

# **Ashe County Schools**

## **Code of Student Conduct**



*Challenging young minds to soar.*

**Please sign and return the last  
page of this booklet**



Dear Parents/Guardians:

Ashe County Schools is committed to maintaining a safe and orderly climate in our schools and at all school activities. The following Code of Student Conduct includes our expectations for proper conduct as well as consequences for inappropriate behavior for all Ashe County students. The Code of Student Conduct and policies that align with this code are available online at [www.asheschools.org](http://www.asheschools.org).

To be truly effective, discipline must be a joint effort between home and school. Please read the Code of Student Conduct carefully, sign the Parent/Guardian Verification of Receipt and Review, and return it to the school your child attends within five days of the beginning of school.

We ask your support for your child to follow all rules and regulations to help keep our schools safe. Appropriate behavior is directly linked to a positive and safe learning environment and academic achievement for students. Let's partner together to provide the best possible education for all of our children.

Sincerely,

*Eisa M. Cox, Ed.D.*

Dr. Eisa M. Cox  
Superintendent  
Ashe County Schools  
[eisa.cox@ashe.k12.nc.us](mailto:eisa.cox@ashe.k12.nc.us)  
336-246-7175 Office

ACCESS TO POLICIES Students and families are encouraged to review and discuss the material contained in this handbook, which summarizes several important policies. Please note that this document is not a comprehensive list of all district policies and that these summaries are not a substitute for the policies themselves. Full copies of all of the policies referenced in this handbook are available online at [www.asheschools.org](http://www.asheschools.org) and at the school system's central administrative offices at 320 South Street in Jefferson. Students and their families are urged to review the actual language of these policies and procedures, which include important information about student rights and responsibilities. Please contact the administration of your student's school if you have questions about a policy.

## **Ashe County Schools Student Code of Conduct**

The Ashe County Board of Education is committed to discipline practices that encourage the development of self-control, personal responsibility and respect for the dignity of all individuals. The Board is committed to maintaining effective discipline in order to establish positive learning environments within which students have the opportunity to receive an appropriate public education. Each student in Ashe County Schools is responsible for exhibiting the highest standards of behavior.

In order for effective discipline to be maintained in each school, the Board acknowledges that cooperative relationships must be established among students, parents and school personnel. School personnel shall actively seek effective, positive methods and strategies to help each student learn to behave in a manner that is conducive to effective learning and that respects the rights of others. Each school principal shall systematically identify potential problem areas that may contribute to discipline problems. The Board encourages the school's administration to continue to work with appropriate community agencies in dealing with the discipline issues.

School-wide systems of support have been established at all school sites that include proactive strategies for defining, teaching, and supporting appropriate student behaviors to create positive school environments. Instead of using a patchwork of individual behavioral management plans, a continuum of positive behavior support for all students is implemented in areas including the classroom and non-classroom settings.

The Code of Student Conduct sets our system-wide expectations for student behavior designed to provide the best possible school climate. The Code of Student Conduct does not restrict the authority of teachers, site-based teams or principals to make individual school or class rules. This cannot be an all-inclusive list; however, administrators shall use their discretion in dealing with all specific behavior that violates the principles set forth in the code. Consideration is to be given to the student's cognitive and developmental ability to appreciate the significance of his/her behavior and to assume responsibility for behavior.

## **Children with Special Needs**

Disciplinary actions for students identified as exceptional children according to North Carolina guidelines will conform to *Policies Governing Services for Children with Disabilities* as adopted by the State Board of Education. All students with disabilities will be accorded all rights as provided by state and federal law.

## **System-Wide Uniform Consequences for Misconduct**

The principal or his/her designee shall investigate and deal with incidents of alleged misconduct of students under the following conditions:

- a student discipline problem is referred
- the alleged misconduct violates the Code of Student Conduct
- the principal determines that a situation exists which could pose a danger to persons or property or which seriously disrupts the learning environment

Teachers and/or other student support personnel should utilize reasonable available discipline alternatives and preventive measures prior to referring the student to the principal or designee, unless the student's behavior presents harm or significant risk of harm to others or property or is a threat to the orderly operation of the school. School personnel may use reasonable force to control behavior or to remove a person from the scene in those situations when necessary.

