

DURHAM
PUBLIC SCHOOLS

**Student/Family Handbook
2022-2023**

www.dpsnc.net
(919) 560-2000



DPS expects all employees, students and other members of the school community to conduct themselves in an appropriate manner with concern and respect for all members of the school community. Discrimination, harassment, or bullying based on any of the following are prohibited: race; color; religion; ancestry; creed; national origin; gender; socio-economic status; academic status; gender identity; physical appearance; sexual orientation; mental, physical, developmental, or sensory disability; immigration status; or language minority will not be tolerated.

Throughout this document, Durham Public Schools Board policies are referenced. To obtain the entire policy, go to the most current board policies, which can be located at http://media.microscribepub.com/landingpages/DPS_LandingPage.htm and perform a search for the subject or topic you wish to review. If you do not have access to technology and need assistance, you may contact your local school office.

Durham Public Schools Board of Education

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Superintendent

Pascal Mubenga, Ph.D.

Mission

Durham Public Schools embraces, educates, and empowers every student to innovate, serve, and lead.

Vision

Durham Public Schools: Igniting Limitless Potential

2018-2023 Strategic Plan

Increase academic achievement
Provide a safe school environment that supports the whole child
Attract and retain outstanding educators and staff
Strengthen school, family, and community engagement
Ensure fiscal and operational responsibility

Contact Information:

Find individual schools' phone numbers and email addresses of people who can help you by going to Durham Public Schools' webpage at dpsnc.net. You may call our district's general information line at (919) 560-2000 or send us mail at: Durham Public Schools, P.O. Box 30002 Durham, NC 27702

DPS administration and the Durham Public Schools Board of Education are located at our main office in the Fuller Building, 511 Cleveland Street, Durham, NC 27702

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Message from the Superintendent

Dear students and families:

As Durham County, and indeed our entire country, continue to recover from the COVID-19 pandemic, I am excited to see a new energy in our schools. Approaching the 2022-23 new school year, I'm also filled with hope. Working together, we can make this the best year ever.

Our students' academic success has never been more important. The economic and social strains that we have all experienced have proven that our students need to be well-educated, socially and emotionally supported, and resilient to be prepared for an unpredictable world. All of us in Durham Public Schools recognize our responsibility to foster excellence in teaching and learning, promote diversity, practice equity, and actively include every student, teacher, and staff member in our school communities.

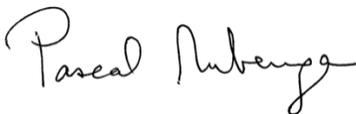
My highest priorities are for outstanding student learning in a safe school environment. This Student/Family handbook is an important resource to help you build a partnership with your school. It has information about how to deal with emergencies, how you and your school can assess your child's academic progress, and how our Board of Education's policies govern our schools. There is a lot of information in this handbook, so please keep it bookmarked so that it can be useful throughout the year.

An engaged family is a powerful family. By participating in your child's school, you can be a more effective advocate for your child and help your entire school community thrive. The PTA or PTO, School Improvement Teams, and DPS's Family Academy are all great ways to get started in volunteering or participating. Also, please make sure that your contact information is up to date with your child's school so that we can share important messages. Finally, please follow your school on social media, and follow DPS as well:

- Twitter: @DurhamPublicSch
- Facebook: Durham Public Schools
- Instagram: @durham_public_schools

We are here to ignite the limitless potential of every DPS student. I am grateful that you have joined us in that pursuit. Welcome to a new school year and a new beginning.

Sincerely,



Pascal Mubenga, Ph.D. Superintendent

Nondiscrimination Policies

In compliance with federal non-discrimination laws and regulations and board of education policies, Durham Public Schools does not discriminate on the basis of race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, mental, physical, developmental, or sensory disability, immigration status, or any other classification that is protected by law and/or regulation in its programs, activities and hiring. The following person has been designated to handle inquiries regarding the nondiscrimination policies:

1. Title IX Coordinator

Karin Beckett

511 Cleveland St., Durham, NC 27702

919-560-2066

Karin_Beckett@dpsnc.net

2. Section 504 - Students

Dr. Letisha Judd-Manning

808 Bacon St., Durham, NC 27703

919-560-2000

letisha_judd@dpsnc.net

3. Section 504 - Employees

Jeff Koweek

511 Cleveland St., Durham, NC 27702

919-560-2000

jeffrey_koweek@dpsnc.net

4. ADA

Jeff Koweek

511 Cleveland St., Durham, NC 27702

919-560-2000

jeffrey_koweek@dpsnc.net

5. Age Discrimination

Jeff Koweek

511 Cleveland St., Durham, NC 27702

919-560-2000

jeffrey_koweek@dpsnc.net

6. Other Non-discrimination Laws - Employees

Jeff Koweek

511 Cleveland St., Durham, NC 27702

919-560-2000

jeffrey_koweek@dpsnc.net

7. Other Non-discrimination Laws – Students

Karin Beckett

511 Cleveland St., Durham, NC 27702

919-560-2000

Karin_Beckett@dpsnc.net

8. Language Access Multilingual Resource Center
2107 Hillandale Road, Durham, NC 27705
(919) 560-2510

Multilingual.ResourceCenter@dpsnc.net

In collaboration with our community and parents, the mission of Durham Public Schools is to provide all students with an outstanding education that motivates them to reach their full potential and enables them to discover their interests and talents, pursue their goals and dreams, and succeed in college, in the workforce and as engaged citizens.

COVID-19

The uncertainty surrounding the COVID-19 pandemic has been stressful for students, families, teachers, and staff alike. Regardless of how severe the pandemic is, or where our students and teachers are during the school year, DPS recognizes that our students deserve an entire school year of high-quality instruction from engaged educators, along with the support of school counselors, social workers, and other district professionals.

Durham Public Schools will continue to follow the law and board policy, informed by [CDC Guidelines](#) and the [Strong SchoolsNC Toolkit](#), to protect our students and staff from exposure or infection to COVID-19. Particular policies and procedures will depend on the status of the pandemic, legal requirements, and the advice of local, state, and federal public health authorities.

Office of School Relations

Durham Public Schools wants every student and family to feel welcome and have the resources needed to be successful. The Office of School Relations serves as an informal, neutral, and confidential resource to assist parents and community members with school-related issues and concerns. The goal of the Office of School Relations is to help families and community members navigate the most effective channels for resolving problems, complaints and other school-related issues. If possible, it is usually beneficial to first discuss your concerns with the teacher, staff member, or principal involved. However, individuals may contact the Office of School Relations at any point during the course of a school-related concern. The Director for School Relations will help determine the best steps to address and resolve the concern. The Office of School Relations can be contacted at 919-560-3755 or 919-560-3713.

Ignite Online Academy

Ignite! Online Academy is personalized, online option for students to receive instruction from Durham Public Schools. Ignite offers a full-time pathway as well as individual courses to students that wish to take courses not offered by their school. As of the 2022-2023 school year, Ignite! Online Academy is an Application School for students in grades K-12. . Please see ignite.dpsnc.net for more information.

Important General Information for Parents

Board Policies

To align with Durham Public Schools Strategic Plan and district priorities, DPS and the Board of Education have completed the board policy manual transition project and formally sunset all old policies and adopted the new manual in June 2021. For a complete listing of all Durham Public School Board Policies, please visit: http://media.microscribepub.com/landingpages/DPS_LandingPage.htm

If you do not have access to technology and need assistance, you may contact your local school office.

Parent Engagement and Education

The DPS Board of Education recognizes the critical role of parents and families in the education of their children and in the schools. The board directs school administrators to develop programs that will promote and support parental and family involvement and engagement in student learning and achievement at school and at home and encourage successful progress toward graduation. Each parent and family is encouraged to learn about the educational program, the educational goals and objectives of the school system, and his or her own child's progress. The board also encourages parents and families to participate in activities designed by school personnel to involve and engage them, such as parent conferences, in order to encourage effective communication. [Policy 1310/4002](#).

Parent/Guardian-Teacher Partnerships and Groups

Parents are encouraged to communicate with their child's teacher(s) on a regular basis. DPS also encourages parents to get involved with their child's school by serving on the PTA, and/or the School Improvement team. Both are active in our schools. Contact your school principal for more information.

DPS Family Academy

The Title I and Family Academy Offices are committed to increasing student achievement and supporting DPS families and school communities. Through the Family Academy, parents can learn about pertinent information and resources on topics that impact their children's lives, including academic support, social and emotional learning, parent advocacy, and more. The Family Academy collaborates with community partners to deliver a variety of meaningful "Signature" classes and resources to meet the diverse needs of our families.

Signature classes are free and are offered in various school locations.

Title I provides Title I schools and families workshops and trainings through the Family Academy. Parents can also participate in Title I Family Engagement events and activities sponsored by their school.

For additional information, contact 919-560-3816 or visit our [website](#) and click "Programs and Services."

Multilingual Resource Center

The Multilingual Resource Center is a bridge between schools and families. The Multilingual Resource Center is responsible for interpretation and translation services, family support and engagement, and community outreach. For more information, visit www.dpsnc.net/mrc, call (919) 560-2510 or email Multilingual.ResourceCenter@dpsnc.net

Emergencies and Parent Notifications

Durham Public Schools works closely with emergency management, law enforcement, public health and other officials at the local, county, state and federal levels to develop and strengthen school plans for handling emergencies. Each school has an Emergency Preparedness Plan that includes guidelines on how to respond to severe weather, fire, chemical-related incidents, terrorist attacks and security-related incidents during school and business hours. All schools have emergency and crisis response teams that are an integral part of the schools' emergency management plans. Durham Public Schools transmits crisis/emergency messages when necessary, using the following media detailed below:

- District website at www.dpsnc.net
- Local radio and television station broadcasts
- Phone Notification System (robocalls, emails and text messages)
- Facebook: www.facebook.com/DurhamPublicSchools
- Twitter: [@DurhamPublicSch](https://twitter.com/DurhamPublicSch)
- Parent Hotline: 919-560-9129

To ensure that you are receiving emergency messages, make sure your contact information is correct in your child's PowerSchool record by updating it at your child's school. Contact information may also be updated through the PowerSchool Parent Portal. This information includes your home and emergency phone numbers, home address, special medical needs, and emergency pick-up information.

You may also include your cell phone number to receive text messages and your email address to receive notifications. If your primary telephone number is a cell phone, please let your school data manager know so that we may more easily send a text message.

Talk to your child about emergencies and encourage your child to follow directions issued by school personnel.

In the event of an emergency, stay calm and follow the instructions communicated via the media and/or your child's school. Our first priority is keeping students safe.

Contact your child's school or the Risk Management Services Office, at (919) 560-3829, or for additional information, visit our [website](#).

Weather Closures and Delays

Any weather-related closures or delays will be communicated to parents as quickly as possible. The same methods used for emergency notifications will be utilized for closure notifications, too. The quickest way to see closures is to follow the district's Twitter feed ([@DurhamPublicSch](#)) or Facebook page (www.facebook.com/DurhamPublicSchools). Local TV stations will also share the information on their broadcasts and web pages.

