to violations of the United States copyright laws, are the sole responsibility of the student and the student's parent/guardian.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

**(RETURN THIS FORM TO YOUR SCHOOL)**

## Food Allergies and Medically Prescribed Special Diets

If your child has a known food allergy or special nutritional needs for school meals, it is important that you inform the school by completing the required form on an annual basis. This form is entitled, Medical Statement for Students with Special Nutritional Needs for School Meals. The form requires information from the parent and a licensed physician. The completed form is then submitted to the school nurse. Special dietary needs for students without an IEP or 504 Plan are accommodated at the discretion of the School Nutrition Administrator and policies of the school district.

This form is available from the school nurse, cafeteria manager, School Nutrition Director or may be downloaded from [www.darecountyschoolsonline.com](http://www.darecountyschoolsonline.com). This form is available in both English and Spanish.

### Lactose Intolerance Only – Simplified Form

If lactose intolerance is the only dietary issue a simple form is available from [www.darecountyschoolsonline.com](http://www.darecountyschoolsonline.com). No other dietary issues may be addressed on this form, only lactose intolerance. A parent may complete the form and submit it to the school nurse. Lactose free milk is offered in place of regular milk. No other milk substitutes are provided unless the student has an IEP or 504 Plan.

### Parent & Student Responsibilities in Managing Students with Food Allergies:

#### Parent/Guardians

- Notify the school of the child's allergies by completing and submitting Medical Statement for Students with Special Nutritional Needs for Student Meals.
- Work with the school team to develop a plan that accommodates the child's needs throughout the school including the classroom, in the cafeteria, in after-school programs, during school-sponsored activities, and on the school bus, including a Food Allergy Action Plan.
- Provide written medical documentation, instructions, and medications as directed by a physician, using the Food Allergy Action Plan as a guide.
- Provide properly labeled medications and replace medications after use or upon expiration.
  - Educate the student in the self-management of his or her food allergy including:
  - Safe and unsafe food
  - Strategies for avoiding exposure to unsafe foods
  - Symptoms of allergic reactions
  - How and when to tell an adult if experiencing an allergy-related problem.
  - How to read food labels (age appropriate)
- Review policies/procedures with the school staff, the child's physician, and the child (if age appropriate) after reaction has occurred.
- Provide emergency contact information.

#### Students

- Should not trade food with others;
- Should not eat anything with the unknown ingredients or known to contain an allergen;
- Should be proactive in the care and management of their food allergies and reactions based on their developmental level;
- Should notify an adult immediately if they eat something they believe may contain the food to which they are allergic.

### Disclaimer for Nutrition and Ingredient Information

Parents, school nurses and others sometimes want nutritional and ingredient information for school menu items. To assist our families, nutrition information and menu ingredients for school menu items can be provided. In accordance with the Food Allergen Labeling and Consumer Protection Act, the major allergen ingredients of milk, eggs, fish, crustacean shellfish, tree nuts, peanuts, wheat, and soybeans are supposed to be identified on food labels provided by vendors. Other allergen ingredients are not necessarily identified.

The information we provide about nutritional values and product ingredients, including major food allergens, is obtained from the vendor/manufacture of the specific products. However, a number of variables can affect the accuracy of the information, such as changing ingredients or production practices, inaccurate labels, substitutions, and so forth. Therefore, while reasonable efforts have been made, we do not guarantee the accuracy of the nutritional information or ingredient information provided. This information is general only and is not to be considered medical or nutritional advice.

The board recognizes that students may need to take medication during school hours. The school district will administer drugs or medication prescribed by a doctor upon the written request of the parents. To minimize disruptions to the school day, medicines should be taken at home rather than at school whenever feasible. The school district is not required to administer any medication that could be taken at home.

The school, its personnel, and the Board of Education shall assume no liability for complications or side effects of medication when administered in accordance with the instructions provided by the parent/guardian and health care provider. The Board of Education further reserves the right for itself and its employees to refuse to administer medications when, in the opinion of the Superintendent in consultation with school nursing personnel, there is a substantial risk of harm to the student or others if medication is administered by school personnel. Such situations include, but are not limited to, non-FDA approved treatments and medications, "off-label" prescriptions (i.e., uses of FDA-approved treatments and medications in a manner not specified in the FDA's approved packaging label or insert), treatments that cannot safely be delegated to non-licensed personnel, and treatments that require monitoring and/or lifesaving equipment.

#### **A. STANDARDS FOR ADMINISTERING MEDICINES**

Each school must establish rules on whether and under what circumstances school personnel will administer non-prescription drugs. The rules also must address whether and under what circumstances students will be allowed to possess and self-administer prescription or nonprescription drugs. These rules and a copy of this policy must be made available to all students and parents each school year. A copy also must be provided to the superintendent or his or her designee. All school plans must conform to the following requirements:

1. School employees are authorized to administer drugs or medication only when all of the following conditions have been met:
  - a. The student's parent or legal custodian has made a written request that school personnel administer the drug or medication to the student and has given explicit written instructions describing the manner in which the drug or medication is to be administered.
  - b. A physician has prescribed the drug or medication for use by the student (for over-the-counter medications as well as medications available only by a physician's prescription).
  - c. A physician has certified that administration of the drug or medication to the student during the school day is necessary (for over-the-counter medications as well as medications available only by a physician's prescription).
  - d. The employee administers the drug or medication pursuant to the written instructions provided by the student's parent or legal custodian.
2. The health and welfare of the student must be of paramount concern in all decisions regarding the administration of medicine.
3. Students with special needs will be afforded all rights provided by federal and state law as enumerated in the Policies Governing Services for Children with Disabilities. Students with disabilities also will be accorded all rights provided by anti-discrimination laws, including Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.
4. No student can possess, use or transmit any drug or counterfeit drug prohibited by board policy 4325, Narcotics, Alcoholic Beverages and Stimulant Drugs.
5. The board generally encourages school personnel to administer medicine from a centralized location. However, in all instances, whether from a centralized location or multiple locations, any medicines maintained by the school district for a student must be kept in a locked and secure place.
6. Any school personnel who will be administering medicines will receive appropriate training.
7. Only drugs clearly prescribed or intended for the student may be administered by school personnel. If school personnel have concerns regarding the appropriateness of a drug or dosage for a student, a confirmation should be obtained from the student's doctor or another doctor prior to administering the medicine or allowing a student to self-administer a medicine.
8. Although efforts should be made not to disrupt instructional time, a parent has the right to administer medicines to his or her child at any time while the child is on school property.
9. Written information maintained by the school or school personnel regarding a student's medicinal and health needs is confidential. Parents and students must be accorded all rights provided by the Family Educational Rights and Privacy Act and state confidentiality laws. Any employee who violates the confidentiality of the records may be subject to disciplinary action.

**B. OVER-THE-COUNTER MEDICATION**

Consistent with the above requirements, over-the-counter medications will only be given during school hours by school personnel if the parent and physician have provided written approval and instructions.

**C. EMERGENCY MEDICATION**

Students who are at risk for medical emergencies, such as those with asthma or severe allergies, must have an emergency health care plan developed for them to address emergency administration of medicine.

**D. STUDENT SELF-ADMINISTERING ASTHMA MEDICATIONS**

The board recognizes that students with asthma and/or subject to anaphylactic reactions may need to possess and self-administer asthma medication on school property. As used in this policy, "asthma medication" means a medicine prescribed for the treatment of asthma or anaphylactic reactions and includes a prescribed asthma inhaler or epinephrine auto-injector. The superintendent shall develop procedures for the possession and self-administration of asthma medication by students on school property, during the school day, at school-sponsored activities, and/or while in transit to or from school or school-sponsored events. As required by N.C. Gen. Stat. § 115C-375.2:

1. Before a student will be allowed to self-administer medicine pursuant to this section, the student's parent or guardian must provide to the principal or designee all of the documents listed below:
  - a. written authorization from the student's parent or guardian for the student to possess and self-administer asthma medication;
  - b. a written statement from the student's health care practitioner verifying:
    - 1) that the student has asthma and/or an allergy that could result in anaphylactic reaction;
    - 2) that he or she prescribed medication for use on school property during the school day, at school-sponsored activities, or while in transit to or from school or school-sponsored events; and
  - c. a written treatment plan and written emergency protocol formulated by the prescribing health care practitioner for managing the student's asthma or anaphylaxis episodes and for medication use by the student;
  - d. a statement provided by the school system and signed by the student's parent or guardian acknowledging that the board of education and its agents are not liable for injury arising from the student's possession and self-administration of asthma medication; and
  - e. any other documents or items necessary to comply with state and federal laws.
2. Prior to being permitted to self-administer medicine at school, the student also must demonstrate to the school nurse, or the nurse's designee, the skill level necessary to use the asthma medication and any accompanying device.
3. The student's parent or guardian must provide to the school backup asthma medication that school personnel are to keep in a location to which the student has immediate access in the event of an emergency.

All information provided to the school by the student's parent or guardian must be kept on file at the school in an easily accessible location. Any permission granted by the principal for a student to possess and self-administer asthma medication will be effective only for the same school for 365 calendar days. Such permission must be reviewed annually.

A student who uses his or her prescribed asthma medication in a manner other than as prescribed may be subject to disciplinary action pursuant to the school disciplinary policy. No one may impose disciplinary action on the student that limits or restricts the student's immediate access to the asthma medication.

The board does not assume any responsibility for the administration of drugs or medication to a student by the student, the student's parent or legal custodian or any other person who is not authorized by this policy to administer medications to students.

Legal References: Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq.; Americans with Disabilities Act, 42 U.S.C. 12101; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794; G.S. 115C-36, -307(c), -375.2; State Board of Education Policy EXCP-000.

