



Student Policies

2016-2017

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301 INTRODUCTION

These policies provide direction and information for members of Willow Oak Montessori Charter School, Inc. (also referred to as “School”). A healthy and effective School depends on established policies and procedures. More importantly, it requires members of the community to understand and implement the policies and procedures for the success and wellbeing of everyone. All policies are designed to support the mission of the School. With everyone’s cooperation, the School can be a thriving community where students succeed in a safe, supportive, and stimulating educational community.

301.1 CONTACT INFORMATION

Address:

Willow Oak Montessori: A Public Charter School
Bold Building at Governors Village
50101 Governors Drive, Suite 170
Chapel Hill, NC 27517

Phone:

919.240.7787

Fax:

919.869.1790

Web:

www.willowoakmontessori.org

E-mail:

info@willowoakmontessori.org

School Day:

8:30am-3:30pm

Administrative Team:

Head of School: Pete Rubinas

Director of Curriculum & Instruction: Meneca Davis

Diverse Learning Community Coordinator: Melissa Beck

Business Manager: Melissa Frey

301.2 MISSION

Willow Oak Montessori strives to assist children in achieving their unique potential as responsible global citizens by nurturing self-confidence and independent decision making in a stimulating, creative, and diverse Montessori community.

301.3 PARENT-STUDENT COMMITMENT AND EXPECTATIONS

The School cannot succeed in its mission without commitment and effort from the parents who enroll their children. A strong partnership is essential. Parents and families support the School's mission and fulfill their primary role as teachers of their children when they respect and support the efforts and staff of the School, promote the desire for and pursuit of learning, and model ethical and relational integrity. Respect for, and support of the School's mission includes the following commitments on the part of every parent. The parent's role includes the following:

- a. Monitor and support School policies and procedures;
- b. Ensure prompt arrival to School and promote full attendance of students to the maximum extent feasible;
- c. Nourish children's physical and emotional health to promote learning;
- d. Communicate with staff as necessary to address particular needs;
- e. Be willing to volunteer and financially support the School's work as feasible;
- f. Cooperate with School staff in providing needed information or other support when reasonably requested; and
- g. Participate responsibly in classroom and School meetings and functions.

301.4 SCHOOL CALENDAR

Every year the School will publish its calendar. The School calendar shall include the beginning and ending dates of the School year, dates for staff workdays, holidays, and annual leave days. The calendar shall include at least the minimum number of make-up days required by law.

301.5 LEGAL COMPLIANCE, SCHOOL CHARTER AND CHANGES IN POLICY

The School, by law, is a North Carolina public school to be operated by a private, tax-exempt non-profit corporation. As a charter school, it is exempt from most state education laws that apply to traditional public schools. The School shall comply with all remaining and applicable federal laws and regulations, including, but not limited to, such laws and regulations governing employment, the environment, disabilities, civil rights, children with special needs, transportation, and student records. The School shall also comply with all applicable health and safety laws and regulations, whether federal, state, or local which apply to local traditional public school system. The school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations and shall not charge tuition or fees, except that it may charge fees that are charged by the local school district.

The School's state-approved charter is like a contract. Therefore, the School shall also operate consistent with all provisions in its charter.

302 ADMISSION, ENROLLMENT, AND PLACEMENT

302.1 ADMISSION

As required by state law (G.S. 115C-238.29F(g)), any child who is qualified for admission to a North Carolina public school is qualified for admission to the School. Admission shall not be determined according to the school attendance area in which a student resides.

The School shall not discriminate against any student on the basis of ethnicity, national origin, gender, or disability. Except as otherwise provided by law or the mission of the School as set out in the charter, the School shall not limit admission to students on the basis of intellectual ability, measures of achievement or aptitude, athletic ability, disability, race, creed, gender, sexual orientation, national origin, religion, or ancestry.

302.2 ADMISSION PRIORITY

For the purposes of this section, the term “siblings” includes any of the following who reside in the same household: full siblings, half siblings, stepsiblings, and children residing in a family foster home.

The School will give priority in this order:

1. Children of the school's full-time employees;
2. Students who were enrolled within the two previous school years, but left the school (i) to participate in an academic study abroad program or a competitive admission residential program or (ii) because of the vocational opportunities of the student's parent;
3. Siblings of currently enrolled students who were admitted to the School in a previous year.
4. Siblings of students who have completed the highest grade level offered by the School and who were enrolled in at least four grade levels offered by the School.

Preference may be given to the children of employees so long as the percentage of such students does not exceed fifteen percent (15%) of the school population.

302.3 OPEN ENROLLMENT

The School will hold an annual open enrollment period that shall last at least 30 days. At the conclusion of the enrollment period, if the number of applicants for a particular grade does not exceed the number of available spaces for that grade level, all eligible students who have properly applied by the deadline will be accepted. At the close of the enrollment period, if the number of applicants for a particular grade level exceeds available spaces for that grade level, a lottery system will determine admission eligibility. If multiple birth siblings apply for admission to the School and a lottery is needed, the School shall enter one surname into the lottery to represent all of the multiple birth siblings. If that surname of the multiple birth siblings is selected, then all of the multiple birth siblings shall be admitted.

Students who are not offered enrollment will be placed on a wait list. After all spaces for a grade level are filled, the lottery will continue until all applying students have been assigned a number on the wait list. The wait list will not carry into the next School year, but will remain and be used for admission should a space become available during the current School year for which it was conducted.

Attendance at school every day, particularly at the beginning of the school year, is critical. In the event that an enrolled student does not attend any orienting events prior to the start of the school year, the school will make an effort to contact the family via telephone and/or email to ensure that the student still intends to attend the school. If a student does not show up for school on the first day of school, the school will again contact the family via the telephone numbers and e-mail addresses provided on the student's enrollment paperwork. The family will have three days (72 hours) to respond to these inquiries to confirm that the student still intends to attend the school before the student's space is offered to the next student on the waiting list.

Students offered a space from the waitlist will have seven (7) days to accept the space after being notified that the space is available via telephone and/or e-mail by submitting completed enrollment paperwork in person to the School's office. If a space becomes available within one week of the start of the school year or after the school year has started, the family will have 72 hours to accept an offered space. If an offered space is declined or is not accepted by the applicable deadline, that student's name will be placed at the bottom of the wait list and the next person on the waitlist will be offered the space. This process will continue until all spaces are filled or the wait list is exhausted.

After admission and during the School year, serious and/or repeated deviations from the policies and procedures defined by the School will result in an evaluation of the student's placement in the School, as allowed by law.

302.4 WITHDRAWAL

Parents choosing to withdraw a student from the School should contact the Main Office and follow the procedures established by the School.

303 TRANSPORTATION AND ATTENDANCE

303.1 TRANSPORTATION AND ARRIVAL

By state law, the School may, if it chooses, provide transportation for its students. Regardless, the School shall develop and maintain a transportation plan so that transportation is not a barrier to any student who resides in the local school administrative unit in which the School is located. Students are required to arrive at the School on time unless they have a legitimate excuse for being tardy or absent. Students and parents should allow adequate time for travel to the School, possible traffic problems or weather conditions, transition time, and other factors that may affect promptness.

303.2 TARDINESS

School opens at 8:10am. Students may begin entering classrooms at that time. Those students who arrive after 8:30am are considered tardy. Students who arrive late must obtain a tardy slip from the Main Office. For an excused tardy, students are required to produce a note from their parent indicating the reason for late arrival, or a parent must accompany the student to the Main Office. Once receiving his/ her tardy slip, the student must then proceed immediately to class, delivering the tardy slip to the teacher.

303.3 ATTENDANCE

Daily attendance is paramount for a student's academic success. Willow Oak Montessori is required by the state of North Carolina to keep a record of attendance and report absences and tardies. We follow the North Carolina General Statute on Compulsory Attendance.

The Head of School or his designee shall oversee adherence to attendance rules and regulations and notify parents of their responsibility when repeated violations occur. Teachers will monitor and report student absences daily and follow all rules and regulations concerning attendance. To be counted present, a student must be in attendance at least one-half of the School day. This includes required attendance at School activities at any place other than the School.

Willow Oak requests that families call or e-mail the Main Office as soon as possible to notify the School that their child will be absent. Excused absences include:

- Illness or injury;
- Medical, dental or other appointment with a health care provider;
- Necessary religious observances;
- Involvement in a traffic or other accident;
- Participation in a valid and important educational opportunity, such as travel, with prior approval of the Head of School;
- Other unavoidable and excusable reasons as determined by the Head of School or his or her designee.

To be excused for an absence a student shall submit, within 3 School days of the absence, when reasonably feasible, a note signed by the parent explaining the reason(s) for the absence. The note must be turned in to the Main Office and directed to the Head of School or his/her designee. Failure to comply with these procedures may result in the absence being unexcused.

Three (3) unexcused absences in a year will result in a notification from the school. Six (6) unexcused absences will result in an additional written notification and a family conference. Ten (10) unexcused absences will result in a review of the situation by an Attendance Committee to determine if the family made a good faith effort to follow North Carolina's Compulsory Attendance Law (115C-378).

Students with excessive absences during the year (more than 10 per semester) will be referred to the Administrative Team to make a recommendation on whether or not the student shall be retained. The Head of School will have final say on the decision.

For all absences, the student shall make up all work in a timely manner at the discretion of the teacher.

Willow Oak Montessori is aware of the need for students to be picked up early for various appointments (i.e. doctor, dental, etc.) Please schedule these appointments after school when possible.

At the end of the school day, students are receiving last minute instructions and helping with the cleaning of the classroom. Dismissing students during this time causes a disturbance to teachers and students and interferes with a safe and orderly dismissal process. To request early dismissal for a child, please arrive before 2:45pm. Parents arriving after 2:45pm will not be granted this request since dismissal begins at 3:15pm.

304 ACADEMICS, INSTRUCTION, AND GUIDING VALUES

The School's academic program is designed to foster an excellent learning environment that meets and exceeds student performance standards adopted by the State Board of Education and the student performance standards contained in its charter. By law, the School shall conduct, at a minimum, student assessments required by the State Board of Education. We shall do this in the context of the School's values.

304.1 VALUES

Willow Oak Montessori is a vibrant community based on a shared set of values, as articulated below:

Individual Growth. We are passionate about building a learning community that recognizes the unique possibilities of every human being. We “follow the child” in the classroom, observing each child's interests and using those interests to engage the child and cultivate a life-long love of learning. We provide diverse opportunities for our students, parents, staff, and board to develop their knowledge, skills, and abilities.

Interdependence. We recognize that we are connected to one another, the Earth, and the global community. We are committed to making choices that reflect our shared commitment to living in harmony with others and our environment.

Peaceful Cooperation. We help one another, actively listen to each other, and enjoy our different ways of being. We encourage collaboration rather than competition in the classroom and in our dealings with one another and the broader community. We assume good intentions and strive to resolve conflict in a way that builds peace and trust within our community.

Respectful Care. Our faculty members are trained professionals who take excellent care of our students in partnership with their parents. Our Board takes care of our faculty through a balance of meaningful professional development, compensation and benefits. Our families take care of one another and our faculty in a spirit of caring and mutual respect.

