

II. DISCIPLINE POLICY

Acceptable behavior is essential to the development of responsible and self-disciplined citizens and to an effective school program. The staff of the CIS Academy will help students to achieve maximum development of individual knowledge, skills, and competence, and to learn behavior patterns, which will enable them to be responsible, contributing members of society.

All staff members have responsibility for consistency in establishing and maintaining an appropriate behavioral atmosphere.

Students are expected and required to act with due regard for all CIS Academy employees and school volunteers, the rights of other students, and to protect school property.

There must exist a climate of discipline conducive to serious study and respect for oneself, other people, and property in order that a school can satisfactorily meet the needs of all students. The Principal shall have the authority and be charged with the responsibility to take whatever reasonable and legal action is necessary to establish and maintain appropriate student behavior in accordance with CIS Academy Policy.

All staff members have the responsibility and authority for discipline over students, except in those cases requiring the attention of the Principal.

A. BEHAVIOR CODE

The purpose of this code is to present CIS Academy policies on the proper conduct and behavior of students in the school. Unless otherwise specified, this code applies to all students before, during and after school hours at school; on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event or functions; during any period of time when students are subject to the authority of school personnel.

This code is not intended to restrict in any way the authority of the CIS Staff to make such rules, not inconsistent with this code, as they are authorized by law to make for the operation of the CIS Academy and its classes. The CIS Academy encourages and supports the right of the staff to employ a variety of disciplinary actions, which may include but are not limited to, suspension from school events and activities, and out-of-school suspension.

Any student who refuses to comply with reasonable rules, regulations or directions imposed by the staff shall be held in violation of this code of conduct.

It shall be the responsibility of the CIS Staff to investigate fully the cases of students appropriately referred for misbehavior and to determine what, if any, discipline action is warranted. The staff shall have the responsibility and authority to discipline students.

B. RULES DEFINING SEVERE STUDENT MISCONDUCT

Assaulting or Causing of Personal Injury

No student shall participate in an assault or cause or attempt to cause physical injury to, or intentionally behave in such a manner as could cause physical injury to any student, school employee or person other than a student or school employee in any school. A fight is considered an assault when: there are weapons or other objects that could reasonably be considered a weapon involved; a student causes or attempts to cause injury to a school employee; two or more students assault or attack or cause physical injury to any other student, staff member, or any adult involved in working at the CIS Academy.

Failure to comply with this rule will result in the following penalty:

First Offense: Recommendation for long-term suspension. If convicted in court of committing a felony, recommendation for expulsion.

Legal Ref: G.S. 14-33 (b) (9)

Weapons and Dangerous Instruments

No student shall knowingly possess, handle, transmit or carry, whether openly or concealed, any BB gun, air rifle, air pistol, starter pistol, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades, pepper spray, mace, or other deadly weapons of like kind except instrumental supplies, and tools used solely for preparation of food instruction, and maintenance, on education property or any other object that can reasonably be considered a weapon or dangerous instrument.

First Offense- Short-term suspension

Second Offense- Recommendation for long-term suspension

Firearms

No person shall knowingly possess, transmit or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind, or any dynamite cartridge, bomb, grenade, mine, or powerful explosive as defined in G.S. 14-284.1 on educational property or any other object that can reasonably be considered a firearm.

First Offense: Recommendation for long-term suspension. If convicted in court of committing a felony, recommendation for expulsion.

The following definitions apply to this section:

1. Educational property- The school building or bus, school campus, grounds, recreational areas athletic fields or other property owned, used or operated by the CIS Academy.
2. Student- A person enrolled in a public school, whether the person is an adult or a minor.
3. Switchblade knife- A knife containing a blade or blades, which open automatically by the release of a spring or a similar contrivance.
4. Weapon- Any device enumerated in subsection G.S. 284.1 on educational property.

This section shall not apply to:

1. A weapon used solely for educational or school-sanctioned ceremonial purposes, or used in a school-approved program conducted under the supervision of an adult whose supervision has been approved by the school authority.
2. Armed forces personnel, officers and soldiers of the militia and National Guard, law enforcement personnel, and any other private police, employed by an education institution, when acting in the discharge of their official duties.

Legal Ref: G.S. 14-269-2(G)

Possessing or Carrying Firearms or Other Deadly Weapons on Educational Property

No person shall knowingly possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearms or deadly weapons on educational property as provided in G.S. 14-269.2 and G.S. 14-284.1.

