

I. Purpose and Description of the School Code of Conduct

Southern Wake Academy (“School”) is committed to giving every student the opportunity to reach his or her full potential by providing a rigorous academic program, character education, and meaningful parental participation. In order to fulfill this mission it is important that we provide a positive, safe, and orderly environment for our students, staff, and families. School believes that a common and consistently applied code of conduct is a critical tool in building that environment. It reflects what the school believes to be reasonable expectations of conduct for all members of our student body.

The importance of a code of conduct is reinforced in North Carolina state law (G.S. 115C-288) stating, “The principal shall have the authority to exercise discipline over the pupils of the school under policies adopted by the local board of education in accordance with G.S. 115C-390.11 through G.S. 115C-390.12.”

School’s code of conduct identifies those behaviors that are detrimental to our goal of a positive, safe, and orderly environment. Specifically, it identifies behaviors which interfere with the learning process or disrupts the educational environment for any student at any time. The identified consequences are designed to deter students from engaging in behavior which are counter to the school’s mission, and, in the event that violations do occur, discourages students from committing further violations.

The code of conduct is divided into five classes of violations. The classes are groupings of violations of similar severity. Each class of violations, because of their similarity, contain comparable consequences. While these consequences reflect what School believes to be fair and reasonable for that class of violations, the school also recognizes that there are times where there are mitigating or aggravating factors which may result in a change in consequences. The Director/Superintendent or their designees have the authority to assign any alternate reasonable consequence based on either mitigating or aggravating factors. Finally, engaging repeatedly in behaviors in any single class of violations will result in consequences from a higher class. This is intended to reinforce the importance of learning from mistakes.

II. General Information

The information contained in this section is designed to address common questions and confusions regarding the code of conduct. Providing further clarification on these issues will help parents and students successfully navigate the requirements of the School Code of Conduct.

The Code of Conduct applies to all students at any time they are present on school campus, at any school event, or during any school sponsored activity, including school events or activities that are held off campus. Additionally, it applies to students at any time whose behavior interferes with the learning process or disrupts the educational environment. Certain rules apply specifically to different grade levels. If that is the case it is noted in the violation. Otherwise the violations apply to all students.

Administration will follow investigatory procedures and make a reasonable attempt to contact parents after it has been concluded that a violation has occurred. During the investigation, students will be interviewed in order to determine what may have occurred. A student will be notified of the consequence of a violation as long as notification of the student does not pose a risk to the safety and security of other individuals on campus.

If a student is suspended out of school, the student may not be present on the campus of School, at any school function, or at any school sponsored event, whether off or on campus, without the permission of school administration.

Unfortunately, during the school year conflict will arise between students. It is the expectation of School that students will not settle conflict through physical altercation. If there is a fight between two students, both students will be held accountable for the incident. If a student is attempting to engage another student in a fight, it is our expectation that the other student will make every reasonable attempt to walk away and notify a school employee.

Lockers, desks, school issued technology, and other school property remain at all times the property of the school and are subject to search at the discretion of the school principals or Director/Superintendent or their designee.

Corporal punishment is not permitted at School, but there may be times when school employees need to use reasonable force to control behavior or to remove a person from the scene. These situations include:

- To quell a disturbance threatening injury to others.
- To obtain possession of weapons or other dangerous objects on the person or within the control of a student.
- For self-defense
- For the protection of persons or property
- To maintain order on school property, in the classroom, or at a school related activity on or off school property

III. Definitions

365 Day Suspension - This is out of school suspension for 365 calendar days. It is the maximum allowed by North Carolina law.

After School Detention - This consequence is a period of :30 - :45 minutes of supervised study after the conclusion of the school dismissal.

Aggravating Factors - Facts of a discipline incident which suggest consequences beyond what is recommended in the Code of Conduct. These are determined by the school principal or Director/Superintendent, and may include, but are not limited to, repeated violations, lying or refusing

to cooperate with school officials in an investigation, severity of any injury sustained during the incident, and imminent danger to self or others.

Exclusion - This consequence prohibits a student from continuing to attend School, although the student may attend another school.

Expulsion- Is the permanent termination of the student-school relationship. This applies only to students 14 years of age or older whose continued presence constitutes a clear threat to the safety of other students or school staff. Students considered for expulsion are entitled to a hearing before the School’s Board of Director/Superintendents as set forth in North Carolina statutes.

Long-Term Suspension - This is an out of school suspension lasting greater than 10 consecutive days, but less than 365 days.