304.2 ACADEMIC PHILOSOPHY

Montessori is an educational philosophy rooted in the observations and research of Dr. Maria Montessori. Montessori teachers are trained to observe each child's individual interests and development level. The teachers prepare the classroom so that each child is free to independently choose his/her work throughout the work cycle. Based on his or her observations, the teacher presents "lessons" to the children from a variety of subject areas.

Children are encouraged to choose and repeat these lessons independently. Many of the Montessori materials have a "control of error," allowing the child to independently correct his/her own mistakes. Children can choose to work alone or with friends.

Montessori classrooms also grant children the opportunity to independently care for themselves, their peers, and their environment. The mixed-age environment creates a family-like rather than competitive community. Because each child typically stays with the same teacher for three years, an incredible bond is formed between the teacher and each member of the community.

304.3 CURRICULUM

Instructional Material Selection. School personnel will ensure, to the extent feasible, that approved materials involving controversial issues adequately represent different opinions related to the issues and are taught in a religiously and politically neutral manner consistent with effective pedagogy and the School's curriculum and mission.

Request for Review of Curriculum Selection. If a parent objects to the use of specific instructional materials, the parent may file a written request with the Head of School briefly stating the nature of the objection(s) and/or requesting that the material not be made available to the parent's child. The School may establish a Review Committee to address all such requests. The following steps apply to a parent request for review:

1. The parent must file all objections in writing. The Review Committee will review the challenged material. This review will involve the following:
 - a. examining the request and pertinent material;
 - b. checking the general acceptance of the material by reading reviews and consulting recommended lists;
 - c. considering any explanation contained in the request form;
 - d. determining the extent to which the material supports the curriculum; and
 - e. considering all other relevant information and attributes of the material including its overall quality, uniqueness, creativity, authorship, publisher, publication date, and its appropriateness for the age group concerned.
2. The Review Committee will make a decision regarding the material and prepare a written recommendation to the Head of School.
3. The Head of School may approve, modify, or overrule the recommendation of the Review Committee.
4. The Review Committee or the parent may request a full Board review of the Head of School's decision.
5. Pending the outcome of the review process, a parent may request of the Head of

School that the material not be used by the parent's child pending a final determination. Such a request may be granted in the Head of School's discretion. The Head of School will retain final decision authority.

304.4 CHILDREN WITH SPECIAL NEEDS

The School admits and serves special needs children under the *Individuals with Disabilities Education Act (IDEA)* (20 U.S.C. 1400 et seq.), state legislation (G.S. 115C-106 et seq.), and pursuant to the State Board of Education's rules and policies.

Students with special needs shall receive a free appropriate public education (FAPE) in the least restrictive and appropriate environment. The School will provide every student suspected of having special needs with a multidisciplinary diagnosis and evaluation. For each student entitled to special education services, the School will:

- Provide testing and evaluation in a nondiscriminatory manner, administered in the child's native language as necessary;
- Provide to the parent, in writing, the results, findings, and proposals based upon an evaluation;
- Develop an Individualized Education Plan (IEP) for qualified students;
- Provide special education and related services in the least restrictive appropriate environment to each qualified student based upon the IEP; and
- Provide written notice to the parent reasonably in advance of when the School proposes to initiate or change the identification, evaluation, or educational placement of a student with special needs. The written notice will give a full explanation of all of the procedural safeguards available to parents.

A confidential folder shall be maintained for each child evaluated for and/or receiving exceptional student services. Access to such files shall be limited to appropriate personnel and parents in compliance with state and federal law. A handbook on special needs procedures and rights is available to parents of children with special needs.

304.5 EXTRA-CURRICULAR ACTIVITIES

The School may offer and encourage participation in extra-curricular activities. Such participation, however, is a privilege, not a right. A student's behavior, attendance, and academic standing may determine eligibility to participate in extra-curricular activities. The advisor of any activity may set conduct or other academic or performance standards as a condition of initial or continued participation, provided such standards are clearly established and consistent with the School's mission.

If a student is disciplined for a violation of the student conduct code, his or her participation in an extra-curricular activity may be affected, subject to the discretion of the Head of School. The staff activity director or leader of extra-curricular activity, in consultation with the Head of School as necessary, is normally responsible for decisions relating to disciplinary action associated with the activity.

304.6 EVALUATION

Essential to the success of Willow Oak Montessori is ongoing and meaningful evaluations of all students. Willow Oak Montessori will utilize multiple means to assess student progress, including a combination of formative assessments, teacher observations, summative assessments, and student self-evaluations.

Testing. As required by State law, the School will administer all End of Grade (EOG) tests. In addition, to monitor the academic growth of all students, the School will use MAP (Measure of Academic Progress) testing. MAP is an adaptive computerized test that provides teachers, parents, and administrators with an accurate assessment of student progress in mastering basic academic skills.

Observations. Teacher observations will be regularly used to monitor student development. Teachers in each classroom keep records and makes observation notes which include the following topics:

- Student use and facility with the classroom materials
- Creativity and exhaustion of the possibilities with the materials
- Student enthusiasm and satisfaction
- Repetition of activities
- Success with the materials
- Application of the concept outside of the use of materials
- Readiness for progression to the next concept
- Student interactions with peers and faculty members

Self and Peer Evaluation. Students at Willow Oak Montessori will engage in self and peer evaluation across content areas. These will vary according to the age and development of each student.

304.7 FIELD TRIPS

Field trips are part of the educational program to support and enhance the educational and community experience. School-sponsored field trips will be well-planned and evaluated in terms of their educational and social appropriateness. Field trips will be reasonable in length, activity, and difficulty, considering the age and maturity of students and available resources. Overnight trips require special precautions to assure student well-being and to avoid or minimize, to the extent possible, interference with other class studies and attendance.

Chaperones and Drivers. Chaperones and drivers who volunteer to transport students for field trips must sign and submit to the School any information required by the Head of School in advance of a field trip, including information needed for a background check, if required. They must also submit a copy of a valid driver's license and proof of current insurance on their automobile. Those who cannot provide the information required may not transport students.

Every child being transported must have and use an appropriate seat belt. Students may not ride

in the front seat of a vehicle equipped with air bags unless such students are of proper size, weight, and age. Drivers should arrive early, with their vehicles adequately fueled and with the vehicle in good and proper condition. Teachers will provide to each driver any necessary maps, directions and instructions, a roster of students being transported by the driver, and those students' emergency contact information.

Guidelines. Appropriate instructional activities will precede and follow each field trip. Before each field trip, the teacher will submit to the Head of School a written outline of the instructional objectives of the trip. Procedures for requesting approval for field trips and other related activities may also be established by the Head of School and shall be followed.

Parents must submit a waiver of liability and permission for their children to attend all field trips sponsored by the School. Permissions slips will be sent to parents at least one week before the date of the trip, indicating the date, time, and purpose of the trip. Copies of these forms are to be retained for at least the remainder of the School year or longer as circumstances require.

All field trips will normally begin and end at the School. When a field trip is made to a place of business or industry, the teacher must be assured prior to beginning such a tour that an employee of the host company will serve as the guide. A reasonable number of adult personnel and volunteers shall accompany and supervise students on all field trips. The School, if feasible, will provide an appropriate educational experience and proper supervision for any students whose parents do not wish their children to participate in a field trip.

304.8 PLEDGE OF ALLEGIANCE

As required by state law, the School shall (i) display the United States and North Carolina flags in each classroom when available, (ii) call for the recitation of the Pledge of Allegiance on a daily basis, and (iii) provide age-appropriate instruction on the meaning and historical origins of the flag and the Pledge of Allegiance. The School shall not compel any individual student to stand, salute the flag, or recite the Pledge of Allegiance. If flags are donated or are otherwise available, flags shall be displayed in each classroom.

304.9 PROMOTION AND RETENTION

The Board recognizes that some students may benefit by remaining in the same grade for an additional year. The Board supports students being placed at the grade for which they are best suited and providing additional years of education at the same level as necessary.

The Head of School shall be responsible for the final decision regarding the promotion or retention of any student. The Head of School's decision will be based on the best interest of the student.

Factors to be considered in promotion and retention decisions include, but are not limited to, achievement based on test results and informal assessments; physical, social, and emotional maturity, effort, ability, and parental attitude and responsibility.

If a student appears to be a candidate for retention, the student's teacher or team should, if feasible, notify the Head of School and the student's parents by the end of the first semester of the academic year at the latest. Teachers are to provide additional attention to and remediation for the student to offer reasonable opportunities for the student to achieve promotion, in keeping with the School's values.

304.10 RELIGION AND FREE SPEECH

As a public School, the School will remain neutral on matters of religion, politics, and other personal values and beliefs protected by the United States constitution, while also protecting the rights of individual students and staff members to exercise their religious and free speech rights. Consistent with the School's academic mission, the School shall promote respect for and civility regarding individuals' personal beliefs, and will also strive to neutrally instruct students about the important role of religion and free expression as part of our heritage.

305 CONDUCT, DISCIPLINE, AND PROCEDURES

305.1 CODE OF STUDENT CONDUCT AND CONFLICT RESOLUTION

Code of Student Conduct. The Student Conduct Code ("Student Code" or "Code") governs student behavior occurring on School property, at School-sponsored activities, plus all off-campus activity that threatens School safety or property, or that substantially disrupts or is likely to disrupt School operations.

Conflict Resolution. Willow Oak Montessori sees conflict both as a natural part of living and working with others and as an opportunity for learning and growth. A positive approach to resolving conflict and to managing behavior encourages children to express their feelings; promotes self-control; creates an atmosphere of tolerance, positive communication and cooperation; builds self-esteem; and furthers independence.

Various strategies are used in managing behavior and response to situations:

- Positive and clear language is used to communicate teacher expectations.
- Consistent and frequent use of positive reinforcement encourages positive behaviors.
- Children are encouraged to use words to describe their feelings and to solve problems.
- Choices are offered to redirect behavior, and diversion to another activity is used when a child is unable to follow limits.
- Modeling of behavior(s) sought is used.
- Children who are in conflict are encouraged to create solutions to problems.
- When children feel unable to work out a solution, a suggestion can be given.
- Bullying is never acceptable at Willow Oak Montessori.
- Discipline shall in no way be related to food, rest, or toileting.

By encouraging positive interactions, providing support for children to have positive relationships with each other, and establishing expectations and limits at the beginning of each year, an established framework and common language is in place to refer to when conflict arises. Teachers also employ proximity techniques so that they are aware of how learning and play is developing, and intervene before conflict develops, when appropriate.

When conflict arises, the teachers employ a similar process. The specific sequence of steps and level of intervention employed is based upon a teacher's assessment of the developmental needs of the children involved and their abilities to sort out the conflict themselves.

305.2 GENERALLY PROHIBITED BEHAVIOR

Disrespect/Noncompliance. Students shall comply with all School- and safety-related directions of School administrators, teachers, substitute teachers, student teachers, teacher aides, bus drivers, and all other School personnel who are authorized to give such directions. Inappropriate conduct includes, but is not limited to, verbal, non-verbal, or physical conduct showing disrespect; repetitive tardiness; skipping class/School; leaving campus without permission; or being in an unauthorized area. Failure to comply may result in short-term suspension.

Class/Activity Disturbance. Any physical or verbal disturbance which occurs within the School environment and which interrupts or interferes with teaching or orderly conduct of class/School activities/School transportation is prohibited.

Inappropriate Language. Cursing or use of vulgar, profane, or obscene language is prohibited.