Office of Equity Affairs

The Office of Equity Affairs was established in 2017 to address issues of educational equity in the district. While the foundation of the Office's work revolves around educational issues, the office is also tasked with addressing concerns in all departments and areas within the district. Equity Affairs engages multiple stakeholders in dialogue and action planning on topics related to race, gender, socioeconomics, sexual orientation, religion, ability, language status, etc. For more information, contact Dr. Daniel Kelvin Bullock at 919-560-2116.

Volunteering in Schools

All persons who volunteer are required to complete the volunteer registration process prior to beginning their volunteer activity. Criminal background checks shall be required of all volunteers ages 18 years or older participating in programs that are sponsored or co-sponsored by Durham Public Schools. Volunteer records will be subject to review and monitoring for updated information regarding eligibility. Volunteers whose prior history, including criminal history, demonstrates a risk to the safety or well-being of students will be denied participation in volunteer activities. Please visit our [website](#) to complete an application. [Policy 5015](#)

Student Fees

DPS strives to offer its instructional programs without charging fees. Fees, however, are necessary on occasion. Before any fee is charged, it must be approved by the Board of Education.

Special school activities requiring costs to students that might prevent some students from participating are prohibited. No student will be prevented from participating because of an inability to pay. Fees may be waived or reduced in accordance with the established procedure. [Policy 4600](#)

Permission Forms and Other Required Forms

For information on our permission forms and other required forms, please visit our [website](#) and click on the "Resources" tab to locate the appropriate [forms](#). These required forms may also be submitted electronically with the Back to School Form.

Notification of Possible Media Visits (Photo Release Form)

Durham Public Schools uses photographs, slides, videos, or illustrations of students for many purposes related to DPS business. This form allows you to deny permission to DPS to release your child's image for display or publication. This form also allows a parent or guardian to choose whether their child may be identified by name on the school or district's websites. Student names may be released unless a parent or guardian has expressly contacted the school and requested that their child's "directory information" not be shared. However, as a safeguard, the district does not directly publish student names to the Internet unless given permission by a parent or guardian.

Notification of Rights under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older (“eligible students”) certain rights with respect to the student’s education records.

FERPA also provides that student records and personally identifiable information contained in those records generally may be released to third parties only if the parents or eligible students provide written consent. One of those exceptions to this requirement is that “directory information” about a student may be released to anyone upon request unless the parent or eligible student has opted out of the disclosure of such information. “Directory information” includes the student’s name, grade, school most recently attended, dates of attendance, date of graduation, awards received and participation in officially recognized sports and activities. [Policy 4700](#)

The name and address of the Office that administers FERPA is:

*Family Policy Compliance Office
U.S. Department of Education 400
Maryland Avenue,
SW Washington, DC 20202*

Student Directory Information Opt-Out Form (Grades PK-8)

Student Directory Information-Military-Higher Education Opt-Out Form (Grades 9-12)

The Family and Educational Rights and Privacy Act (FERPA), a federal law, requires Durham Public Schools, with certain exceptions, to obtain your written consent prior to the disclosure of personally identifiable information about your child’s education records. However, Durham Public Schools may disclose appropriately designated “directory information” without written consent, unless you have advised the District that you opt-out of the disclosure of some or all of your student’s directory information. The primary purpose of directory information is to allow the District to include information from your child’s education records in certain school publications, such as the annual yearbook, honor roll, and graduation programs. Directory information can also be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. If you wish to opt-out from the release of your child’s directory information, in whole or in part, please complete this form and return it to the school within ten (10) days. If not, no action is required or will be taken.

College, Universities, or Institutions of Higher Learning Opt-Out (Grades 9-12)

Military Recruiter Opt-Out (Grades 11-12)

These designations are part of the Student Directory Information Opt-Out Form above.

Federal law requires that Durham Public Schools provide military recruiters and institutions of higher education, upon their request, with the following information – student name, address, and telephone listing, unless a parent legal guardian, or eligible student has notified the school not to disclose the student’s information for these purposes. This information will be disclosed as requested unless designated on the Student Information Directory Opt-Out Form. The school will note and track all designations in the student’s PowerSchool file.

School Health Assessment Form K-12 Grades

As of the 2016-17 school year, and in compliance with North Carolina House Bill 13, all children entering NC public schools for the first time must submit proof of a health assessment to the principal on the first day of the child’s attendance or within 30 calendar days. The health assessment must have been completed within 12 months prior to the date the child would have been eligible for initial entry into the public schools.

Student Attendance Requirements

Attendance at school is essential if a student expects to do well. Regular attendance is necessary for the successful completion of required class work and promotion to the next grade. Moreover, attendance and participation in class are integral parts of the teaching-learning process, and regular attendance develops patterns of behavior essential to a successful personal, social, and professional life.

Every parent/guardian or other person residing within the Durham Public Schools district with charge or control of a child between the ages of 7 and 16 years, or a child younger than seven if enrolled in school, shall cause such child to attend school continuously for a period equal to the time when the Durham Public Schools shall be in session. No person shall encourage, entice, or counsel any such child to be unlawfully absent from school. The parent/guardian or custodian of a child shall notify the school of the reason for each known absence of the child. [Policy 4400](#)

Minimum Attendance Requirement

A student is considered absent from school when the student is not present for at least half of the school day, whether the absence is excused or unexcused. A student is absent from a class if the student misses more than half the class period, whether the absence is excused or unexcused. Absences resulting from participation in school-sponsored activities will not count against the minimum attendance requirement. DPS Board policy does not limit a teacher or principal from imposing disciplinary sanctions for students who miss portions of the school day or a class without excuse.

A student who is absent from school shall within three days of returning to school furnish a written excuse from the student's parent/guardian, custodian or doctor stating the dates and reason for the absence. After five consecutive or 10 accumulated absences in a semester, the principal may require a written doctor's excuse for any additional absences attributed to illness.

When a student has been absent from class or school 10 times in a semester or 20 times in a school year, whether excused or unexcused, the principal or designee shall notify the parent/guardian or custodian of the absences in writing. The notice shall include a warning of the possible consequences of additional absences and/or a copy of the policy. In addition, excessive unexcused absences may violate the compulsory attendance law and may result in disciplinary action as provided under [Policy 4301](#) for Elementary and [Policy 4301](#) for Middle and High Schools within the Student Code of Conduct.

Attendance Incentive: Exam Exemption

High school students may be exempt from their non-state-mandated (teacher made) final exams if they meet one of the following conditions, detailed below.

For 90 day courses:

- Have an "A" average and no more than three absences. Have a "B" average and no more than two absences.

For 180 day courses:

- Have an "A" average and no more than six absences.
- Have a "B" average and no more than four absences.

Any absences (lawful or unlawful) count toward the limit for exam exemption except school-sponsored field trips, school-approved activities, religious holidays, or school system-approved medical hardship waivers.

Students who are exempt from an exam may elect to take the exam. The grade will only count if it improves the student's overall grade. This final exam exemption does not apply to courses offered through community colleges, universities, or online services. [Policy 3410](#)

Signing Students Out of School

Parents/guardians are the only people allowed to sign a student out of school. Prior arrangements with the principal, however, may allow for others to do so. [Policy 4210](#)

Transferring to a Different DPS School - Student Transfers

Students who wish to transfer from their assigned school to another DPS school, other than a program magnet school, may request a transfer from the Office of Student Assignment. If a transfer is granted, transportation is the responsibility of the student or family and the student must maintain good behavior, good attendance and passing grades. [Policy 4132](#)

Access to Student Records

In compliance with state and federal law, DPS maintains a permanent record on every student. The record includes files, documents, computer data and photographs that contain information about the student. They do not include records created by individual teachers or administrators that are not shared with anyone else.

Parents/guardians have the right to inspect and review their child's record. If separated or divorced, both parents have this right unless there is a court order that states otherwise.

When a student turns 18 years old or gets married and no longer lives with his/her parents, he/she has the same rights as a parent or guardian regarding his/her records.

Parents/guardians may challenge any item in their child's record if they believe the information is inaccurate, inappropriate, or otherwise violates their child's rights. Challenges must be submitted in writing to the principal. If the principal denies the request, parents/guardians may appeal through the Student Grievance Procedure.

To request a copy of the complete record within five years after your student exits from the program, please use the online request form found on the Durham Public Schools website under the Resources tab, and select the "Records" tab.

Please include the student's name, current phone number, and date of birth. The request must be signed by the former student if the student is 18 years or older, or the student's legal guardian. [Policy 4700](#)

Health, Wellness, and Safety Information

Student Accident Insurance Coverage

Durham Public Schools purchases supplemental student accident insurance for accidents occurring when school is in session and while students are participating in interscholastic sports.

This coverage is supplemental to all other available coverage and plans and only pays medical/dental expenses incurred to the limits stated within the policy. Student Accident Claim Forms are available at each school and require completion by the student's school and the parent or guardian. Once the claim form is completed, the parent or guardian is responsible for filing the accident claim with the insurance carrier. Durham Public Schools does not accept or deny these claims.

Catastrophic Student Accident Insurance Coverage

Durham Public Schools purchases catastrophic student accident insurance coverage for coaches and all middle and high school students participating as a team member in any interscholastic competition sanctioned by the North Carolina High School Athletic Association, including practices, game-related activities, and related travel. Coverage is provided for related medical expenses in excess of \$25,000 up to the policy limit.

Medication Policies

DPS strongly discourages administering medication (even over-the-counter) to students during the school day. Durham Public Schools will assume no responsibility or be liable for any injury arising from a student's possession and self-administration of medication at school. For a student to self-administer a medication, a parent/guardian must complete an "Authorization for self-medication by DPS Students" form. Parent/guardian must deliver a completed form and the medication to the school. The school nurse will review the form and medication with the student.

If it is necessary for a school official to administer medication to a student, the parent/guardian must

supply and physically deliver the medication (prescription or over-the-counter) to the school and complete a "Request for Medication to be Given During School Hours" form, which requires a doctor's signature. Neither school staff nor the school nurse will administer any medication without the completed and signed documentation. Medications must be in their original containers, unexpired, and have the prescription label(s) that match what the healthcare provider has written on the medication form. New medication requests are required each school year. Some of our schools have Wellness Centers, which have their own specific guidelines for the dissemination and administration of medication. [Policy 6125](#)

Text-A-Tip

Text-A-Tip is available to our students and school community to anonymously report suspicious behavior and prevent crime. Text-A-Tip information will be distributed through the schools and available on our [website](#).

Say Something Anonymous Reporting System

Say Something is available to our students in grades 6-12 and our school community, which allows them to submit secure and anonymous safety concerns to help identify and intervene upon at-risk individuals before they hurt themselves or others. Information is available on the DPS [website](#).

School Visitors

Parents/guardians and others interested in public education are welcome to visit any school. In order to ensure safety and avoid disrupting school activities, we have established the following guidelines:

- Visitors must check in at the school office.
- Principals may prohibit or discourage visits when students are being tested and other times when visits may disrupt school activities.
- Parents/guardians who wish to discuss a student's progress should request a meeting in advance to be held outside regular school hours.
- Anyone who disrupts school operations, damages school property, or poses a risk to the students, staff or the school may be asked to leave school property.

A principal has the authority to prohibit such persons from attending school events or coming on school property.

