

Safe Schools Policy

I. Purpose

The purpose of the policy is to foster a safe, positive environment for learning.

II. Prohibited Conduct & Related Discipline

Prohibited conduct is forbidden at school, on school property, including school vehicles and at any school activity. A serious violation that threatens or harms a school, school property, a person connected with school or property associated with a person connected with school is forbidden regardless of where it occurs.

A. You **WILL** be removed from school **for at least 1 year** for a serious violation involving:

1. A real, look alike, or pretend firearm, or
2. explosive or flammable material

Exceptions may be made on a case by case basis through the Board of Directors.

B. You **WILL** be removed from school for:

1. possession, control, actual or threatened use of a real, look alike or pretend weapon, explosive or noxious or flammable material;
2. the sale or distribution of a drug, controlled substance, imitation controlled substance or drug paraphernalia;
3. using or threatening to use serious force; or
4. a serious violation of Section II C affecting a student or staff member.

C. You **MAY** be removed from school for:

1. willful disobedience or violation of a school rule;
2. defying authority;
3. disruptive behavior;
4. foul, profane, vulgar or abusive language;
5. defacing or destroying school property;
6. truancy;
7. theft;
8. posing a significant threat to the welfare, safety or morals of a student, school personnel or the operation of the school;
9. possessing/attempting to possess, using, controlling or being under the influence of alcohol, a drug, an imitation drug or drug paraphernalia or misusing an substance;
10. possessing or using tobacco;
11. hazing, demeaning or assaulting someone or forcing someone to ingest a substance;
12. inappropriate exposure of body parts;
13. sexual or other harassment; or
14. gang-related attire or activity.

The decision to remove or to discipline in some other way is made by a school administrator based on all the circumstances.

- D. The type and length of discipline is based on factors such as previous violations, severity of conduct and other relevant educational concern.
- E. When appropriate, students will be placed on remedial discipline plans
- F. School personnel will use reasonable physical restraint if necessary to protect a person or property from physical injury or to remove a violent or disruptive student.
- G. If you damage or lose school property, then your official report cards and transcripts may be withheld until payment for the damage is received or the lost property is recovered.

III. Searches

- A. School personnel can search you and your personal property based on reasonable suspicion. Reasonable suspicion may be based on use of dogs, metal detectors, or video surveillance.
- B. School personnel can also conduct random searches that might include desks and other school property.

IV. Expulsion and Suspension Defined

- A. Expulsion is the eradication of all educational rights for the remainder of the school year.
- B. Exclusion is the removal of a student from Sugar Creek Charter School for the remainder of that school year.
- C. Suspension is any other disciplinary removal from school of 10 days or less.

V. Readmission and Admission

- A. If you are removed from school under II.A, readmission depends upon satisfactory evidence that you will not be a danger to yourself, others or school property.
- B. If you are removed from school under II.B or C, you can be readmitted after your parent/guardian meets with school official to make a plan to correct your behavior and after you complete your days of suspension.
- C. The Board of Directors may deny admission to a student who has been expelled from any school in the last twelve months.

VI. Due Process for Safe Schools Policy

- D. If you are removed from school or otherwise disciplined under this policy, you can meet with the School Director to tell your side of the story.
- E. If the School Director recommends your removal for more than 10 days, notice will be given to you and your parents, that will identify the reasons for that action, and that it will be included in your official record, and provide that you may appeal that decision to members of the school's board designated to hear such appeals. If you elect to appeal the decision of the school, the School Director must be notified in writing within two days of the action. At this time the School Board's Appeals Committee will schedule a meeting within ten days.

- F. In that appeal, the School Director will present the information. The decision is based upon, to the board members. You may appear to be heard and represented by counsel if you choose to do so. The school **is to be notified** if counsel will be present, so that they can arrange to be represented by counsel as well.