Improper Dress. Students shall dress in a way that is compatible with the School's mission and an effective learning environment. Students shall not wear clothing or other attire which is disruptive, provocative, inappropriately revealing of the body, profane, vulgar, offensive, obscene, or which endangers the health or safety of the student or others. Prohibited attire includes, but is not limited to, that which involves:

- Exposed undergarments, buttocks, cleavage, or pubic areas (includes see-through clothing)
- Excessively sagging or tight pants or other apparel
- Midriffs or strapless shirts or dresses
- Messages or illustrations that are lewd, indecent or vulgar or that advertise any product or service not permitted by law to minors
- Non-religious head coverings of any kind
- Chains, spikes or other apparel reasonably perceived or used as a weapon
- Gang or reasonably perceive gang symbols or apparel

Inappropriate Literature and Illustrations. The creation, possession, or distribution of literature or illustrations which significantly disrupt the educational process is prohibited.

Tobacco. No student shall possess, display, or use any tobacco product. This restriction applies even when the student is on School system property or at any School-sponsored activity as a visitor or spectator. For the purpose of this policy, the following definitions shall apply.

Tobacco Product: cigarettes, e-cigarettes, cigars, pipes, chewing tobacco, snuff, and other items containing or reasonably resembling tobacco or tobacco products.

Tobacco Use: smoking, chewing, dipping, or any other use of tobacco products.

Display: having any tobacco product in a location or position that is visible to students or School personnel. The display of tobacco products does not extend to display that has a legitimate instructional or pedagogical purpose and is approved by a teacher or the Head of School. The Head of School may permit tobacco products to be included in instructional or research activities in the School building if the activity is conducted or supervised by the faculty member overseeing the instruction or research and the activity does not involve smoking, chewing, or otherwise ingesting the tobacco product.

Controlled Substances and Alcohol. The School is committed to being a community free of unhealthy substances including illegal controlled substances, tobacco, and alcohol. The use of illegal controlled substances and use of alcohol while on School property, at any School-related activity, or in any other venue where the conduct in question is likely to substantially impact or undermine the operation or well-being of the School or its members, is prohibited.

Indecent Exposure/Sexual Behavior. No student shall engage in behavior which is indecent, involves excessive or inappropriate touching, or is otherwise of a sexual or sexually-suggestive nature.

Theft. No student shall steal, attempt to steal, aid in or conceal stealing, or knowingly possess stolen property if not attempting to return or turn in such property.

Unacceptable Use of Electronic Technology. Student shall comply with the *Student Acceptable Use Policy* attached as **Addendum II**.

305.3 WEAPONS

The School strives to maintain an environment free of all weapons. No student, employee or other agent of the School shall carry or encourage another person to carry, whether openly or concealed, a weapon as defined below, onto School property at any time.

A “Weapon” includes a gun, rifle, pistol, or other firearm of any kind, or any dynamite cartridge, bomb, grenade, mine, powerful explosive, knife, BB gun, air rifle, air pistol, sling shot, blackjack, metal knuckles, bludgeon, bowie knife, switchblade, dirk, dagger, leaded cane, stun gun or other electronic shock weapon, any sharp-pointed or edged instrument except for the following: instructional supplies, unaltered nail files and clips and tools used solely for preparing food, instruction, and maintenance of School property or otherwise authorized or necessary to support the operations of the School.

Any person who is aware that an unauthorized Weapon has been carried onto School property or possessed at a School function shall immediately notify a teacher or the Head of School.

305.4 HARASSMENT AND BULLYING

The School is committed to providing an environment that is conducive to learning, free from harassment and bullying based on race, religion, gender, ethnicity, national origin, disability, and free from any other illegal conduct. Other forms of harassment and bullying are also prohibited, including those based on other distinguishing characteristics such as, but not limited to, physical, social, academic or emotional and socio-economic status, or simply based on personal differences or conflicts. All conduct prohibited by this policy includes behavior that occurs directly or indirectly, by personal or electronic communication or action.

Harassment is an unwelcomed offensive verbal, nonverbal or physical conduct that is sufficiently severe, persistent or pervasive as to significantly affect the conditions of one's employment or a student's learning. Harassment includes, but is not limited to, abusive jokes, insults, slurs, name-calling, threats, bullying or intimidation, unwelcome sexual advances, or the exchange of benefits for performance of sexual or other favors. Harassment is prohibited at all levels: between students, between employees and students, between co-workers, between supervisors and subordinates, between non-employees and employees and/or students, and between any other School representatives or members of the School community while at the School or involved in School activities. In addition, no student or staff member shall retaliate against anyone who reports or seeks remedies against harassment or bullying or otherwise aids or supports someone who aids in the enforcement of this policy.

All staff members are required to report instances or reasonable suspicions of harassment and bullying to a supervisor and to aid in investigations under, and the enforcement of, this policy.

Any report of alleged harassment or bullying shall be taken seriously and responded to fully and promptly by appropriate School staff. Students are urged to also report and assist in carrying out this policy.

305.5 SEXUAL HARASSMENT

Of the various types of harassment, sexual harassment is worthy of special considerations in addition to those applicable under the School's General Harassment Policy. No employee shall engage in sexual harassment against any student, other employee, or another person in the School community.

Sexual harassment includes any unwelcome sexual touch, sexual advance, request for sexual favors, or sexually suggestive comments when:

- Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment or education.
- Submission to or rejection of such conduct by an individual is used as a basis for student or employment decisions affecting such individual.

- Such conduct has the purpose or effect of interfering with an individual's academic or work performance or creates an intimidating, hostile, or offensive working or educational environment.

Examples of sexual harassment include, but are not limited to, deliberate, unwelcome touching; suggestions or demands for sexual involvement accompanied by implied or overt promises or threats; pressure for sexual activity; continued or repeated offensive sexual flirtations, advances, or propositions; continued or repeated verbal remarks about an individual's body; sexually degrading words used toward, or in the presence of, an individual or to describe an individual; or the display of sexually suggestive objects, signals, or pictures.

A hostile environment exists if the conduct of a sexual nature is sufficiently severe, persistent, or pervasive to limit a person's ability to participate in or benefit from the educational program or creates a hostile or abusive educational or work environment.

Romantic or sexual advances toward students by employees or romantic or sexual relationships between School system employees and students are always prohibited in all circumstances. School employees are prohibited from engaging in inappropriate relationships with students and are required to report such relationships or reasonable suspicions thereof to the Head of School or other appropriate supervisory official. Procedures for reporting suspected harassment or sexual harassment are outlined in the School's personnel policies.

305.6 STATE DISCIPLINARY POLICIES AND PROCEDURES FOR SERIOUS OFFENSES

North Carolina state law requires the School to follow specific rules relating to the use of reasonable force, suspension and expulsions, under Article 27 of Chapter 115C of the General Statutes (as amended in 2011) as provided below.

Purpose and Definitions. The following provisions are governed by G.S. 115C-390.1

- (a) In order to create and maintain a safe and orderly School environment conducive to learning, School officials and teachers need adequate tools to maintain good discipline in Schools. The state and School recognize that removal of students from School, while sometimes necessary, can exacerbate behavioral problems, diminish academic achievement, and hasten School dropout. School discipline must balance these interests to provide a safe and productive learning environment, to continually teach students to respect themselves, others, and property, and to conduct themselves in a manner that fosters their own learning and the learning of those around them.
- (b) The following definitions apply to this policy:
 - (1) Alternative education services. – Part or full-time programs, wherever situated, providing direct or computer-based instruction that allow a student to progress in one or more core academic courses. Alternative education services include programs established by the local board of education in conformity with G.S. 115C-105.47A and local board of education policies.
 - (2) Corporal punishment. – The infliction of pain as a form of punishment. The use of corporal

- punishment is prohibited at Willow Oak Montessori.
- (3) School property. – Any School building or bus, School campus, grounds, recreational area, athletic field, or other property under the control of any local board of education or charter School.
 - (4) Expulsion. – The indefinite exclusion of a student from School enrollment for disciplinary purposes.
 - (5) Firearm. – Any of the following:
 - 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.
 - The frame or receiver of any such weapon.
 - Any firearm muffler or firearm silencer.The term shall not include an inoperable antique firearm, a BB gun, stun gun, air rifle, or air pistol.
 - (6) Long-term suspension (“LTS”). – The exclusion for more than 10 School days of a student from School attendance for disciplinary purposes from the School to which the student was assigned at the time of the disciplinary action. If the offense leading to the long-term suspension occurs before the final quarter of the School year, the exclusion shall be no longer than the remainder of the School year in which the offense was committed. If the offense leading to the LTS occurs 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.
 - (7) Parent. – Includes a parent, legal guardian, legal custodian, or other caregiver adult who is acting in the place of a parent and is entitled to enroll the student in School.
 - (8) Destructive device. – An explosive, incendiary, or poison gas:
 - a. Bomb.
 - b. Grenade.
 - c. Rocket having a propellant charge of more than four ounces.
 - d. Missile having an explosive or incendiary charge of more than one-quarter ounce.
 - e. Mine.
 - f. Device similar to any of the devices listed in this subdivision.
 - (9) Head of School. – Includes the School Head of School, director, headmaster or similar person in charge of the School and that person’s designee.
 - (10) School official. – An administrator to whom the board or Head of School has delegated duties under this policy.
 - (11) School personnel. – Any of the following:
 - a. An employee of the School.
 - 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.
 - (12) Short-term suspension (STS). – The exclusion of a student from School attendance for disciplinary purposes for up to 10 School days from the School to which the student was assigned at the time of the disciplinary action.

(13) Substantial evidence. – Such relevant evidence as a reasonable person might accept as adequate to support a conclusion; it is more than a scintilla or permissible inference.

(c) Notwithstanding the provisions of this policy, the policies and procedures for the discipline of students shall be consistent with the requirements of the Gun Free Schools Act, 20 U.S.C. § 7151, the Individuals with Disabilities Education Act (IDEA), 29 U.S.C. § 1400, et seq., section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 701, et seq., and with other federal laws and regulations.

General Provisions. The following provisions are governed by G.S. 115C-390.2

(a) *Guidance for School Officials.* The state statutes shall be followed by school officials in disciplining students.

(b) *The Code.* These statutory requirements are considered a part of the School's Code of Student Conduct (the "Code"), giving notice to students and parents of expected behaviors and potential discipline for violations of the Code.

(c) *Off-campus Behavior.* A student may also be disciplined for any personal conduct occurring outside of School property or after School hours, when the student's conduct otherwise violates the Code of Student Conduct **and** the student's conduct has or is reasonably likely to have a direct and immediate impact on the orderly and efficient operation of the School or the safety of individuals in the School environment.

(d) *Truancy.* Students may be disciplined for but shall not be long-term suspended or expelled from School solely for truancy or tardiness offenses and shall not be short-term suspended for more than two days for such offenses.

(e) *Limited Mandatory Long-term Suspensions and Expulsion.* The School shall not impose mandatory long-term suspensions (LTS) or expulsions for specific violations unless otherwise provided in state or federal law.