Cross Reference: Parental Involvement (policy 1310/4002), Narcotics, Alcoholic Beverages and Stimulant Drugs (policy 4325)

Adopted: November 11, 1997  
Revised: April 12, 2016  
Revised: September 13, 2016  
Revised: June 13, 2017

## **SELF-MEDICATION PROCEDURES**

There are a number of health conditions, which require the student to carry medication at all times. These would include asthma (inhalers), diabetics (insulin), and those with severe allergy (emergency epinephrine). Because one of the objectives of their medical program is self-responsibility for their medication, these students may self-medicate as their individual health care plan mandates if the following criteria are met.

1. Written request shall be required annually from:
  - a. A licensed health care provider, to include:
    - i. Student's name and birth date
    - ii. Name of medication
    - iii. Dosage at school
    - iv. Relationship to meals
    - v. When medication should be given
    - vi. How often medication should be given
    - vii. Side effects
    - viii. Reason not to give medication
    - ix. Date medication should be stopped
    - x. Health care provider signature, telephone number and date
    - xi. Permission to carry medication at school
  - b. The parent/guardian to include:
    - i. Written request and authorization to allow the student to carry the medication.
    - ii. Parent/guardian signature, telephone number and date.
2. Health counseling to student is provided by the school nurse including:
  - a. Review of health condition, medications, triggers, precautions
  - b. Self-medication contract is signed by student and parent/guardian
  - c. Review of school medication policy and disciplinary actions for sharing medications

# AUTHORIZATION FORM FOR ADMINISTERING DRUGS OR MEDICATION AT SCHOOL

Employees and agents of Dare County Schools are authorized to administer medications only when the following conditions have been met:

1. The student's parents or legal custodian has made a written request that school personnel administer the medication to the student and has given explicit written instructions describing the manner in which the medication is to be administered;
2. A physician has prescribed the medication for use by the student (for over-the-counter medications as well as medications available only by a physician's prescription);
3. A physician has certified that administration of the medication to the student during the school day is necessary (for over-the-counter medications as well as medications available only by a physician's prescription);
4. The employee or agent administers the medication pursuant to the written instructions provided by the student's parent or legal custodian.

Student \_\_\_\_\_ DOB \_\_\_\_\_ School \_\_\_\_\_ Grade \_\_\_\_\_

Parent/Guardian \_\_\_\_\_ Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_

## To be completed by Parent/Guardian:

I hereby give permission for \_\_\_\_\_ to receive \_\_\_\_\_  
(Student's Name) (Name of medication and dose)

during school hours. Generic equivalents may be substituted. Prescription medications must be sent in the original container(s) with the student's identifying information and specific written directions as to conditions prescribed for, dosage, and time of administration.

Please list specific instructions (condition prescribed for, time of administration, & side effects):

I hereby give permission to authorized school personnel to administer the medications listed above during school hours pursuant to written directions. I hereby release the Dare County School Board, their agents and employees from all liability that may result from my child taking the medication. My signature indicates I have read and understand Policy 6125 Administering Medicines to Students.

If an emergency situation occurs during the school day, school personnel are to:

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

## **To be completed by Physician/Health Care Provider for Prescription and Over-the-Counter meds:**

Medication \_\_\_\_\_ Dosage \_\_\_\_\_ Time \_\_\_\_\_

Medication \_\_\_\_\_ Dosage \_\_\_\_\_ Time \_\_\_\_\_

Contraindications for administration \_\_\_\_\_

For students with asthma, diabetes and/or those subject to anaphylactic reactions, the following permission is given for inhalers, insulin or epinephrine auto-injectors:

( ) \_\_\_\_\_ has been instructed, has demonstrated and understands the proper use of his/her **inhaler, insulin or epinephrine auto-injector** & he/she should be allowed to carry it with him/her.

( ) \_\_\_\_\_ should not carry his/her **inhaler, insulin or epinephrine auto-injector** with him/her.

\_\_\_\_\_  
Physician/Provider Signature

\_\_\_\_\_  
Date

# DARE COUNTY DEPARTMENT OF HEALTH & HUMAN SERVICES

## PUBLIC HEALTH DIVISION

### MEDICAL HISTORY UPDATE: SCHOOL NURSE HEALTH PROGRAM

TO BE COMPLETED BY PARENT / GUARDIAN or HEALTH CARE PROVIDER

*Requested for Kindergarten, 3<sup>rd</sup>, 6<sup>th</sup>, and 9<sup>th</sup> grade students, new students, and any student with a change in medical history*

Student's Name \_\_\_\_\_

Date of Birth \_\_\_\_\_ Grade \_\_\_\_\_

Parent/Guardian Name \_\_\_\_\_

Address \_\_\_\_\_

#### EMERGENCY CONTACT INFORMATION

Parent/Guardian 1: home number \_\_\_\_\_

Parent/Guardian 2: home number \_\_\_\_\_

Parent/Guardian 1: work number \_\_\_\_\_

Parent/Guardian 2: work number \_\_\_\_\_

Parent/Guardian 1: cell number \_\_\_\_\_

Parent/Guardian 2: cell number \_\_\_\_\_

Persons to contact if parent/guardian cannot be reached:

Name: \_\_\_\_\_ Phone number \_\_\_\_\_

Name: \_\_\_\_\_ Phone number \_\_\_\_\_

**Please complete the following checklist and give details below for any *current diagnosed* medical condition.  
(attach any additional pertinent information)**

This is confidential information and will be used by the school nurse and professional staff.

	YES	NO		YES	NO
Allergies (food, environmental, medication)			Gastrointestinal / Stomach / Bowel		
ADHD / ADD / Attention - Learning			Genetic Disorder		
Anemia (include Sick Cell)			Head Injury / Concussion		
Arthritis			Headaches		
Asthma (give details below)			Hearing Loss / Correction		
Autism Spectrum Disorder			Heart Condition / Murmur		
Back / Neck Injury			Hepatitis		
Bladder / Kidney Disease			Lead poisoning		
Bleeding / Clotting Disorder			Lung Disease / Tuberculosis		
Cancer / Leukemia			Mononucleosis		
Cerebral Palsy			Obesity		
Cystic Fibrosis			Orthopedic / Bone problems or fractures		
Dental Conditions			Prematurity (<32 weeks EGA)		
Chickenpox			Surgery		
Convulsion/ Seizures			Speech problems		
Diabetes, hypoglycemia, or low blood sugar			Vision Loss / Correction		
Emotional / Behavioral			Other (explain below)		

Please give details and dates to all of the above marked **YES**. \_\_\_\_\_

(Please see reverse side)

Is the student currently under any kind of medical care or treatment? \_\_\_\_\_ YES \_\_\_\_\_ NO Explain \_\_\_\_\_

Is the student taking any medication; including inhaler type, on a regular basis (prescription or non-prescription)?  
\_\_\_\_\_ YES \_\_\_\_\_ NO

Will any of these medications need to be administered at school? \_\_\_\_\_ YES \_\_\_\_\_ NO

List the medication, dose, times and reasons for taking. \_\_\_\_\_

Is there any other information that you would like us to know? \_\_\_\_\_

Date of last Physical exam \_\_\_\_\_ Medical Provider \_\_\_\_\_ Phone ( \_\_\_\_\_ ) \_\_\_\_\_

Date of last Dental exam \_\_\_\_\_ Dentist \_\_\_\_\_ Phone ( \_\_\_\_\_ ) \_\_\_\_\_

Date of last Eye exam \_\_\_\_\_ Eye Doctor \_\_\_\_\_ Phone ( \_\_\_\_\_ ) \_\_\_\_\_

My child is covered by the following health insurance: (please check all that apply)

Private Health Insurance ☐

Medicaid ☐

Health Choice ☐

Dental Insurance ☐

None ☐

Would you like information on the Dare County Miles of Smiles Dental Van? \_\_\_\_\_ YES \_\_\_\_\_ NO

Parent / Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_



# School Health: Services & Information

The Dare County Department of Health & Human Services – Public Health Division (DHHS – PHD) provides health services to students in collaboration with Dare County Schools. Services include but are not limited to: case management for students with chronic diseases and/or other special health care needs, health education, school vaccination audits, general first aid and treatment or referrals relating to minor illnesses.

This section of the student notification manual provides information on some of our services offered to students and various health concerns that parents may have throughout the school year.

## Concussions

### What is a Concussion?

A concussion is a type of traumatic brain injury. Concussions are caused by a bump or blow to the head. Even a “ding,” “getting your bell rung,” or what seems to be a mild bump or blow to the head can be serious.

You can’t see a concussion. Signs and symptoms of a concussion can show up right after the injury or may not appear or be noticed until days or weeks after the injury. If your child reports any symptoms of concussion, or if you notice the signs yourself, seek medical attention right away.

### What are the Signs and Symptoms of a Concussion?

#### Symptoms Reported by Child:

- Headache or pressure in head
- Nausea or vomiting
- Balance problems or dizziness
- Double or blurry vision
- Sensitivity to light
- Sensitivity to noise
- Feelings sluggish, hazy, foggy, or groggy
- Concentration or memory problems
- Confusion
- Just not “feeling right” or “feeling down”

#### Signs Observed by Parents/Guardians:

- Appears dazed or stunned
- Is confused
- Forgets instructions
- Moves clumsily
- Answers questions slowly
- Loses consciousness (even briefly)
- Shows mood, behavior, or personality changes

### What should you do if you think your child has a Concussion?

Seek medical attention right away. A health care professional will be able to decide how serious the concussion is and when it is safe for your child to return to regular activities, including school and/or sports. When a Dare County School student is diagnosed with a concussion, the Return-to-Learn protocol should be followed. A doctor is required to evaluate and submit a form to the school letting them know what accommodations, if any, are required for your child to return to school safely.