In order to ensure that campuses are safe and orderly, the Superintendent or principals may establish additional rules consistent with board policy. [Policy 5020](#)

Bullying and Harassment

It is the priority of the Durham Public Schools Board of Education to provide every student and employee in the school system with a safe and orderly learning environment. To this end, the Board specifically prohibits harassing or bullying behavior at all levels: between students, between employees and students, between peers or coworkers, between supervisors and subordinates or between non-employees/volunteers and employees and/or students. [Policy 1720/4015/7225](#)

Students are expected to comply with the behavior standards established by Board Policy and the Student Code of Conduct. Employees are expected to comply with state and federal law, DPS Board Policy and school system regulations. Volunteers and visitors on school property also are expected to comply with Board Policy and school rules and procedures.

The Board specifically prohibits reprisal or retaliation against any individual who makes a complaint or reports an incident of harassing or bullying behavior or who participates in an investigation or grievance proceeding initiated under the board's policies. Reprisal or retaliation against any individual who reports an act of harassment or bullying may result in disciplinary action being taken, up to and including dismissal in the case of employees, or up to and including long-term suspension or expulsion in certain cases for students.

Definition of Harassment and Bullying

1. As used in board policy, bullying or harassing behavior is any repeated, systematic pattern of gestures or written, electronic or verbal communications, or any physical act or any threatening communication on school property; at any school-sponsored function; on a school bus; or as otherwise stated under [Policy 4301](#) for Elementary and [Policy 4301](#) for Middle and High Schools under the Student Code of Conduct:
 - a. *Places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property; or*

- b. *Creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities, or benefits. A hostile environment means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior.*

2. Bullying or harassing behavior includes, but is not limited to, acts reasonably perceived as being motivated by any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

Reporting Bullying and Harassing Behavior

1. Any student who believes that he or she has been bullied or harassed in violation of this policy should report such behavior immediately to a teacher, counselor or administrator at his/her school.
2. Any employee who believes that he or she has been bullied or harassed in violation of this policy should report such behavior to their immediate supervisor and/or the assistant superintendent of human resources or designee.
3. A school employee who witnessed or has reliable information that a student or school employee has been subject to any act of bullying or harassing behavior shall report the incident as follows:
 - a. *To the principal in the case of a student; or*
 - b. *To the immediate supervisor of the alleged bully or harasser and/or the Assistant Superintendent of Human Resources.*
 - c. *Failure to make such a report may subject the employee to disciplinary action.*
4. Any person may report an act of bullying or harassment anonymously. However, formal disciplinary action may not be taken solely on the basis of an anonymous report.

Investigation of Bullying and Harassment Reports

1. All complaints of bullying or harassing behavior made by students shall be promptly and thoroughly investigated by the principal or designee. If the alleged bully or harasser is an employee, the principal will determine if a referral to Human Resources is warranted.

2. All complaints of bullying or harassment made by employees shall be promptly reported to their immediate supervisor and/or the assistant superintendent of human resources. The investigation shall be conducted by the assistant superintendent of human resources or designee.

3. If the individual required to investigate a complaint made under this policy is the alleged bully or harasser, the investigation shall be conducted by an appropriate school system administrator as designated by the superintendent. If the alleged perpetrator is the superintendent, then the Board attorney is the investigator. In such cases, whoever receives a complaint of bullying or harassment shall immediately notify the assistant superintendent of human resources, who shall immediately notify the Board chair. The Board chair shall direct the board attorney to respond to the complaint and investigate. If the alleged perpetrator is a member of the Board, then the Board attorney is the investigator. In such cases, whoever receives a complaint of bullying or harassment shall notify the superintendent who shall direct the Board attorney to respond to the complaint and investigate. Unless the Board Chair is the alleged perpetrator, the superintendent shall also notify the Board Chair of the complaint.

4. If at any time during the investigation the school official investigating a student's allegation of bullying or harassment receives information alleging the bullying or harassment was based on sex or gender, the school official shall notify the Title IX Coordinator. In such cases, the procedures outlined for sexual harassment grievances in [Policy 1720/4015/7225](#) shall be followed. In any case of alleged bullying or harassment, the school system shall notify any other appropriate person or entity if required by law or board policy.

Sexual Harassment

All employees and students are entitled to work and study in environments that are free of sexual

harassment. To this end, the Board prohibits employees and students from engaging in sexual harassment and advises employees and students that when evidence of sexual harassment is established, disciplinary action may be taken, up to and including dismissal (for employees) and suspension (for students). [Policy 1720/4015/7225](#)

Weapons and Alcohol

In order to ensure the health and safety of students and staff, DPS strictly prohibits unauthorized weapons and alcoholic beverages on school property. Anyone who unlawfully brings or possesses a weapon on school property or encourages someone else to bring a weapon onto school property (i.e., school building, campus, buses, recreational area, or athletic field) will be reported to law enforcement authorities. Individuals with a concealed handgun permit must store such weapons in accordance with G.S. 14-269.2 while on school property. [Policy 4325/4333/7240/5027/7275](#)

Use of Tobacco Products

Students may not possess, display or use any tobacco product at any time on school premises, including school vehicles, or while participating in school-sponsored events. Employees or visitors are not permitted under any circumstances to use tobacco products in or on the grounds of any facility owned or leased or contracted for by Durham Public Schools. [Policy 5026/7250](#)

Technology Responsible Use

The Internet is an invaluable source of information for students and staff. The computer networks at school are provided for students for educational purposes. Students are given the privilege to use the Internet along with the responsibility of using it properly. Students will be taught safe, ethical, and responsible uses of technological resources.

Students who do not follow the district's policies may have their Internet and email privileges revoked and be subject to other disciplinary actions. [Policy 3225/4312/7320](#)

Contact the DPS IT Support Center at <https://itsupport.dpsnc.net/> or ITSupport@dpsnc.net for all technology support needs. For emergencies, call 919-560-3837 (Monday – Friday 7AM to 5PM). If technicians are supporting other callers, please leave a message and a technician will return your call.

Bull City, NC Schools & Libraries Achieving More (SLAM) Partnership

Durham Public Schools and Durham County Library have a strategic partnership to help ensure student success and support literacy initiatives. Together, the heart of our missions is to promote literacy, a love of books, and the importance of reading as a foundation for lifelong learning. This project provides all students in the Durham Public Schools with access to Durham County Library resources. Parents who do not wish to participate in this program can opt-out, by completing the Electronic Card (eCard) Access Program Opt-Out form at this [Link](#) or the URL below:
<https://bit.ly/BULLCITYSLAM>

School Nutrition Information

Breakfast & Lunch Program

Menus are distributed on a monthly basis. Menus also are available on our [website](#).

For the 2022-2023 school year, school meal prices will be:

Meal	Reduced	K-5	6-12	Adults	Milk
Breakfast	Free	Free	Free	\$2.00	\$0.50
Lunch	\$.40	\$2.90	\$2.90	\$3.75	\$0.50

Durham Public Schools is proud to feature Universal Free Breakfast. All students can receive breakfast at no charge regardless of meal status. "Breakfast is on us."

Durham Public Schools participate in the National School Breakfast and Lunch Program, a federally assisted meal program that provides nutritionally balanced, low-cost, or free lunches to students. Students may qualify for free and/or reduced meals by completing a new application for the 2022-2023 school year. Applications are available by contacting School Nutrition Services at (919) 560-2370, the school office, or on our [website](#).

Guidelines for Bringing Food to a Class (During the School Day)

Except for permissible celebrations, staff doesn't serve any food or beverages to students during school hours or at school-sponsored events that couldn't be served in the school cafeteria. Food-based activities are

included in the classroom only when the use of food is a necessary part of an instructional objective. DPS does not use food as a reward or a punishment unless documented for a particular student's Individualized Education Plan (IEP). Please contact your child's school for more information on bringing food to class during a school day.

Fundraising & After-School Programs

No food is to be served or sold to students from midnight until 30 minutes after the dismissal bell. Snacks provided during after-school and summer programs must meet DPS nutrition standards.

School Stores & Vending Machines

Elementary Schools

- Do not have stores that sell food to students.
- Do not have vending machines that are accessible to students.

Middle & High School Vending Machines

- Operate 30 minutes after the dismissal bell.
- Stock only snack items that meet the Smart Snack standards of the USDA Healthy Hunger-Free Act of 2010.
- Sells beverages that are low-fat or nonfat milk, water, 100% juice with no added sweeteners and sports drinks with 100 calories or fewer.

Academic Information

Before and After-School Care

DPS Community Education offers licensed before- and after-school programs at most elementary schools. Most of the programs have earned the state's highest star rating: five stars.

Middle school after-school programs are offered based on funding availability.

For more information and/or questions, please call (919) 560-3816 or visit our [website](#).

Pledge of Allegiance

State law and board policy require that each school include a daily recitation of the Pledge of Allegiance to the flag. The school shall not compel any person to stand, salute the flag or recite the Pledge of Allegiance, but each person shall maintain proper decorum while others participate.

Teaching and Testing

The North Carolina Standard Course of Study defines the appropriate content standards for each grade level and each high school course to provide a uniform set of learning standards for every public school in North Carolina. These standards define what students should know and be able to do.

Based on a philosophy of teaching and learning consistent with current research, exemplary practices, and national standards, the Standard Course of Study is designed to support North Carolina educators in providing the most challenging education possible for the state's students. The goal of these standards is to prepare all students to become career and college-ready.

Local Assessments

Local assessments may measure mastery of skills and/or the North Carolina Standards.

Teachers will use the results to plan corrective instruction and enrichment opportunities for students.

All children served in DPS Exceptional Children (EC) and Title I Preschool programs will be assessed by the Creative Curriculum Gold ongoing formative assessment system. Additional EC progress reporting is determined through Individual Education Program (IEP) goals.

Final Examinations in High School

The Board of Education requires that a final exam be given at the end of each course earning credit toward high school graduation. Additionally, the final exam will count as 20 percent of the student's final grade in the high school course. End-of-Course tests will count as the final exam. Final exams in courses without a state assessment should be a valid reflection of the student's mastery of course content. Exams should be cumulative in nature and test material and skills taught during the period covered by the exam. [Policy 3410](#)

State Testing, Grades 3-8

Students in grade 3 take the Beginning-of-Grade 3 (BOG3) English Language Arts/Reading Assessment by the 15th day of the school year.

This test is referred to as the BOG3 and consists of multiple-choice items. It is designed to give a baseline assessment of a student's English Language Arts/Reading skills.

Students in grades 3–8 take an English Language Arts/Reading and a Mathematics test during the last ten days of the school year. Additionally, students in

grades 5 and 8 will take a Science test. These tests are referred to as End-of-Grade (EOG) tests. They may include multiple-choice, open-ended response, gridded response, and items that permit multiple correct answers as well as technology-enhanced items for online testing.

Testing accommodations are available for students with disabilities as well as for some students who are English Language Learners (ELLs). The need for accommodations must be documented in the student's Individualized Education Plan (IEP), Limited English Proficient (LEP) Plan, or Section 504 Plan.

State Testing, End-of-Course (EOC) Tests EOCs are designed to assess student competencies in the following subject areas: Biology, English II, NC Math I, and NC Math III. These assessments will be administered within the final five days of a semester course or the final ten days of a yearlong course.

Testing accommodations are available for students with disabilities as well as for some students who are English Language Learners (ELLs). The need for accommodations must be documented in the student's Individualized Education Plan (IEP), Limited English Proficient (LEP) Plan, or Section 504 Plan.