(f) *Selected Use of LTS and Expulsion.* The School shall minimize the use of LTS and expulsion by restricting the availability of LTS or expulsion to those violations deemed to be serious violations of the Code, that either threaten the safety of students, staff, or School visitors or threaten to substantially disrupt the educational environment. Examples of conduct that would not be deemed to be a serious violation include the use of inappropriate or disrespectful language, noncompliance with a staff directive, dress code violations, and minor physical altercations that do not involve weapons or injury. The Head of School may, however, in his or her discretion, determine that aggravating circumstances justify treating a minor violation as a serious violation.

(g) *Disciplinary Considerations.* The School shall not prohibit the School director and Head of School from considering the student's intent, disciplinary and academic history, the potential benefits to the student of alternatives to suspension, and other mitigating or aggravating factors when deciding whether to recommend or impose LTS.

(h) *Procedure.* The statutes establish the procedures for suspending or expelling, any student.

(i) *Publication and Notice of the Code.* The School shall publish the Student Code and make it available to each student and his or her parent at the beginning of each School year and upon

request.

- (j) *Positive Behavior Planning.* The School will seek to adopt research-based behavior management programs that take positive approaches to improving student behaviors.
- (k) *Breadth of Disciplinary Options.* The School will seek to use a full range of responses to violations of disciplinary rules, such as conferences, counseling, peer mediation, behavior contracts, instruction in conflict resolution and anger management, detention, academic interventions, community service, and other similar tools that do not remove a student from the classroom or School building.

305.7 REASONABLE FORCE

The following provisions are governed by G.S. 115C-390.3 (as adopted in 2011).

- (a) School officials may physically restrain a student in accordance with G.S. 115C-391.1.
- (b) School personnel may use reasonable force to control behavior or to remove a person from the scene in those situations when necessary for any of the following reasons without using corporal punishment*:
 - (1) To correct students.
 - (2) To quell a disturbance threatening injury to others.
 - (3) To obtain possession of weapons or other dangerous objects on the person, or within the control, of a student.
 - (4) For self-defense.
 - (5) For the protection of persons or property.
 - (6) To maintain order on educational property, in the classroom, or at a School-related activity on or off educational property.

(c) Notwithstanding any other law, School employees shall not be civilly liable for using reasonable force in conformity with the law.

*the infliction of pain as a form of punishment or discipline

305.8 SHORT-TERM SUSPENSION

The following provisions are governed by G.S. 115C-390.5 (as adopted in 2011).

- (a) The Head of School shall have authority to impose a short-term suspension (“STS”) on a student who willfully engages in conduct that violates a provision of the Code that authorizes short-term suspension.
- (b) A student subject to short-term suspension shall be provided the following:
 - (1) The opportunity to take textbooks home for the duration of the suspension.
 - (2) Upon request, the right to receive all missed assignments and, to the extent practicable, the materials distributed to students in connection with the assignment.
 - (3) The opportunity to take any quarterly, semester, or grading period examinations missed during the suspension period.

305.9 SHORT-TERM SUSPENSION PROCEDURES

The following provisions are governed by G.S. 115C-390.6 (as adopted in 2011).

- (a) **Informal Hearing.** Except as authorized in this section, no STS shall be imposed upon a

student without first providing the student an opportunity for an informal hearing with the Head of School. The notice to the student of the charges may be oral or written, and the hearing may be held immediately after the notice is given. The student has the right to be present, to be informed of the charges and the basis for the accusations, and to make statements in defense or mitigation of the charges.

- (b) **Emergency STS with Prior Hearing.** The Head of School may impose a STS without providing the student an opportunity for a hearing if the presence of the student creates a direct and immediate threat to the safety of other students or staff, or substantially disrupts or interferes with the education of other students or the maintenance of discipline at the School. In such cases, the notice of the charges and informal hearing described in subsection (a) of this section shall occur as soon as practicable.
- (c) **Notice to Parent.** The Head of School shall provide notice to the student's parent of any STS, including the reason for the suspension and a description of the alleged student conduct upon which the suspension is based. The notice shall be given by the end of the workday during which the suspension is imposed when reasonably possible, but in no event more than two days after the suspension is imposed. The notice shall be given by certified mail, telephone, facsimile, e-mail, or any other method reasonably designed to achieve actual notice.
- (d) **Notice in Primary Language.** If English is the second language of the parent, the notice shall be provided in the parent's primary language, when the appropriate foreign language resources are readily available, and in English, and both versions shall be in plain language and shall be easily understandable.
- (e) **No Right of Appeal.** A student is not entitled to appeal the Head of School's decision to impose a short-term suspension to the School board. Further, such a decision is not subject to judicial review. Notwithstanding this subsection, the School board, in its discretion, may provide students an opportunity for a review or appeal of a STS to the School board.

305.10 LONG-TERM SUSPENSION

The following provisions are governed by G.S. 115C-390.7 (as adopted in 2011).

- (a) **Head of School's Authority.** The Head of School may issue a long-term suspension ("LTS") of any student who willfully engages in conduct that violates a provision of the Code that authorizes LTS.
- (b) **Right to Hearing.** Before the Head of School imposes a LTS, the student must be provided an opportunity for a hearing consistent with the procedures required by this policy and G.S. 115C-390.8.
- (c) **Head of School's Review.** If the student recommended declines the opportunity for a hearing, the Head of School shall review the circumstances of the recommended LTS. Following such review, the Head of School (i) may impose the suspension if it is consistent with board policies and appropriate under the circumstances, (ii) may impose another appropriate penalty authorized by board policy, or (iii) may decline to impose any penalty.
- (d) **Return to Alternative Classroom in Cases of Assault.** If a teacher is assaulted or injured by a student and as a result the student is long-term suspended or reassigned to alternative education services, the student shall not be returned to that teacher's classroom unless the

teacher consents.

- (e) **Alternative Education Program.** Disciplinary reassignment of a student to a full-time educational program that meets state academic requirements and provides the student with the opportunity to make timely progress towards graduation and grade promotion, is not considered a LTS requiring due process.

305.11 LONG-TERM SUSPENSION PROCEDURES

The following provisions are governed by G.S. 115C-390.8 (as adopted in 2011).

- (a) When a student is recommended by the Head of School for LTS, the Head of School shall give written notice to the student's parent. The notice shall be provided to the student's parent by the end of the workday during which the suspension was recommended when reasonably possible or as soon thereafter as practicable. The written notice shall provide at least the following information:
- (1) A description of the incident and the student's conduct that led to the LTS recommendation.
 - (2) A reference to the provisions of the Code that the student is alleged to have violated.
 - (3) The specific process by which the parent may request a hearing to contest the decision, including the number of days within which the hearing must be requested.
 - (4) The process by which a hearing will be held, including, at a minimum, the procedures described in subsection (e) of this section.
 - (5) Notice that the parent is permitted to retain an attorney to represent the student in the hearing process.
 - (6) The extent to which the local board policy permits the parent to have an advocate, instead of an attorney, accompany the student to assist in the presentation of his or her appeal.
 - (7) Notice that the parent has the right to review and obtain copies of the student's educational records before the hearing.
 - (8) A reference to the board policy on the expungement of discipline records.
- (b) **Written Notice.** Written notice may be provided by certified mail, fax, e-mail, or any other written method reasonably designed to achieve actual notice of the recommendation for long-term suspension. When School personnel are aware that English is not the primary language of the parent or guardian, the notice shall be written in both English and in the primary language of the parent or guardian when the appropriate foreign language resources are readily available. All notices described in this section shall be written in plain English, and shall include the following information translated into the dominant non-English language used by residents within the local School administrative unit:
- (1) The nature of the document, i.e., that it is a LTS notice.
 - (2) The process by which the parent may request a hearing to contest the LTS.
 - (3) The identity and phone number of a School employee that the parent may call to obtain assistance in understanding the English language information included in the document.
- (c) **Formal Hearing.** No LTS shall be imposed on a student until an opportunity for a formal

hearing is provided to the student. If a hearing is timely requested, it shall be held and a decision issued before a LTS is imposed, except as otherwise provided in this subsection. The student and parent shall be given reasonable notice of the time and place of the hearing.

- (1) If no hearing is timely requested, the Head of School shall follow the procedures described above as required by G.S. 115C-390.7(c).
 - (2) If the student or parent requests a postponement of the hearing, or if the hearing is requested beyond the time set for such request, the hearing shall be scheduled, but the student shall not have the right to return to School pending the hearing.
- (d) **Oversight of Hearing.** The formal hearing may be conducted by the full School board, by the Head of School, or by a person or group of persons appointed by the School board or Head of School to serve as a hearing officer or hearing panel. Neither the board nor the Head of School shall appoint any individual to serve as a hearing officer or on a hearing panel who is under the direct supervision of the Head of School. If the hearing is conducted by an appointed hearing officer or hearing panel, such officer or panel shall determine the relevant facts and credibility of witnesses based on the evidence presented at the hearing. Following the hearing, the Head of School or board shall make a final decision regarding the suspension. The Head of School or board shall adopt the hearing officer's or panel's factual determinations unless they are not supported by substantial evidence in the record.
- (e) **Due Process.** LTS hearings shall be conducted in accordance with the policies. The student shall be accorded procedural due process including, at a minimum, the following:
- (1) The right to be represented at the hearing by counsel or, in the discretion of the board, a non-attorney advocate.
 - (2) The right to be present at the hearing, accompanied by his or her parents.
 - (3) The right of the student, parent, and the student's representative to review before the hearing any audio or video recordings of the incident and, consistent with federal and state student records laws and regulations, the information supporting the suspension that may be presented as evidence at the hearing, including statements made by witnesses related to the charges consistent with subsection (h) of this section.
 - (4) The right of the student, parent, or the student's representative to question witnesses appearing at the hearing.
 - (5) The right to present evidence on his or her own behalf, which may include written statements or oral testimony, relating to the incident leading to the suspension, as well as any of the factors listed above as required by G.S. 115C-390.2(g).
 - (6) The right to have a record made of the hearing.
 - (7) The right to make his or her own audio recording of the hearing.
 - (8) The right to a written decision, based on substantial evidence presented at the hearing, either upholding, modifying, or rejecting the Head of School's recommendation of suspension and containing at least the following information:
 - a. The basis for the decision, including a reference to any policy or rule that the student is determined to have violated.
 - b. Notice of what information will be included in the student's official record pursuant to G.S. 115C-402.
 - c. The student's right to appeal the decision and notice of the procedures for such appeal.

- (f) **Decision Implementation.** Following the issuance of the decision, the Head of School shall implement the decision by authorizing the student's return to School or by imposing the suspension reflected in the decision.
- (g) **Appeal to Board.** Unless the decision was made by the board, the student may appeal the decision to the local board in accordance to but not limited to hearing procedures allowed by G.S. 115C-45(c) and any subsequent policies adopted by the board. A student's appeal to the board of a decision upholding a long-term suspension shall be heard and a final written decision issued in not more than 10 calendar days following the request for such appeal.
- (h) **Identity Disclosure.** Nothing in this section shall compel School officials to release names or other information that could allow the student or his or her representative to identify witnesses when such identification could create a safety risk for the witness.
- (i) **Judicial Review.** A decision of the board to uphold the LTS is subject to judicial review in accordance with Article 4 of Chapter 150B of the General Statutes. The action must be brought within 10 days of the local board's decision. A person seeking judicial review shall file a petition in the superior court of the county where the board made its decision.

305.12 ALTERNATIVE EDUCATION SERVICES

The following provisions are governed by G.S. 115C-390.9 (as adopted in 2011).