Recommendation: Require school officials to report violation to law enforcement agency as provided in G.S. 115C-288(G).

Legal Ref: G.S. 115C-288(G) and G.S. 14-284.1(D)

Narcotics, Alcoholic Beverages, Controlled Substances, Chemicals and Drug Paraphernalia or Stimulant Drug

No student shall possess, distribute, use, transmit, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other drug or substance, pursuant to chapter 90 of the North Carolina General Statutes or any alcoholic beverage, malt beverage or fortified wine or other intoxicating liquor, or possess, use or transmit drug paraphernalia or counterfeit drugs, or inhale or ingest any chemicals or products with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student's mood or behavior. However, the possession or use of a drug authorized by a valid medical prescription from a registered physician **will not** be

considered a violation of this rule when the drug is taken by the person of whom the drug was prescribed and distributed to in accordance with the CIS medication policy.

Failure to comply with this rule will result in the following penalty:

- A. Selling Drugs or Alcohol: The first offense will result in the long-term suspension, with a recommendation for expulsion if the student is convicted of committing a felony.
- B. Use, Transmission or Possession of Drugs, Drug Paraphernalia or Alcohol: The first offense will result in long-term suspension. This will be reduced up to three (3) days if the student and parent/guardian attend an approved drug education program.
- C. A second or succeeding offense will result in long-term suspension without opportunity for shorter suspension by attending a drug rehabilitation program.
- D. Post Treatment - Re-Entry Procedures for students: In order for a student of the CIS Academy to participate in any school functions after treatment for substance abuse, he/she must comply with the following regulations:
 - 1. Meeting with the principal/designee, parent or legal guardian, staff members, appropriate community agencies, any other persons.
 - 2. Continued daily contact with school.
 - 3. Follow-up meeting with the support team defined in #1 in two weeks to assess progress of contract.
 - 4. Exit interview with team defined in #1 to ensure all goals have been met after four weeks of re-entry.

Failure to comply with these guidelines may result in suspension expulsion, or dismissal. Legal Ref: Chapter (90) and Chapter (18-A) of the North Carolina General Status

Felony Conviction and Threat to Safety

Any student fourteen (14) years old or older who has been convicted and whose continued presence in school constitutes a clear threat to the safety and health of other students or employees may be expelled from school by recommendation of the principal.

Extortion

No student or students shall, by threatening or abusive action, extort money or attempt to extort money, personal property or personal service or services from any student.

Failure to comply with this rule will result in the following penalty:

First Offense - Short-term suspension

Second Offense - Recommendation for long-term suspension

Disruption of School

No student shall, by use of passive resistance, noise, threat, fear, intimidation, coercion, force, violence or any other form of conduct, intentionally cause disruption of any lawful function, mission or process of the school nor shall any student urge any other student to engage in such conduct.

Threatening, Insulting, Abusive or Seriously Discourteous Words or Signs, Profanity, Language of a Racial Nature or Other Acts

No student shall direct toward any school employee, toward any other person, in school, any language which threatens force or violence of which is abusive or insulting or any sign or act which constitutes a threat of force or violence or which is abusive, insulting or threatening.

Student Demonstration

No student or students shall, on or off school premises, engage in any protest, demonstrated marches, picketing, sit-ins, boycotts, walk-outs or any similar activity which has as its purpose the disruption of any lawful function, mission or process of the school.

Breaking In, Theft, Damage to Property

No student shall break in and enter a school building, commit arson, vandalize, attempt to steal or intentionally damage or attempt to damage school property or private property while the private property is under school jurisdiction. Students will be required to make restitution for damages or work at removing the damage.

Bomb Threat or Hoax

No students shall, by any means of communication, make a report knowing or having reason to know the report is false, that there is located on any school premises a device designed to cause damage or destruction by explosion, blasting or burning.

No student shall place on any school premises with the intent of perpetrating a hoax, any device that would appear to a reasonable person to be a bomb, or similar instrument capable of causing injury or damage.

Legal Ref: G.S. 14-69.1; 14-69.2; 115C.391

Failure to comply with the last five rules will result in the following penalty:

First Offense: Short-term Suspension- 10 Days

Second Offense: Recommendation for long-term suspension

Hazing

Hazing is prohibited. No group or individual will annoy another student by playing abusive or ridiculous tricks on him/her, frighten, scold, beat, or harass him/her or subject him/her to personal indignity.