State Testing, Pre-ACT/ACT/WorkKeys

The Pre-ACT Assessment will be given to every 10th grader in the fall. The Pre-ACT assessment provides information for sophomores to explore career/training options, to measure their current academic development and to make plans for the remaining years of high school.

The ACT College Admissions Assessment will be given to every 11th grader during the second semester. Students may submit their scores to colleges and universities for admissions consideration. The ACT provides information for juniors to understand what courses would provide a more rigorous high school course plan and identify career areas that align with their interests.

In 2022-2023, schools will have the following opportunities for ACT support:

1. Community Ed will host a Saturday practice ACT in the fall and in the spring where students can pre-register and each participant will receive a detailed report with recommendations on how to improve. Each session will include follow up strategies for success.
2. We will provide an asynchronous online resource for students to study and prepare for success.

The ACT WorkKeys Assessment will be administered to seniors who complete a two- course Career and Technical Education sequence. The ACT WorkKeys measures skills and abilities such as reading, math, listening, locating information, and teamwork – skills that are critical to job success. Students will receive a National Career Readiness Certificate that they can submit to a potential employer as evidence of their skills.

State Testing, ACCESS for ELLs

Each spring, students identified as English Language Learners take the *Assessing Comprehension and Communication in English State-to-State for ELLs* (ACCESS for ELLs) assessment. This assessment measures English language proficiency in the areas of listening, reading, speaking, and writing.

PSAT/SAT

Juniors may choose to take the PSAT in the Fall. Juniors who take the PSAT may qualify for various National Merit Scholarships. Students who plan to attend college may opt to take the SAT as a junior or senior at a time scheduled by the student. The SAT is offered on several Saturdays. A fee is charged, but some students are eligible to have their fees waived. Please contact your student's guidance counselor or the College Board at www.collegeboard.org for more information.

eLearning Program

The DPS eLearning program is an extension of Ignite! Online Academy and offers online high school courses for first time credit and credit recovery. Online learners are expected to be responsible, committed, goal-oriented, self-motivated, and technologically literate. Interested students should visit ignite.dpsnc.net or ask your counselor for more information

Grading System and Philosophy

The policy of the Board of Education is to strive for a consistent and just evaluation of each student in Durham Public Schools. To ensure the effectiveness of this policy, the Board of Education endorses these beliefs and best practices.

- Students' grades should reflect their academic achievement.
- While attendance and behavior may influence a student's learning, they should be reported separately, not included in the student's grade.
- Teachers should compare each student's performance against pre- set standards, not against the performance of other

students.

- For missing work, teachers should provide specific make-up assignment(s) for demonstrating the targeted learning.
- Teachers should provide students and their parents with a clear explanation of their grading practices including the weighting of formative and summative assessments and rubrics as appropriate.

All assessments and assignments, including teacher-made tests should be aligned with the current instructional standards and be designed to assess student achievement accurately. [Policy 3400](#)

Minimum Grade Threshold (Middle and High School)

In yearlong courses, for first, second, and third-quarter grades, no student will receive lower than a 50. There is no set minimum for fourth-quarter or final grades. For semester courses, the first-quarter grade will be no lower than a 50; however, there is no set minimum for the second quarter or final grade. [Policy 3400 R](#)

Credit for High School Courses

For high school-level courses, a student shall receive credit toward graduation for courses in which the student earns an average of 60 or above. The student's final grade in all courses shall be determined by calculating 80% of the grade as the course average with the final exam counting 20% towards the final grade. This policy applies to all courses earning credit toward high school graduation. [Policy 3400 R](#)

Credit by Demonstrated Mastery

State Board Policy GCS-M-001.13, Course for Credit, Credit by Demonstrated Mastery (CDM), specifically offers NC students the opportunity to personalize and accelerate their learning by earning course credit through a demonstration of mastery of course material.

CDM is available for middle and high school students. The State Board of Education defines "mastery" as a student's command of course material at a level that demonstrates a deep understanding of the content standards and the ability to apply his or her knowledge of the material.

Phase 1 of the process includes a summative assessment that is comprehensive of the course standards, and Phase 2 includes a performance task or creation of an artifact that demonstrates mastery. There are three CDM windows in Durham Public Schools: Fall, Spring, and Summer. You can find more information on our [website](#) or by contacting the Office of Advanced Academics.

Report Cards and Promotion Standards

Teachers distribute progress reports to let parents/guardians know about their child's strengths/weaknesses. Report cards are issued no later than seven days after the end of the grading period.

Promotion Standards, K-8

Students in grades kindergarten through grade 8 are required to meet promotion standards, which include demonstrated grade-level proficiency on local assessments, standardized tests, report cards, and/or student work. A variety of methods are used to determine a student's progress. If a student appears likely to be retained, then the parent/guardian of the student shall receive at least two (2) notices. The first notice may be a conference; the second notice must be in writing and must be provided by the end of the third quarter. The principal's office must provide in writing an official notice of retention to the parent/guardian by the last day of school. [Policy 3420](#)

Read to Achieve (RtA)

The state's Read to Achieve program, a part of the Excellent Public Schools Act, is designed to ensure that every student reads at or above grade level by the end of the third grade. Third-grade students are given multiple opportunities through various means to show reading proficiency throughout the school year.

A Summer Reading Camp is offered to every second and third-grade student that has not shown reading proficiency by the end of the school year. Non-proficient third-grade students at the end of camp can move to the fourth grade but will have a "reading retained" label and will receive additional reading support in the classroom. They will also have opportunities during the fourth-grade year to have the label removed.

Third-grade students who do not show reading proficiency on the Beginning-of-Grade (BOG) or End-of-Grade (EOG) tests can move to fourth grade without the "reading retained" label by qualifying for a Good Cause Exemption (GCE) such as:

- Limited English Proficient students with less than two school years of instruction in an English as a Second Language program.
- Students with disabilities, as defined in G.S. 115C-106.3(1), and whose individualized education program indicates (i) the use of the NCEXTEND1 alternate assessment, (ii) at least a two school year delay in educational performance, or (iii) receipt of intensive reading interventions for at least two school

years.

- Students who demonstrate reading proficiency appropriate for third-grade students on an alternative assessment approved by the State Board of Education.
- Students who demonstrate reading proficiency through a student reading portfolio.
- Students who have received literacy intervention and previously been retained more than once in kindergarten, first, second, or third grades.

Graduation Requirements

All students must pass the Future-Ready Core course of study as defined by the State Board of Education. A listing of the requirements for the Future-Ready Core course of study is available in the student services office of each middle and high school and on our [website](#).

Future-Ready Core students must earn a total of 26 units as specified in their course of study to graduate. At Durham School of the Arts and The School for Creative Studies, students must earn a total of 24 units.

Students who meet specific eligibility criteria and have the approval of a school-level team, the principal, and the superintendent or his/her designee may participate in the General Diploma program. General Diploma students must meet North Carolina graduation requirements. A listing of the eligibility requirements for the General Diploma is available in the student services office of each high school.

The Occupational Course of Study is available for those students with disabilities who have Individualized Education Programs (IEPs) and who are specifically identified for this pathway. [Policy 3460](#)

School Accountability

Every Student Succeeds Act (ESSA) Accountability Program

ESSA is the name of the North Carolina accountability initiative. The ESSA accountability model provides a picture of how well students are learning the curriculum and identifies where improvements are needed. The ESSA accountability model sets growth and performance standards for each elementary, middle, and high school. More information regarding the ESSA accountability model can be found on the [NC Department of Public Instruction website](#).

Services for Exceptional Children (EC)

In compliance with the [Individuals with Disabilities Education Act \(IDEA\)](#) and [NC Policies Governing Services for Children with Disabilities](#), the Durham Public Schools offers a free appropriate public education (FAPE) to every enrolled student with a disability (between the ages of three and twenty-one) who is eligible and in need of special education and related services. A parent or guardian who believes his/her child has a disability may initiate a request for an initial evaluation to determine if the child is a child with a disability. When school/district personnel or a parent suspects that a child may be a child with a disability, he/she shall provide in writing the reason for referral, addressing the specific presenting concerns and the child's current strengths and needs. This referral shall be given to the principal of the school, the child's teacher or other school professional, or the Superintendent or other appointed official of the district. Children identified as having a disability, or suspected of having a disability, are entitled to an evaluation provided at no charge to parents by the school district if the Individualized Education Program (IEP) team determines an evaluation is warranted.

If an evaluation is deemed necessary and written parental consent is provided, the evaluation will be conducted. The IEP team will use the evaluation results to determine eligibility for special education services. We strongly encourage and solicit parent involvement during all portions of the process. Schools must obtain informed, written consent before conducting an initial evaluation and before the initial provision of special education and related services to the child.

If the IEP team determines that the student is eligible and in need of special education services, an Individualized Education Program (IEP) will be designed to meet his/her unique needs. The student will be served in the least restrictive environment (LRE) based on his/her IEP. The Least Restrictive Environment (LRE) means that, to the maximum extent appropriate, children with disabilities shall be educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature of the disability is such that education in the regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (NC 1500-2.21).

Parents/guardians will receive advance notice in writing if there is a proposed change regarding their

child's identification, evaluation or placement.

More information on parental rights can be found by accessing the [Parent Rights & Responsibilities in Special Education: NC Notice of Procedural Safeguards](#), available from any school, and located at the NC Department of Public Instruction, EC Division website: <https://ec.ncpublicschools.gov/parent-resources/parents-rights-handbook> (English handbook) <http://ec.ncpublicschools.gov/parent-resources/ecspanishhandbook.pdf> (Spanish handbook)

Parents/Guardians may also contact their child's school administrator or EC Facilitator, as well as the DPS Exceptional Children's Department at 919-560- 3774 for additional information.

Services for Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prohibit discrimination against any individual on the basis of disability. A disability is defined as a physical or mental impairment that substantially limits one or more major life activities such as seeing, hearing, breathing, walking, learning, communicating, or the operation of a major bodily function (e.g., cardiovascular, endocrine, or immune systems). A student with a disability may be eligible for protections from discrimination at school, as well as at school-sponsored events. Students who currently have or who have previously had a Health Care Plan for a medical condition that limits a major life activity, may qualify for protections under Section 504. Each school has a Section 504 contact person who is trained to coordinate such services. Requests for eligibility determination and accommodations under Section 504 should be directed to the school-based Section 504 Coordinator or a School Administrator. A copy of the Rights due to students and their parents under Section 504 is available from the school- based Section 504 Coordinator or from the District Section 504 Coordinator (919-560-2000 ext.26125). [Policy 1730/4022/7231](#) [Policy 3520](#)

Services for Academically and/or Intellectually Gifted (AIG) / Advanced Learners

Following the North Carolina Academically or Intellectually Gifted Program Standards (State Board of Education Policy ACIG-000 – June 2018) and Article 9B [N.C.G.S. 115C-150.5-.8], the DPS Office of Advanced Academics provides services for academically, intellectually, and advanced learners that support the statewide

framework for quality AIG programming. The AIG plan is aligned with the 2018-2023 DPS Strategic Plan with an emphasis on equity in academic pursuit. All DPS elementary, middle, and high schools have an AIG Specialist trained to coordinate AIG/advanced learning options and services. Requests for AIG referrals or other inquiries should be directed to the AIG Specialist at your student's school or by contacting the Office of Advanced Academics.