- (a) **Alternative Educational Services.** Students who are long-term suspended shall be offered alternative education services unless the Head of School provides a significant or important reason for declining to offer such services. The following may be significant or important reasons, depending on the circumstances and the nature and setting of the alternative education services:
 - (1) The student exhibits violent behavior.
 - (2) The student poses a threat to staff or other students.
 - (3) The student substantially disrupts the learning process.
 - (4) The student otherwise engaged in serious misconduct that makes the provision of alternative educational services not feasible.
 - (5) Educationally appropriate alternative education services are not available in the local School administrative unit due to limited resources.
 - (6) The student failed to comply with reasonable conditions for admittance into an alternative education program.
- (b) **Appeal to Board.** If the Head of School declines to provide alternative education services to the suspended student, the student may seek review of such decision by the board pursuant to a hearing permitted by G.S. 115C-45(c)(2). If the student seeks such review, the Head of School shall provide to the student and the board, in advance of the board's review, a written explanation for the denial of services together with any documents or other information supporting the decision.

305.13 MANDATORY 365-DAY SUSPENSION FOR GUN POSSESSION

The following provisions are governed by G.S. 115C-390.10 (as adopted in 2011).

- (a) **Grounds and Procedures.** The board shall suspend for 365 days any student who has brought or has been in possession of a firearm or destructive device on School property, or to a School-sponsored event off of School property. The Head of School shall recommend to the board the 365-day suspension of any student believed to have violated these policies regarding weapons. The board has the authority to suspend for 365 days a student who has been recommended for such suspension by the Head of School when such recommendation is consistent with board policies. Notwithstanding the foregoing, the Head of School may modify, in writing, the required 365-day suspension for an individual student on a case-by-case basis. The Head of School shall not impose a 365-day suspension if the Head of School determines that the student took or received the firearm or destructive device from another person at School or found the firearm or destructive device at School, provided that the student delivered or reported the firearm or destructive device as soon as practicable to a law enforcement officer or a School employee and had no intent to use such firearm or destructive device in a harmful or threatening way.
- (b) **Legal Reporting.** The Head of School will report all incidents of firearms or destructive devices on School property or at a School-sponsored event as required by law.
- (c) **Exception.** Nothing in this provision shall apply to a firearm that was brought onto educational property for activities approved and authorized by the board, provided that the board has adopted appropriate safeguards to protect student safety.
- (d) **Request for Readmission.** At the time the student and parent receive notice that the student is suspended for 365 days under this section, the Head of School shall provide notice to the student and the student's parent of the right to petition the board for readmission pursuant to readmission procedures state below, pursuant to G.S. 115C-390.12.
- (e) **Procedures.** The procedures applicable to a LTS (as required by G.S. 115C-390.8) shall apply to students facing a 365-day suspension pursuant to this section.
- (f) **Alternative Educational Services.** Students who are suspended for 365 days pursuant to this section shall be considered for alternative educational services consistent with the provisions above regarding of Alternative Educational Services (as required by G.S. 115C-390.9).

305.14 EXPULSION

The following provisions are governed by G.S. 115C-390.11 (as adopted in 2011).

- (a) **Grounds and Procedures.** Upon recommendation of the Head of School, the board may expel any student 14 years of age or older whose continued presence in School constitutes a clear threat to the safety of other students or School staff. Prior to the expulsion of any student, the board shall conduct a hearing to determine whether the student's continued presence in School constitutes a clear threat to the safety of other students or School staff. The student shall be given reasonable notice of the recommendation in accordance with comparable procedures applicable to LTS as well as reasonable notice of the time and place of the scheduled hearing.
 - (1) The procedures described above regarding LTS procedures (as required by G.S. 115C-390.8(e)(1)-(8)) apply to students facing expulsion pursuant to this section, except that the decision to expel a student by the board shall be based on “clear and convincing” evidence (rather than the lower standard of

“substantial evidence”) that the student's continued presence in School constitutes a clear threat to the safety of other students and School staff.

(2) The board may expel any student subject to G.S. 14-208.18 [regarding sexual offenses] in accordance with the procedures of this section. Prior to ordering the expulsion of a student, the board shall consider, at its discretion, whether there are alternative education services that may be offered to the student. As provided by G.S. 14-208.18(f), if the board determines that the student shall be provided educational services on School property, the student shall be under the supervision of School personnel at all times.

(3) At the time a student is expelled under this section, the student shall be provided notice of the right to petition for readmission pursuant to expulsion reinstatement provisions stated above (as required by G.S. 115C-390.12).

(b) **Exclusion from School Property/Alternative Educational Services.** During the expulsion, the student is not entitled to be present on any School property and is not considered a student of the School. Nothing in this section shall prevent the board from offering access to some type of alternative educational services that can be provided to the student in a manner that does not create safety risks to other students and School staff.

305.15 REQUEST FOR READMISSION

The following provisions are governed by G.S. 115C-390.12 (as adopted in 2011).

(a) **Request.** All students suspended for 365 days or expelled may, after 180 calendar days from the date of the beginning of the student's suspension or expulsion, request in writing readmission to the School. The procedures shall be as follows.

(1) The process for 365-day suspended students.

i. At the board's discretion, either the Head of School or the board itself shall consider and decide on petitions for readmission. If the decision maker is the Head of School, the Head of School shall offer the student an opportunity for an in-person meeting. If the decision maker is the board, the board may offer the student an in-person meeting or may make a determination based on the records submitted by the student and the Head of School.

ii. The student shall be readmitted if the student demonstrates to the satisfaction of the board or Head of School that the student's presence in School no longer constitutes a threat to the safety of other students or staff.

iii. The Head of School's decision not to readmit the student may be appealed to the board pursuant to the reduced hearing requirements of G.S. 115C-45(c). The Head of School shall notify the parents of the right to appeal.

iv. There is no right to judicial review of the board's decision not to readmit a 365-day suspended student.

v. A decision on readmission under this subsection shall be issued within 10 days of the petition.

(2) The process for expelled students.

a. The board shall consider all petitions for readmission of expelled students, together with the recommendation of the Head of School on the matter, and shall rule on the request for readmission. The board shall consider the petition based on

the records submitted by the student and the response by the administration and shall allow the parties to be heard in the same manner as provided by G.S. 115C-45(c).

- b. The student shall be readmitted if the student demonstrates to the satisfaction of the board or Head of School that his or her presence in a School no longer constitutes a clear threat to the safety of other students or staff.
 - c. A decision by a board of education to deny readmission of an expelled student is not subject to judicial review.
 - d. An expelled student may subsequently request readmission not more often than every six months. The board is not required to consider subsequent readmission petitions filed sooner than six months after the previous petition was filed.
 - e. A decision on readmission under this section shall be issued within 30 days of the petition.
- (b) Assignment.** If a student is readmitted under this section, the board and the Head of School have the right to assign the student to any program within the School and to place reasonable conditions on the readmission.
- (c) Return to Alternative Classroom.** If a teacher was assaulted or injured by a student, and as a result the student was expelled, the student shall not be returned to that teacher's classroom following readmission unless the teacher consents.

306 EMERGENCY AND SAFETY PROCEDURES

306.1 BUILDING AND GROUNDS

Maintaining safe and attractive School grounds and facilities requires everyone's support. All students, staff and parents should make every reasonable effort to preserve and protect School property.

306.2 DELAYED OPENINGS AND EARLY CLOSINGS

The Head of School may delay the opening of School or close School early when there is a threat or potential safety threat due to inclement weather, mechanical failure, or other circumstance. In such instances, the School will notify members of the School community as promptly as possible via local news media, electronic mail, the School website, or other reasonable means.

306.3 FIRE, EVACUATION, TORNADO, AND LOCK-DOWN DRILLS

The Business Manager or his/her designee will conduct a fire drill during the first week after the opening of School and at least one fire drill each month thereafter. The route of egress and alternate routes will be posted in each classroom in each building. Evacuation, tornado, and lock-down drills will also be conducted routinely. Students and staff will be instructed on the procedures to follow.

307 HEALTH AND WELLNESS

307.1 IMMUNIZATIONS

No child may attend School unless a certificate of immunization is provided to the School indicating that the child has received the immunizations required by state law. If on the first day of attendance the child does not present such a certificate, the child's parent shall be notified.

The parent shall normally have thirty calendar days from the date of first attendance to obtain the required immunizations for the child. If a vaccine reasonably requires more than thirty calendar days to complete, and a suitable physician reliably verifies this fact, a reasonable extension of time may be granted. At the end of the thirty calendar days or extended period, if the student has not received the required immunizations, the School shall be required to exclude the student from attending school until proof of immunization records are received.

The School shall maintain the student's immunization records in his/her student file. These records may be inspected by officials of the county or state health departments upon request and without notification to parents. When a child transfers from or to another School, arrangements will be made to transfer the immunization records. The School will file an immunization report with the Department of Environment, Health and Natural Resources within sixty calendar days after the commencement of a new School year.

307.2 ILLNESS AND INJURY

As required by state law, please report any communicable conditions or diseases to the office immediately. For the welfare of our learning community, please do not send your child to school with the following conditions:

- Fever of 100 degrees or higher (non-medicated)
- Upper respiratory tract infection
- Vomiting
- Diarrhea
- Strep throat
- Conjunctivitis
- Ringworm/pinworm
- Impetigo
- Chicken Pox

Your child may return to school after he is symptom free for at least 24 hours with a written note from a parent or doctor.

Hygiene. Hygiene is especially important among individuals sharing space and to the health of each person. Please remember to keep your classmates and staff in mind as you prepare to come to school each day.

Injury. The safety of our students is our number one concern. We regret that accidents and injuries do occasionally happen. In the event of any physical injury, an incident report will be submitted by the teacher to the parent/guardian to be signed by the parent/guardian.

Emergency Procedures. It is imperative that parents update phone and cell numbers, addresses, and contacts as they change throughout the year. In case of an accident, the school will not hesitate to seek proper care for a child. The child's individual emergency instructions on file in the school office are consulted immediately and the parents are called. If necessary, 911 will be contacted and the child will be transported to the hospital.

307.3 ALLERGY POLICY

Willow Oak Montessori strives to create an environment that is safe and comfortable for all of our students and that supports them in reaching their full potential. Like other members of the general population, some of our students suffer from environmental and food allergies. Some students may even be diagnosed with a life-threatening allergic condition. While the School cannot guarantee that a student will not be exposed to an allergen, Willow Oak Montessori has adopted the following allergy policy to reduce the risk of an exposure that could result in serious or life threatening allergic reactions.

1. Identify students with allergies.

Parents/guardians shall identify all known allergies on the student's enrollment documents.

2. Plan for student with allergies.

In the event that a student's likely reaction to an allergen is known to be serious or life threatening, parents/guardians shall so indicate and shall contact the School to discuss and document the scope of the allergy, the symptoms, and the proper course of treatment in an Individual Health Care Plan (IHCP) and/or Allergy Action Plan (AAP).

3. Develop strategies to prevent accidental exposure to allergens

The Head of School or his/her designee shall ensure that all IHCPs and AAPs are reviewed and approved by the School Nurse, and shared with faculty and staff members who have a specific need to know.

4. Implement prevention strategies in the classrooms, at recess, in after-school programs, at school-wide events, and on school field trips.