Other Illegal Activities

A student shall not engage in any conduct at school which violates any law of the United States, the state of North Carolina or any political subdivision of North Carolina in which the conduct occurs and which is detrimental to the maintenance of good order and discipline in the school.

Failure to comply with the previous two rules will result in the following penalty:

Principal's discretion based upon his/her investigation of the severity of the situation and a determination of the appropriate punishment within guidelines established by the CIS Academy.

Inasmuch as each of the above offensive behaviors is a violation of one or more laws of the state of North Carolina, the principal shall immediately report such violations to the proper law enforcement agency for investigation and prosecution. In such cases, school officials shall cooperate fully with the law enforcement agency; however, internal disciplinary proceedings shall proceed independently from the criminal investigation and prosecution.

Fighting

No student or students shall lose self-discipline and control to the extent where a physical attack occurs. This action will be considered a fight.

Failure to comply with this rule will result in the following penalty:

Principal's discretion based upon his/her investigation of the severity of the situation and a determination of the appropriate punishment within the guidelines of the CIS Academy.

Tobacco

No student shall bring into school tobacco, tobacco products, matches, lighters, pouches, rolling papers, pipes, or any other items that could be used for the purpose of using tobacco.

Failure to comply with this rule will result in the following:

First Offense: ISS

Second Offense: Short-term OSS

Trespassing

No student from CIS Academy shall be on campus of another school in the Public Schools of Robeson County School system during the day without the knowledge and consent of the officials of the school he/she is visiting and the Academy.

Failure to comply with this rule will result in the following penalty:

Principal's discretion based upon his/her investigation of the severity of the situation and a determination of the appropriate punishment within guidelines established by the CIS Academy.

Bus Discipline

The safety of students during their transportation to and from school is a responsibility, which they and their parents share with the bus drivers and school officials. State law states that "The driver of a school bus shall have complete authority over and responsibility for the operation of the bus and the maintaining of good order and conduct upon such bus."

Students who ride buses are expected to follow the direction of the bus driver and to conduct their selves in an orderly manner at all times. The school principal, by law G.S. 115C-245, has the authority to suspend pupils from riding the bus for any of the following offenses:

1. Delaying the bus schedule.
2. Fighting, smoking, using profanity, or refusing to obey instruction of school authorities or a bus driver while riding on a school bus.
3. Tampering with the school bus.
4. Refusing to meet the bus at designated stops.
5. Unauthorized leaving of the bus when in route.
6. Playing, throwing objects or otherwise distracting the driver's attention while the bus is in operation.
7. Failure to observe established safety rules and regulations.

Failure to comply with bus Safety Rules will result in the following:

Principal's discretion based upon his/her investigation of the severity of the situation and determination of the appropriate punishment within guidelines established by the CIS Academy. Depending on the circumstances, penalties could range from suspension from the bus. Serious misbehavior on the bus may also be cause for punishment up to and including, in school suspension (ISS), out of School suspension (OSS), or expulsion from school. IT IS TO BE NOTED, HOWEVER, THAT A SUSPENSION FROM THE SCHOOL BUS IS NOT A SUSPENSION FROM SCHOOL. Students suspended from the school bus but not from school are expected to find their own transportation and be in attendance at school.

C. INTERROGATION AND SEARCHES

Interrogation

If the interrogation of a student indicates that the completion of the interrogation should be carried out by a police officer or other legal officer, the principal shall make every effort to be present at the time of the questioning, except in cases of suspected child abuse or neglect by the parent.

Searches

To maintain order and discipline in the schools and to protect the safety and welfare of students and school personnel, the staff, based upon reasonable suspicion of a weapon, illegal drugs, or other contraband, may search a student, and their possessions and may seize any illegal, unauthorized, or contraband materials discovered in the search.

Seizure of Illegal Materials

If a properly conducted search yields illegal or contraband materials, such findings shall be turned over to proper legal authorities for ultimate disposition.