Services for English Learners

States, districts, and schools are required to provide core language instruction educational programs and services for students identified as English Learners (ELs). The ESL Registration Center located on 2107 Hillandale Road, serves new enrollees from culturally and linguistically diverse backgrounds by enrolling students and assessing them on the English Language Proficiency Screener. The Home Language Survey and a parent/guardian interview will be used as basic criteria to assess the student for English Language Proficiency. This requirement is based on Title VI of the Civil Rights Act of 1964, and its implementing regulations. Districts that receive Title III funds are required to develop and submit a detailed instructional plan outlining language development services for students who are identified as English Learners. The plan *Title III Sec. 3116 (6)(d)(2)* lays out language support services to level the playing field for ELs by making content accessible for students to become successful in the mainstream classroom. It is submitted annually to the state for approval and each school is required to adhere to the Language Instructional Education Plan approved by the state. EL Graduation Coaches serve ELs in the comprehensive high schools and the Newcomer Academy. They serve as a cultural bridge to connect students, school staff and families to ensure access and knowledge for life skills toward successful graduation and career preparation. Each school has one or more highly qualified. ESL teachers who will provide language instruction appropriate to the student's level of language proficiency. For information regarding the program, please contact (919) 560-3783. For information regarding enrollment, please contact (919) 560-2559.

School Discipline: Climate and Prevention

Prevention and Intervention Overview

Durham Public Schools is committed to providing an array of prevention and intervention services to maximize learning for all students in the

educational setting. This is accomplished by school staff working with students, families, and educational stakeholders to ensure the optimal physical and social-emotional wellness of each student. The staff's focus is to teach and reinforce positive student behavior aligned with desirable student outcomes. Although all school staff are expected to provide prevention and intervention services, School Counselors and Social Workers are assigned to each school. The Support Services staff utilize their professional expertise to prevent and intervene with students and families to eliminate barriers and challenges to learning and improve student achievement.

McKinney-Vento Homeless Assistance Act

The McKinney-Vento Program meets the needs of students experiencing homelessness that are attending Durham Public Schools by addressing academic challenges and family issues affecting their success in school.

Example living situations that may qualify include, but are not limited to:

- Living with a friend, relative or other person/family because of a loss of housing
- Staying in a motel or hotel because of a loss of housing or fleeing domestic violence
- Living in an emergency shelter, transitional housing or domestic violence shelter
- Living in a car, park or public place, abandoned building or bus station
- Living temporarily in substandard housing
- Living in a campground or an inadequate trailer home
- Living in a runaway or homeless youth shelter
- The McKinney-Vento Program also meets the needs of "a youth not in the physical custody of a parent or guardian" (42 USC §11434a(6), 2001).
- Youth not in the physical custody of a parent or guardian and lacking a fixed, regular and adequate residence are referred to as unaccompanied homeless youth.

Requesting Services: If you feel that you or your family may qualify for McKinney-Vento Services, please contact your School Social Worker or the District McKinney-Vento Coordinator at 919-560-3927. [Policy 4125](#)

Foster Care Every Student Succeeds Act

Recent changes in Elementary and Secondary Education Act (ESEA) established new protections for children in foster care. *Key Provisions* to protect students in Foster Care includes the following:

- A child in foster care can remain in his or her school of origin (the school that the child was enrolled at the time of initial placement), unless it is determined that remaining in the school of origin is not in that child's best interest;
- Transportation will be arranged to and from the school of origin, if feasible;
- If it is not in the child's best interest to stay in his or her school of origin, the child is immediately enrolled in the new school even if the child is unable to produce records normally required for enrollment.

Mental Health

Durham Public Schools is committed to the wellness of our students and families. Sadness and stress are normal parts of life and there may be times when additional support is needed. DPS offers that support by partnering with designated Durham mental health agencies and providing office space for their licensed therapists to see students. These services are available during the school day at every school in DPS.

Referrals are usually made by caring teachers, School Counselors, administrators, or School Social Workers who coordinate the referral process with agency providers. Referrals can also be made, however, by students or by their parents or caregivers. Regardless of who makes the referral, the services are confidential, meaning that what is shared in the sessions is kept between the counselor and the student.

Students, parents, or caregivers with questions should reach out to the School Counselor or School Social Worker at your base school.

Student Code of Conduct

Board Policies on School Discipline: Climate and Prevention have three goals: (1) to provide clearly defined rights and responsibilities for all stakeholders involved in teaching and learning: the student, parent/family, teacher/staff, principal, and superintendent; (2) to describe graduated programmatic interventions that can occur within the school so the student can remain in an educational environment whenever possible; and (3) to set the expectation that school will take deliberate steps

to engage parents/families in the intervention and disciplinary process.

The Code of Student Conduct is divided into two major sections (Elementary and Secondary) to ensure that developmentally appropriate interventions and consequences are in place.

The Elementary Code of Conduct has infractions organized in Levels I-IV and the Secondary Code of Conduct has infractions organized in Levels I-V. The Levels indicate the severity of each violation and the type of intervention and/or consequence. At each level, there are policy recommendations around *Program and In-School Intervention* options, as well as *Guidelines for Disciplinary Responses*. While maintaining school safety for all is paramount, students should receive in-school interventions and/or in-school disciplinary consequences for violation of any school-specific rules prior to any exclusion/suspension whenever possible. School administrators must take into consideration both aggravating and mitigating factors when determining disciplinary consequences, and these factors are recorded in the Notice of Suspension that must be provided to the parent/guardian by the school principal.

Students and parents/guardians are provided with written notice of such rules (and the consequences for violating them) in this Handbook, and the rules are published on the District website [Policy 4301](#) for Elementary and [Policy 4301](#) for Middle and High Schools under the Student Code of Conduct and/or are available for inspection at the school's main office. These rules are not in conflict with this or any other Board policy or state or federal law.

At Level I for both Elementary and Secondary students, there are five Rule Infractions that may not result in an out-of-school suspension: Plagiarism, Electronic Devices, Student Dress Code, Minor Disruptive Behavior, and Attendance.

In-School Interventions are intended to hold a student accountable for the rule violation and teach an alternative prosocial behavior. It is expected that each school employs the following kinds of interventions:

- Conferencing
- Referral to the school's Multi-Tier System of Support Team (MTSS) to identify and implement interventions and progress monitoring
- Child, family, school team meeting,
- Counselor referral for mediation
- Problem-solving and social-emotional skill-building
- Referral to Co-Located Mental Health
- Mentoring

- Peer
- Behavior contract

The Restorative Practice Center

ISS/In-School-Suspension has been transformed into Restorative Practices Centers. Each middle and high schools and some elementary schools have Restorative Practices Center Coordinators. The Restorative Practices Center Coordinator is responsible for the day-to-day operation of the Center. A student will receive and be provided with support to complete classwork, reflect on his/her conduct, learn prosocial behaviors, and re-enter the classroom upon completion of assignments to the Center. For further details about your school's Center, please contact your principal.

Discipline Supervisor

If you have questions about a specific situation at your child's school, please contact your school's principal. At the district level, the Discipline Supervisor ensures that the implementation of the District's policies concerning discipline is fair and equitable.

[Policy 4303 – Suspension and Expulsion](#) delineates the rules and procedures to be followed for in-school, short-term, long-term and emergency suspensions.

[Policy 4307 - Suspension of Children with Disabilities](#) are outlined in accordance with the Individuals with Disabilities Education Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1973 (Section 504).

Contact Information:

The District's Discipline Supervisor for 2022-2023 school year is:
 Dr. Al Royster
 Director, Student Support Services 808 Bacon Street
 Durham, NC 27703

Short-Term Suspension Alternatives

Grades 3-12

Students who are administratively assigned a short-term suspension in grades 3-12 will be offered the opportunity by school administration to complete the short-term suspension at New Directions Center (NDC) or the Lakeview Intervention Center (Dearborn Drive).* During a student's assignment to NDC, the student will continue his/her learning and develop skills to decrease the likelihood of future incidents. Transportation is provided for all assigned students after the first day of suspension. Students who attend NDC and the Lakeview Intervention Center will have their short-term suspension (STS)

re-coded to an in-school suspension (ISS).

Alternative to Suspension: Community Partners

When the options for school-based interventions and/or strategies aimed at changing unhealthy behaviors impacting discipline have been documented and found to be unsuccessful, a student can be referred to a community provider for additional support outside of the school setting. School administrators are expected to reduce the length of a suspension when a student and his/her family commit to working with an Alternative to Suspension partner. Completion of an Alternative to Suspension (ATS) program can be combined with or replace an out-of-school suspension (OSS).

There are six Code of Student Conduct infractions that can be supported through the Alternative to Suspension initiative:

1. Bullying
2. Substance use: DEAC (Drug Education and Counseling)
3. Fighting
4. Gang activity: GEAC (Gang Education and Counseling)
5. Sexual Misconduct
6. Theft

All substance use and gang activity referrals are automatically approved and processed. The remaining four Code of Student Conduct infractions must be approved by the District Intervention and Support Liaison before the referral can be processed. Contact your school administrator if you need further information or have additional questions.

Maintenance of Discipline Data

The Superintendent shall maintain data on each student suspended, expelled, or reassigned for disciplinary purposes, including the race, gender, and age of each student, the school attended, the duration of each suspension, whether an alternative education was considered or provided for each student, and whether a student had multiple suspensions. The Superintendent shall report this data to the Board of Education annually. [Policy 4303](#)

Student Searches

To maintain order and discipline in the schools, and to protect the safety and welfare of students and school personnel, school authorities may search a student, student lockers, and student automobiles and seize illegal, unauthorized, stolen, and contraband materials discovered pursuant to board policy. These types of

searches may only be conducted in accordance with the circumstances articulated in [Policy 4342](#) Student lockers are school property and remain at all times under the control of the school. Students are expected to assume full responsibility for the security of their locker. However, school officials reserve the right to conduct locker searches at any time without notice, student consent, or search warrants. This includes breaking the lock if necessary.

DPS retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property without notice, student consent, or search warrant. The interiors of student cars on school property may be searched whenever school officials have reasonable suspicion that they contain illegal or unauthorized materials.

Again, to ensure the safety and protection of our students, Durham Public Schools does occasionally employ the use of metal detectors.

A hand-held or walk-through metal detector may be used to check a student's person or personal effects whenever a school authority has reasonable suspicion that the student is in possession of an illegal or unauthorized metal-containing object. Metal detector checks may also be conducted without reasonable suspicion on students as a group if there is evidence to believe that a general problem with school weapons exists. Such checks will be done in a minimally intrusive, nondiscriminatory manner.

Seclusion and Restraint

School personnel may use reasonable restraint or seclusion techniques with students. [Policy 4326](#)

School Bus Transportation

Riding the Bus

Durham Public Schools provides safe and reliable transportation in accordance with state and local law.