This form is available in the school nurse office of your child’s school or on the Dare County Schools’ website. If your child is a Dare County Schools’ athlete, a Return-to-Play concussion packet must be completed by a health care provider following his or her evaluation of your child. These packets are available from the Athletic Director or Athletic Trainer at your child’s school or the North Carolina High School Athletic Association website.

Sources: <http://www.cdc.gov/headsup/parents/index.html>;

<https://www.nchsaa.org/health-and-safety/gfeller-waller-concussion-awareness-act>



## Methicillin-resistant Staphylococcus aureus (MRSA)

### What is MRSA?

Staphylococcus aureus, often called “staph,” is a common type of bacteria that can be found in the nose and on the skin of about one out of every three people. Methicillin-resistant Staphylococcus aureus, also called MRSA, are staph that are not killed by many of the antibiotics doctors generally prescribe to cure staph infections. MRSA has rapidly become one of the most common causes of skin and soft tissue infections among otherwise healthy people in the community.

Many people carry MRSA on their skin, and most will never get sick from it. Skin infections occur when the bacteria get in through small scrapes or cuts, sometimes too small to notice. The infected area usually begins with a red bump that resembles a pimple or insect bite. If untreated, the lesion may become hard and painful or may drain pus (often called a “boil” or a skin abscess).

### How does MRSA spread?

MRSA is most often spread through direct physical contact with an infected person. Draining lesions are highly infectious and represent an important source of spread. Touching objects that have been soiled with drainage from an infected wound, such as bandages, towels, or athletic equipment can also spread MRSA, although this is less common than direct person-to-person spread. Outbreaks of MRSA have occurred within households, on sports teams, in daycare centers, and in other settings where people have close contact or share equipment or personal items.

### How can MRSA be prevented?

MRSA can be prevented by practicing good hygiene, be sure to:

- Keep your hands clean by washing thoroughly with soap and water or using an alcohol-based hand sanitizer.
- Wash any cut or break in the skin with soap and water and apply a clean bandage daily.
- Avoid contact with other people’s wounds or bandages.
- Avoid sharing personal items such as towels or razors.
- If you have symptoms of MRSA, see your doctor.
- Keep draining wounds clean and covered.
- Wash your hands and forearms before and after caring for the wound and frequently throughout the day. Use soap and warm water for 15 seconds and dry your hands on a clean towel or paper towel.

Source: <http://www.cdc.gov/mrsa/community/schools/index.html>

*Garrett’s law was enacted in 2004. It mandates schools provide parents and guardians with information about meningococcal meningitis and influenza and the vaccines that protect against these diseases. The law was expanded in 2007 to mandate that information also be provided about human papillomavirus (HPV) and the vaccines available to protect against HPV.*

Source: <http://www.immunize.nc.gov/schools/resourcesforschools.htm#GarrettsLaw>



## Meningococcal Disease

### What is meningococcal disease? What causes it?

Meningococcal disease is a serious, potentially fatal illness, caused by bacteria. There are three types of invasive meningococcal disease:

- Meningitis – an infection of the fluid surrounding the brain and spinal cord
- Bacteremia – an infection of the blood stream
- Pneumonia – an infection of the lungs

### How is the disease spread?

Meningococcal disease is contagious. The disease is spread through air droplets and direct contact with infected persons. It can be spread through coughing, sneezing, kissing, or shared items like a drinking glass, utensils, or cigarettes.

**What are the symptoms?**

Symptoms can progress rapidly and may resemble the flu. They can include fever, headache, stiff neck, nausea, vomiting, confusion, sleepiness, and sensitivity to light. Some people also develop a rash mainly on their arms and legs.

**How many people contract or die from meningococcal disease?**

About 3,000 people get meningococcal disease each year in the United States. Approximately 10 percent to 15 percent of people who get the disease die from it, and many others are affected for life. About 20 percent of those who survive suffer long-term effects that can include brain damage, seizures, or limb amputations.

**Who is at risk?**

Anyone can get meningococcal disease. It is common in infants less than one year of age and people with certain medical conditions, such as a lack of a spleen. College freshmen who live in dormitories have an increased risk of getting meningococcal disease.

**Can meningococcal disease be prevented?**

Yes. Although meningococcal disease is serious and potentially life threatening, up to 83 percent of the cases in adolescents and young adults are potentially vaccine preventable. The meningococcal vaccine has been demonstrated to be safe and offers protection against four of the five most common types of meningococcal infection.

**What are the NC requirements for school entry?**

Beginning July 1, 2015, North Carolina requires all students entering 7<sup>th</sup> grade or 12 years of age, whichever comes first, to have one dose of meningococcal conjugate vaccine. A booster dose of meningococcal vaccine will be required for students entering 12<sup>th</sup> grade or 17 years of age; whichever comes first, beginning August 2020. If the first dose of vaccine was administered on or after the 16<sup>th</sup> birthday, the booster dose will not be required.

**Does the meningococcal vaccine prevent all forms of meningococcal disease?**

There are currently three types of meningococcal vaccines available in the US:

- Meningococcal conjugate vaccines (MCV4)
- Meningococcal polysaccharide vaccine (MPSV4)
- Serogroup B meningococcal vaccines

Meningococcal conjugate and Meningococcal polysaccharide vaccines protect against four of the five most common types of bacteria that cause meningococcal infection. The Serogroup B vaccines protect against one type of bacteria. None of the vaccines prevent meningitis caused by other bacteria such as "strep" or Hib.

**Is the vaccine effective?**

Yes. The meningococcal conjugate vaccines protect up to 90 percent of those who receive them and are expected to give better, longer-lasting protection. They are also expected to be better at preventing the disease from spreading from person to person.

**What about side effects?**

Up to half of the people who get meningococcal vaccines have mild side effects, such as redness or pain where the shot is given. A small percentage of those who receive the vaccine develop a fever. Serious allergic reactions to the vaccine are rare, but do occur. Signs of a serious allergic reaction can include difficult breathing, weakness, hoarseness or wheezing, a fast heartbeat, hives, dizziness, paleness, or swelling of the throat.

**What can I do if I have a reaction to the vaccine?**

If you think you are having a serious reaction to the vaccine, seek immediate medical attention. For mild to moderate vaccine reactions, an aspirin-free pain reliever can be used to reduce fever and soreness at the shot site.



It is important to remember that your child's chances of being harmed by meningococcal disease are far greater than any chance of being harmed by the vaccine. Immunizations are one of the most important ways parents can protect their children against serious infectious diseases.

### **Where can I get more information on the disease and vaccine?**

Talk to your physician or someone at the Dare County Department of Health & Human Services for more information. They can give you the vaccine package insert or suggest other sources of information.



Source: <http://www.cdc.gov/meningococcal/>;  
<http://www.immunize.nc.gov/schools/schools.htm>

## **Influenza ("The Flu")**

### **What is the Flu?**

Influenza (commonly called "the flu") is a contagious respiratory illness caused by the influenza viruses. It can cause mild to severe illness and, at times, can lead to death. The best way to prevent the flu is by getting a flu vaccination each year. The CDC estimates that influenza has resulted in between 9 million and 45 million illnesses, between 140,000 and 810,000 hospitalizations, and between 12,000 and 61,000 deaths annually since 2010.

Source: <https://www.cdc.gov/flu/about/burden/index.html>

### **What are the symptoms?**

The flu is different from a cold. The flu usually comes on suddenly and may include these symptoms: fever (usually high), headache, extreme tiredness, dry cough, sore throat, runny or stuffy nose, and muscle aches. Other symptoms, such as nausea, vomiting, and diarrhea are much more common among young children than adults.

### **Who is at greatest risk? Who should get vaccinated?**

In general, anyone who wants to reduce his or her chances of getting the flu should get vaccinated. Vaccination is safe and is the most effective way to fight the flu.

- Children aged 6 months to 18 years
- Pregnant women
- People 50 years of age and older
- People of any age with certain chronic medical conditions, including asthma and diabetes.
- People who live with or care for those at high risk for complication from the flu, including household contacts and out of home caregivers of children less than 6 months of age (these children are too young to be vaccinated).

### **What about side effects?**

The majority of children who receive the vaccine (about 80 percent) will have no side effects. Of those children who do, most will have only a mild local reaction such as soreness or redness where the shot was given, fever (low grade), or muscle aches. The flu vaccine cannot give a person the flu. In very rare cases (far less than 1 out of 10,000), vaccinated children can have a serious allergic reaction. Children who have an allergy to eggs (which are used in making the vaccine) or any component of the flu vaccine are at greater risk for a serious allergic reaction.

Your child's chance of being harmed by the flu is far greater than the chance of being harmed by the vaccine. Immunizations are one of the most important ways parents can protect their children against serious diseases.

### **Who can I talk to about getting vaccinated against the flu?**

Talk to your health care provider about getting vaccinated. Parents can also talk to someone at the Dare County Department of Health & Human Services' Immunization Program about getting the vaccine. Remember, the best time to immunize against the flu is September through November; however, it is not too late to get vaccinated in December or later.



Source: <https://www.cdc.gov/flu/about/keyfacts.htm>

# Human Papillomavirus (HPV)

## What is HPV?

HPV (human papillomavirus) is a common virus that is spread from one person to another by skin-to-skin contact in the genital area. HPV can be spread even if there is no sexual intercourse.

Human papillomavirus is the name of a group of viruses that includes more than 100 different strains or types. More than 30 of these viral strains are sexually transmitted and they can infect the genital area of men and women. Some types of HPV can cause cervical cancer in women or penile cancer in men. Other types of HPV can cause genital warts.