## **Applicability of Code**

All students shall comply with the Code of Student Conduct while on educational property, which includes any school building or bus, school campus, grounds, recreational area, athletic field, or other property under the control of the Ashe County Board of Education. Students may also be disciplined for conduct that occurs off educational property that violates this Code of Student Conduct if the conduct 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.

N.C. General Statute §115C-390.2(c)

## Definitions

**Board**—Ashe County Schools' Board of Education.

**Corporal Punishment**—The Ashe County Board of Education does not allow the use of corporal punishment in school. Discipline should be handled in accordance with ACSB 4300 series—Student Behavior Policies and Policy 4302—School Plan for Management of Student Behavior.

**Day or Days**—School days excluding teacher workdays, holidays, vacation days and weekends.

**Educational Property**—Any school building or bus, school campus, grounds, recreational area, athletic field, or other property under the control of the board.

**Expulsion**—The permanent exclusion of a student from registering, enrolling or attending any Ashe County public school. This exclusion also includes riding in a school-owned or operated vehicle and prohibits the student from participating in school activities or entering any school property.

**Weapons and Weapon-Like Items**—Students are prohibited from possessing, handling, using or transmitting, whether concealed or open, any weapon or any instrument that reasonably looks like a weapon or could be used as a weapon.

**Long-Term Suspension**—Disciplinary exclusion of a student from attending his/her assigned school for more than 10 school days. If the offense leading to the long-term suspension occurred before the final quarter of the school year, the exclusion must be no longer than the remainder of the school year in which the offense was committed. If the offense leading to the long-term suspension occurred during the final quarter of the school year, the exclusion may include a period up to the remainder of the school year in which the offense was committed and the first semester of the following school year. (Refer to ACSB policy 4353)

A 365-day suspension is the disciplinary exclusion of a student from attending his/her assigned school for 365 calendar days. The superintendent may impose a 365-day suspension only for certain firearm and destructive device violations, as identified in policy 4333—Weapons, Bombs Threats, Terrorist Threats and Clear Threats to Safety.

**Parent**—Includes the natural parent, legal guardian, legal custodian or other caregiver adult who is acting in the place of a parent and is entitled under state law to enroll the student in school.

**Principal**—Includes the principal and the principal's designee.

**School Personnel**—Includes the following:

- any Board employee
- any person working on school grounds or at a school function under a contract or written agreement with the school system to provide educational or related services to students
- any person working on school grounds or at a school function for another agency providing educational or related services to students

**Short-Term Suspension**—Exclusion from school and participation in school activities or events for up to ten days.

**Superintendent**—Includes the superintendent or the superintendent's designee.

### **Reports to Law Enforcement**

When a principal has personal knowledge 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(s), 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, possession of a controlled substance in violation of the law, assault on a school employee, robbery, armed robbery, homicide, manslaughter, or death by vehicle, the principal shall report the act to the appropriate local law enforcement agency, notify parents/guardians of any alleged student victim of a violent crime and notify the superintendent or designee. Notification must occur in writing or by electronic mail by the end of the workday in which the incident occurred, when reasonably possible, but not later than the end of the following workday. The superintendent must also provide the information to the school board.

The principal may notify law enforcement of any other potential criminal conduct or incident which may jeopardize the safety, security or well-being of the school environment.

### **Consequences and Behavioral Interventions**

Violation of North Carolina Law, Board policies, the Code of Student Conduct or regulations issued by the individual school or teacher, may result in disciplinary action. Principals shall inform students at the beginning of each school year of the contents of this policy and any school rules that may result in discipline. Most disciplinary consequences can occur with the student remaining in an educational environment. In-school disciplinary consequences available to principals include behavior contracts, peer mediation, in-school suspension, conflict resolution, detention, restitution, loss of privileges, and school or community service. When in the judgment of the school principal, a student's behavior warrants an out-of-school suspension, the principal may impose a short-term suspension or, for more serious

violations of the Code of Student Conduct, may recommend a long-term suspension, a 365-day suspension, or expulsion. Suspensions of greater than ten days are reserved for serious misconduct which either threatens the safety of others within the school or threatens to substantially disrupt the educational environment.

