


2010

# An Evaluation of the Right Choices Program to Determine Effectiveness in Delivering Constructive Interventions and Providing an Early Support Program in Order to Modify Behavior of First-Time Student Offenders who Commit Drug and Violent Acts

Lisa B. Barnes  
*Gardner-Webb University*

Follow this and additional works at: [https://digitalcommons.gardner-webb.edu/education\\_etd](https://digitalcommons.gardner-webb.edu/education_etd)

 Part of the [Educational Assessment, Evaluation, and Research Commons](#), [Educational Leadership Commons](#), and the [Educational Psychology Commons](#)

---

## Recommended Citation

Barnes, Lisa B., "An Evaluation of the Right Choices Program to Determine Effectiveness in Delivering Constructive Interventions and Providing an Early Support Program in Order to Modify Behavior of First-Time Student Offenders who Commit Drug and Violent Acts" (2010). *Education Dissertations and Projects*. 91.

[https://digitalcommons.gardner-webb.edu/education\\_etd/91](https://digitalcommons.gardner-webb.edu/education_etd/91)

This Dissertation is brought to you for free and open access by the School of Education at Digital Commons @ Gardner-Webb University. It has been accepted for inclusion in Education Dissertations and Projects by an authorized administrator of Digital Commons @ Gardner-Webb University. For more information, please see [Copyright and Publishing Info](#).

An Evaluation of the Right Choices Program to Determine Effectiveness in Delivering  
Constructive Interventions and Providing an Early Support Program in Order to Modify  
Behavior of First-Time Student Offenders who Commit Drug and Violent Acts

by  
Lisa B. Barnes

A Dissertation Submitted to the  
Gardner-Webb University School of Education  
in Partial Fulfillment of the Requirements  
for the Degree of Doctor of Education

Gardner-Webb University  
2010

## Approval Page

This dissertation was submitted by Lisa B. Barnes under the direction of the persons listed below. It was submitted to the Gardner-Webb University School of Education and approved in partial fulfillment of the requirements for the degree of Doctor of Education at Gardner-Webb University.

---

Douglas Eury, EdD  
Committee Chair

---

Date

---

Dale Lamb, EdD  
Committee Member

---

Date

---

Valarie Williams, EdD  
Committee Member

---

Date

---

Gayle Bolt Price, EdD  
Dean of Graduate School

---

Date

## Acknowledgements

The author of this study wishes to express appreciation to the Charlotte-Mecklenburg School System for its assistance in the data collection segment of this study; special thanks go to all of the men and women who participated in the study.

To Dr. Dale Lamb, who has been my foundation during the entire process, without his guidance and persistent help this dissertation would not have been possible. He is a great mentor and friend. Mere words cannot express the dedication that he displayed and I know that I can never repay him for all that he has done. I appreciate his guidance through the statistical portion of this study.

I wish to express my sincere gratitude to the members of my advisory committee: Dr. Doug Eury, Dr. Dale Lamb, and Dr. Valarie Williams for their help, suggestions, and support in the completion of this study. A special thanks to Dr. Ralph Taylor for always being available and for his support and friendship through the years.

Finally, I wish to express my sincerest thanks to my family for all of their love and the sacrifices that enabled me to pursue my dream.

## Abstract

An Evaluation of the Right Choices Program to Determine Effectiveness in Delivering Constructive Interventions and Providing an Early Support Program in Order to Modify Behavior of First-Time Student Offenders who Commit Drug and Violent Acts. Barnes, Lisa Barbara, 2009: Dissertation, Gardner-Webb University, Alternative Schools/Internet/Databases

The purpose of the study was to perform a program evaluation of the Right Choices Program to determine the program's effectiveness in delivering constructive interventions that modify student behavior once students have left the program and have returned to their regular learning environment. This mixed-method evaluation consisted of an experimental-comparison design approach that included interviews with program participants, completing focus groups, and comparison of the number of out-of-school suspensions that participants received after completing the Right Choices Program.