Many sexually active people (at least 50 percent) get HPV at some time in their lives, although most never know it because HPV usually has no symptoms and goes away on its own. However, while a person is infected with HPV, they can spread the virus to other sex partners. HPV is the most common in young women and men who are in their late teens and early 20s.

## What are the signs and symptoms of HPV infection?

The virus lives in the body and usually causes no symptoms. Some people will develop visible growths or bumps in the genital area (genital warts) but most men and women who have HPV do not know they are infected.

## How is HPV related to cancer?

Some types of HPV can infect a woman's cervix (lower part of the womb) and cause cells to change. Sometimes, HPV does not go away but instead, stays in the body and continues to change the cells on a woman's cervix. These cervical cell changes (also called cervical dysplasia) can lead to cancer over time, if they are not treated. HPV can also cause other types of cancer, such as vulvar, vaginal, penile, anal, and oropharyngeal (cancers of the back of the throat including base of tongue and tonsils).

## How can my child be protected from getting HPV?

The only sure protection from HPV is lifelong abstinence or a monogamous relationship with an uninfected partner. However, vaccines are now available that can protect females and males (age 9-26) from some of the major types of HPV.

## Does the HPV vaccine prevent all types of human papillomavirus?

No, but the HPV vaccine can prevent most cases of cervical cancer and/or most genital warts. There are currently three HPV vaccines in the United States:

- The quadrivalent HPV vaccine (Gardasil) – which protects against the four types of HPV that cause most cervical and anal cancers and genital warts. This vaccine is available for males and females.
- The nonavalent HPV vaccine (Gardasil 9) – which protects against the four HPV strains covered by Gardasil plus five additional high-risk HPV types. This vaccine is available for males and females.
- The bivalent HPV vaccine (Cervaris) – which protects against the types of HPV that cause most (about 70%) cervical cancers. This vaccine is only available for females at this time.

## Who should get the HPV vaccine?

All three of the HPV vaccines licensed are safe and effective for females age 9 through 26 years. The Center for Disease Control (CDC) recommends that the following individuals receive the HPV vaccine:

- Routine vaccination is recommended for all children, males and females, age 11 or 12 years old.
- Young women through age 26 and young men through age 21 who did not receive the vaccine when they were younger, should be vaccinated.

## Why is HPV vaccine recommended for such young girls and boys?

For the HPV vaccine to work best, it is very important to get all doses in the series before being exposed to the virus. Someone can be infected with HPV the very first time they have sexual contact with another person, even if sexual contact only happens one time. Ideally, male and females should get vaccinated before they even consider becoming sexually active.

### **How is the vaccine given?**

The vaccine is given as a series of shots over six months. For children age 11 or 12, they are given a series of two shots six to twelve months apart. If your child is older than 14 years, three shots will be given over a six-month period. The best protection is achieved after the series is complete.

### **Who can I talk to if I have more questions about the HPV vaccine?**

If you would like to have your child vaccinated or simply have more questions about the vaccine, you can contact your child's health care provider or someone at the Department of Health & Human Services. To ensure that the vaccine is covered by your child's health insurance, contact your insurance company beforehand. For uninsured or underinsured children, contact the DC DHHS to determine if your child is eligible for a free vaccination through the state.



Source: <https://www.cdc.gov/hpv/parents/index.html>



### **County of Dare**

**Department of Health & Human Services**

P.O. Box 669 | Manteo, NC 27954

Health 252.475.5003 | Social Services 252.475.5500 | [darenc.com/hhs](http://darenc.com/hhs)

SHCC.02252020.2



## Asbestos Report

Asbestos in Our Schools: The Facts

**All of Dare County's new schools have been certified as asbestos free.**

There are only two sites in Dare County Schools (listed below) which contain a very small amount of asbestos materials. The material is located where it is not readily accessible and poses no immediate threat to the public.

- Cape Hatteras Secondary School - Mastic under floor tile (enclosed under new concrete) and a small amount of roofing mastic.
- Cape Hatteras Alternative School Annex (old weather station) – Mastic under floor tile.

Regardless of the location or source of the material, the Dare County Board of Education continues to take asbestos seriously. Any amount of asbestos in schools requires careful management. Be assured that we will continue to do so and that our schools are safe.

Individuals seeking further information about asbestos in schools should contact Russ Gurganus, Facilities Director, at 252-480-8888.

# Annual Notification of Pest Management Program

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This notice is being distributed to comply with the North Carolina School Children's Health Act. Dare County Schools has adopted an Integrated Pest Management (IPM) Policy to comply with this law. IPM is a holistic, preventive approach to managing pests that minimizes pesticide use in our schools and on school grounds.

The IPM Coordinator's Office maintains the Material Safety Data Sheet (MSDS) of each pesticide product that may be used on school property. The MSDS are available for review upon request by a parent, guardian, staff member, or student attending the school. Also, the IPM Coordinator is available to help answer any questions you might have about the school system's pest management program and pesticide use decisions.

**Notification of Pesticide Use:** Our school system may find it necessary to use pesticides to control pests at your school or other school system site. North Carolina state law gives you the right to be notified annually of our school system's pesticide application schedule, and 72 hours in advance of pesticide applications made outside that schedule, but the latter only if you request notification ahead of time. Dare County Schools contracted pest manager visits and inspects our schools during the first week of each month.

**Exemptions:** Certain relatively low-risk pesticides are exempted from these notification requirements, including antimicrobial cleansers, disinfectants, self-contained baits and crack-and-crevice treatments, and any pesticide products classified by the US Environmental Protection Agency (EPA) as belonging to the US EPA's Toxicity Class IV, "relatively nontoxic." Your right to be notified extends to all non-exempt pesticide applications at your school or other non-school site (office building, garage, workshop, etc.), both indoor and outdoor pesticide applications, and including applications that take place over summer recess, holidays, weekends, or after school hours.

**Emergency Pesticide Use:** In the event that a non-exempt pesticide must be used for a pest control emergency at your school or other site and there is not adequate time to notify you more than 72 hours in advance, and you have requested advance notice, you will receive a notice of emergency pesticide application less than 72 hours before, or as soon as possible after the pesticide application.

**To request advanced notification** of non-exempt pesticide applications at your school, please contact the Principal's Office at your school site.



North Carolina Public School laws require students to attend school each day while school is in session. The Dare County Board of Education is committed to enforcing all State laws and regulations that relate to compulsory attendance, attendance accounting and enforcement of compulsory attendance. The superintendent shall adopt attendance regulations that promote student achievement, discourage dropouts, and are non-discriminatory, and shall inform the Board of such regulations. These regulations shall be published annually in the Student Code of Conduct.

The Board believes that regular school attendance is one of the key factors related to school achievement. Responsibility for regular school attendance resides with the parent/guardian and the individual student.

Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, *et seq.*; G.S. 115C-47, -84.2, -288(a), -375.5, -378 to -383, -390.2(d), -390.2(l), -390.5, -407.5; 130A-440; 16 N.C.A.C. 6E .0102, -.0103; State Board of Education Policies ATND-000, -003, NCAC-007

Cross References: Extracurricular Activities and Student Organizations (policy 3620), Education for Pregnant and Parenting Students (policy 4023), Children of Military Families (policy 4050), Immunization and Health Requirements for School Admission (policy 4110), Homeless Students (policy 4125), Short-Term Suspension (policy 4351)

Adopted: December 9, 1997

Revised: July 9, 2002

Revised: July 26, 2011

Revised: June 13, 2017

Revised: December 10, 2019

Recognizing that regular school attendance is the foundation for learning and that the North Carolina Attendance Law requires attendance of students between the ages of seven (7) and sixteen (16), these regulations are intended to inform, to encourage regular attendance, and to hold students and parents responsible for attendance. Children under age seven (7) and their parents are subject to the compulsory attendance law as long as they are enrolled in public school (G.S. 115C-378).

Attendance is a joint responsibility shared by the student, parent/guardian and school personnel. The duties of the teacher, social worker, principal and superintendent are outlined in the North Carolina Student Attendance and Student Accounting Manual.

Penalties for violations of this regulation are set out below or in policy 4300A, Code of Student Conduct.

### **DEFINITIONS - North Carolina Administrative Code - Subchapter 6E**

#### **0101 Attendance Defined**

To be considered in attendance for the day, a student must be present in school for at least one-half of the school day or at a place other than the school with the approval of the appropriate school official to attend an authorized school activity.

#### **0102 Attendance Lawful**

Absences shall be coded "lawful" or "unlawful" as determined by the principal/designee based upon available information. Absences not defined as lawful or for which there is no given explanation shall be coded unlawful. LEAs shall excuse the temporary absence of a student upon a showing of satisfactory evidence of one of the following bases:

1. Illness or injury prevents the student from being physically able to attend school.
2. The local health officer or the State Board of Health orders the isolation of the student.
3. The student is absent due to the death of a member of the immediate family.
4. The student has a medical or dental appointment.
5. The student is a party to or is under subpoena as a witness in the proceedings of a court or administrative tribunal.
6. The student has obtained prior approval by the principal to be absent due to the bona fide observance of an event required or suggested by the religion of the student or the student's parent or legal guardian. Pursuant to G.S. 115C-379, a student shall be excused at least twice for this reason during each school year if so requested.
7. The student/parent obtains prior approval from the principal to take advantage of a valid educational opportunity, such as travel.
8. Absences due to pregnancy and related conditions or parenting, when medically necessary.
9. The student is participating in a job-shadow, Career and Technical Education student organization, or other work-based opportunity, as described in G.S. 115C-47(34a).

In addition, a student whose parent or legal guardian (a) is an active duty member of the uniformed services as defined by policy 4050, Children of Military Families, and (b) has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting, will be granted a minimum of two days each academic year, if the student is not identified as at risk of academic failure because of unexcused absences to visit with his or her parent or legal guardian.