In determining the appropriate consequence for a violation of the Code of Student Conduct, principals shall consider all aggravating or mitigating circumstances they deem relevant. Examples of aggravating or mitigating circumstances that may be considered include but are not limited to:

- student's age
- student's intent
- student's disciplinary history, including number of infractions and prior discipline for the same violation
- student's academic history
- whether the conduct caused a threat to safety
- school property or personal property was damaged
- conduct caused a substantial disruption of the educational environment
- whether a weapon was involved and whether any injury resulted

The Code of Student Conduct Rules are leveled, indicating the severity of the violation and the type of consequence. All Level I infractions are considered **minor**. Level II infractions are considered **major** and those Levels III and above are **severe**. The principal shall inform students of local school rules that, if broken, may result in suspension from school.

**Level I**—Rule violations should generally result as in-school interventions. In cases where a student refuses to participate in the in-school interventions or engages in persistent violations of a Level I rule, or other aggravating factors are present, the principal may impose a short-term suspension. Level I rule violations may not result in long-term suspension unless continued repetition of the infraction occurs.

**Level II**—Rule violations involve more serious misconduct that may warrant short-term suspension. Principals may recommend a long-term suspension or possible court action based upon the presence of aggravating factors.

**Level III**—Rule violations are more severe in nature and support long-term suspension along with possible court action. The principal may impose a short-term suspension based on mitigating factors. (Refer to ACSB Policies 4351, 4353 and 4361)

**Level IV**—Rule violations compromise the safety and welfare of students and staff and require a suspension of a specific length under the North Carolina General Statutes.

**Level V**—Allows for expulsion of a student, as provided by State Statute, for a violation of the Code of Student Conduct, if the student is fourteen (14) years of age or older and the student’s behavior indicates that his/her continued presence in school constitutes a clear threat to the safety of other students or employees and the Board determines that there is no appropriate alternative education program. Additionally, a student who is subject to ACSB Policy 4260—Student Sex Offenders—may be expelled if the student’s continued presence in school constitutes a clear threat to the safety of other students or employees.  
N.C. General Statute §14-208.18

## **Code of Student Conduct**

**The following list is a guide and not inclusive of all behaviors.**

### **Violations of the Code of Student Conduct**

The following rules for conduct apply to all students and the violation of the rules will result in consequences as described below. In appropriate circumstances the principal or his/her designee is granted the authority to exercise his/her good judgement and apply a greater or lesser consequence than those stated here. Aggravating circumstances may result in more severe consequences than listed for the specific rule violation.

### **Minor Infractions**

#### **Level I—Warning, In-School Interventions, Possible Short-Term Suspension**

***Repetitive actions of the following infractions will result in more severe consequences.***

- I-1 Inappropriate Language—Cursing or use of vulgar, profane, obscene language and racial slurs is prohibited.
- I-2 Attendance—Students shall follow state and local attendance guidelines. Students shall be considered truant and subject to consequences whenever they are absent or tardy from school without a valid excuse (Refer to ACSB Policy 4400 and Tardies Procedure under Policy 4400)
- I-3 Being in an unauthorized area or having food/drink in unauthorized areas.
- I-4 Compliance with Directions—Students shall comply with all directions of principals, teachers, substitute teachers, student teachers, teacher assistants, bus drivers, and all other school personnel who are authorized to give such directions.