The Head of School shall determine and publish a list of any school-wide or classroom-specific food restrictions based on his/her review of available information regarding medically-documented food allergies each school year.

The Head of School shall ensure that appropriate guidance regarding these restrictions is communicated to parents, faculty, staff, substitute teachers, volunteers, and all enrolled students.

5. Conduct Emergency Response Training

The School Nurse shall provide training to school faculty and staff, as necessary, regarding the interventions documented in IHCPs and AAPs

6. Ensure clear understanding of the roles of specific staff members in the care of students with life-threatening allergies.

Faculty and staff members shall familiarize themselves with the IHCPs and AAPs for students in their care and shall ask for clarification regarding the plans, if necessary.

307.4 COMMUNICABLE DISEASES

The School aims to provide a safe and secure environment free of infection from communicable disease for all students and employees. To balance the need to protect the privacy rights of students and employees and to control the spread of communicable diseases and conditions, decisions concerning necessary action shall be made on a case-by-case basis in accordance with this policy, sound judgment, and applicable legal requirements.

A communicable disease or condition is defined as an illness due to an infectious agent, or its toxic products, which is transmitted directly or indirectly to a person from an infected person or animal.

This policy applies to all legally reportable communicable diseases, including HIV and AIDS, as set forth in state regulations.

- (1) In order to prevent the spread of communicable diseases, universal health and safety precautions, which include regulations regarding the cleanup of all bodily fluids (including blood), shall be distributed by the Head of School or his or her designee and shall be followed by all School employees.
- (2) In accordance with state law, the Head of School or his or her designee shall report suspected cases of reportable communicable diseases or conditions to the county health director for investigation and shall provide available factual information to substantiate the report. Such reports shall remain strictly confidential and may be shared only with other staff members as necessary to prepare and file a report. All staff members who are made aware of any such report shall keep such information confidential. Without releasing any information that would identify the affected student when not required, the Head of School or supervisor shall report suspected cases of reportable communicable diseases or conditions to the Board Chairperson.
- (3) Any student suffering from a communicable disease or condition shall follow all control measures issued by the county health director and shall take all necessary precautions to

prevent the transmission of the disease or condition. Any School employee who has reason to believe that a student is suffering from a reportable communicable disease and failing to follow safe practices shall report this to the Head of School, supervisor, or health director. Failure to follow control measures may result in disciplinary action. The parent(s) of a student suffering from a communicable disease should inform the Head of School so that appropriate accommodations and precautions may be put in place.

- (4) If the county health director notifies the Head of School that a student with a communicable disease or condition may pose a threat to public health, the student and his or her parents shall cooperate with the health director to eliminate the threat. It is the responsibility of the health director to determine when the School community must be notified of the outbreak of a contagious disease. School officials shall cooperate with the health director in issuing such notification.
- (5) It is the responsibility of the county health director to notify the School if a student infected with the HIV virus is enrolled or scheduled for admission to the School, and if there is a serious risk of transmission of the virus by the student.

307.5 HEAD LICE POLICY

The School will take prompt action to address the threat of head lice. Head lice do not represent a disease or infection, and can therefore be readily treated. Since lice are transmittable, any student School officials suspect of having head lice will be sent home promptly for treatment.

The student may not return to the School until treatment has been received and the designated School official has determined that no head lice or live nits are present.

The School will provide assistive information to parents about head lice, as needed. Any member of the School community who knows of a manifestation of head lice should report this to a responsible staff member.

307.6 MEDICATIONS

If a child must be medicated (including over-the-counter and prescribed medication) during School hours and the parent cannot be at School to administer the medication, only the Head of School's designee may administer the medication in compliance with the parent's written, signed, and dated instructions. The Head of School or his or her designee reserves the right to require medical certification by a suitable doctor or to seek advice from a doctor or nurse retained by the School to determine the appropriateness of administering any medicine. No teacher may be required to administer medication against his/her wishes.

Minimally, the parent's medication instructions must include the following:

- a. Child's name
- b. Name of medication
- c. Purpose of medication
- d. Time and dosage to be administered

- e. Possible side effects and related treatment
- f. Termination date for administering the medication
- g. Special information about the medication (i.e., storage requirements).

Authorization forms to give medication on campus and medication records must be retained in the student's confidential medical file.

Exceptions to Medication Administration. Middle School students may, upon proper written authorization and approval by the Head of School or his or her designee, self-medicate with medications that are labeled and packaged in the original container and are required for a medical condition. Any student with diabetes or asthma, or a student subject to anaphylactic (life threatening) reactions will be allowed to carry and self-administer their medication if the parent, physician, and student sign a completed medication request form and the student demonstrates appropriate proficiency in delivering the medication. Self-administering privileges will be withdrawn if the student exhibits a lack of responsibility towards self or others in regards to his or her medication. Any student who abuses the privileges described in this section may be subject to discipline.

307.7 DIABETES CARE PLANS AND COMPLIANCE REPORTS

The School shall implement rules and procedures for students with diabetes in accordance with State Board of Education requirements and G.S. 115C-375.3. This includes making available necessary information and staff development to teachers and school personnel in order to appropriately support and assist students with diabetes in accordance with their individual diabetes care plans. The Board shall report to the State Board of Education annually, on or before August 15, on the number of students at the School on such plans and the board's compliance with state law.

307.8 ANNUAL INFORMATION FOR STUDENTS AND PARENTS

The School shall provide health information at the beginning of each school year regarding the following:

To parents regarding meningococcal meningitis and influenza (and their vaccines) – To

Parents. Such information shall include the causes, symptoms, and how meningococcal meningitis and influenza are spread and the places where parents may obtain additional information and vaccinations for their children.

To parents regarding cervical cancer, cervical dysplasia, human papillomavirus (and the vaccines available to prevent these diseases).

This information shall be provided to parents of children entering grades five through eight. It shall include the causes and symptoms of these diseases, how they are transmitted, how they may be prevented by vaccination, including the benefits and possible side effects of vaccination, and the places where parents may obtain additional information and vaccinations for their children.

To students (in grades 5 through 8) regarding lawful abandonment of a child. This information shall include manner in which a parent may lawfully abandon a newborn baby with a responsible person, in accordance with G.S. 7B-500.

307.9 COMPLIANCE WITH OTHER HEALTH REQUIREMENTS

The School shall regularly determine and comply with any federal, state and local requirements pertaining to other safety threats such as dangerous chemicals and blood borne pathogens. It shall also comply with all requirements as to food inspections and safety.

307.10 FOOD AND DRINK

Willow Oak Montessori is dedicated to supporting healthy and sustainable choices when it comes to food and drink. We promote healthy living and encourage healthy snacks, lunches, and beverages. Sodas and candy will not be allowed at school. Students who pack a lunch with items that are not appropriate will be asked to keep the items in the lunchbox or backpack to take home at the end of the day. Whole grains, fruits, vegetables, and healthy dairy products are encouraged.

Knowing that children learn best when they have eaten enough healthy food, Willow Oak Montessori recognizes that there will occasionally be a need to offer students healthy food choices to supplement lunch brought from home or to provide a healthy snack. The school will maintain a supply of healthy food choices that can be offered to students when the need arises.

If a student regularly requires supplemental food, the School will communicate with the student's parent(s)/guardian(s) regarding the need for additional or alternate food choices. The parent(s)/guardian(s) will be supported with suggestions and/or assistance that are consistent with the family's circumstances.

308 PARENTS AND THE COMMUNITY

308.1 COMMUNICATION AND CONFERENCES

Clear communication between parents and teachers is vital to student success. Parents requesting information about student progress and/or that have other concerns and issues should directly address one of the student's teachers. Any concerns not adequately addressed by the teacher should be addressed to the Head of School, as needed.

Conferences. Parent-Teacher conferences are integral to our educational process and are scheduled at least twice per year. Parents are encouraged to initiate and schedule additional conferences with teachers, if needed. Additional conferences may also be scheduled at any time by teachers.

Communication. Teachers are available to meet with parents, as needed. Parents should contact the teachers via e-mail or phone to set an appointment to meet.

Newsletters. Classroom and School newsletters will be sent to parents on a regular basis, primarily via e-mail. Families without access to e-mail are asked to notify the Main Office so that alternative communication mechanisms can be used.

The School recognizes the need for clear and open communication among the Board, faculty, staff, and parents concerning issues of mutual interest. Parental suggestions, concerns, questions, etc. regarding School policy and practice are encouraged, and are most effectively and efficiently channeled directly through the Head of School. Parents are urged not to communicate directly with Board members on such matters to preserve the integrity of their policy-making role, the proper channels of administrative response, and Board neutrality.

308.2 PARENT ORGANIZATIONS

Parent Teacher Associations, booster clubs, and other parent organizations perform a valuable service to the School. The Board supports these organizations and expects and encourages cooperation from the whole School community, including students and employees.

The Board shall approve all organizations affiliated with the School. The Board, or by delegation, the Head of School, may establish additional rules governing such organizations.

The Head of School or his or her designee shall be an *ex officio* member of any such organization.

Each parent organization affiliated with the School must establish bylaws setting forth the purpose of the organization and the rules and procedures by which it shall operate. A copy of the bylaws, and any subsequent revisions, shall be given to the Head of School and a copy shall be kept on file in the School office.

Parent organizations shall secure the advice and approval of the Head of School prior to planning any function or activity in which students are to participate while under supervision of the School.

Unless otherwise determined by the Board, any item purchased by a parent organization for the School or a School activity becomes the property of the School.

308.3 VISITORS

The Head of School or his or her designee will post instructions to parents and visitors, directing them to the School office to sign-in upon their arrival on campus.

All parents and visitors shall report to the School office upon arrival and are required to sign a visitation log, including the time of their arrival and their destination. Visitors, including parents, are required to wear a visitor's tag. At their departure, visitors and parents are required to return their tag to the office and sign out on the visitation log.

The Head of School or his or her designee is authorized to:

- a. Limit campus access to persons, including students and parents, who threaten the safety or well-being of the School community, or whose presence disrupts or is likely to

- disrupt the School environment;
- b. Determine if sales personnel may make sales visits to School administrators; and
- c. Call law enforcement personnel to protect against any threat posed by any person or to remove from the School property any person who refuses to leave after being directed to do so by authorized personnel.

308.4 VOLUNTEERS

The School's viability depends on an effective volunteer program. Parent volunteer help is especially needed to support field trips, special classroom events, and special School activities. The Head of School or his or her designee is responsible for volunteer oversight, including selection, recruitment, screening, and assignment. Volunteer services may be controlled or terminated at the Head of School's discretion. Volunteers are subject to applicable Visitor Policies and must report to the School office upon their arrival on campus. Volunteers are bound by the standards of conduct set forth by the School for School employees.

Volunteers who may work one-on-one with students must have a criminal background check that has been reviewed and approved by the Head of School or his/her designee on file with the School.

309 STUDENT RECORDS

309.1 REGULATIONS

The federal Family Education Rights and Privacy Act (FERPA) affords parents of students, legal guardians, and emancipated students the right to inspect their own or their child's records. Furthermore FERPA prohibits, with limited exception, other persons from accessing such records without the prior consent by a parent or emancipated student.

A parent or eligible student must normally submit a written notification at least five days in advance to the Head of School to inspect the student's file.