Legal Ref.: G.S. 1155C-288(e); 115C-307 (a); State vs. F.W.E., 360 So.2d 148 (Fla., App. 1978) Zampra vs. Pomeroy, 639F.2d 662 (10th Cir. 1981), State vs. D.T.W., 425 So.2nc 1383 (Fla. App. 1983)

D. STUDENT SUSPENSION AND EXPULSIONS

Due Process Guarantee

Any student facing possible suspension or expulsion from the CIS Academy is guaranteed procedural due process. The following are the basic elements of this procedural due process:

1. The student must have prior knowledge of the conduct, which is required of or prohibited of him/her (Code of Conduct).
2. The student must be informed of the specific matters giving rise to any of the proposed penalties or discipline (Notice).
3. The student must have some opportunity to express or convey to the decision-making authority his/her views or rebuttals regarding the incident (Hearing & Appeal).
4. The decision-making authority must base its decision on the incidents or matters about which the student has been appraised as indicated above.

A student shall be given an opportunity to seek clarification of information which may lead to disciplinary action, or contest the appropriateness of the sanction imposed by a

disciplinary authority, or to allege prejudice or unfairness on the part of the school official responsible for the disciplinary action or acts thought to be unfair.

Any student, parent, or guardian who is aggrieved by simple disciplinary action shall have the right to make a formal protest in writing or in person to the principal. Further appeal shall be in person to the Advisory Board.

Suspension and Exclusion from Attendance

Suspension and/or exclusion from the school are extreme actions involving each individual's right to free, public education. Such action should be taken only for the protection of the pupil or his peers or to help him in dealing with his problems, and careful attention should be given to procedures and methods whereby fairness in discipline shall be assured for each student. The principal should be sure that due process procedures have been offered to the suspended student. All staff will take care to guard the right of the pupil and to advise him of these rights.

In School Suspension (ISS)

If a pupil is to be placed in ISS, these guidelines will prevail:

1. The teacher will fill out all appropriate paper work and notify the parent/guardian by phone if possible.
2. The teacher will provide appropriate class work and materials to be completed by the student under the direction of the ISS Coordinator.
3. If a student is sent to ISS three times in a grading period (9 weeks), then a conference must be held with the parent/guardian, the teacher(s), and principal before the student may return to class.
4. Students who are sent to ISS four or more times in a 9 week period are required to be accompanied by a parent/guardian for the ENTIRE SCHOOL DAY FOLLOWING THE SUSPENSION. If a parent/guardian is unable to attend, then the child will be assigned one day of OSS (out of school suspension). Parents/Guardians will be notified by phone if possible.

Short term Out of School Suspension (OSS)

For short term out of school suspension of 10 days or less, the school's normal disciplinary procedures may be followed. If a pupil is to be sent home during the day, these guidelines will prevail:

1. The principal shall attempt to reach the pupil's parents to inform them of the school's action and to request that they come to school for their child.
2. If they are unable to come for the pupil, the school shall try to provide transportation to

his home, assuming his parents will be there to receive him.

Suspension and Expulsion- Exceptional Children

State Law and State Board of Education regulations require that local educational agencies follow specific procedures in determining whether to suspend or expel a student with special needs. Due process procedures are also required when a student with special needs is suspended or expelled.

If a student with special needs exhibits behavior that could result in his or her suspension or expulsion from school for more than 10 days during the school year, school personnel must consider the following prior to taking action:

1. The student's conduct must pose a risk of injury to himself or others to substantially disrupt the education of others.
2. A multi-disciplinary team must determine that the student's behavior is not caused by his/her handicap and that it did not result from the absence of an appropriate program or proper medication. Following this determination, either No.3 or No.4 below must be followed.
3. If there is not a relationship between the misbehavior and the handicap, the school officials may use normal disciplinary procedures to suspend or expel the student.
4. If there is a relationship between the misbehavior and the handicap, the suspension/expulsion must be considered a change of placement. All due process procedures required in the State Rules for such changes must be followed. The student must not be suspended or expelled before these procedures are completed unless the misconduct threatens the health and safety of the student himself or of others. Conduct that is merely disruptive is not considered a threat to the health and safety of others.
5. The school's normal disciplinary procedures may be used for suspension up to an accumulation of ten (10) days during the year.

E. DUE PROCESS PROCEDURE

To safeguard every student's right to an educational opportunity and to ensure an atmosphere for learning while protecting the individual rights of all students, the following procedure shall be used in those cases in which the misconduct of a student is such that it results in the long-term suspension of the student from any and all school functions.