Riding a school bus is a privilege. Misconduct may result in a student losing his/her privilege to ride the school bus. Principals and or a transportation designee are responsible for school bus discipline. Students are not allowed to ride a bus other than the one to which they are assigned unless they have written permission from the principal or designee. Students with disabilities ride regular school buses whenever possible. A student can possibly be assigned to special transportation (which may include an approved contract vendor, or parent contract), when the

student's IEP team determines that it is in the best interest of the child not to ride the regular school bus. A student may also be transported by alternate transportation methods (contract vendor, DATA, Go Durham Bus Pass) if he/she is assigned to a program that is not offered in the home school. [Policy 6305](#)

To request transportation service, please visit or contact your school's main office. The PowerSchool Data Manager or designee can assist with processing your transportation request. To track your child's bus and receive alerts when the bus is close to your bus stop or when it arrives, access our "[Here Comes The Bus](#)" mobile app. For more information about the mobile app and Durham Public Schools Transportation Department, please visit our [website](#).

Also, you will be asked for a specific district code when registering an account for "Here Comes The Bus." The the district's unique code is "97034."

You will also be asked to produce your child's PowerSchool ID for registration purposes once an account is created for The Here Comes the Bus App.

Parents with students in grades K-3 must escort their child to and from the bus stop in order to provide supervision while students are at the bus stop. Students that are in grades K-3 will need an approved guardian or pre-approved designee present to receive the child from the bus each afternoon. This designee will need to be present at the bus stop ten minutes before the bus is scheduled to arrive with proper identification.

Managing student behavior while students are being transported, is critical to providing a comfortable and safe ride to school for all students. The bus conduct rubric that governs school bus discipline is aligned with School Board Policy and ensures consistent application of disciplinary action for school bus riders. This document is available from your school upon request.

Unauthorized Boarding of the Bus

G.S. 115C-245(b) states that the driver "shall have complete authority over and responsibility for the operation of the bus and the maintaining of good order and conduct upon the bus." Further, any person boarding the bus after being told not to by the driver is guilty of a Class 1 misdemeanor according to G.S. 14-132.2.

Code of Student Conduct Matrix

The matrix on pages 25-33 provides students and families with i) rule, ii) definition, iii) IF as a last resort, suspension is determined appropriate, the recommended limits.

Level 1.A: ELEMENTARY AND SECONDARY CONSEQUENCES - In-School-Interventions and/or In-School Discipline ONLY/NO Out-of School Suspension	
Rule	Definition
1.A-1 Plagiarism	Plagiarism is prohibited. Plagiarism includes copying the language, structure, idea, and/or thought of another and representing it as one's own original work.
1.A-2 Electronic Devices	Unless specifically authorized by a teacher or school administrator, students shall not use, display, or have in the "on" position any personal electronic communication or entertainment device, including cell phones, pagers, music players, electronic games, or similar items, during instructional time or mandatory school assemblies and activities. Any device possessed or used in violation of this policy may be confiscated and held for return to the student's parent or guardian. Laser pointers and other electronic devices that could damage eyesight or otherwise cause physical harm are specifically covered by this policy. Depending on the circumstances, such items may also constitute "weapons" under Rule III-3, and the student may be disciplined accordingly. Students shall be personally and solely responsible for the security of their electronic devices or personal technology devices. Durham Public Schools is not responsible for any electronic devices or personal technology devices that are lost, stolen, or damaged while on school property or at school events.
1.A-3 Student Dress Code	<p>The primary goal of Durham Public Schools is to provide a safe learning environment where all students are able to achieve at their highest potential. The personal appearance of every student is an important component of establishing a safe environment for optimal learning and respect for one another. Students are expected to adhere to standards of dress and appearance compatible with an effective learning environment. In support of these goals and expectations, the Board establishes the following dress code for students:</p> <ol style="list-style-type: none"> a. Students are prohibited from wearing clothing, jewelry, book bags, or other articles of personal appearance which: <ol style="list-style-type: none"> 1. depict profanity, vulgarity, obscenity, or violence; 2. promote use or abuse of tobacco, drugs, or alcohol; 3. create a threat to the health or safety of the student or others; 4. are prohibited under the Gangs and Gang Activities Policy (III-7); 5. are reasonably likely to create a substantial and material disruption to the educational process or to the operation of the school, including but not limited to items that are reasonably expected to intimidate other students on the basis of race (for example the Confederate battle flag, swastika, and Ku Klux Klan or KKK), color, national origin, sex, gender identity, sexual orientation, disability, age, or religious affiliation. b. The following specific items are also not permitted: <ol style="list-style-type: none"> 1. clothing worn in such a manner so as to reveal underwear, cleavage, or bare skin between the upper chest and mid-thigh; 2. bare feet, bedroom slippers; 3. spaghetti straps, strapless tops, halter tops; 4. see-through, mesh garments; 5. trousers, slacks, shorts worn below hip level; 6. clothing that is excessively baggy or tight; 7. skirts and shorts shorter than mid-thigh; 8. sunglasses worn inside school building; 9. hats, caps, hoods, sweatbands and bandanas or other headwear worn inside school building; and 10. any other article of appearance that is physically revealing or provocative. c. If a student's dress or appearance violates this dress code, the principal or principal's designee may require the student to change his or her dress or appearance. A second or repeated violation of this policy may result in disciplinary action.

	<p>d. This policy does not apply to school sanctioned uniforms and costumes approved by the principal for athletic, choral, band or dramatic performances.</p> <p>e. The principal may make reasonable accommodations to this rule for religious, cultural, educational, or medical reasons so long as the clothing in question is not prohibited under (a.1) through (a.5) of this rule:</p> <ol style="list-style-type: none"> 1. depict profanity, vulgarity, obscenity, or violence; 2. promote use or abuse of tobacco, drugs, or alcohol; 3. create a threat to the health or safety of the student or others; 4. are prohibited under the Gangs and Gang Activities Policy (III-7); 5. are reasonably likely to create a substantial and material disruption to the educational process or to the operation of the school.
1.A-4 Minor Disruptive Behavior	Students shall not interrupt or interfere with teaching, learning, or the orderly conduct of school activities. Minor disruptions may include running in the halls, making excessive noise, leaving a classroom or mandatory school event without permission, or being in unauthorized areas of the school. Any disruptive behavior that threatens the safety of students, staff, or others in the school environment may be considered "serious" disruptive behavior and subject to more serious consequences under Rule I.C-15 ELEMENTARY; II-13 SECONDARY
1.A-5 Attendance	Students shall attend school regularly. Students shall be considered truant and subject to discipline whenever they are absent from class or school without valid excuse.
Level 1.B - ELEMENTARY CONSEQUENCES ONLY: In-School Interventions and/or In-School Discipline. Possible Suspension of up to 2 Days with Aggravating Factors	
1.B-6 Cheating	Cheating is prohibited. Cheating includes the actual giving or receiving of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work.
1.B-7 Falsification	Falsification is prohibited. Falsification includes the verbal or written statement of any untruth.
1.B-8 Gambling	Students shall not participate in any unauthorized games of chance in which money or other items of value may be won or lost.
Level 1.B –SECONDARY CONSEQUENCES ONLY: In-School Interventions and/or In-School Discipline. Possible Suspension of up to 5 days with Aggravating Factors	
1.B-6 Cheating	Cheating is prohibited. Cheating includes the actual giving or receiving of any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work.
1.B-7 Falsification	Falsification is prohibited. Falsification includes the verbal or written statement of any untruth
1.B-8 Gambling	Students shall not participate in any unauthorized games of chance in which money or other items of value may be won or lost.
1.B-9 Inappropriate Language	Cursing or using vulgar, profane, or obscene language is prohibited.
1.B-10 Non-Compliance with Directions	Students shall comply with all reasonable directions of principals, teachers, substitute teachers, student teachers, teacher assistants, bus drivers, and all other school personnel who are authorized to give such directions.
1.B-11 Disrespect of Others	Students shall not engage in taunting, name-calling, humiliation, or other disrespectful words or conduct that mistreat staff, students, or others and interfere with a peaceful and safe environment. If sufficiently serious, disrespectful words and conduct may also be subject to consequences under Rule II-1 (Threat/False Threat), Rule II-2 (Bullying and Harassment), or Rule II-3 (Sexual Assault or Harassment).
1.B-12 Disruptive or Indecent Images, Literature or Illustrations	The possession or distribution of images, literature or illustrations that are vulgar, indecent or obscene or that significantly disrupt the educational process is prohibited. Students who receive such items electronically but promptly report them to a teacher or administrator and do not

	otherwise share or transmit them will not be in violation of this rule, Rule II-3 (Sexual Assault or Harassment), or Rule II-11 (Sexting).
1.B-13 Use of Tobacco	Students shall not possess, smoke, or use tobacco products at school, on a school bus, at any school-related activity, or on school grounds at any time. For purposes of this policy, "tobacco products" include cigarettes, e-cigarettes, pipes, cigars, chewing tobacco, snuff, and any other items containing or reasonably resembling tobacco or nicotine. The first violation of this policy will result in a warning to the student and conference with the student's parent/guardian or custodian in person or by telephone. Every effort should be made to hold the conference within three days of the violation. Further violation of this policy may result in disciplinary action.
1.B-14 Misconduct on a School Vehicle	While riding a school bus or other school vehicle, students shall observe the directives of the school bus driver. The following conduct is specifically prohibited: <ul style="list-style-type: none"> a. Delaying the bus schedule; b. Refusing to obey the driver's instructions; c. Tampering with or willfully damaging the school vehicle; d. Getting off at an undesignated stop; e. Failing to observe established safety rules and regulations; f. Willfully trespassing upon a school bus; and g. Any other physical or verbal disturbance that interrupts or interferes with the safe and orderly operation of the vehicle. Violations of this rule may result in removal from school transportation as well as other disciplinary consequences available under this policy. Students are responsible for complying with the entire Code of Student Conduct and are also subject to consequences for other rule violations for misconduct occurring on a school bus or other school vehicle.
Level 1.C - ELEMENTARY CONSEQUENCES ONLY: In-School Interventions and/or In-School Discipline. Possible Suspension of up to 5 Days with Aggravating Factors	
1.C-9 Inappropriate Language	Cursing or using vulgar, profane, or obscene language is prohibited.
1.C-10 Non-Compliance with Directions	Students shall comply with all reasonable directions of principals, teachers, substitute teachers, student teachers, teacher assistants, bus drivers, and all other school personnel who are authorized to give such directions.
1.C-11 Disrespect of Others	Students shall not engage in taunting, name-calling, humiliation, or other disrespectful words or conduct that mistreat staff, students, or others and interfere with a peaceful and safe environment. If sufficiently serious, disrespectful words and conduct may also be subject to consequences under Rule II-1 (Threat/False Threat), Rule II-2 (Bullying and Harassment), or Rule II-3 (Sexual Assault or Harassment).
1.C-12 Disruptive or Indecent Images, Literature or Illustrations	The possession or distribution of images, literature or illustrations that are vulgar, indecent, or obscene or that significantly disrupt the educational process is prohibited. Students who receive such items electronically but promptly report them to a teacher or administrator and do not otherwise share or transmit them will not be in violation of this rule, Rule II-3 (Sexual Assault or Harassment), or Rule II-11 (Sexting).
1.C-13 Use of Tobacco	Students shall not possess, smoke, or use tobacco products at school, on a school bus, at any school-related activity, or on school grounds at any time. For purposes of this policy, "tobacco products" include cigarettes, e-cigarettes, pipes, cigars, chewing tobacco, snuff, and any other items containing or reasonably resembling tobacco or nicotine. The first violation of this policy will result in a warning to the student and conference with the student's parent/guardian or custodian in person or by telephone. Every effort should be made to hold the conference within three days of the violation. Further violation of this policy may result in disciplinary action.
1.C-14 Misconduct on a School Vehicle	While riding a school bus or other school vehicle, students shall observe the directives of the school bus driver. The following conduct is specifically prohibited: <ul style="list-style-type: none"> a. Delaying the bus schedule; b. Refusing to obey the driver's instructions; c. Tampering with or willfully damaging the school vehicle; d. Getting off at an undesignated stop; e. Failing to observe established safety rules and regulations;