#### **0103 Enforcement**

Each LEA must enforce the state laws and regulations that relate to compulsory attendance.

#### **0104 Involuntary Suspensions**

The absence of a student that results from the suspension of that student for misconduct pursuant to the provisions is considered neither lawful nor unlawful.

### **CHRONIC ILLNESSES/CONDITIONS**

In order to better meet educational and other needs of students, parents should notify the school nurse of a child's chronic illness/condition, such as asthma or diabetes. A doctor's verification of an illness/condition that is likely to result in the frequent absence of a student shall be placed in the student's health file and shall be considered in planning services for the student and in reviewing excessive absences. Absences from class that are coded 1H (students receiving homebound services and counted present) will not count toward excessive absences.

## **EDUCATIONAL TRAVEL**

Parents are required to request prior approval for educational travel at least five (5) days in advance of planned absences using forms available in the main office. Out-of-town travel that is not pre-approved as educational travel by the school administration will be coded as unlawful absence. Approval will depend upon individual student attendance, behavior and academic progress, as well as the educational value of the travel. Principals may use discretion for requests made under emergency circumstances. Approved educational travel will be coded as lawful absence. Approval generally will not be granted for any student who has accumulated or will accumulate excessive absences as defined by grade level below. Principals may use discretion, however, to approve additional educational travel for students engaged in activities such as competitions, performances, and other meaningful educational endeavors that advance the development of student talents and abilities. Generally, no educational travel will be approved two (2) weeks prior to or during state testing and exams unless the student is exempt.

## **REPORTING ATTENDANCE**

1. All teachers and attendance personnel are required to report attendance each day to maintain accurate attendance records. Each school will determine procedures for reporting absences.
2. It is expected that students present a written excuse from a parent or guardian within three (3) days after returning from each absence. Students absent for a medical appointment or court appearance should present a note from that office for the absence to be excused. Personnel will code absences based on the state coding guidelines. Failure to present a written excuse that falls within lawful guidelines and/or that is submitted more than three (3) days after the absence may result in the absence being coded "unlawful." Principals have discretion to grant reasonable exception to the local time requirement for providing an excuse on a case-by-case basis. While it is the responsibility of the parent/guardian to provide a written excuse concerning the reason for all absences, a staff member such as an administrator, school nurse, counselor, or teacher may provide written documentation to the attendance office that the cause of the absence is lawful when knowledge is obtained by another means and the parent/guardian has not provided a written excuse. Such absences should be coded as lawful.
3. After three (3) accumulated unlawful absences, a parent or guardian shall be notified by the school in accordance with procedures established by the principal.
4. After six (6) accumulated unlawful absences, a parent or guardian shall be notified by mail that there may be a violation of the Compulsory Attendance Law.
5. After ten (10) accumulated unlawful absences, the principal/designee shall review the record for compliance with G. S. 115C 379 to determine if there is a prima facie case that the child's parent/guardian is responsible for the absences. As appropriate, the principal will refer the matter to the Department of Social Services and the District Attorney's office or to the juvenile court intake counselor.
6. Parents of all students will be notified of student absences through mid term reports and quarterly report cards. Parents can contact the school or access the parent portal to check their child's attendance record between reporting periods. High school principals/designees will document notification of parents when a student has accumulated five (5) absences from class for any reason. Middle and elementary school principals/designees will send written notification to parents when students accumulate ten (10) daily absences for any reason.
7. Students attending an authorized school activity, with the approval of the appropriate school official, will not be counted absent. Such activities may include field trips, athletic contests, student conventions, musical competitions, or any similar activities. Students missing class while in ISS or the StepUP Program, an alternative to out-of-school suspension, will not be counted absent.

## **ELEMENTARY SCHOOL REGULATIONS**

1. **Make-up Work - All Absences**  
Students who miss class for any reason shall be required to make up work. This work shall be completed within three (3) school days of the student's return. The principal/designee may set an alternate deadline in extenuating circumstances. Generally, the teacher is not required to provide make-up assignments prior to the trip for a student taking educational travel. Students who are expected to be absent for any other lawful reason for more than two (2) days may request assignments from the teacher. Teachers may deduct points from work handed in after the original due date.

## 2. **Excessive Absences**

Students exceeding ten (10) absences for any reason (lawful, unlawful, suspension or any combination) in one school year shall not be promoted to the next grade except by a determination of the principal/designee upon review of the student's records. Participation in before-, during or after-school intervention programs may be required when excessive absences interfere with the student's educational progress and it is determined that the child would benefit from such. If an exceptional student exceeds ten (10) absences, recommendation for promotion and/or additional intervention shall be made by the school-based IEP Team.

## 3. **Tardies**

Students who check into school late as a result of medical or dental appointments, court appearances, or reasons approved by the principal will be given an excused tardy. Students tardy due to a medical appointment or court appearance should present a note from that office for the tardy to be excused. Students with more than three (3) unexcused tardies will not qualify for perfect attendance.

## 4. **Incentives**

Additional strategies that promote student attendance will be developed and implemented at each school.

## **MIDDLE/HIGH SCHOOL REGULATIONS**

### 1. **Required Attendance**

Students must attend at least two-thirds (2/3) of class to be counted as present in that class.

**Middle School** - Any student who misses more than ten (10) days for any reason has exceeded the Dare County attendance regulation requirements and is subject to suspension of privileged activities until such time as work is completed to the teacher's and principal's satisfaction.

**High School** - Any student who misses more than five (5) days for any reason in any semester class or ten (10) days in any year-long class has exceeded the Dare County attendance regulation requirements. These students are subject to suspension of privileged activities (e.g., extra curricular activities, parking, attendance at prom, graduation ceremony, etc.) until such time as work is completed to the teacher's and principal's satisfaction.

### 2. **Make-up Work**

- a. Regardless of the reason for missing class, students are required to make up all work and tests missed. Students are encouraged to complete make-up work, if possible, while they are serving suspension or are absent due to educational travel. Generally, the teacher is not required to provide make-up assignments prior to the trip for a student taking educational travel. Students who are expected to be absent for any other lawful reason for more than two (2) days may request assignments from the teacher. Teachers may deduct points from work handed in after the original due date.
- b. Arrangements for make-up work must be made with the classroom teacher and completed on the terms of the teacher involved. In most cases, make-up work should be completed within three (3) school days of the absence. The principal may extend this time for extenuating circumstances, including but not limited to medically documented hospitalization or chronic illness, or death in the immediate family.
- c. Within two (2) school days of return to school after an out-of-school suspension, unlawful absence or after accumulating excessive absence(s), the student is responsible for developing and beginning a schedule for making up time that is approved by the principal/designee.
- d. Time spent making up work may not be used to earn eligibility for exam exemption or for athletic participation or banked for future absences.

### 3. **Tardies**

If a student is tardy to school, he/she must report to a designated area to receive an admit slip to class. Students who check into school late as a result of medical or dental appointments, court appearances, or reasons approved by the principal will be given an excused tardy. Students tardy due to a medical appointment or court appearance must present a note from that office for the tardy to be excused. Students with more than two (2) unexcused tardies will be assigned detention and will not be eligible for perfect attendance.

#### **4. Incentives**

##### **1. Exam Exemption for High School Courses**

As a reward for attendance and academic performance, students who are lawfully absent not more than three (3) days from a class during a semester and maintain a 93 average or above, or have not more than two (2) lawful absences and maintain an 85 average or above, or have not more than one (1) lawful absence and maintain a 77 average or above are exempt from final exams except in classes taken through colleges and in those classes that have State End-of-Grade, End-of-Course or VoCATS tests. For exam exemption purposes, the student can have no more than three (3) tardies in that class. Students with any unlawful absence in a class or absence due to out-of-school suspension will not be exempt. A student's parent/guardian must grant permission in writing for a student to be exempt from any exam. A student or the parent/guardian of a student who is exempt may elect for the student to take the exam.

##### **2. Additional strategies that promote student attendance will be developed and implemented at each school.**

#### **5. Athletic Attendance Eligibility for Students in Grades 7-12**

Student athletes in who participate in interscholastic athletic competition are expected to attend school regularly and to maintain quality grades.

Student athletes who miss more than five (5) days for any reason in a semester class or ten (10) days in any year-long class have exceeded the Dare County attendance regulation requirements. These students are subject to suspension from athletic participation until such time as all school work is completed to the principal's satisfaction. Suspension from athletic participation may occur during the season or prior to the upcoming athletic season for failure to complete satisfactory school work due to excessive absences. The principal's decision regarding athletic attendance eligibility is final. Students must also meet the scholastic requirements for athletic eligibility as defined by the Middle/Junior High School Athletic Manual and the North Carolina High School Athletic Association.

Issued by the Superintendent: July, 2002

Revised by the Superintendent: July, 2003

Revised by the Superintendent: January, 2008

Revised by the Superintendent: August, 2010

Revised by the Superintendent: July, 2011

Revised by the Superintendent: March 2, 2015 (to be effective July 1, 2015)

Revised by the Superintendent: December 10, 2019

The Board is committed to providing a learning and working environment that is safe and orderly. The Board expects students, school employees, volunteers, and visitors to behave in a manner that shows respect for others. Bullying and harassing behavior will not be tolerated.

To this end, the Board specifically prohibits harassing or bullying behavior on school property, at any school-sponsored function or activity, on a school bus or at a bus stop. Harassment or bullying behavior is prohibited at all levels: between students, between employees and students, between peers or co-workers, between supervisors and subordinates, and between non-employees/volunteers and employees/students. This policy is in addition to board policy 1758, Sexual Harassment.

Students are expected to comply with the behavior standards established by board policy and the Code of Student Conduct. Employees are expected to comply with board policy and school system regulations. Volunteers and visitors on school property also are expected to comply with board policy and established school rules and procedures.