- I-5 Disrespect of Other Students—Students shall not mistreat fellow students or act in a way that interferes with the ability of other students to learn in a peaceful and safe environment.
- I-6 Defacing of School Property/Littering—To mar or spoil the appearance or surface of any school property including littering is prohibited.
- I-7 Disruptive Behavior—Students may not use any means to interrupt or interfere with teaching or orderly conduct of school activities.
- I-8 Excessive Display of Affection—Students shall conduct their personal and social relationships according to community standards. Students will refrain from inappropriate touching contact as deemed by administration.
- I-9 Wireless Communication Devices/Unmanned Aerial Vehicles—Students are permitted to possess wireless communication devices on school property so long as the devices do not disrupt the environment or instructional day as directed by school rules or school personnel. Wireless communication devices include, but are not limited to, cellular phones, electronic devices with internet capability, paging devices, two-way radios, drones or other unmanned aerial vehicles, and similar devices. Ashe County Schools are not responsible for any devices lost, stolen or damaged while on school property or at school events.

Electronic devices may be used by students for instructional purposes with the permission and under the supervision of the teacher. Any device possessed or used in violation of this policy shall be confiscated. Penalties for violation of this policy are set at the discretion of the principal. (Refer to ACSB Policy 4318)

Laser pointers are prohibited. If a student uses a laser pointer in a way that reasonably could or does cause physical harm, the laser pointer may be considered a weapon and the student will be disciplined accordingly.

- I-10 Student Dress Code—The purpose of the dress code is to ensure that a student’s dress and appearance promote a positive learning environment, does not disrupt the learning of others or the general operation of the school and does not create a safety hazard. Maintaining a positive learning environment and ensuring the health and safety of each student are high priorities of Ashe County Schools. Students are expected to dress in a manner that does not cause disruption in school and promotes respect. Clothing should be clean, neat and appropriate for school wear. (Refer to ACSB Policy 4316)
- I-11 Gambling—Students shall not participate in any unauthorized games of chance in which money or other items of value may be won or lost.

- I-12 Disruptive or Indecent Images, Literature or Illustrations—The possession or distribution of images, literature or illustrations that are vulgar, indecent or obscene or that significantly disrupt the educational process are prohibited.
- I-13 Misconduct on a School Vehicle—While riding a school bus or other school vehicle, students shall observe the directives of the school bus driver. The following conduct is specifically prohibited:
- delaying the bus schedule
  - refusing to obey the driver's instructions
  - tampering with or willfully damaging a school vehicle
  - getting off at an undesignated stop
  - failing to observe established safety rules and regulations
  - throwing objects from the bus windows or doors
  - willfully trespassing upon a school bus
  - violation of any other rule of the Code of Student Conduct policy while on the school bus or other school vehicle

Bus misconduct can lead to student suspension of bus transportation.

## **Major Infractions**

### **Level II—In-School Disciplinary Consequence with Mitigating Factors/Short-Term Suspension/Recommendation of Long-Term Suspension and Possible Court Involvement**

- II-1 Cheating—Cheating includes the actual giving or receiving of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work. Students shall not engage in any act of deception or falsification of work product.
- II-2 Plagiarism—Plagiarism includes the copying of the language, structure, idea and/or thought of another and representing it as one's own original work.
- II-3 Falsification of Information—Falsification includes the verbal or written statement of any untruth or any acts of disrespect. Students shall not provide false information to school officials and/or parents or guardians with regard to any school business.
- II-4 Verbal Abuse/Disrespect of Faculty and Staff—Students may not direct toward any school employee cursing, vulgar or abusive language.
- II-5 Skipping Class—Not attending class. Students shall come to school, remain at school once they have arrived and be present in their designated homeroom and/or their

assigned classroom unless they have been authorized to do otherwise by the principal or his/her designee.