CIS ACADEMY
Due Process Procedures
For
Administrative Disciplinary Action
Appeal Procedures for Long-Term Suspension

Section 1- Notice and Initiation of Proceedings

If the Principal, following an investigation, determines that a long-term suspension is

appropriate, he shall invoke a short-term suspension of ten (10) school days and inform the student, parent and CIS Advisory Board of the impending long-term suspension following this action. The student and parent shall be provided a copy of the Due Process Procedures and their attention called to Section 1 through 4 of the procedures. If a formal hearing is desired, the student or parent must notify the Principal in writing within four (4) school days following receipt of the notice of suspension.

If a hearing is not requested within four (4) school days following the notice of impending long-term suspension, the Principal shall invoke a penalty and notify the CIS Advisory Board. The notice to the CIS Advisory Board shall state the charges against the student and contain facts sufficiently particular to describe the nature of the offense. A copy of the notice shall be sent by mail to the student and parent.

Section 2- Formal Hearing

If a hearing is requested, the Principal shall convene a hearing panel within six (6) school days following the request. The panel shall be composed of three (3) staff members, one of whom may be designated by the student at the time the hearing is requested. The Principal shall appoint the remaining two (2) members. The panel shall be impartial and of differing racial and gender compositions. If the period of summary suspension or short-term suspension ends before the hearing and/or appeal process concludes, the student should remain out of school until the issue is resolved.

Anyone who has had direct contact with the student's alleged misconduct or who will probably give testimony to the hearing board shall not serve as a member of the hearing board.

The hearing procedure shall consist of a presentation by the principal or his designee, witnesses, and other evidence relating to the issue of whether or not the offense was committed by the student charged. The student may then offer witnesses and other evidence in his own behalf relating to the same issue. If the purpose of the hearing is to challenge the severity of the penalty invoked by the Principal, both sides of this issue will be presented in the above order.

Based upon the information presented at the hearing, the panel shall privately determine by majority vote an opinion of the issue involved. The Principal shall not vote in the decision. The panel shall find by majority opinion that the student did or did not engage in the alleged misconduct and offer facts to support the position taken.

If the panel finds that the student did engage in the alleged misconduct it shall, except in instances where CIS Academy Policy mandates long-term suspension, further develop any recommendation, as it may deem appropriate to the issue. The panel's opinion shall be presented to the Principal in writing at the conclusion of the hearing.

Upon receipt of the opinion and/or recommendations of the hearing panel, the Principal shall review the matter and determine the appropriate action. If the decision is to return the student to school, he/she should so inform the student, parent, and the CIS Advisory Board promptly. If the decision is to suspend the student for more than ten (10) days, he shall invoke the penalty and

follow the procedures for long-term suspension as stated above and inform the CIS Advisory Board. The student and/or parent shall be informed of their rights to appeal the long-term suspension to the CIS Academy Board.

Section 3- Appeal Process

If the formal hearing results in the principal recommending a long-term suspension or other action and the student or parent believe that it is inappropriate, an appeal may be made to the CIS Advisory Board within three (3) school days of the principal's recommended action. The appeal from the parent must be made in writing. The CIS Advisory Board shall appoint one (1) to three (3) members to review the records and other possible documentation of the hearing within five (5) days of the notice of appeal. The student or parent and the Principal may be requested to attend the hearing, if necessary, to accurately review the hearing proceedings.

The appeal panel or individual shall review all aspects of the hearing procedure and the decision of the appeal panel shall be presented to the entire CIS Advisory Board in writing immediately following the review. When due process, policy, procedure, and the Principal's action are determined to be correct, the CIS Advisory Board shall so inform the Principal and the student or parent.

If, in opinion of the panel, a denial of due process, a violation of policy or procedure, or an abuse of administrative authority has occurred, the CIS Advisory Board shall dissolve the Principal's action with the student readmitted to school. A new hearing may be ordered by the CIS Advisory Board. The CIS Advisory Board shall so inform the Principal and the student or parent.

Section 4- Multi-disciplinary Review for Exceptional Children

A multi-disciplinary team shall review suspension of Exception Children who have accumulated 10 days of suspension to determine if any relationship exists between the misconduct and the handicapping condition. The team may make recommendations for change of placement if relationship between the misconduct and the handicapping condition is determined. Should no relationship be determined, normal disciplinary consequences shall apply.

The decision of the Multi-disciplinary Team may be appealed by requesting a Due Process Hearing through the office. Such a request must be made within ten (10) calendar days of receipt of the decision by the Multi-disciplinary team.