In-School Suspension - This consequence is an alternate to the suspension out of school of a student. It is the supervised removal of a student from educational activities to another location on school property.

Short-Term Suspension-An out of school suspension lasting fewer than 10 consecutive days.

Mitigating Factors - Facts of a disciplinary incident which suggest consequences that are less severe than what is recommended in the Code of Conduct. These may include, but are not limited to, self-defense, provocation, student record, and other factors identified by the school principal or Director/Superintendent.

Out of School Suspension - This consequence is the prohibition of a student from being on school campus, at school events, or participating in school functions, whether on or off campus.

IV. Code of Conduct

<u>Class 1</u>	
Violations Include:	Disciplinary Measures
1. Disobeying any teacher established classroom rules.	In-Class disciplinary measures Conference with an Administrator

<u>Class 2</u>	
Violations Include:	Disciplinary Measures
1. Repeated violations of classroom rules	After School Detention

<ol style="list-style-type: none"> 2. Being late for the start of the day or for the beginning of classes. 3. Unauthorized use of a cell phone or electronic device during instructional time. 4. Being absent from class without permission 5. Being out of dress code at any time not authorized by school administration. 6. Being in possession of any personal item which distracts from teaching and learning in the classroom. 7. Minor incidents of hitting, shoving, kicking, horseplay, etc. which do not result in physical harm. 8. A middle school student threatening another student or staff member in a way that is unrealistic, vague, or poses minimal risk. 9. Lying to school personnel. 10. Cheating on school tests, quizzes, or other school assignments. 11. Plagiarizing school assignments. 12. Inappropriate display of affection 13. Disrespectful words or actions 	<p>1 Day of ISS</p>
<ol style="list-style-type: none"> 1. Repeated violations of above category 	<p>2-3 Days ISS</p>

Class 3	
Violations Include	Disciplinary Measures
<ol style="list-style-type: none"> 1. Repeated violations of above category 2. Possession of prescription or non-prescription medications on one's person without permission from school administration. 3. Altering any official school document, including report cards, transcripts, and notes from teachers. 4. Failing to comply with directives provided by school personnel. 5. Addressing staff members disrespectfully. 6. Using obscene, offensive, or derogatory language or pictures in reference to a staff member while on school property or during school functions. 7. Using obscene, offensive, or derogatory language or pictures in reference to a student while on school property or during school functions. 8. A high school student threatening another student or staff member in a way that is unrealistic, vague, or poses minimal risk. 9. Acting in a way that either causes or has the potential to 	<p>1-4 days of OSS</p>

<p>cause harm to oneself or others.</p> <ol style="list-style-type: none"> 10. A middle school student stealing or taking without permission any possession of a student or staff member. 11. Being in possession of property stolen from a student or staff member. 12. Fighting in middle school 13. Using the internet to search for obscene, offensive or derogatory material during the school day, or at any time on a school owned device. 	
<ol style="list-style-type: none"> 1. Repeated violations of above category 2. A high school or middle school student stealing or taking without permission any possession of a student or staff member. 3. Directing offensive, obscene, or derogatory language toward staff members. 4. Directing offensive, obscene, or derogatory language toward other students. 5. Threatening another student or school employee in a way that is direct, the result of forethought, and can be carried out. While possible, it may not be realistic. 6. Fighting in high school. 7. Gambling for money on school property. 8. Possession of a lighter or matches. 	4-8 Days OSS

Class 4	
Violations Include	Disciplinary Measures
<ol style="list-style-type: none"> 1. Repeated violations of any of the above category 2. Entering school property after hours without proper authorization. 3. Smoking or vaping while on school campus, at school events, or during a school sponsored activity. 4. Possession of offensive, obscene, or derogatory pictures, including electronically, while on school campus, participating in school events, or during school sponsored activities. 5. Intentional unnecessary activation of a fire alarm. 6. The following offenses reportable to law enforcement: <ol style="list-style-type: none"> a. Possession or consumption of alcohol or drugs while on school campus, at school events, or during a school sponsored activity. 	10 Days OSS, possible recommendaiton for exclusion