	<p>f. Willfully trespassing upon a school bus; and</p> <p>g. Any other physical or verbal disturbance that interrupts or interferes with the safe and orderly operation of the vehicle.</p> <p>Violations of this rule may result in removal from school transportation as well as other disciplinary consequences available under this policy. Students are responsible for complying with the entire Code of Student Conduct and are also subject to consequences for other rule violations for misconduct occurring on a school bus or other school vehicle.</p>
1.C-15 Serious Disruptive Behavior	Students shall not interrupt or interfere with teaching, learning, or the orderly conduct of school activities in any manner that threatens the safety of students, staff, or others in the school environment. Serious disruptive behavior may include, for example, throwing objects or engaging in horseplay that could reasonably result in physical injury. Disruptive behavior that does not threaten the safety of others may be subject to consequences under Rule I.A-4.
<p>Level II</p> <p>ELEMENTARY CONSEQUENCES: In-School Interventions, In-School Discipline, or Short-Term Suspension/Rare Case Long-Term Suspension</p> <p>SECONDARY CONSEQUENCES: In-School Interventions, In-School Discipline, or Short-Term Suspension/Possible Long-Term Suspension with Aggravating Factors</p>	
II-1 Threat/False Threat	No student shall make any threat by means of speech, writing, act, or conduct that conveys a serious expression of intent to cause harm or violence. Furthermore, no student shall make a false threat of harm or violence, even in jest, which causes or is reasonably likely to cause fear or a disruption to school activities.
II-2 Bullying and Harassment	No student shall engage in bullying or harassment as defined under Board Policy 4411, Bullying and Harassment.
II-3 Sexual Assault or Harassment	No student shall engage in any sexual assault, sexual violence, or sexual harassment against any person, including any conduct prohibited by Board Policy 4410, Sexual Harassment.
II-4 Fighting/ Physical Aggression	No student may intentionally hit, shove, scratch, bite, block the passage of, or throw objects at a student or other person. No student shall take any action or make any comments or written messages intended to cause others to fight or which might reasonably be expected to result in a fight. A student who is attacked may use reasonable force in self-defense, but only to the extent necessary to get free from the attack and notify proper school authorities. A student who exceeds reasonable force may be disciplined even though someone else provoked the fight.
II-5 Hazing	No group or individual shall require a student to wear abnormal dress, play abusive or ridiculous tricks on him/her, frighten, scold, swear, harass or subject him/her to personal indignity.
II-6 Theft or Damage to Property	No student may steal or attempt to steal or knowingly be in possession of stolen property or intentionally damage or attempt to damage any school property or private property while under school jurisdiction.
II-7 False Fire Alarms	No student shall set off, attempt to set off, or aid and abet anyone in setting off a fire alarm at school.
II-8 Trespassing	No student may be on the campus of another school in the Durham Public Schools during the school day without the knowledge and consent of the officials of the school she/he is visiting. Students who remain after school or come on any school campus after the school day or while school is closed without permission will be considered trespassers. Any student who has been suspended from school shall be considered trespassing if she/he appears on any school property during the suspension period without the express permission of the principal.
II-9 Misuse of Technology	Individual users of school-provided Internet service and technology devices (on school property and/or through the Learning Environment Extension Program) or users of personal technology devices on school property pursuant to a Bring Your Device to School program are expected to

	<p>abide by Durham Public Schools Policy 3225, Technology Responsible Use. Violations of that policy may include, among other things:</p> <ol style="list-style-type: none"> Sending or displaying vulgar, obscene, crude, or threatening messages or pictures; Using obscene language; Harassing others; Damaging computers, computer systems, software, or computer networks; Using another's ID/password; Using technology resources to violate any state or federal law. <p>In the event a student engages in any of these activities or otherwise violates Policy 3040, his/her access privileges may be revoked and other disciplinary measures may result.</p>
II-10 Failure to Report a Weapon, Dangerous Instrument, Firearm, or Destructive Device	<p>The safety of students and staff is the school system's highest priority. Students therefore have an affirmative obligation to report as soon as possible to a teacher, school administrator, or other school employee if they become aware that another person has or intends to bring to school property any weapon, dangerous instrument, firearm, or destructive device, as those terms are defined in Rules III-3 and IV-1. Depending on the relevant circumstances and any aggravating or mitigating factors, such failure to report may result in disciplinary consequences including out-of-school suspension.</p>
II-11 Sexting	<p>Students shall not transmit any sexually explicit messages or any nude, partially nude, sexually explicit, or sexually suggestive photographs, video recordings, or other visual depictions of themselves or others. Students are reminded that, in addition to violating this Code of Student Conduct, the transmission of such images or messages to, among, or depicting minors may cause grave psychological or emotional harm and may violate state or federal child pornography laws, even when sent or received consensually. Depending on the circumstances, the transmission of such images or messages may also constitute sexual harassment under Rule II-3 and Policy 4410. Students who receive such images or messages electronically but promptly report them to a teacher or administrator and do not otherwise share or transmit them will not be in violation of this rule, Rule II-3 (Sexual Assault or Harassment) or Rule I.C-12 (Disruptive or Indecent Images, Literature or Illustrations).</p>
II-12 Indecent Exposure/ Sexual Behavior	<p>No student shall engage in behavior which is lewd, overly affectionate, or of a sexual nature. This includes both consensual behaviors and behaviors directed towards others without their consent.</p>
II-13 ELEMENTARY ONLY Arson	<p>Starting a fire or attempting to start a fire on school property is prohibited unless specifically authorized by school officials.</p>
II-13 SECONDARY ONLY Serious Disruptive Behavior	<p>Students shall not interrupt or interfere with teaching, learning, or the orderly conduct of school activities in any manner that threatens the safety of students, staff, or others in the school environment. Serious disruptive behavior may include throwing objects or engaging in horseplay that could reasonably result in physical injury. Disruptive behavior that does not threaten the safety of others may be subject to consequences under Rule I.A-4.</p>
<p>Level III</p> <p>ELEMENTARY CONSEQUENCES: Short Term Suspension/Possible In-School Interventions or In-School Discipline with Mitigating factor(s)/Possible Long-Term Suspension Based on Aggravating Factor(s)</p> <p>SECONDARY CONSEQUENCES: Short Term Suspension/Possible Long-Term Suspension Based on Aggravating Factor(s)</p>	
III-1 Assault	<p>No student may cause or attempt to cause serious physical injury to any other student, school employee, or other person. For the purposes of this policy, "serious physical injury" refers to such injuries as broken bone(s), loss or chipping of teeth, loss or impairment of vision, loss of consciousness, internal injuries, scarring or other disfigurement, significant bleeding, lacerations resulting in stitches, significant bruising, severe or prolonged pain, any injury requiring hospitalization for any period of time, and/or any injury resulting in medical treatment beyond simple first aid procedures. Whether a student intended to cause serious physical injury may be inferred from the relevant circumstances.</p>

<p>III-2 Coercion or Extortion</p>	<p>No student may use force or violence or threat of force or violence to obtain money, property, or personal services from another student, school employee, or other person.</p>
<p>III-3 Weapons and Dangerous Instruments Other than Firearms and Destructive Devices</p>	<p>No student shall possess, handle, conceal, brandish, or transmit any weapon or dangerous instrument at school or school events or at any other time when such conduct has or is reasonably likely to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment. For purposes of this policy, a “weapon” or “dangerous instrument” is any of the following:</p> <ul style="list-style-type: none"> a. Any gun, pistol, or rifle that does not meet the technical definition of “firearm” under Rule IV-1, including any BB gun, stun gun, air rifle, air pistol, or inoperable antique firearm; b. Gunpowder, bullets, or ammunition; c. Fireworks, firecrackers, or other explosive devices that do not meet the technical definition of “destructive devices” under Rule IV-1; d. Any knife of any kind regardless of size; e. Mace or pepper spray; f. Metallic knuckles; g. Tasers or other electric shock devices; h. Razors or razor blades (except for safety razors designed and used only for personal shaving); i. Slingshots; j. Darts or blowguns; k. Blackjacks, billy clubs, or leaded canes; l. Ice picks; m. Box cutters or other sharp pointed or edged instruments except instructional supplies, unaltered nail files, and clips or tools used solely for preparation of food, instruction, and maintenance; n. Copies or replications of weapons that could reasonably be perceived to be real weapons; and o. Any other item that is possessed, handled, concealed, brandished, or transmitted for the purpose of causing, attempting to cause, or threatening physical injury. <p>A student who in any way encourages another student to bring weapons to school also endangers the safety of others. No student shall knowingly or willfully cause, encourage, or aid any other student to possess, handle, or transmit any of the weapons or facsimiles of weapons listed above. This section shall not apply to students who are members of the Reserve Officer Training Corps and who are carrying arms or weapons in the discharge of their official class duties; nor does this section apply to weapons used in school-approved instruction or ceremonies. The principal must give prior approval for these exceptions to apply.</p>
<p>III-4 Bomb Threat</p>	<p>No student shall make or aid and abet anyone in making a false report concerning the existence of a bomb or any other dangerous object on school premises or at the site of school activities. No student shall with the intent to perpetrate a hoax conceal, place, or display on school property or the site of school activities any device or artifact so as to cause any person reasonably to believe the same to be a bomb or other destructive device.</p>
<p>III-5 Controlled Substances and Drug Paraphernalia</p>	<p>No student shall possess, use, transmit, conspire to transmit, or be under the influence of any controlled substance or drug paraphernalia. For purposes of this policy, “controlled substance” includes any narcotic, hallucinogenic drug, amphetamine, barbiturate, marijuana, synthetic cannabinoid, anabolic steroid, alcoholic beverage, or other substance used or possessed with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student's mood, perceptions, or behavior. No student shall possess or transmit any counterfeit controlled substance that reasonably resembles or is held out to be an actual controlled substance. No student shall be at school with the odor of alcohol or illicit drugs about their person. The proper use of a drug authorized by valid medical prescription from a legally authorized health care provider shall not be considered a violation of this rule when the drug is taken by the person for whom the drug was prescribed and in the manner in which the drug was prescribed. For any violation of this policy that involves only possession, use, and/or being under the influence of a controlled substance or drug paraphernalia, principals shall not recommend long-term suspension without offering an alternative such as drug education and counseling. Successful completion of the alternative program shall result in deactivation of the long-term suspension recommendation. Failure to successfully complete the alternative program may result in reactivation of the long-term suspension recommendation. If mitigating factors are present, the principal may, but is not required to, offer an alternative to long-term suspension for second or subsequent infractions of this policy.</p>