Legal Ref.: G.S. 115C-390; G.S. 115C-391; Griss vs. Lopez 43U.S.L. W. 4181 (1957); Title IX of the Education Amendments of 1972 Baker vs. Owen 395F. Supp. 294 (M.D.N.C. 1975)

F. COMPLAINTS AND GRIEVANCES

It is policy of the CIS Academy that all students shall have the right to present for solution any problem arising within their status as students and shall be encouraged to exercise this right without fear of recrimination. It is for this purpose that a grievance procedure is established. To ensure that any problem is corrected as soon as possible,

time limits have been established to assure prompt attention to each problem. If the student does not process his grievance within the set time limit, it shall be considered settled and not open to appeal.

Student Grievance Procedure

The grievance procedure may be used to address any situation occurring within the operation or normal procedures of the school which causes a student and/or parent to believe he/she has been wronged, except in the case of long-term suspension. Students and their parents are encouraged to discuss their concerns informally with the person(s) involved before invoking formal grievance procedures.

A student may initiate a grievance proceeding when either the student or his parent or guardian believes that a violation, misapplications or misinterpretation of CIS Academy Policy, state or federal law, or regulations has occurred.

The procedure for initiation and conduct of a grievance shall be:

Step 1- Principal Conference

A student, parent, or guardian that chooses to invoke the grievance procedure shall make a written request for a conference with the Principal to discuss the grievance and seek resolution. The following guidelines shall be observed in Step

1. A grievance shall be filed as soon as possible but in no event longer than ten (10) days after disclosure of the facts giving rise to the grievance.
2. The Principal shall grant the conference within five (5) school days following receipt of the request.
3. The request shall include a statement describing the grievance and naming the specific policy, rule or law believed to be violated.
4. The Principal will state his position of the question in writing to the student within five (5) school days following the conference.
5. Only the parent or guardian or someone acting in lieu of the parents shall be permitted to join or represent the student in the conference with the Principal.

Step 2- Appeal to the CIS Advisory Board

If the grievance is not resolved at Step 1, the student may appeal the Principal's decision in writing to the CIS Advisory Board. The appeal must be made within five (5) school days following receipt of the principal's position statement on Step 1.

The CIS Advisory Board shall review the grievance within five (5) school days following receipt of the appeal. A written response shall be made to the student, the parent, or the guardian and the principal from the CIS Advisory Board or his designee within ten (10) days following the review.

Step 3- Appeal to the Executive Committee of the CIS Board of Directors

If the grievance is not resolved at Step 2, the student may appeal the CIS Advisory Board's decision to the Executive Committee of the CIS Board of Directors in writing within ten (10) days following the response from the CIS Advisory Board at Step 2. The Executive Committee shall receive, review, and make a determination of the appeal from the CIS Advisory Board's decision. The Executive Committee shall meet within ten (10) school days following the receipt of the appeal. The student and parent shall have the right to be present and present their grievance; the principal and CIS Advisory Board shall also have the right to be present.

The Executive Committee's decision shall be determined to be final.

G. EXPULSION

Upon the recommendation of the Principal to the CIS Advisory Board, a student who is fourteen years of age or older may be expelled if the student's behavior indicated that his or her continued presence in school constitutes a clear threat to the safety of other students or employees. For the purposes of this policy, a weapon is defined as any type of firearm or powerful explosive. A powerful explosive includes a dynamite cartridge, gun, rifle, pistol or other weapons used for firing a projectile by means of an explosive charge, blasting caps, trinitrotoluene (TNT), nitroglycerin grenade, mine or similar explosive devices.

Depending on the circumstance, including the age and maturity of the student, the student's intention in communicating the offense, and record of conduct, the following conduct may result in expulsion regardless of whether it occurs on school property:

1. Theft or attempted theft by a student from another person by using, or threatening to use a weapon.
2. The intentional and malicious burning of any structure or personal property, including vehicles.
3. An attack or threatened attack, by a student against another person wherein the student uses a weapon or displays it in a manner found threatening to that person.
4. A attack by a student on any employee, adult volunteer, or another student which does not result in serious injury but which is intended to cause or reasonably could cause serious injury.
5. An attack by a student upon another person whereby the victim suffers obvious severe or aggravated bodily injury such as broken bones, loss of teeth, possible internal injuries, laceration requiring stitches, loss of consciousness, significant bruising or pain, or the victim requires hospitalization or treatment at a hospital emergency room as a result of the attack.
6. Any intentional, highly reckless acts that results in the death of another person.
7. Confining, restraining, or removing another person from one place to another, without the victim's consent, or the consent of the victim's parent, for the purpose of holding the victim as a hostage or for ransom or for use as a shield.
8. Possession of a weapon on any school property, including in vehicles, as identified in