- II-6 Insubordination—Student willfully defies authority. Students shall comply with the directions of all principals, assistant principals, teachers, substitute teachers, counselors, media specialists, teacher assistants, student teachers, coaches, advisors, bus drivers, bus supervisors and any other authorized school personnel at all times while a student is at school in any school building, on any school premises and at any school-sponsored event.
- II-7 Possession of Student's Own Prescription Drug— (Refer to ACSB Policy 6125)
- II-8 Use of Tobacco—At no time shall students be allowed to possess, smoke, use tobacco products, electronic cigarettes, vaporizers or other electronic smoking devices even if said device does not contain tobacco or nicotine on school grounds, on a school bus or at any school-sponsored event.
- II-9 Threat/False Threat—No student shall make any threat through written or verbal language or act which conveys a serious expression of intent to cause harm or violence. Furthermore, no student shall make a false threat of harm or violence, even in jest, which causes or is reasonably likely to cause fear or a disruption to school activities.
- II-10 Bullying, Harassment and Discrimination—Students shall not engage in bullying, harassment and related acts of discrimination. (Refer to ACSB Policy 1710/4021/7230)
- II-11 Computer Misuse—Individual users of school-provided internet service and all technological devices are expected to abide by ACSB Policy 3225/4312/7320, Technology Acceptable Use. In addition to the provisions of that policy, the following are specifically prohibited:
- sending or displaying offensive, vulgar, crude, obscene or threatening messages, pictures or video
  - cyber-bullying—the use of the Internet and related technologies to harm other people, in a deliberate, repeated and hostile manner
  - damaging digital devices, software or computer networks
  - violating copyright laws
  - using another's ID/password
  - unauthorized use of student school email
  - employing the network for commercial purposes

In the event a student engages in any of the above-referenced activities, his/her access privileges will be revoked and other disciplinary measures may result.

- II-12 Inappropriate Items on School Grounds—Students are not to bring to school items that are disruptive to the instructional day.
- II-13 Theft or Damage to Property—No student may steal or attempt to steal or knowingly be in possession of stolen property or intentionally damage or attempt to damage any school property or private property while under school jurisdiction.
- II-14 Fighting/Physical Aggression—No student may intentionally hit, shove, scratch, bite, pull hair, block the passage of or throw objects at a student or other person. No student shall take any action or make any comments or written messages intended to cause others to fight or which might reasonably be expected to result in a fight.

A student who is attacked may use reasonable force in self-defense, but only to the extent necessary to get free from the attack and notify proper school authorities. A student who exceeds reasonable force may be disciplined even though someone else provoked the fight.

### **Severe Infractions**

#### **Level III—Short-Term Suspension/Possible Long-Term Suspension with Aggravating Factors/Possible Court Action**

- III-1 Hazing—No group or individual shall require a student to wear abnormal dress, play abusive or ridiculous tricks on him/her, frighten, scold, swear, harass or subject him/her to personal indignity.
- III-2 Arson—Starting a fire or attempting to start a fire on school property is prohibited unless specifically authorized by school officials.
- III-3 False Fire Alarms—No student shall set off, attempt to set off or aid and abet anyone in setting off a fire alarm at school.
- III-4 Trespassing—No student may be on the campus of another school in the district during the school day without the knowledge and consent of the officials of the school he/she is visiting. Students who remain after school or come on any school campus after the school day or while school is closed without permission will be considered trespassers.

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

- III-5 Possession of Another Person's Prescription Drug—Carrying another person's

prescription medicine is prohibited. (Refer to ACSB Policy 6125)

- III-6 Gangs and Gang Activities—The Board of Education believes that gangs and gang-related activities pose a serious safety threat to students and staff members of Ashe County Schools. Gang-related activities disrupt the educational environment and increase the risks of future violence.
- III-7 Assault on School Personnel—No student may cause or attempt to cause physical injury to any school employee or other adults at any time while a student is at school, in any school building and on any school premises.
- III-8 Assault on Another Student—No student may cause or attempt to cause serious physical injury to another student while a student is at school, in any school building and on any school premises.
- III-9 Coercion or Extortion—No student may use force or violence or threat of force or violence to obtain money, property or personal services from another student.
- III-10 Controlled Substances and Drug Paraphernalia—No student shall possess, use, transmit, conspire to transmit or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroids or any other controlled substance or any alcoholic beverage, malt beverage, fortified wine or other intoxicating liquor or possess, use or transmit drug paraphernalia or counterfeit drug or inhale or ingest 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. No student shall be at school with the odor of alcohol or illicit drugs about their person.
- III-11 Sexual Harassment—Examples of sexually harassing conduct include, but are not limited to, deliberate, unwelcome touching of a sexual nature or that takes on sexual connotations.