The researcher and trained interviewers administered a survey to the 16 certified staff members working in the Right Choices Program including the executive director and the program coordinator. A stratified random proportionate sample was used to produce functionally equivalent groups from the NC WISE data for the out-of-school suspension comparison. This study then examined the benefits and limitations of the program based on teacher and staff perceptions and analysis of the suspension data from NC WISE.

The four research questions that guided the study along with their findings were: *What are the contextual issues that warrant an alternative program?* These issues can be summarized as behavioral challenges, emotional issues, drug and violent offenses, number of out-of-school suspensions, and behind academically. *What are the capabilities of this school system to provide alternative sources?* The large southeastern urban school district was capable and willing to fund alternative programs that could show positive results as long as drug and violent acts, out-of-school suspensions, and dropouts were trending up. *Is the Right Choices Program following its design as planned?* The focus groups showed strong agreement that the program was expanding and going in the right direction and there was agreement that the program was going as prescribed and should be continued. *What is the impact of the Right Choices Program on student behavior and attitudes?* The Right Choices test group received 234 out-of-school suspensions after attending the program and the matched pairs control group received 426 out-of-school suspensions for the same period of time; this represented a 45% reduction. From these positive findings of the individual and focus group interviews and the reduction in out-of-school suspensions of the Right Choices Program graduates, it was concluded that the Right Choices Program had a positive effect on the behavior of students.

The conclusion is that the Right Choices Program was effective in delivering constructive interventions that were positively affecting student behaviors when they returned to their home schools. These constructive interventions included low student-to-teacher ratio, structured classrooms with behavioral management, positive emphasis on behavior management, social skills instruction, and parental involvement.

## Table of Contents

	Page
Chapter 1: Introduction .....	1
Background and Significance of the Problem .....	5
Research Questions .....	5
Program Qualification .....	6
Program Description .....	7
Definition of Terms .....	10
Chapter 2: Review of Related Literature .....	11
A Large Southeastern Urban School District's Alternative Programs .....	12
Site Review of Successful Alternative Programs .....	18
Brunswick Learning Center .....	19
Mt. Vernon Redirection Alternative School .....	24
Hartsell Center .....	29
Chapter 3: Methodology .....	34
Purpose of the Study .....	35
Rationale of the Study .....	35
Gathering and Treatment of Qualitative Data .....	37
Summary .....	51
Quantitative Data Methodology .....	51
Triangulation of the Quantitative and Qualitative Data .....	55
Research Questions .....	55
Limitations .....	57
Conclusion .....	57
Chapter 4: Results .....	58
Chapter 5: Conclusions, Discussion, and Recommendations .....	60
Introduction of the Dissertation .....	60
Implications of the Findings .....	61
Limitations .....	62
Conclusions .....	63
Discussion .....	64
Recommendations .....	65
References .....	66
Appendixes	
A Rights and Responsibilities Code of Student Conduct Handbook .....	69
B Discipline Data Collection .....	122
C Alternative Education and Safe Schools Services Manual .....	135
D The Discipline Team Meeting (DTM) and Hearing Process .....	137
E Overview of the Discipline Team Meeting/Hearing Process .....	147
F Recommendation for Long-term Suspension or Exclusion Form .....	157
G Board of Education Related Policies .....	161
H Survey .....	168
I Focus Group Questionnaire .....	170
Tables	
1 Changes in the Number of Each of the 17 Reportable Offenses Reported from 2006-07 to 2007-09 .....	4