<p>III-6 Threats, Hoaxes, and Other Acts of Terror</p>	<ul style="list-style-type: none"> a. No student shall make a report that he or she knows or should know is false, that any device, substance, or material designed to cause harmful or life-threatening illness or injury to another person, is located on school property or at the site of a school activity. b. No student shall, with the intent to perpetrate a hoax, conceal, place, disseminate or display on school property or at the site of a school activity any device, machine, instrument, artifact, letter, package, material, or substance, so as to cause a reasonable person to believe the same to be a substance or material capable of causing harmful or life-threatening illness or injury to another person. c. No student shall threaten to commit an act of terror on school property or at the site of a school activity that is designed to cause, or is likely to cause, serious injury or death to another person, when the threat is intended to cause, or actually causes, a significant disruption to the instructional day or a school-sponsored activity. d. No student shall make a report that he or she knows or should know is false, that an act of terror designed to cause, or likely to cause, serious injury or death to another person on school property or at the site of a school-sponsored activity is imminent, when that report is intended to cause, or actually cause, a significant disruption to the instructional day or a school-sponsored activity. e. No student shall aid, abet, and/or conspire to commit any of the acts described in this section.
<p>III-7 Gangs and Gang Activities</p>	<p>The Board of Education believes that gangs and gang-related activities pose a serious safety threat to students and staff members of the Durham Public Schools. Even absent acts of violence, gang-related activities disrupt the educational environment and increase the risks of future violence. In light of these serious concerns, the school system will not tolerate any gang-related activities as outlined in this policy. No student shall commit any act which furthers gangs or gang-related activities. A gang is any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts and having a common name or common identifying sign, colors, or symbols. As used in this policy, the phrase "gang-related" means any conduct engaged in by a student (1) on behalf of an identified gang, (2) to perpetuate the existence of any identified gang, or (3) to carry out the common purpose and design of any identified gang. Conduct prohibited by this policy includes:</p> <ul style="list-style-type: none"> a. Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs or other items with the intent to convey or promote membership or affiliation in any gang; b. Communicating either verbally or nonverbally (gestures, handshakes, slogans, drawings, etc.), with the intent to convey or promote membership or affiliation in a gang; c. Tagging or otherwise defacing school or personal property with symbols or slogans intended to convey or promote membership or affiliation in any gang; d. Requiring payment of protection, insurance, or otherwise intimidating or threatening any person related to gang activity; e. Inciting other students to intimidate or to act with physical violence upon any other person related to gang activity; f. Soliciting others for gang membership; g. Committing any other illegal act or other violation of school district policies in connection with gang-related activity. <p>The Superintendent or his/her designee shall regularly consult with law enforcement officials to maintain current examples of gang-related activities, including but not limited to gang names and particularized examples of potential gang indicators including symbols, hand signals, graffiti, clothing/accessories, and behaviors. Each principal shall maintain current examples of gang-related activities in the main office of the school. In addition, guides shall be included in each main school office to assist students, parents, and teachers in identifying gang symbols and practices. In providing this information for students and parents, the Board acknowledges that not all potential gang indicators connote actual membership in a gang. This policy shall be applied in a non-discriminatory manner based on the objective characteristics of the student's conduct in light of the surrounding circumstances. Before being suspended for a first offense of wearing gang-related attire, a student will receive an individualized warning and will be allowed to immediately change or remove the attire that is in violation of this policy. Unless the student has been specifically notified of a prohibited item of attire, a student will receive this warning the first time he or she is observed wearing a particular item in violation of this policy. In a situation where a student has violated this policy or is otherwise suspected of gang affiliation, the principal shall conduct an intervention involving the principal/assistant principal, the student and the student's parent or legal guardian. Such intervention may also include the school resource officer and others as appropriate. The purpose of such intervention is to discuss the school's observations</p>

	and concerns and to offer the student and the parents information and an opportunity to ask questions or provide other information.
III-8 SECONDARY ONLY Arson	Starting a fire or attempting to start a fire on school property is prohibited unless specifically authorized by school officials.
Level IV ELEMENTARY AND SECONDARY: Suspensions Required under State Law	
IV-1 Firearms/ Destructive Devices	No student shall bring onto school property or possess a firearm or destructive device. A firearm is any 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, or any firearm muffler or firearm silencer. The definition of firearm under this rule does not include an inoperable antique firearm, BB gun, stun gun, air rifle, or air pistol. A destructive device is an explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge or more than one-quarter ounce, mine, or similar device. A student shall not be found in violation of this policy if it is determined 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. Violation of this Rule will result in a recommendation for 365-day suspension.
Level V SECONDARY ONLY - Expulsion	
V-1	A student fourteen (14) years of age or older may be expelled for a violation of this Code of Conduct if the Board determines the student's continued presence in the school constitutes a clear threat to the safety of other students or employees, and that there is no appropriate alternative educational program. Additionally, any student who is a registered sex offender under N.C. General Statute 14-208 may be expelled.

REPORTS TO LAW ENFORCEMENT

As required by state law, when a principal has personal knowledge or actual notice from school personnel that an act has occurred on school property involving assault resulting in serious personal injury, sexual assault, sexual offense, rape, kidnappings, indecent liberties with a minor, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a weapon in violation of the law, and possession of a controlled substance in violation of the law, the principal shall report the act to the appropriate local law enforcement agency, notify parents/guardians of any alleged student victim of a violent crime and notify the Superintendent or designee. Notification must occur in writing or by electronic mail by the end of the workday in which the incident occurred, when reasonably possible, but not later than the end of the following workday. The Superintendent must also provide the information to the Board of Education.

The principal may also notify law enforcement of any other potential criminal conduct or incidents which may jeopardize the safety, security, or well-being of students, staff, or others and may request assistance from law enforcement when necessary to secure and ensure the immediate safety of persons in the school environment. Any student disciplinary issues stemming from the same misconduct should be handled by school administrators, not school resource officers or other law enforcement officials. Principals should not refer to law enforcement any routine school disciplinary matters, such as tardies, loitering, noncompliance, the use of inappropriate language, dress code violations, minor classroom disruptions, and disrespectful behaviors.

Definitions	
Term	Definition
Administrative Regulations	The Superintendent is authorized to develop regulations to administer this policy. Cross Reference: Sexual Harassment Policy, Bullying and Harassment Policy, Suspension and Expulsion Policy, Alcohol and Substance Abuse Prevention and Intervention Policy, Technology Responsible Use Policy

	<p>Legal Reference: G.S. 115C-288, G.S. 115C-390.1 – 115C.390.2, United States Department of Education, Guiding Principles: A Resource Guide for Improving School Climate and Discipline, (January 8, 2014). Revised Effective: August 24, 2017</p>
Alternative Education Services	Part or full-time programs, wherever situated, providing direct or computer-based instruction that allows a student to progress in one or more core courses.
Board	The Durham Public Schools Board of Education.
Day or Days	School days excluding teacher workdays, holidays, vacations days and weekends.
Destructive Device	<p>An explosive, incendiary, or poison gas:</p> <ol style="list-style-type: none"> 1. Bomb. 2. Grenade. 3. Rocket having a propellant charge of more than four ounces. 4. Missile having an explosive or incendiary charge of more than one quarter ounce. 5. Mine. 6. Device similar to any of the devices listed.
Expulsion	Permanent exclusion of a student from registering, enrolling or attending any Durham Public School. This exclusion also includes riding in a school-owned or operated vehicle and prohibits the student from participating in school activities or entering any school property.
Firearm	<p>Any of the following:</p> <ol style="list-style-type: none"> 1. 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. 2. The frame or receiver of any such weapon. 3. Any firearm muffler or firearm silencer. <p>The term "firearm" does not include an inoperable antique firearm, BB gun, stun gun, air rifle, or air pistol.</p>
Long-Term Suspension	Exclusion from the school to which the student was assigned at the time of the disciplinary action and from participation in school activities or events for a period in excess of ten days but not to exceed the remainder of the school year, except that if the offense leading to the long-term suspension occurs in the final quarter of the school year, the exclusion may extend to the end of the first semester of the following school year.
Parent	Includes the natural parent, legal guardian, legal custodian or other caregiver adult who is acting in the place of a parent and is entitled under state law to enroll the student in school.
Principal	Includes the principal and the principal's designee.
School Personnel	<p>Includes the following:</p> <ol style="list-style-type: none"> 1. Any Board employee; 2. Any person working on school grounds or at a school function under a contract or written agreement with the school system to provide educational or related services to students; 3. Any person working on school grounds or at a school function for another agency providing educational or related services to students.
Short-Term Suspension	Exclusion from school and participation in school activities or events for up to ten days.
Superintendent	Includes the Superintendent or the Superintendent's designee.

Appendices

APPENDIX A

Student Verification of Review and Understanding

Durham Public Schools Student Handbook and Code of Conduct

Teacher's Section

This is to certify that:

- a) I have been assigned as the teacher of the student(s) whose name(s) is/are affixed below;
- b) I have distributed a copy of the Student Handbook to these students;
- c) I have reviewed key content and the Student Code of Conduct sections have been discussed with the students in my assigned class.

Date _____ Signature of Teacher _____

School _____ Class _____

Student's Section

My signature below certifies that I have received a copy of the 2022-2023 Handbook and that I had an opportunity to ask questions about the Handbook and Code of Student Conduct sections. I understand it is my responsibility to read, understand it and take it home for a parent/guardian to review and certify receipt of the Handbook - see Appendix B for parent/guardian signature.

For K/1 students, the teacher will list the names of each student that receives a handbook and ensure the handbooks are sent home in a school folder or backpack.

Date _____ School _____

Student Signatures

- | | | | |
|-----|-------|-----|-------|
| 1. | _____ | 15. | _____ |
| 2. | _____ | 16. | _____ |
| 3. | _____ | 17. | _____ |
| 4. | _____ | 18. | _____ |
| 5. | _____ | 19. | _____ |
| 6. | _____ | 20. | _____ |
| 7. | _____ | 21. | _____ |
| 8. | _____ | 22. | _____ |
| 9. | _____ | 23. | _____ |
| 10. | _____ | 24. | _____ |
| 11. | _____ | 25. | _____ |
| 12. | _____ | 26. | _____ |
| 13. | _____ | 27. | _____ |
| 14. | _____ | 28. | _____ |

APPENDIX B

Parent/Guardian Verification of Receipt and Review

Durham Public Schools Student Handbook and Code of Conduct

Parent/Guardian Verification:

This is to certify that I have received and reviewed the 2022-2023 Student Handbook, specifically reviewing the Student Code of Conduct sections with my child and understand that this document governs the standards of behavior for students in the Durham Public Schools. I understand that these standards of student behavior apply to school sites, off-site school sponsored activities, and on any form of transportation provided by the Durham Public Schools. I understand policies may be revised and updated throughout the year and may also be found on the district's website. The most current board policies can be located at

http://media.microscribepub.com/landingpages/DPS_LandingPage.htm

Date _____

Parent's/Guardian's Signature _____

(Please Print) _____

Student's Signature _____

Please return this form to your assigned teacher as soon as possible.
Teachers are expected to provide the principal with documentation of parent/family responses.

Throughout this document, Durham Public Schools Board policies are referenced. To obtain the entire policy, go to the most current board policies, which can be located at http://media.microscribepub.com/landingpages/DPS_LandingPage.htm and perform a search for the subject or topic you wish to review. If you do not have access to technology and need assistance, you may contact your local school office.