The Board prohibits reprisal or retaliation against any individual who reports harassing or bullying behavior or who participates in an investigation initiated under this policy. Such reprisal or retaliation may result in disciplinary action being taken, up to and including dismissal in the case of employees, and up to and including long-term suspension or expulsion for students.

#### **A. Definition of Harassment and Bullying**

As used in this policy, harassing or bullying behavior refers to any pattern of gestures or written, electronic or verbal communications, or any physical act or threatening communication, that:

1. Places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property; or
2. Creates or is certain to create a hostile learning or working environment. A “hostile environment” means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that is bullying or harassing behavior.

Harassing or bullying behavior includes verbal or physical conduct that is intended to intimidate, injure, degrade, or disgrace another student or person, or that has such an effect. It may include a pattern of abuse over time and may involve a student’s being “picked on.” It can include a variety of behaviors, such as but not limited to the following:

- Physical intimidation or assault
- Derogatory verbal comments (e.g., name-calling, hostile teasing, cruel rumors, taunts, put-downs, epithets, false accusations, harassment or discriminatory acts, slurs and mean-spirited jokes)
- Threatening gestures or actions; oral, cyber, or written threats
- Extortion or stealing money and possessions
- Shunning and exclusion from peer group
- Hazing

Harassing or bullying behavior includes, but is not limited to, behavior described above that is reasonably perceived as being motivated by an actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, 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.

#### **B. Reporting Harassing and Bullying Behavior**

1. Any student who believes that he or she has been harassed or bullied in violation of this policy should report such behavior immediately to a teacher, counselor or administrator at his or her school. In the case of alleged harassment or bullying of a student by a school employee, a report also may be made to the Assistant Superintendent or designee.
2. Any employee who believes that he or she has been harassed or bullied in violation of this policy should report such behavior promptly to his/her immediate supervisor and/or the Assistant Superintendent or designee.

3. Any school employee who observes or becomes aware of alleged harassing or bullying behavior shall promptly report the incident as follows:
  - a. If the alleged perpetrator is a student, the report shall be made to the principal;
  - b. If the alleged perpetrator is a school employee, the report shall be made to the alleged perpetrator's immediate supervisor and/or the Assistant Superintendent;
  - c. If the alleged perpetrator is some other person, the report may be made to the principal and/or the Assistant Superintendent;
  - d. Failure to make such a report required by this section may subject the employee to disciplinary action.
4. Any person may report an act of harassment or bullying anonymously. However, formal disciplinary action may not be taken solely on the basis of an anonymous report.
5. If the person to whom a report should be made under this section is the alleged perpetrator, or in circumstances not otherwise provided above, a report of harassing or bullying behavior may be made to the Assistant Superintendent, the Superintendent, or the Board attorney.

**C. Investigation of Harassment and Bullying Reports**

1. All reports of alleged harassment or bullying behavior shall be promptly and thoroughly investigated.
2. Investigation of alleged harassing or bullying behavior by a student shall be conducted by the principal or designee.
3. Investigation of alleged harassing or bullying behavior by an employee shall be conducted by the Assistant Superintendent or designee.
4. Investigation of alleged harassing or bullying behavior by a volunteer or visitor shall be conducted by the principal or designee if the behavior occurred on school grounds or at a school activity, and otherwise by the Assistant Superintendent or designee.
5. If the individual designated as investigator under this policy is the alleged perpetrator, the investigation shall be conducted by an appropriate person designated by the Superintendent. If the alleged perpetrator is the Superintendent or a member of the Board, the Board attorney shall be the investigator.
6. If at any time the investigator receives information alleging that the harassment or bullying was based on sex or gender, the investigator shall notify the school system's Title IX Coordinator. In such case, the procedures outlined in Board Policy 1758 (Sexual Harassment) shall be followed.
7. The school system shall notify law enforcement and other appropriate external agency if required by law or board policy.

**D. Intervention and Disciplinary Action**

1. The actions taken in response to harassing or bullying behavior should be reasonably calculated to end any harassment or bullying, eliminate a hostile environment if one has been created, and prevent harassment or bullying from occurring again. In addition to taking disciplinary action as necessary, the principal or other school official shall take appropriate remedial action to address the conduct fully.
2. Violations of this policy shall be considered misconduct and will result in disciplinary action up to and including long-term suspension or expulsion in the case of students and disciplinary action up to and including dismissal in the case of employees.
3. This policy shall not be construed or applied so as to discipline students or other persons for expression protected by the First Amendment, or out of a desire to avoid the discomfort and unpleasantness that may accompany an unpopular viewpoint.
4. Nothing in this policy precludes the school system from taking appropriate disciplinary action against a student or employee where the evidence does not establish harassment or bullying behavior but the conduct fails to satisfy the school system's high expectations for appropriate conduct.

**E. Employee Training Program**

The Superintendent shall ensure that information about this policy and reporting procedure is included in the school system's employee training program. To the extent funding is made available, the Superintendent shall provide training on the policy to school employees and volunteers who have significant contact with students.

## **F. Notice**

The Superintendent is responsible for providing effective notice of this policy to students, parents and employees. This policy shall be posted on the school system website, and copies of the policy should be readily available in the principal's office, the media center at each school and the Superintendent's office. Notice of this policy shall appear in all student and employee handbooks and in any school system publication that sets forth the comprehensive rules, procedures and standards of conduct for students and employees.

## **G. Records and Reporting**

The Superintendent or designee shall maintain confidential records of all reports of harassment or bullying. The records shall identify the names of all individuals accused of such offenses and the resolution of such complaints or reports. The Superintendent also shall maintain records of training conducted and corrective action or other steps taken by the school system to provide an environment free of harassment and bullying.

The Superintendent shall report to the State Board of Education all verified cases of harassment or bullying, as required by the State Board.

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Legal References: North Carolina School Violence Prevention Act, G.S. §115C-407.5 et seq.; State Board Policy HRS-A-007.

Cross Reference: Policy 1758, Sexual Harassment; Policy 4330, Anti-Social Behavior

Adopted: December 8, 2009

## **RANDOM DRUG TESTING OF STUDENTS**

*Policy Code : 4326*

The Dare County Board of Education strongly believes that drug and substance abuse can be detrimental to the physical and emotional health and the academic performance of its students. It is from this belief and out of concern for students' well-being that a random drug-testing program is initiated in the Dare County Schools. The purpose of this drug testing program is to help students, not to be punitive. Therefore:

- **A positive test will not result in suspension from school or notification to legal authorities.**
- **A first positive test will be reported only to parents and will not automatically result in ineligibility from any school activities.**

## **I. FINDINGS**

The Dare County Board of Education enacts this drug testing policy based on the following findings:

- A. Drug and substance abuse by students is a serious problem throughout the nation.
- B. Dare County, due to its demographics and status as a tourist destination, is particularly susceptible to substance abuse problems.
- C. There is a substantial problem of alcohol and drug abuse among Dare County students.
- D. The primary responsibility for addressing substance abuse by students rests with parents.
- E. The school system and the community at large also have a responsibility for addressing substance abuse by students.
- F. The Dare County Board of Education has implemented various prevention education and intervention programs to reduce substance abuse among Dare County students, and is committed to continue addressing the substance abuse problem head-on rather than ignoring it.
- G. The U.S. Supreme Court has authorized the use of random drug testing of students who elect to participate in voluntary school activities that are privileges rather than rights.
- H. An increasing number of school districts in North Carolina and across the country have enacted random drug testing policies.



## **RANDOM DRUG TESTING POLICY**

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- I. School districts that have enacted random drug testing policies report positive results in reducing drug use and discipline problems and in fostering a school culture resisting drug abuse.
- J. Students who participate in athletics and other voluntary extracurricular activities are representatives of the school system and are often role models for other students.
- K. Students who voluntarily choose to drive to and from school are permitted to park on campus as a privilege. The school district has a particular interest in assuring the safety of these drivers and campus parking lots.
- L. A random drug testing policy of students engaged in voluntary school activities is likely to be an effective tool in reducing substance abuse.

## **II. GOALS OF RANDOM DRUG TESTING PROGRAM**

**The random drug testing program is not intended to punish students, but to help them.** Goals of the random drug testing program are:

1. To educate students about the dangers and problems associated with drug use/abuse;
2. To deter drug use/abuse by students;
3. To identify students participating in extracurricular activities or driving to school who may be abusing drugs and to determine the identity of the drug(s);
4. To provide information to parents so that parents can take appropriate steps at the family level;
5. To motivate students to resist negative peer pressure;
6. To provide opportunities for counseling and treatment for any student who is determined to be using/abusing drugs;
7. To help ensure the safety of students who participate in athletics, extracurricular activities or driving privileges;
8. To remove the stigma of drug use/abuse from those students who do not use drugs;
9. To develop a drug-free program that produces students who can serve as role models and influence their peers to lead healthy and responsible lives; and
10. To complement the school system's overall drug education program.

## **III. STUDENTS SUBJECT TO RANDOM DRUG TESTING PROGRAM**

1. All students in grades 6-12 who desire to participate in any of the following voluntary school activities or privileges must agree to participate in the random drug testing program:
  - Interscholastic athletics;
  - Other voluntary extracurricular activities; and
  - Campus parking privileges.
2. Participation in the random drug testing program is mandatory only for students who elect to participate in the above voluntary activities, which are a privilege not a right. Participation in the random drug testing program shall not be required as a condition of attending school or enrolling in any for-credit class.
3. Any parent of a student in grades 6-12 has the opportunity to consent to the student voluntarily participating in the random drug testing program, whether or not the student is a participant in any of the privileged activities listed above. The same procedures will apply, as outlined in this policy, for all students participating in random drug testing.
4. The administration shall prepare a Drug Testing Consent Form to be signed by the student and the student's parent/guardian. The parent/guardian shall be given a copy of the signed Consent Form and this random drug testing policy. The original Consent Form shall be kept in the student's official file.