The School may disclose appropriately designated "directory information" without written consent, unless the parent or emancipated student has directed the School not to disclose such information. Such information allows the School to publish certain useful information such as a family directory. The School considers the following information as directory information: a student's name, address, phone number, activity or athletic photograph, dates of attendance, grade level, participation in activities and sports, weight and height of sports team members. Each year the School will notify parents of the School's "directory information" and parents' right to opt out of such disclosures.

The Head of School or his or her designee shall compile and maintain an official record for each student that contains information including a birth certificate, dates of admission and departure, attendance data, standardized test results, and grading and promotion data. Each student's

official record shall also include notice of any suspensions for a period of more than 10 days or of any expulsion. The notice of suspension or expulsion shall be expunged from the record if the student graduates from high school or is not expelled or suspended again during the two-year period commencing on the date of the student's return to School after the expulsion or suspension.

Official student records shall be permanently maintained. The Head of School is authorized to order the storage of official student records at a central location. Student records do not include individual notes and records made by teachers and administrators that are in the sole possession of their maker and that are not accessible or revealed to any other person except a substitute teacher or supervisor.

309.2 STUDENT RECORD CONFIDENTIALITY

Student educational records are confidential. Access to the official student record and any other student record shall be strictly limited in conformance with state and federal law and Board policy. A confidential folder shall be maintained for each child evaluated for or receiving exceptional children's services. Apart from directory information, personally identifiable information about a student shall not be released from a student's record without the prior written consent of the parent, legal guardian, or emancipated student, except to the following persons:

- a. School employees when a legitimate educational purpose exists for accessing the information, including professionals contracted to provide services for a student;
- b. Authorized government or educational officials, or others with legitimate reasons for reviewing a student's records;
- c. Appropriate persons in connection with an emergency, if the release of the information is necessary to protect the health or safety of the student or other persons;
- d. Authorized state and local officials with authority to review student information if the disclosure relates to the juvenile justice system's ability to serve, before adjudication, the student whose records are released. The official must certify in writing that the information will not be disclosed to any other party, except as provided by state law or with prior written consent of the student's parent or an emancipated student;
- e. Officials of other Schools where the student has enrolled or plans to enroll, unless the parent or an emancipated student has specifically requested in writing that the information not be released to the requesting institution;
- f. Persons acting under court order or subpoena, as long as the parent or an emancipated student shall be notified of the request prior to its execution;
- g. Accrediting organizations, to the extent necessary to enable them to carry out their functions; and
- h. Financial aid organizations if related to a student's application for receipt of financial aid.
- i. Prior written consent for any other release of personally identifiable information must be signed and dated by the parent, legal guardian, or an emancipated student and must specify the records that may be disclosed, the purpose of the disclosure, and the party or

class of parties to whom the disclosure may be made.

309.3 TRANSCRIPTS

Parents, a student who is eighteen years of age or older, and other K-12 Schools where a former student has enrolled may request the student's record. The School may charge for copies of records, including certified copies of transcripts. No fees will be charged for copies of records to be mailed directly to a K-12 School that a student is subsequently applying to or attending.

310 GRIEVANCE RIGHTS AND PROCEDURES

Students and parents are entitled to pursue their grievances according to the *Grievance Process and Appeals of Administrative Decisions Policy*, attached as **Addendum I**.

ADDENDUM I: GRIEVANCE PROCESS AND APPEALS OF ADMINISTRATIVE DECISIONS

The following policies are copied, in part, from the School's *Board Policies*.

A. Introduction and Objectives. The School seeks to provide a process by which students, parents, and staff can resolve concerns in a timely and effective manner while balancing this with the need for efficient and effective School operations. Toward this end, this policy establishes mechanisms by which grievances should be addressed through informal and, if appropriate, formal means. All references herein to the Head of School include any person assigned as the Head of School's designee.

B. Informal Grievance Procedure. All concerns should first be addressed directly and informally with the persons involved. This includes reasonably notifying those causing and involved in the grievance, allowing them to reasonably respond, and an opportunity to make good faith efforts toward resolution. If necessary, individuals involved are encouraged to seek the assistance of an objective party to assist with informal resolution.

C. Formal Grievance Procedure. Persons must seek informal, timely resolution before filing a formal grievance, unless doing so is not reasonably feasible, would be futile, or if formal grievance procedures are legally required. The grievant may then file a formal grievance with the Head of School within 30 calendar days after the last informal attempt at resolution; if informal resolution is not required, the employee shall file the grievance within 30 calendar days of the last instance causing the grievance.

The formal procedure shall be initiated by submitting to the Head of School a written request for redress that succinctly states the specific grievance(s), the supporting facts, the basis in Board policy or law (citing specific policies or laws), the requested relief, and the efforts made to resolve the matter informally. The Head of School may require submission of an approved form for such grievance filing.

The Head of School shall determine whether informal resolution requirements have been satisfied or are not required. If the Head of School determines that the grievant is entitled to a formal grievance process, he shall provide a copy of the formal grievance to all other persons implicated by the grievance. The Head of School shall reasonably investigate and consider the matter (which may include meeting with the parties involved and holding an informal hearing) and issue a decision within 10 school days from the date of the grievance is filed; additional time for the Head of School's decision shall be allowed when reasonably required by circumstances. All deliberations shall be held in confidence where feasible and involve only persons in a need-to-know position. A decision by the Head of School under these grievance procedures shall be considered a "final administrative decision."

D. Appeals of Right to the School Board. A person has the right to appeal any final administrative decision affecting a constitutional or other legal interest, and/or an interest of the type listed below:

- a. Suspension or expulsion of a student for more than 10 days (per School suspension and expulsion procedures required by Chapter 115C, Article 27 of the North Carolina General Statutes);
- b. An alleged violation of a specified federal or state law, State Board of Education rule, or local board policy;
- c. The loss or reduction of salary of a school employee under a specific-term contract who is not employed at will; or
- d. Any other decision that, by law, provides for a right of appeal to the school board and for which there is no other statutory appeal procedure.
- e. Any person seeking a hearing under this section, within 10 school days after the final administrative decision by the Head of School, may request a Board hearing, by submitting to the Board Chairperson a request in writing by certified mail or personal delivery. The person making such request shall also promptly deliver a copy of the hearing request to the Head of School.

E. Discretionary Appeals to the Board. Any person aggrieved by a decision not involving a matter addressed in Section D above may, within 10 school days after the final administrative decision by the Head of School, request a Board hearing, by submitting to the Board Chairperson a request in writing by certified mail or personal delivery. The person making such request shall also promptly deliver a copy of the hearing request to the Head of School. In such cases, the Board has the discretion to deny or grant a hearing. The Board shall notify the person making the request and the Head of School of its decision, and if a hearing is granted, the time, place, and manner of such hearing.

F. Board Hearing Procedures. In all appeals to the Board, the Board shall provide adequate notice of hearing rights and procedures to all parties concerned and keep a record of any hearing conducted.

In the case of hearings required by right under Section D, all parties have the right to appear before the entire Board, to be represented by counsel or other representative, to submit documentation, and to reasonably examine and cross-examine witnesses. In the case of an employee grievance concerning a loss or reduction of salary, the employee may request and shall be entitled to receive written notice as to the reasons for the final administrative decision; the notice shall be provided to the employee at a time reasonably in advance of any Board hearing. For all discretionary hearings allowed under Section E above, the hearing may be based on the written record or, instead, by personal appearance of the parties. The Board may designate a hearing officer or panel comprised of one or more Board members to act upon such hearing requests on behalf of the Board. The Board reserves the discretion to determine the manner by which it shall conduct such hearing.

Board hearings (by right and by discretion under sections D and E, respectively) shall be conducted within 10 school days from the date the hearing is requested, unless circumstances reasonably require additional time. A final Board decision shall be rendered and delivered in writing to the respective parties within 5 school days of concluding the hearing. The decision of the Board shall be final.

ADDENDUM II: STUDENT TECHNOLOGY ACCEPTABLE USE POLICY

The following policies are copied, in part, from the School's *Board Policies*. These apply to all student technology uses.

501 GENERAL PROVISIONS

501.1 Scope and Purpose

The School provides an array of technology resources to improve learning, communication, and organizational effectiveness. The term "Technology Resources" includes, but is not limited to School-owned, -leased, and -controlled computers, computer networks, computer files, software, electronic communications and research media such as Internet access, webpages, electronic mail (e-mail), personal digital assistants (PDAs), cellular phones, digital cameras, two-way radios, and related forms of electronic communication and electronic data files, storage, and manipulation.

Recognizing that technology resources are evolving and expanding, this policy encompasses other technologies – present and future – that offer electronic means of communications and data storage and manipulation. These policies shall govern the use of the School's technology resources and, to the extent allowed by law, the use of personal technology resources as they impact the School.

501.2 User Risk

There are many risks – known and unknown – associated with technology use, particularly the use of the Internet, e-mail, and related electronic communications. Such risks include unauthorized access by others to one's personal information, computer hacking, fraud, defamation, exposure to harmful materials (e.g., those that are pornographic, obscene, threatening, violent, abusive, or otherwise improperly offensive), financial exploitation, and conveying inaccurate, provocative, or false information.

School leaders and teachers will strive to take all reasonable measures to minimize these risks for users and will provide users with instruction and guidelines to assist them. Because Internet filtering controls are imperfect, they cannot block all undesirable content or protect against all risks. Likewise, they may inadvertently block access to educationally appropriate and valuable information. Users, therefore, assume these risks for themselves when they use the School's technology resources.

501.3 Limitations

The availability to users of the School's technology resources, particularly of electronic communications tools like e-mail and the Internet, is intended primarily for furthering the School's educational mission and not for any non-educational personal user benefit.

501.4 Ownership, Monitoring, and Control

All School technology resources are owned or leased by the School. Use of the School's technology resources is a privilege, not a right. Any files, documents, communications, etc., generated by using technology resources remain the property of the School, which reserves the right to direct, monitor, control, and limit or revoke the use of those resources. The availability of these resources does not confer upon any user a legal expectation of privacy free from such monitoring or control. Authorized officials may, at any time, reasonably review, restrict or otherwise regulate the use of these resources. Furthermore, the School reserves the right to deny or restrict user access to technology resources by the use of monitoring and/or blocking devices and software.

501.5 Privacy and Disclosure of Technology Resource Use and Data

The School will strive to fulfill its obligations to protect all legally confidential information. The School's technology resources, however, are not inherently secure or private and may be subject to unauthorized intrusion or hacking. In addition, the School reserves the right to disclose any user's electronic communications or data to School or non-School personnel or agencies to the extent permitted or required by law, including disclosure to public safety and social service officials or other legitimate third parties.

Users should be aware that, because the primary function of such technology resources is to further the School's public educational mission, many records produced by these resources are subject to the state's public records laws. Thus, for example, the Internet sites viewed or the e-mails sent by School staff may be public records subject to disclosure. Regardless of whether such uses generate public records, the School has the right to review and monitor ALL uses of its technology resources.

501.6 Disclaimer Against Loss or Damage

The School does not offer any warranty against defect or damage to users of its technology resources. The School is not responsible for damages or losses suffered by users, including loss of data resulting from delays, disruptions, or other causes. Furthermore, the School provides no assurance regarding the accuracy or quality of information obtained through such resources, particularly via e-mail or the Internet.

