

## **Discipline Policies and Procedures**

Southeastern Academy Charter School is an academic institution; therefore, all behaviors should reflect the seriousness of this endeavor. Each student is a valuable member of the school community. A community which values the dignity and worth of each individual is created by each member taking personal responsibility for his or her behavior and respecting the personal and cultural differences of others. Students shall display a courteous attitude at all times. When students fail to do this, disciplinary action may take place. Discipline and self-control are essential to the academic and social success of each child. We are committed to fostering in each student self-discipline, sound moral character, and respect for our community of unique individuals.

### **Dolphin Honor Code**

As a member of the Southeastern Academy Charter School family, I agree to show respect for myself, my classmates, others, and my School at all times and I will ensure that my actions never impede the learning process for myself or my fellow students.

#### **Students will:**

1. Strive to maintain high academic standards.
2. Respect the personal space, property, and privacy of others.
3. Be kind, courteous, and thoughtful.
4. Respect and keep our environment clean.
5. Complete all class assignments and submit when due.
6. Exhibit good manners at all times. This includes:
  - a. Not interrupting others or speaking out of turn.
  - b. Raising one's hand to be called upon.
  - c. Addressing all adults by their appropriate title (Mr., Mrs., Miss, Dr., etc.)
  - d. Using polite responses frequently, such as: "Thank you", "Please", "Yes Ma'am/Sir", "No Ma'am/Sir", etc.

### **Intolerable Behaviors**

The following behaviors will not be tolerated. They require immediate referral to the Administrator. They may result in immediate in school suspension, out of school suspension, or exclusion depending on the severity of the offense. This will be determined by the Administrator. In addition, violations that may be criminal will be reported to the appropriate law enforcement officials.

1. Any action or threat of an action that could jeopardize the safety and well-being of others
2. Possession of illegal drugs (including counterfeit), alcohol, or tobacco products including all vape devices on campus or at a school sponsored off campus event
3. Possession of a weapon
4. Repeated willful defiance of a teacher or refusal to follow directions given by an adult in charge

5. Major disruptive behavior
6. Destruction of school property
7. Theft
8. Bullying – defined as “unwanted, aggressive behavior among school aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Bullying includes actions such as making threats, spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose.”
9. PDA- Public displays of affection (ex: Kissing)
10. Inappropriate gestures or offensive language/profanity
11. Violating Internet Safety Policy
12. Violating the Dolphin Honor Code
13. Academic Dishonesty- cheating and/or plagiarism

### **Discipline Procedures**

These are the steps for discipline write-ups for repeated infractions. For major infractions of the discipline code, students can be suspended, dismissed, or excluded from this school.

1. **(First Infraction) Office Referral** – Warning given, parent contacted and explain the steps for discipline
2. **(Second Infraction) Office Referral** – Parent/Administrative Conference with One (1) day to Three (3) days of In-School Suspension (ISS) or Out-of-School Suspension (OSS)
3. **(Third Infraction) Office Referral** – Parent/Administrative Conference with Three (3) to Ten (10) days of In-School Suspension (ISS) or Out-of-School Suspension (OSS)
4. **(Fourth Infraction) Office Referral** – Recommendation for exclusion

Each Office Referral will be noted on a student’s **permanent** discipline transcript. Parent(s)/Guardian(s) will be notified of the offense, the resultant consequence, and advised as to their student’s current status within the disciplinary cycle. The Code of Conduct is inclusive not exhaustive.

### **Definitions**

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

**Aggravating Factors** - Facts of a discipline incident which suggest consequences beyond what is recommended in the Code of Conduct. These are determined by the school principal or Director, and may include, but are not limited to, repeated violations, lying or refusing to cooperate with school officials in an investigation, severity of any injury sustained during the incident, and imminent danger to self or others.

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

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

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

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

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

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

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

**Code of Conduct**

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

<u><b>Class 2</b></u>	
Violations Include:	Disciplinary Measures
1. Repeated violations of classroom rules 2. Being late for the start of the day or for the beginning of classes. 3. Unauthorized use of a cell phone or electronic device during instructional time. 4. Being absent from class without permission 5. Being out of dress code at any time not authorized by school administration. 6. Being in possession of any personal item which distracts from teaching and learning in the classroom.	1-3 Day of ISS or OSS

<ol style="list-style-type: none"> <li>7. Incidents of hitting, shoving, kicking, horseplay, etc.</li> <li>8. Threatening another student or staff member in a way that is unrealistic, vague, or poses risk.</li> <li>9. Lying to school personnel.</li> <li>10. Cheating on school tests, quizzes, or other school assignments.</li> <li>11. Plagiarizing school assignments.</li> <li>12. Inappropriate display of affection</li> <li>13. Disrespectful words or actions</li> </ol>	
<ol style="list-style-type: none"> <li>1. Repeated violations of above category</li> </ol>	<p>3-5 Days ISS or OSS</p>