VI. Process for Expungement

- A. Each student's official record shall include notice of any suspension for more than 10 days or any expulsion provided for by N.C. Gen. State. 115C-391, and description of the conduct for which that student was suspended or expelled.
- B. The School Director shall expunge that notice from the record upon the request of any student at least 16 years old or emancipated, or the student's parent, legal guardian or custodian, if (a) the student either graduates from high school or is not expelled or suspended again during the 2-year period commencing on the day the student returns to school after the expulsion or suspension, (b) the director determines that the record is no longer needed to maintain a safe and orderly school, or (c) the director determines that the record is no longer needed to adequately serve the child.
- C. The School Director may also expunge the record without such request, provided the other conditions set forth in B are met.

VII. Grievance Process Procedure

Differences of opinion occasionally arise between individuals regarding what constitutes fair and equitable treatment. A problem resolution procedure has been established whereby general complaints, complaints of harassment or discrimination, or differences of opinion, or dissatisfaction can be resolved amicably, satisfactorily, and quickly. The order of the steps in this procedure goes as follows:

1. Schedule a time to talk with your child's homeroom teacher.
2. Schedule a time to meet and talk with the teacher/staff member's curriculum facilitator.
3. Schedule a time to meet and talk with the Dean of Students
4. Request to schedule a conference with the School Director. This request is to be submitted in writing within ten days of issue. Please allow up to ten days for the School Director to respond.

VIII. Anti-Bullying Policy

Prohibition of Harassment, Intimidation, and Bullying

Sugar Creek Charter School has a **ZERO TOLERANCE** for harassment, intimidation, and bullying. Sugar Creek is also committed to a safe and civil educational environment for all students, employees, volunteer and patrons, free from harassment, intimidation or bullying. "Harassment, intimidation or bullying" means any intentional written, verbal, or physical act, when the intentional written, verbal, or physical act:

- Physically harms a student or damages the student's property; or
- Has the effect of substantially interfering with a student's education; or
- Is severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
- Has the effect of substantially disrupting the orderly operation of the school.

Nothing in this policy requires the affected student to possess a characteristic that is a perceived basis for the harassment, intimidation, or bullying, or other distinguishing characteristic.

Harassment, intimidation or bullying can take many forms including: slurs, rumors, jokes, innuendo's, demeaning comments, drawing cartoons, pranks, gestures, physical attacks, threats, or other written, oral or physical actions. "Intentional acts" refers to the individual's choice to engage in the act rather than the ultimate impact of the action(s).

Bullying can take many forms including:

1. Physical bullying

Physical bullying includes hitting, kicking, tripping, pinching and pushing or damaging property.

2. Verbal bullying

Verbal bullying includes name calling, insults, teasing, intimidation, homophobic or racist remarks, or verbal abuse.

3. Covert bullying

Covert bullying can be carried out behind the bullied person's back. It is designed to harm someone's social reputation and/or cause humiliation.

Covert bullying includes:

- lying and spreading rumors
- negative facial or physical gestures, menacing or contemptuous looks
- playing nasty jokes to embarrass and humiliate
- mimicking unkindly
- encouraging others to socially exclude someone
- damaging someone's social reputation or social acceptance.

4. Cyber-bullying

- Cyber-bullying is bullying behaviors using digital technologies.

Examples include:

- harassment via a mobile phone (calls or texts)
- setting up a personal website with the intention to degrade someone or deliberately insulting someone on a social networking site (facebook, myspace, twitter, etc.)
- **Cyber-bullying** can happen at any time. It can be in public or in private, and sometimes only known to the target and the person bullying.

This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the education environment. Many behaviors that do not rise to the level of harassment, intimidation, or bullying may still be prohibited by other school policies or building, classroom, or program rules.

Counseling, corrective discipline, and/or referral to law enforcement will be used to change the behavior of the perpetrator and remediate the impact on the victim. This includes appropriate intervention(s), restoration of a positive climate, and support for victims and others impacted by the violation. False reports or retaliation for harassment, intimidation or bullying also constitutes violations of this policy.

The School Director is authorized to direct the development and implementation of procedures addressing the elements of this policy, consistent with the complaint and investigation components of procedures as outlined in the school's Anti-Harassment policy.

***Students found in violation of this policy WILL face disciplinary actions, up to extended out-of-school suspension.**