501.7 Civil and Criminal Remedies

In addition to administrative actions and sanctions, the School reserves the right to pursue civil and criminal actions against individuals or entities that threaten the safety and security, of the School's operations or any member of its community. This includes, but is not limited to, the following claims or actions: illegal harassment; threatening, tampering with, or destroying School property and technology resources; cyberstalking, invasion of privacy; identity theft; defamation; copyright, patent and trademark infringement; communication or carrying out of threats of violence; tampering with School's technology resources; transmitting pornographic, obscene, or other sexually prohibited communications; or conspiracy to engage in any illegal activity. The School also reserves the right, to the extent permitted by law, to collect all damages, attorney fees, and other costs incurred to pursue its

rights.

501.8 Procedures

501.8.1 Reporting Misuse or External Threats

Any member of the School community shall promptly report any violation or threat of violation under these policies to an appropriate School official. Specifically, students shall report to their teacher or the Head of School or his or her designee, and employees shall report to their immediate or higher level supervisor the following types of abuses of or threats to School property or members:

- a) Illegal use of the School's technology resources and violations of the School's policies or rules by any user;
- b) Receipt of or access to any electronic information made available from individuals or entities outside the School if the communications of such information is illegal, threatening to the safety or security of persons or property of the School community, or that contains any content that is otherwise prohibited by School policies; or
- c) Use of technology resources that threatens the integrity or security of any School technology resources or otherwise undermines the purpose for their use.

501.8.2 Violations of Policy

Misuse of technology resources may subject violators to discipline pursuant to School disciplinary policies and procedures. Any violation may also result in the curtailment, suspension, or complete loss of technology privileges.

501.8.3 Exceptions and Appeals

If any user believes an exception to the School's technology resources policies is necessary, the user may seek prior approval for such exception through the general grievance procedures available to students and staff.

501.9 Notice and Familiarity with Technology Policies

The Head of School and other supervisory staff or their designees shall notify employees and students of all technology resource policies. All users should be familiar and comply with these provisions applicable to them.

502 ALL SCHOOL TECHNOLOGY USERS

502.1 Overview

This policy regarding acceptable and prohibited uses of technology resources applies, to the extent allowed by law, to all users of the School's technology resources: students, employees, board members, contractors, guests, and other authorized individuals. It shall be enforced in conjunction with all other technology resources and general policies, including Policy 501 regarding General Provisions and other specific policies governing specific user groups.

502.2 Permissible Uses

The School's technology resources are made available to fulfill the purposes directly related to its educational mission and programs, and in support of users' roles within the School. Unless otherwise prohibited, limited personal or incidental use of School technology resources is

permitted if such use conforms to these policies, is reasonably limited and does not interfere or threaten to interfere with School's operational or educational mission.

502.3 Prohibited Uses

Users of School technology resources shall not intentionally or negligently engage in any of the following.

502.3.1 Unlawful or Generally Prohibited Uses

Users may not use technology resources in violation of any local, state, or federal law, or any other School policy or rule.

502.3.2 Harassing, Intimidating, Bullying, and Other Similarly Offensive Uses

Users may not use technology resources to engage in conduct involving harassment, intimidation, bullying, discrimination, or similarly offensive or harmful communications. This includes conduct that:

- a) a reasonable person should know, under the circumstances, will have the effect of harming or humiliating a student or damaging the student's property or of placing a student in reasonable fear of harm to his or her person or damage to his or her property; or
- b) has the effect of insulting or demeaning any student or group of students in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the School.

502.3.3 Disrupting or Damaging Uses

Users may not use School technology resources in any way that threatens their safe, secure, and orderly operation. This includes, but is not limited to, creating, installing, or forwarding computer viruses; consuming inordinate and unauthorized electronic storage space; sending "chain letters," "spam" e-mail, or similar types of communications; or downloading software, media files, or data streams without proper authorization.

502.3.4 Unauthorized Technology Access, Endangerment, or Tampering

Users may not obtain, alter, obstruct access to, or in any other way intrude upon or damage the School's or any other user's computer files, programs, or hardware without proper authorization.

502.3.5 Jeopardizing or Bypassing School Security Measures

Users shall not, without proper authorization, intentionally disclose or aid in the disclosure of computer passwords, codes, or similar information designed to secure the School's computer resources and to protect private or confidential information. Users also shall not intentionally bypass Internet filters or other devices or measures used by the School to restrict access to School, Internet, or other electronic information. In addition users shall not provide information or other means to allow others users to engage in similar bypassing activity. Thus, for example, using or providing information about Internet proxy sites to bypass School Internet filters is prohibited.

502.3.6 Promotional Uses and Advocacy

Users shall not use the School technology resources for commercial gain or for political, social, religious, or other personal advocacy except as allowed by right under law and otherwise permitted.

502.3.7 Publishing Personal Information on the Internet

No user shall electronically distribute or post personal information about himself/herself or about any other person associated with the School unless (a) the distribution is legal and properly authorized by School officials, and (b) the distribution does not or is not likely to threaten that person's or any other person's privacy or safety.

502.3.8 Downloading or Copying Files or Data

Users, without proper authorization and legal right, may not download programs, files, or other data onto School computers or other technology equipment. This includes downloading or copying entertainment audio or video files and images, software, or other similar data not directly related to School objectives.

502.3.9 Unauthorized Users

Users of School technology resources may not permit, without proper authorization, any person to use such resources who is not a member of the School community or not otherwise authorized to have such access. Users are prohibited from using another individual's computer account or accessing such person's electronic data without prior permission from an authorized official.

502.3.10 Plagiarism and Related Acts of Academic Dishonesty

Users shall not use technology resources to plagiarize or otherwise illegally copy or use another person's work or to engage in any other form of academic dishonesty.

502.3.11 Copyright and Software Copying

Users shall not use School technology resources in violation of state or federal copyright laws. Users shall not, without proper authorization, copy School-owned computer files or software onto any computer. Use of any files, software, or other program or data must be authorized and legally licensed or permitted for such use.

502.3.12 Off-Campus and Personal Technology Use

The School reserves the right, to the maximum extent permitted by law, to discipline or take any other action against persons related to their personal electronic technology use (e.g., communications generated via private computers and/or Internet accounts) when such use poses a substantial threat to others' safety or to the operations of the School. This includes uses that cause or are likely to cause a substantial disruption or material interference with the School's educational objectives or operations, or that otherwise injure or threaten to injure persons or property within the School community.

502.3.13 Representation of the School's Viewpoints and Positions

Views and position statements may be expressed as representing the position of the Board, administration, or staff **only with prior approval by the Head of School or his or her designee**. Otherwise, no user may use any technology resources to communicate in a way that indicates or implies that the views or positions expressed are established, supported, or endorsed by the Board, its administrators, or other School officials.

502.3.14 Violating the School's Trademark, Copyright, and Other Intellectual Property Rights

Users may not copy, mimic, sell, or otherwise use the School's trademarks, images, documents, or other intellectual property without proper and legal authorization. The School reserves all rights to such intellectual property.

503 STUDENT USE

503.1 Overview

The School provides students with technology resources to support the School's educational and organizational objectives. This policy establishes proper and improper student uses of these resources in conjunction with other related policies. Specifically, student users shall be familiar with and comply with this policy, the General Provisions (Policy 501), General Use Policy for All Users (Policy 502), and any other applicable policies and rules.

503.2 Enforcement

School officials retain reasonable discretion to apply this and related School policies to determine when a proper or improper use exists and what sanctions, if any, may apply.

503.3 School and Parental Responsibilities

The School and its staff seek to take all reasonable measures to guide, monitor, and protect students in their use of the School's technology resources, consistent with student age and maturity. Parents, however, are primarily responsible for instructing their children in the proper values governing the use of such resources. Parents should communicate to their children an understanding of responsible and safe use of these resources and monitor their children's use of such resources at home or anywhere outside the School's jurisdiction.

503.4 Permissible Uses

School technology resources are to be used for educational, organizational, and communication purposes directly related to the School's educational mission and program. Unless otherwise prohibited, personal or incidental use of School technology resources is permitted if such use complies with these policies, is reasonably limited, and does not interfere or threaten to interfere with the School's operational and educational objectives.

503.5 Prohibited Uses

Students shall not engage in prohibited uses of technology resources. Prohibited uses include, but are not necessarily limited to, the following types.

503.5.1 General Prohibited Uses

General prohibited uses include all uses prohibited in the School's General Use Policy (Policy 502).

503.5.2 Social Networking Sites

A student may not use social networking sites unless such use is explicitly authorized by an appropriate School official, is used for School-related instructional purposes, and such use is consistent with School and individual School policies. In addition, a student may not use technology resources, including the Internet and e-mail, to arrange for himself/herself or any other student to meet another person. Social Networking sites include, but are not limited to Internet sites like MySpace or Facebook, or Blogs and other Internet sites involving publication or interaction of a personal nature.

503.5.3 Disclosing Personal Identifying Information

In addition to related prohibitions in the General Use Policy (Policy 502), students are prohibited, without proper authorization, from disclosing personal identifying information about themselves or others through the use of the School's or personal technology resources, e.g., Personal Digital Assistants (PDAs), cell phones, pagers or other communications devices, while on School premises or during School functions. "Personal identifying information" includes, but is not necessarily limited to, a person's name, phone number, address, e-mail address, social security number, or other information that is reasonably likely to allow a person's identity to be determined from disclosing such information outside the School community.

503.5.4 Off-Campus and Personal Technology Use

The School reserves the right, to the maximum extent permitted by law, to discipline a student for off-campus or other personal electronic technology use (e.g., communications generated via private computers, Internet accounts or cell phones). This includes uses that cause or are likely to cause a substantial disruption or material interference with the School's educational objectives or operations, or that otherwise injure or threaten to injure persons or property within the School community. In addition, violators may also be subject to civil or criminal actions and penalties under local, state, and federal laws.

503.5.5 Personal Electronic Devices

Except as permitted by this policy or otherwise authorized, no student shall, during regular School hours or while participating in School-sponsored extra-curricular functions, turn on or use a personal electronic device. "Personal electronic devices" include, but are not necessarily limited to, cellular phones, pagers, two-way radios, CD/DVD/MP3 or other audio/video players, electronic games, PDAs, laser pointers, or any other similar devices not owned, issued or controlled by the School.

Any device used in violation of this policy may be confiscated by the Head of School or his or her designee at his or her discretion and consistent with other School policies and rules. Similarly, the Head of School or his or her designee may determine the terms under which the device may be returned to the student or student's guardian.

Notwithstanding the prohibited uses identified above, exceptions to such prohibited uses shall apply in the following circumstances:

- a) when the Head of School or his or her designee permits a student or students, in case-by-case instances, to turn on or use such electronic device(s) if there is a reasonable need to do so, or
- b) emergency conditions exist which seriously threaten one's safety or property, and such use is the only reasonable means of avoiding such threat, or
- c) when the Head of School or his or her designee determines that such use, generally, is otherwise necessary or prudent and is not in violation of any other law or policy.

- d) Personal electronic devices may be used after regular School hours and at extra-curricular School functions when such use is:
- i. consistent with other student conduct policies;
 - ii. does not or is not likely to disrupt any School function or operation;
and
 - iii. has not otherwise been prohibited by the Head of School or his or her designee.