5. Students who desire to participate in the voluntary activities or privileges covered by this program shall sign the Consent Form prior to fall athletic practice, at the beginning of the school year, or as soon thereafter as practicable. The Consent Form will authorize random drug testing for the student's entire school career.
6. A signed Consent Form may be revoked by a signed Withdrawal of Drug Testing Consent Form. A student who withdraws will no longer be subject to random drug testing, and will not be eligible for participation in the voluntary activities or privileges covered by this policy for a period of 365 days from the date of withdrawal.

#### IV. IMPLEMENTATION

1. Key Implementation Roles.
  - a. Contracted Test Administrator. The drug testing program will be implemented on behalf of the school district by a Test Administrator, which shall be an independent agency or entity operating under contract with the Board of Education. The contracted Test Administrator shall have experience in implementing a drug testing program.
    - i. Medical Review Officer (MRO). The contracted Test Administrator shall employ or provide by subcontract a licensed physician as a Medical Review Officer.
    - ii. Medical Review Officer (MRO). The contracted Test Administrator shall employ or provide by subcontract a licensed physician as a Medical Review Officer.
    - iii. Superintendent's Designee. The superintendent shall designate an employee of the school district to coordinate the district's drug testing program.
    - iv. Licensed Substance Abuse Professional (LSAP). Licensed substance abuse professionals whose professional credentials are acceptable to the Superintendent's designee shall conduct all substance abuse assessment and counseling services.
2. Role of school system employees. Dare County Schools personnel shall not assist with the actual testing or physical collection of the samples, shall have no access to the test samples, and shall not select the students who will be randomly tested. These functions will be carried out by the contracted Test Administrator. School system employees will be expected to call students from class and assist with coordinating testing as needed.
3. Random Selection. Eligible students will be randomly selected for testing by the contracted Test Administrator using the following process:
  - The Superintendent's designee shall maintain a list of all eligible students who have signed Consent Forms. The list shall be updated prior to each testing date.
  - Each eligible student on the list shall be assigned a number by the Superintendent's designee.
  - The Superintendent's designee shall provide the contracted Test Administrator with a list of the students' numbers (and matching names), categorized by school.
  - Prior to each testing date, the Superintendent's designee will notify the contracted Test Administrator as to what number or percentage of students will be tested.
  - The contracted Test Administrator shall randomly generate a list of student numbers representing students to be tested. The randomly generated student numbers shall be categorized by school, and to the extent practicable shall consist of the same percentage of students at each school. Students who were absent on a testing date, after their previous selection under this random selection process, shall be added to the next randomly generated list. The list shall be provided to the Superintendent's designee.
  - The Superintendent's designee will match the randomly generated student numbers with the students' names, and will notify each school, which students are to be tested.
  - Selected students shall be pulled from class for testing on testing day. There shall be no advance notification of which students will be tested.
  - Documentation of the selection process shall be maintained.

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4. Absences. A student who is absent on the day of a test shall be excused from testing, but shall be added to the sample to be tested on the next testing date. However, a student who is present at school on the day of testing and avoids testing by leaving campus (or cutting class) without a valid excuse for that day shall be considered as having refused to be tested.
5. Refusal to Test or Tampering with a Test. A refusal to be tested, or an attempt to alter, substitute, adulterate or otherwise tamper with a test sample, shall result in the same consequences as a positive test.
6. Frequency of Tests. Random drug testing will be conducted at least monthly during the academic year. The dates of testing will not be publicized in advance.
7. Location of Tests. To the extent possible, the testing will occur at every middle and high school on the same dates.
8. Number of students tested. Approximately fifty percent (50%) of eligible students at each secondary school will be tested in the course of a year. The Superintendent shall determine what number or percentage of eligible students are tested each month.
9. Urine tests. Testing will be by urine specimen.
10. Confidentiality. All test results will be strictly confidential, including the maintenance of the sample throughout the collection and testing process. All reported results will be maintained by the Superintendent's designee in a locked file cabinet. Disclosure of test results will be limited to those who have a need to know in order to implement this policy. When under this policy a student becomes ineligible to participate in any voluntary activity, the principal shall inform the particular coach or sponsor (or administrator for parking permits) that the student is ineligible.

### V. SUBSTANCES TESTED FOR

Substances for which students will be tested shall include:

marijuana (THC)	opiates (OxyContin, Vicodin)	test adulterants
cocaine	alcohol	methadone
phencyclidine (PCP)	barbiturates	Propoxyphene (Darvon)
amphetamines/methamphetamine	benzodiazepines (Valium)	

At the recommendation of the contracted Test Administrator and determination by the Superintendent, students may be tested for other or additional substances for which use by a minor is illegal.

### VI. CONSEQUENCES OF POSITIVE TESTS

#### A. First Positive Test:

1. The student and student's parent/guardian are notified by the Medical Review Officer (MRO).
2. School officials are not notified of the first positive test, unless the student and/or parent/guardian fails to submit the physician's note described below, to the MRO, within ten (10) days after notification by the MRO.
3. The student is not precluded from participation in the voluntary activities subject to this program, as a result of the first positive test, provided the parent/guardian provides the MRO with a certification from the student's physician, on the form attached to this policy. If the physician's certification is not provided to the MRO within ten (10) days, then the MRO shall promptly notify the Superintendent's designee, and the student shall be ineligible to participate in the voluntary activities covered by this policy until such physician's certification is filed with the MRO.
4. The MRO shall provide the parent/guardian a list of resources for substance abuse assessment and intervention in the Dare County area.
5. The parent/guardian is encouraged to actively seek assistance for the student.
6. The student is subject to a mandatory retest after 30 days but within 90 days of the first positive test. The student will be identified by the contracted Test Administrator for retesting on a regularly scheduled test date. School officials will not know whether the student is being retested as a mandatory retest or whether the student's number was randomly drawn.

**B. Second Positive Test:**

1. Upon a second positive test at any time during the student's school career, the contracted MRO shall notify the Superintendent's designee.
2. A conference will be scheduled between the school principal, the student, and the student's parent/guardian.
3. The student is ineligible to participate in the voluntary activities covered by this policy (interscholastic athletics, other extracurricular activities and parking privileges) for 365 calendar days unless the student regains eligibility earlier, as provided below.
4. The student may regain eligibility prior to 365 calendar days upon compliance with all of the following requirements:
  - The student shall satisfy the substance abuse assessment/counseling requirement of Section VII below. For a second positive test, the student is considered in compliance once he or she has completed the substance abuse assessment and is participating in any recommended counseling or treatment program.
  - The parent/guardian shall supply to the MRO a certification from the student's physician, on the form attached to this policy.
  - A student shall test "negative" on a retest prior to regaining eligibility. This retest may be the mandatory retest provided in subsection 5 below, or may be a privately arranged test by a licensed drug testing agency acceptable to the Superintendent's designee. A privately arranged drug test shall be at the expense of the parent/guardian.
5. The student will be subject to a mandatory retest after 30 days but within 90 calendar days of the second positive test.

**C. Third Positive Test:**

1. Upon a student's third positive test any time during the student's school career, the MRO shall notify the Superintendent's designee.
2. A conference will be scheduled between the student's parents, the student, and school principal.
3. The student will be ineligible to participate in the voluntary activities covered by this policy for at least 365 calendar days.
4. The student may regain eligibility after 365 calendar days, upon compliance with all of the following requirements:
  - The student shall satisfy the substance abuse assessment/counseling requirement of Section VII below.
  - The student will be subject to a mandatory retest before regaining eligibility.
  - The parent/guardian shall supply to the MRO a certification from the student's physician, on the form attached to this policy.

**VII. SUBSTANCE ABUSE ASSESSMENT/COUNSELING REQUIREMENT**

Whenever a student is required to satisfy the substance abuse assessment/counseling requirement of this policy, the student shall:

1. Undergo a substance abuse assessment by a licensed substance abuse professional acceptable to the Superintendent's designee.
2. Provide the school principal with written certification by the licensed substance abuse professional that the substance abuse assessment has been completed.
3. Undergo counseling/treatment or other intervention, if any, as recommended by the licensed substance abuse professional. The Board of Education will not specify requirements of any such counseling/treatment or intervention, as this will be based on the student's individual needs. The Board of Education's interest is that the student receive whatever assistance is appropriate for the particular individual.

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4. After a second positive test, eligibility may be regained prior to completion of the counseling/treatment program, as long as the student has undergone a substance abuse assessment and is in the process of complying with any recommended counseling/treatment program.
5. After a third positive test, eligibility will not be regained until the licensed substance abuse professional certifies that the student has successfully completed any recommended counseling/treatment program.
6. Failure to fully cooperate or comply with substance abuse assessment or any counseling/treatment program recommended by the licensed substance abuse professional shall make the student ineligible for participation in the voluntary activities covered by this policy.

### **VIII. TEST PROCEDURES AND SAFEGUARDS**

1. Urine test. Testing will be by urine specimen.
2. Screening test. The urine specimen shall be screened using an enzyme immunoassay (EIA) test or other screening test approved by the National Institute for Drug Abuse (NIDA).
3. Confirming test. If the screening test indicates the presence of a controlled substance, the specimen shall be subject to a confirming test by gas chromatography/mass spectrometer (GC/MS).
4. Split sample. Each student's urine sample shall be split into two samples. In the event of a confirmed positive test, a student may request that a portion of his/her urine sample be tested by another NIDA approved laboratory at the student's/parent's expense. If this test result is negative, the student/parent will be reimbursed.
5. Standards for positive test. The contracted Test Administrator will use the standard cutoff scores generally used by NIDA and/or SAMHSA (Substance Abuse and Mental Health Services Administration) for determining a positive test result.
6. Use of licensed laboratory only. The contracted Test Administrator must use a laboratory that is appropriately licensed by the NIDA or SAMHSA.
7. Expense. The expense, if any, of the assessment or counseling/treatment program shall be the responsibility of the parent/guardian, not the Dare County Schools. Grants may sometimes be available to defray costs.