Class 5

Violations Include	Disciplinary Measures
<ol style="list-style-type: none"> 1. Repeated violations of any of the above categories. 2. Mass Threats, Communicating Threats, including "Kill Lists" 3. Sharing or posting offensive, obscene, or derogatory pictures, including online, of students, school employees, or volunteers, without permission at any time which interferes with the learning process or disrupts the educational environment. 4. Using force or violence to take, or attempt to take, someone's property. 5. Inciting or engaging in behavior which either results in or is intended to result in widespread disruption to the educational process. 6. Participating in lewd, illegal, or sexual acts while on school campus, attending school events, or during school functions. 7. A logical, specific, and realistic threat of serious violence to a student or school employee. 8. Assault on a student. 9. Use or possession of drugs or alcohol while on school campus, at school events, or during a school sponsored activity. 10. Repeated cheating/dishonesty or aiding others to cheat or engage in dishonesty 11. The following offense reportable to law enforcement: <ol style="list-style-type: none"> a. Assault resulting in serious injury b. Assault involving use of a weapon c. Assault on school officials, employees, and volunteers d. Making bomb threats or engaging in bomb hoaxes e. Willfully burning a school building f. Unlawful, underage sales, purchase, or provision of alcoholic beverages g. Possession, sale or attempted sale of a controlled substance in violation of law h. Possession of a weapon i. Robbery with dangerous weapon j. Sexual offense 	<p>10 days suspension with recommendation for exclusion</p>
<ol style="list-style-type: none"> 1. The following offenses reportable to law enforcement: <ol style="list-style-type: none"> a. Homicide b. Kidnapping c. Possession of a firearm d. Rape e. Sexual Assault 	<p>365 Day Suspension 10 day suspension with a recommendation for a Long Term Suspension, exclusion or expulsion</p>

f. Taking indecent liberties with a minor	
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V. Disciplinary Process

Upon receiving a report of a potential occurrence of any of the above violations, school administration will begin an investigation. An investigation may include interviewing witnesses, reviewing camera footage, speaking with staff members, and a search of a student, a student's locker, or a student's belongings. Refusal to permit the search will result in the assignment of consequences that are commensurate with the suspected violation. Administration will speak with the student and give the student an opportunity to deny or explain the violation.

Upon completion of the investigation, school administration will determine if the preponderance of the evidence weighs in favor of the violation occurring. This means that it is more likely than not that the student committed the violation. If that is the conclusion, the student will be notified of the consequence of the violation as long as notification of the student does not pose a risk to the safety and security of other individuals on campus. If the violation is an offense which requires a report to law enforcement, the appropriate agency will be notified.

The school administrator will make a reasonable attempt to contact the student's parent or guardian by telephone to communicate the results of the investigation and the assigned consequences. The Administration shall also notify the parent or guardian in writing that the student has been suspended from school. The administrator shall provide a description of the incident or incidents that resulted in the suspension, and may offer the opportunity for an immediate informal conference with the principal.

If a student is determined to have committed a violation for which the possible consequence is exclusion or long-term suspension or expulsion, the school principal will follow the procedures outlined in the section below.

VI. Long-Term Suspension and Exclusion Procedures

If a principal determines that an infraction falls into the category for which a long-term suspension and/or exclusion is appropriate, they will notify the Director/Superintendent of a recommendation for long-term suspension or exclusion. The principal will also notify the parent or guardian in writing of this recommendation within two school days. The notification will include the time, date, and location for a hearing with the Director/Superintendent. The parent or guardian must notify the Director/Superintendent at least two days in advance of the hearing if they are bringing an advocate to the meeting, and of the advocate's role (for example, legal representation). At the conclusion of the hearing, the Director/Superintendent will determine if the principal's recommendation for long-term suspension or exclusion should be upheld, modified, or overturned.

If the parent or guardian either refuses the hearing or fails to attend the hearing, the Director/Superintendent will make the determination on whether to uphold the recommendation of

long-term suspension or exclusion and communicate such decision to the parent(s)/guardian(s) in writing.

If the student is assigned a long-term suspension or exclusion by the Director/Superintendent, the parent or guardian has two school days to appeal the decision to a panel of the board of directors (there is no appeal to the full board). This request must be submitted in writing to the Director/Superintendent. The School will follow the requirements set forth in North Carolina's General Statutes for any such appeal and hearing.

For expulsion, the School will follow the requirement set forth in North Carolina's General Statutes.

VII. Discipline of Students with Disabilities

The obligation and the responsibility to attend school regularly and to comply with the school's code of conduct applies to all students. When appropriate, a principal or designee may discipline a student with a disability who has not complied with the school's code of conduct. Exceptional Children's education services will be provided to a student with a disability if the student has been removed from school for more than ten school days. If a student with a disability is removed for less than ten cumulative days, educational services will be provided only if such services are provided to students without disabilities who have been similarly removed. The school will follow all applicable state and federal laws when disciplining students with disabilities.