#### **Level IV—Suspensions Required Under State Law**

- IV-1 Bomb Threats—Students are prohibited from making, aiding and/or abetting in making a bomb threat or perpetrating a bomb hoax against school system property by making a false report that a device designed to cause damage or destruction by explosion, blasting or burning is located on school property No student may knowingly or willfully cause, encourage or aid another student to make a bomb threat or perpetrate a bomb hoax. Any student who becomes aware that another student or other person intends to use a bomb, make a bomb threat or perpetrate a bomb hoax must notify a teacher or the principal immediately.
- IV-2 Weapons and Dangerous Instruments—Students are prohibited from possessing,

handling, using or transmitting, whether concealed or open, any weapon or any instrument that reasonably looks like a weapon or could be used as a weapon. Weapons include all of the following: loaded and unloaded firearms, including guns, pistols and rifles; destructive devices, including explosives, such as dynamite cartridges, bombs, grenades and mines; knives, including pocket knives, bowie knives, switch blades, dirks and daggers; slingshots and slung shots; leaded canes; blackjacks; metal knuckles; BB guns; air rifles and air pistols; stun guns and other electric shock weapons, such as tasers; icepicks; razors and razor blades; fire-works; and any sharp pointed or edged instruments.

No student may knowingly or willfully cause, encourage or aid another student to possess, handle or use any of the weapons or weapon-like items previously listed. A student who finds a weapon or weapon-like item, who witnesses another student or other person with such an item, or who becomes aware that another student or other person intends to possess, handle or use such an item must notify a teacher or the principal immediately.

This section does not apply to Board-approved and authorized activities for which the Board has adopted appropriate safeguards to protect student safety.

As required by law, a student who brings or possesses a firearm or destructive device on school property or at a school-sponsored event must be suspended for 365 days, unless the superintendent modifies, in writing, the required 365-day suspension for an individual student on a case-by-case basis.

## **Level V—Expulsion**

An expulsion is the indefinite exclusion of a student from school enrollment for disciplinary purposes. Upon the recommendation of the superintendent, the Board may expel a student who is 14 years of age or older for certain types of misbehavior as provided in ACSB Policy 4325—Drugs and Alcohol, Policy 4330—Theft, Trespass and Damage to Property, Policy 4331—Assaults, Threats and Harassment, and Policy 4333—Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety, if the student’s continued presence in school constitutes a clear threat to the safety of other students or employees.

Additionally, a student who is subject to Policy 4260—Student Sex Offenders may be expelled if the student’s continued presence in school constitutes a clear threat to the safety of other students or employees. During the expulsion, the student is not entitled to be present on educational property and is not considered a student of the school system. (Refer to ACSB Policy 4353)

While this document is intended to provide notice to students and parents of general expectations for behavior and consequences for misconduct, it must be understood that discretion will have to be used in dealing with a wide range in age and maturity of students, and that consideration must be given to the seriousness of the infraction(s) when determining the severity of the consequences. Consequences will include parent contact and when necessary a parent conference. Administrative discretion can be exercised regarding violation and consequences and law enforcement will be involved as warranted. Other inappropriate behavior not covered in this document will be dealt with by the principal and/or designee. The principal and/or designee may impose the consequences listed for successive incidents and apply the most severe consequences listed or a higher level of consequences.

### **Discrimination, Harassment, & Bullying**

Students are expected to comply with the behavior standards established by the board and the Student Code of Conduct. Any violation of this policy is serious and school officials shall promptly take appropriate action. School administrators respond and investigate claims of discrimination, harassment & bullying. Based on the nature and the severity of the offense and the circumstances surrounding the incident, a student could be subject to appropriate consequences and remedial actions ranging from positive behavior interventions up to, and including, expulsion. School counselors work to promote kindness and character education and foster a school culture of acceptance, tolerance and respect. A student experiencing discrimination, harassment or bullying is encouraged to report it to a caring adult.