<b><u>Class 3</u></b>	
Violations Include	Disciplinary Measures
<ol style="list-style-type: none"> <li>1. Repeated violations of above category</li> <li>2. Possession of prescription or non-prescription medications on one’s person without permission from school administration.</li> <li>3. Altering any official school document, including report cards, transcripts, and notes from teachers.</li> <li>4. Failing to comply with directives provided by school personnel.</li> <li>5. Addressing staff members disrespectfully.</li> <li>6. Using obscene, offensive, or derogatory language or pictures in reference to a staff member while on school property or during school functions.</li> <li>7. Using obscene, offensive, or derogatory language or pictures in reference to a student while on school property or during school functions.</li> <li>8. A student threatening another student or staff member in a way that is unrealistic, vague, or poses minimal risk.</li> <li>9. Acting in a way that either causes or has the potential to cause harm to oneself or others.</li> <li>10. An elementary student stealing or taking without permission any possession of a student or staff member.</li> <li>11. Being in possession of property stolen from a student or staff member.</li> <li>12. Fighting</li> <li>13. Using the internet to search for obscene, offensive or derogatory material during the school day, or at any time on a school owned device.</li> </ol>	<p>1-5 days of OSS</p>
<ol style="list-style-type: none"> <li>1. Repeated violations of above category</li> <li>2. A student stealing or taking without permission any possession of a student or staff member.</li> </ol>	<p>5-10 Days OSS</p>

<ol style="list-style-type: none"> <li>3. Directing offensive, obscene, or derogatory language toward staff members.</li> <li>4. Directing offensive, obscene, or derogatory language toward other students.</li> <li>5. Threatening another student or school employee in a way that is direct, the result of forethought, and can be carried out. While possible, it may not be realistic.</li> <li>6. Fighting</li> <li>7. Gambling for money on school property.</li> <li>8. Possession of a lighter or matches.</li> </ol>	
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<b><u>Class 4</u></b>	
Violations Include	Disciplinary Measures
<ol style="list-style-type: none"> <li>1. Repeated violations of any of the above category</li> <li>2. Entering school property after hours without proper authorization.</li> <li>3. Smoking or vaping while on school campus, at school events, or during a school sponsored activity.</li> <li>4. Possession of offensive, obscene, or derogatory pictures, including electronically, while on school campus, participating in school events, or during school sponsored activities.</li> <li>5. Intentional unnecessary activation of a fire alarm.</li> <li>6. The following offenses reportable to law enforcement:               <ol style="list-style-type: none"> <li>a. Possession or consumption of alcohol or drugs while on school campus, at school events, or during a school sponsored activity.</li> </ol> </li> </ol>	<p>10 Days OSS, possible recommendation for exclusion.</p>

<b><u>Class 5</u></b>	
Violations Include	Disciplinary Measures
<ol style="list-style-type: none"> <li>1. Repeated violations of any of the above categories.</li> <li>2. Mass Threats, Communicating Threats, including “Kill Lists”</li> <li>3. Sharing or posting offensive, obscene, or derogatory pictures, including online, of students, school employees, or volunteers, without permission at any time which interferes with the learning process or disrupts the educational environment.</li> <li>4. Using force or violence to take, or attempt to take, someone’s property.</li> <li>5. Inciting or engaging in behavior which either results in or is intended to result in widespread disruption to the educational process.</li> </ol>	<p>10 days OSS with recommendation for exclusion</p>

<ol style="list-style-type: none"><li>6. Participating in lewd, illegal, or sexual acts while on school campus, attending school events, or during school functions.</li><li>7. A logical, specific, and realistic threat of serious violence to a student or school employee.</li><li>8. Assault on a student.</li><li>9. Use or possession of drugs or alcohol while on school campus, at school events, or during a school sponsored activity.</li><li>10. The following offense reportable to law enforcement:<ol style="list-style-type: none"><li>a. Assault resulting in serious injury</li><li>a. Assault involving use of a weapon</li><li>b. Assault on school officials, employees, and volunteers</li><li>c. Making bomb threats or engaging in bomb hoaxes</li><li>d. Willfully burning a school building</li><li>e. Unlawful, underage sales, purchase, or provision of alcoholic beverages</li><li>f. Possession, sale or attempted sale of a controlled substance in violation of law</li><li>g. Possession of a weapon</li><li>h. Robbery with dangerous weapon</li><li>i. Sexual offense</li></ol></li></ol>	
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### **Disciplinary Process**

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

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

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

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

### **Long-Term Suspension, Exclusion and Expulsion**

If the principal determines that an infraction falls into the category for which a long-term suspension or exclusion is appropriate, they will notify the Board of Director of a recommendation for long-term suspension or exclusion. The principal will also notify the parent or guardian of this recommendation within two school days. The notification will include the time, date, and location for a hearing which will be held before a Board Panel, as well as their due process rights. The parent or guardian has two school days to appeal the decision to the Board Panel. This request must be submitted in writing to the Board Chair or principal. The parent or guardian must notify the Board Panel at least five days in advance of the hearing if they are bringing an advocate to the meeting, and of the advocate's role (for example, legal representation). The School will follow the requirements set forth in North Carolina's General Statutes for any such appeal and hearing. At the conclusion of the hearing, the Board Panel will determine if the principal's recommendation for long-term suspension or exclusion should be upheld, modified, or overturned. The decision of the Board Panel is final and there is no appeal to the full Board of Directors.

If the parent or guardian either refuses the hearing or fails to attend the hearing, the principals recommendation shall be final.

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

### **Discipline For Children With Disabilities**

The School shall comply with all applicable federal and state laws and regulations governing discipline of children with disabilities, including compliance with 20 U.S.C. Sec. 1400 et seq. and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 706(8).

The School shall comply with state and federal due process requirements both in notifying students of conduct for which they may be suspended or expelled and in providing notice and hearing opportunities to students being recommended for exclusion from the School. If the School suspends a student with special needs, it shall continue to provide to the student all continuing education services to the extent mandated by federal and state laws and regulations. In the event the School suspends or expels a student, the School shall promptly notify local School officials in the School district to which the student would otherwise be assigned. Such notification shall include the student's name, special education status, length of suspension/expulsion and the circumstances giving rise to the suspension or expulsion.