- current policy.
9. The taking or attempting to take anything of value from the care, custody or control of another person or persons by force, threat of force or violence, or by putting the victim in fear.
 10. Any unauthorized and unwanted intentional touching, or attempt to touch, by one person of the sex organ of another. The sex organs are the breasts of the female and the genital areas of the male and female.
 11. The sale, delivery, or any attempted sale or delivery of a controlled substance in violation of Chapter 90 of the General Status.
 12. Any conduct resulting in a felony conviction of a weapon, drug, assault or other charge that implicates the safety of other persons.
 13. Any other conduct that demonstrates a clear threat to the safety of others in the school environment.

H. DUE PROCESS FOR EXPULSION

The CIS Academy considers expulsion as a drastic measure to be used only when other measures are not adequate to ensure the safety of students and employees. A student with disabilities will receive all protection required by law.

The Principal, upon having completed a thorough investigation, may recommend expulsion to the CIS Advisory Board for any student whose behavior is a willful violation of CIS Academy Policy.

Notice and appeal hearing rights in CIS Academy Policy (on long-term suspensions) will be followed.

The CIS Advisory Board will notify the Principal in accordance with CIS Academy Policy if a long-term suspension is approved and the principal may immediately impose a long-term suspension.

I. DUE PROCESS PROCEDURES FOR PRINCIPAL'S RECOMMENDATIONS OF 365-DAY SUSPENSION

The Principal, upon having completed a through investigation will recommend to the CIS Advisory Board a long-term suspension and a 365 days suspension for any student who the Principal believes to have brought any firearm or powerful explosive to school. If the student is 14 years or older, the Principal also may recommend expulsion in accordance with board policy on Expulsion. A student with disabilities will receive all protection required by law.

The notice and appeal hearing rights as stated in the CIS Academy Policy on long-term suspension will be followed. A determination will be made by the CIS Advisory Board whether the evidence supports (1) a long-term suspension, (2) a 365 days suspension and/or an expulsion.

The CIS Advisory Board will notify the Principal if a long-term suspension, 365-day suspension or an expulsion is approved and the principal may immediately impose a long-term suspension. A long-term suspension may be appealed to the CIS Advisory Board thru the current appeals procedure established in CIS Academy Policy.

The Principal will keep all records required by the state or federal law on all suspensions made pursuant to this policy.

Legal Ref: G.S. 115C-391. Gun Free Schools Act of 1994

J. 365 DAYS SUSPENSION

A student who brings a firearm or powerful explosive into school property will be suspended for 365 days, unless the Principal recommends a modification to the CIS Advisory Board. A firearm includes any gun, rifle, pistol or other weapon used for firing a projectile by means of an explosive charge. A powerful explosive includes a dynamite cartridge, blasting cap, trinitrotoluene (TNT), nitroglycerin, grenade or mine or weapon of like kind. A student who brings a firearm or powerful explosive to school also will be referred to the criminal justice or juvenile delinquency system.

K. REQUEST FOR READMISSION OF EXPELLED

At any time after the first of July that is at least 6 months after the CIS Academy Advisory Board expels a student, a student may make a written request to the Principal to reconsider that decision on the basis that the student is no longer a threat to the safety of students or employees. With the request, the student should provide any documents supporting the request, such as signed statements from individuals knowledgeable about the student or documentation of the completion of counseling or rehabilitative programs.

The Principal or designee will review the information. Within a reasonable time frame, the Principal must provide the student with a written request in support or opposition of the request. If the readmission is supported, the Principal shall assign a date for readmission.

The grievance committee of the CIS Advisory Board will review the request and supporting documentation and the Principal's response. The CIS Advisory Board may, at its option, request that the student and Principal, along with individuals who deems may have credible evidence, to attend a closed session of the CIS Advisory Board.

The CIS Advisory Board will notify the student in writing of its decision in regard to the request through the Principal. If the student has demonstrated, to the satisfaction of the CIS Advisory Board, that he or she is no longer a threat to the safety of the students and employees, the CIS Advisory Board will establish the date for readmission.