Additionally, accessible through a cell phone for Ashe County School students is the anonymous "Say Something App". This App allows students and/or adults to report acts of bullying or school safety anonymously without fear of retaliation. Once reported, the administration in each building will work to investigate and resolve this according to Board Policy 4329/7311.

### **Safe and Drug Free Schools**

Illegal drugs will not be tolerated on the campuses of Ashe County Schools. The purpose of this message is to inform you of the effort of Ashe County Schools to rid our campuses of illegal drugs. Any student caught in possession of an illegal drug will be recommended for a suspension from school for the remainder of the school year. The student involved will be charged and/or arrested. If you have specific information concerning the sale or possession of drugs on your campus, please contact the principal. Our purpose is to ensure that our school is a safe place to learn for all students.

### **Prohibited Behavior**

Possession or use of illegal drugs and alcohol is harmful to students. 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
- Prescription drugs and inhalants not intended for the individual prescribed
- Marijuana or any other controlled substance
- Any alcoholic beverage, malt beverage or fortified wine or other intoxicating liquor; or
- Any chemicals or products procured or used with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student's mood or behavior.

Students also are prohibited from possessing, using, transmitting or selling drug paraphernalia or counterfeit (fake) drugs. 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. The first violation of possession, consumption, or distribution of an illegal drug, unauthorized prescription medication, or alcohol will result in a recommendation for long term suspension. Possession or use of prescription and over the counter drugs are not in violation of this policy if possessed and used in accordance with Board Policy #6125, Administering Medications to Students. No student shall possess, smoke or otherwise use any tobacco, including all lighted and smokeless tobacco products, as well as electronic cigarettes, vaping devices, JUUL's, and other electronic smoking devices even if they do not contain tobacco or nicotine, in any school building or vehicle at any time during the school day or during any period of time when students are subject to the authority of school personnel. The principal may authorize other lawful uses of substances otherwise prohibited by this policy, such as for approved school projects.

## **Title IX Information**

Through the US Department of Education new information around Title IX has been provided to assist school districts in working with students or parents/guardians in the area of sexual harassment.

Sexual Harassment has been defined as: Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the institution's education program or activity. Unwelcome conduct determined by a reasonable person can include sexual assault, dating violence, domestic or stalking as defined by the law. A person may report sex discrimination, including sexual harassment, at any time (including during non-business hours) by using the telephone number or email address or by mail to the office address listed for the Title IX Coordinator. The Title IX Coordinator for Ashe County Schools is Mr. Roy Putman, Human Resources Director. If an incident involving sexual harassment cannot be resolved at the school level, a parent or student may contact Mr. Putman. His office is located at 320 South Street, Jefferson, NC. He



can also be reached through email: roy.putman@ashe.k12.nc.us or by phone at 336-246-7175. Ashe County Schools also provides a number of policies around the concern of sexual harassment.

### **Sexual Harassment/Sexual Offenses**

No student shall engage in any type of behavior which is verbally or physically abusive in a sexual nature. This includes inappropriate touching, intentional exposure of private body parts (including "mooning"), verbal abuse of a sexual nature, sexual activity involving willing participants, sexual activity, or attempted sexual activity by force, threat, or fear. Any student who believes that s/he is the victim of sexual harassment or of a sexual offense committed by another student or any adult must immediately notify the school principal. If the principal is the accused, then the student must notify the Superintendent of Schools directly. Corrective action will be the responsibility of the principal or the Superintendent accordingly. Any student who commits the above violation, shall be suspended (OSS) by the principal for 5-10 days. It may be recommended to the Superintendent that the student be removed to an alternative educational setting, or given a long-term suspension. (Reference Board Policy 1725/4035)

### **Search, Seizure**

Schools must be safe and free of weapons, drugs and other contraband. School officials may search a student, student lockers, student automobiles or school computers under the circumstances outlined in Board Policy, and may seize any illegal, unauthorized or contraband materials discovered during the search.