### **IX. MEDICAL REVIEW OFFICER**

1. Any confirming test reported as "positive" for the presence of a tested substance shall be reported directly to the MRO.
2. The MRO shall notify the student and the student's parent/guardian of the test results and provide an opportunity to present information, such as the documented use of a prescription medication or an over-the-counter drug, which would render an apparent "positive" result invalid or "negative."
3. Failure or refusal of the student or the student's parent/guardian to cooperate with the MRO shall constitute a refusal to test, which is considered a positive test.
4. The MRO shall inform the student and the student's parent/guardian of the opportunity for an additional confirming test at the student's/parent's expense on the remaining sample of the student's urine. If the additional confirming test is negative, the student/parent will be reimbursed.
5. If the MRO determines that an apparent "positive" test result is the result of a lawful use of a prescription or non-prescription drug, the test result shall be considered as "negative."
6. If the MRO determines that the test results are valid and positive, the MRO shall inform the student and the student's parent/guardian of this determination.
7. The MRO will not notify school officials on a first positive test, consistent with the consequences of a first positive test as set forth above. After the first positive test, the MRO shall report any subsequent positive test to the Superintendent's designee.

**X. METHOD OF COLLECTION OF URINE SAMPLES**

The following procedures shall be used for the collection of urine specimens at the individual schools.

1. Notice of Collection. All students selected for testing at a school **shall not** be notified simultaneously. A school administrator, counselor or nurse will notify each student personally that he/she has been selected for testing immediately prior to testing. The student shall not be allowed to go to his/her locker for any reason. The student may not leave the testing area until he/she has provided a urine specimen.
2. Cooperation. If the student refuses to cooperate with school employees or the contracted Test Administrator's staff, the student's refusal to cooperate shall be treated as a "positive" test result.
3. Time of Collection. In general, urine specimens will be collected as determined by the contracted Test Administrator in conjunction with a school administrator.
4. Collection Location, Supplies and Equipment. Each school and the contracted Test Administrator shall select by mutual agreement one or two restrooms to use for collecting urine samples.
5. Protection of Student's Privacy. The contracted Test Administrator's staff shall not view a student in the act of providing a specimen, but shall monitor each student in a non-intrusive but controlled manner to detect any attempt to provide a false urine specimen. Immediately upon receipt of a urine specimen it shall be tested to determine its temperature. All specimens outside of normal temperature limits will be considered invalid and the student shall be required to provide another urine sample.
6. Chain of Custody. The contracted Test Administrator shall implement procedures to ensure that each student's urine sample is appropriately labeled and secured to prevent each sample from being lost, misplaced, or contaminated. At a minimum, the contracted Test Administrator shall:
  - a. Provide each student with a sanitized kit containing a specimen bottle. The bottle will remain in the student's possession until a seal is placed on the bottle by the collection staff. The student will sign a form certifying that the bottle contains his/her urine sample and that the specimen has been sealed. The seal may be broken only by the lab testing the specimen.
  - b. After the specimen has been sealed, the specimen shall be transmitted to the testing laboratory by the contracted Test Administrator.
  - c. In order to maintain confidentiality, the specimen bottle shall be labeled with the student's number and not the student's name. In addition, the results sheet mailed by the laboratory to the contracted Test Administrator or MRO shall report the results by student number and not by student name.
7. Refusal or Inability to Provide Sample. The contracted Test Administrator shall implement appropriate procedures for use in the event a student refuses to provide a urine sample or states that he/she is physically unable to provide a urine sample. A refusal to provide a urine sample will be treated as a "positive" test result. If a student says that he/she is unable to provide a urine specimen, the student will be given water and up to three hours to provide a urine sample. If the student states that he/she has a medical problem which prevents the student from providing a urine sample, the student will be given the opportunity to communicate with the MRO, who shall determine whether or not the student has a legitimate medical reason for being excused from the testing.

**XI. EVALUATION AND REVIEW OF POLICY**

The contracted Test Administrator shall provide periodic statistical reports (without identifying students' names) to the Superintendent's designee, indicating the numbers of students tested and the numbers of first, second and third positive test results, by substance and by school. The Superintendent will make an annual report to the Board of Education regarding the impact of this policy.

Legal References: U.S. Const., Amend. IV; N.C. Gen. Stat. 115C-47(4); Bd. of Education of Independent School Dist. No. 92 of Pottawatomie County v. Earls, 122 S. Ct. 2559 (2002)

Adopted: 6/21/05  
Revised: 7/23/05  
Revised: 10/10/06

Revised: 6/12/07  
Revised: 11/8/16

# DARE COUNTY SCHOOLS

## **PHYSICIAN'S CERTIFICATION FOR POLICY 4326**

I, \_\_\_\_\_, certify that I have been notified that  
[PHYSICIAN'S NAME]  
\_\_\_\_\_ has tested positive on a random  
[STUDENT'S NAME]  
drug test administered under the Dare County Board of Education's Random Drug Testing Policy,  
and that after such notification I have consulted with the student and his/her parent or legal  
guardian regarding the student's use of alcohol, drugs or controlled substances.

Licensed to practice medicine in North Carolina? \_\_\_\_\_Yes \_\_\_\_\_No

_____ Physician's Signature	_____ Date
_____ Mailing Address	_____ Phone Number

### **FAX OR MAIL COMPLETED FORM**

TO: Dr. Joseph C. Franz, MRO  
Sport Safe Test Service, Inc.  
20 Grace Drive  
Powell, OH 43065  
FAX: (614) 847-0874

# DARE COUNTY SCHOOLS

## DRUG TESTING CONSENT FORM

I desire that \_\_\_\_\_ be able to participate in some or all of the  
Student Name

following voluntary activities or privileges offered by the Dare County Schools: interscholastic athletics, other voluntary extracurricular activities, and campus parking privileges. My child shall be enrolled in the Dare County Schools random drug testing program beginning with this school year and will remain in the program until such time that my child graduates or I withdraw my child from the drug testing program in writing. I understand that my child may be drug-tested in accordance with the random drug testing policy at any time during his/her enrollment in Dare County Schools. I hereby agree that:

- I have received a copy of the Dare County Board of Education's random drug testing policy. I have read and understand the policy.
- \_\_\_\_\_ shall be enrolled in the Dare County Schools  
Student Name  
random drug testing program beginning with this school year and may be drug-tested in accordance with the random drug testing policy at any time during his/her enrollment in Dare County Schools.
- Drug tests of students under the random drug testing policy are completely voluntary and a student is never forced to undergo a drug test. However, a refusal to take a drug test shall result in the same consequences as a positive drug test.
- Drug test results may be released to the student, the parent/guardian, the contracted Test Administrator for Dare County Schools, the Medical Review Officer, the Superintendent's designee and the student's school Principal.

Dated: \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Name of Student

\_\_\_\_\_  
Name of Parent/Guardian

\_\_\_\_\_  
Signature of Student

\_\_\_\_\_  
Signature of Parent/Guardian



## DARE COUNTY SCHOOLS

### DRUG TESTING OPT-IN AND CONSENT FORM

While \_\_\_\_\_ (student) might not participate in any of the following voluntary activities or privileges offered by the Dare County Schools: interscholastic athletics, other voluntary extracurricular activities, and campus parking privileges, I desire for my child to participate in the Dare County drug testing program. My child shall be enrolled in the Dare County Schools random drug testing program beginning with this school year and will remain in the program until such time that my child graduates or I withdraw my child from the drug testing program in writing. I understand that my child may be drug-tested in accordance with the random drug testing policy at any time during his/her enrollment in Dare County Schools. I hereby agree that:

- I have received a copy of the Dare County Board of Education's random drug testing policy. I have read and understand the policy.
- \_\_\_\_\_ (student) shall be enrolled in the Dare County Schools random drug testing program beginning with this school year and may be drug-tested in accordance with the random drug testing policy at any time during his/her enrollment in Dare County Schools.
- Drug tests of students under the random drug testing policy are completely voluntary and a student is never forced to undergo a drug test. However, a refusal to take a drug test shall result in the same consequences as a positive drug test.
- Drug test results may be released to the student, the parent/guardian, the contracted Test Administrator for Dare County Schools, the Medical Review Officer, the Superintendent's designee and the student's school Principal.

Dated: \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Name of Student

\_\_\_\_\_  
Name of Parent/Guardian

\_\_\_\_\_  
Signature of Student

\_\_\_\_\_  
Signature of Parent/Guardian

# DARE COUNTY SCHOOLS

## WITHDRAWAL OF DRUG TESTING CONSENT FORM

*(Parents, return only if you wish to opt your 6<sup>th</sup>-12<sup>th</sup> grade child out of privileged activities and the drug testing program.)*

I hereby withdraw consent for \_\_\_\_\_ (student) to participate in the Dare County Schools random drug testing program. I understand that once this form is submitted, the student will not be eligible to participate in interscholastic athletics and other voluntary extracurricular activities, or have campus parking privileges, for a period of 365 calendar days from the date on this form.

Dated: \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Name of Student

\_\_\_\_\_  
Name of Parent/Guardian

\_\_\_\_\_  
Signature of Student

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Name of School Official

\_\_\_\_\_  
Signature of School Official