### **Seclusion, Restraint and Reasonable Force**

The use of seclusion, restraint and isolation of students is governed by N.C. General Statute 115C-391.1, Board Policy and Regulation & Procedures. To the extent allowed by these laws, policies and procedures, N.C. General Statute 115C-390.3 authorizes school personnel to use reasonable force to control behavior or remove a person from the scene when necessary to correct students, quell a disturbance threatening injury to others, obtain possession of weapons or other dangerous objects on the person or within the control of a student, act in self-defense or to protect other persons or property, or to maintain order on educational property, in the classroom, or at a school-related activity on or off educational property.

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

North Carolina has legislation reflecting a coordinated statewide effort to motivate and encourage students to complete their high school education. The law provides for the revocation of the student's driving permit or license if the student does not maintain adequate academic progress or drops out of school. Adequate academic progress is defined as passing

five (5) subjects under a traditional schedule (6- or 7-period day) or 3 out of 4 classes in a block schedule school. This law applies to all North Carolina students under the age of 18 who are eligible for a driving permit or license.

Previously, a student had to present a birth certificate, social security card and Driver Education Completion Certificate to the Department of Motor Vehicles in order to obtain a permit or license. A student is now required to present a Driving Eligibility Certificate, issued by the school and good for 30 days, to the Department of Motor Vehicles to obtain a permit or license. The Driving Eligibility Certificate will only be issued to students making adequate academic progress. Students who do not meet the academic progress requirements will be reported to the Department of Motor Vehicles and their permit or license will be revoked. There is a provision for a request for a review of the student's situation based on hardship considerations. Students may regain academic eligibility at the end of each semester.

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

Students given an expulsion/suspension for more than 10 (ten) consecutive days for one of the three reasons listed below are subject to having their permit/license suspended for up to one calendar year.

- The possession or sale of an alcoholic beverage or an illegal controlled substance on school property.
- The possession or use on school property of a weapon or firearm that resulted in disciplinary action under G.S. §115C-391(d1) or that could have resulted in that disciplinary action if the conduct had occurred in a public school.
- The physical assault on teacher or other personnel on school property.

Students who are at least 14 years old or who are rising 8th graders are subject to this law. The law applies to all students, even to those exempted under Dropout Prevention/Driver License Legislation. Unlike the Dropout Prevention/Driver License Legislation law that ends when a student turns 18 years old, the "Lose Control" law does not stop at age 18 nor does it stop when the student graduates. Students who may lose their permit/license under this legislation may be eligible to regain the permit/license after a six-month period by displaying exemplary behavior in an alternative education setting or having successfully completed a school-district-approved drug or alcohol treatment counseling program. Legal References: G.S. 115C-47, -84.2, -288(a), -375.5, -378 to -383, -390.2(d), -390.5, -407.5; 16 N.C.A.C. 6E .0102, .0103; State Board of Education Policies TCS-L-000, -002, -003

# Ashe County School Code of Student Conduct

## Parent/Guardian Receipt of Review

This is to certify that I have received and reviewed the Ashe County Schools Code of Student Conduct and understand that this document governs the standards of behavior for students in the Ashe County School System. I understand that these standards of student behavior apply to school sites, off-site school sponsored activities and on any form of transportation provided by Ashe County Schools. I understand policies which align with the Code of Student Conduct may be found on the district's website [www.asheschools.org](http://www.asheschools.org). Each school's individual student handbook may be found on that school's homepage under the "For Students" link.

You may access this booklet digitally here: [Code of Conduct / Student Code of Conduct \(asheschools.org\)](http://www.asheschools.org/Code-of-Conduct-Student-Code-of-Conduct)



Or you may scan this code to take you there:

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Parent Signature

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Date

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Student Signature

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Date

**Please return this form to your child's assigned teacher within 5 days.**