2	Frequency of Themes for the Focus Group Question, “How do you think the Program is Going at the School?” .....	42
3	Overall Strength Codes for the Focus Group Question, “How do you think the Program is Going at the School?” .....	43
4	Survey Totals .....	44
5	Percentage of Survey Totals .....	44
6	Frequency of Focus Group Themes of Effective Components of the Right Choices Program .....	46
7	Overall Strength Codes for the Focus Group Themes of Effective Components of the Right Choices Program .....	46
8	Frequency of Focus Group Themes of Ineffective Components of the Right Choices Program .....	47
9	Overall Strength Codes for Focus Group Themes of Ineffective Components of the Right Choices Program .....	48
10	Frequency of Focus Group Themes of the Main Difficulties of Program Implementation .....	49
11	Overall Strength Codes for the Focus Group Themes of the Main Difficulties of Program Implementation .....	49
12	Frequency of Focus Group Themes of the Continuation of the Right Choices Program .....	50
13	Overall Strength Codes for the Focus Group Themes of the Right Choices Program .....	50
Figures		
1	2007-2008 Right Choices Program Enrollment by Gender and Ethnicity .....	8
2	2008-2009 Right Choices Program Enrollment by Gender and Ethnicity .....	9
3	Total Number of Out-of-school suspensions .....	52
4	Total Number of Suspensions .....	53
5	Total Number of Suspensions by Gender .....	53
6	Total Number of Suspensions by Grade .....	54
7	Total Number of Suspensions by Race .....	54

## Chapter 1: Introduction

Education is the primary purpose of public schools and in order for teachers to teach and for students to learn, an atmosphere conducive to learning must be consistently maintained. According to a large southeastern urban school district's 2007-2008 Secondary Code of Conduct, every student has the right, "To attend school in a positive educational environment" (Appendix A, p. 77). Furthermore, this district supports the philosophy that every student has the right, "To feel safe from crime, violence, intimidation, bullying, harassment, and racism" (Appendix A, p. 77).

Through the years this large southeastern urban school district has experienced severe student behaviors that have warranted serious disciplinary actions by building administrators. In an attempt to maintain a safe and orderly learning environment, many times these students have received either a short-term (less than 10 days) out-of-school suspension or a long-term (more than 10 days) out-of-school suspension. These students who have been suspended from school do not have an opportunity to complete their assigned school work and, therefore, have fallen behind academically with no support to achieve academically. The demographics of this large southeastern urban school district indicated that a large number of parents work and suspended students are left at home unsupervised. Additionally, these students who have fallen behind academically due to suspension usually began to have problems with attendance (due to having fallen behind academically) when reinstated in school, which exacerbates their academic struggles and their propensity to drop out of school.

There are many correlates with dropout rates in American high schools; one of these is violence (Eller, 2003). Valez (1989) found that disorderly behavior and fighting lead to school suspensions. Children who were suspended were likely to fall behind in

classes and eventually quit school (Eller). Violence among children has risen dramatically over the past decade (Astor, Pitner, & Duncan, 1996; Dohrn, 1995) and national data indicates that adolescents are at high risk of becoming both victims and perpetrators of violence (Eller). Additionally, close scrutiny of the data indicates that not all children have an equal probability of being involved with violence. Minorities, specifically Latinos and African American children, show a markedly higher likelihood of being involved with violence (Astor et al.; also see Hammond & Yung, 1993; Isaacs, 1992; Prothrow-Stith & Weissman, 1991; Shakoor & Chalmers, 1991). Ensminger and Slusarcick (1992) found in a cohort study of 1,242 African American children that aggressive behavior in early school years leads to reduced retention (Eller).

Many public urban school districts across the United States have accepted that the violence/dropout problem in their schools was an external locus of control issue. These districts assumed that since demographic factors such as race/ethnicity, gender, language, and socio-economic status (SES) were beyond their control, violence and dropping out were endemic to their client populations. However, recent research by the California Dropout Research Project (CDRP, 2007) at the University of California at Santa Barbara offered new hope to urban school districts struggling with student dropouts. The CDRP found that in the Los Angeles Unified School District, academic experiences explained six times the difference in graduation rates than demographic characteristics (race/ethnicity, gender, language, and SES). The CDRP reported that the two largest predictors of school dropouts were academic achievement and attendance, not demographic characteristics.

According to the California Dropout Research Program (CDRP), highly accurate predictors of dropping out of school are a lack of academic achievement, which is

defined as lack of academic progress, and failure of core courses in secondary schools. CDRP statistics showed that three fourths of dropouts they surveyed failed at least one core academic course in high school and one half of dropouts failed one core academic course in middle school. More specifically, failing Algebra I is the greatest predictor of academic success; 70% of the students surveyed who passed Algebra I graduated from high school and only 35% of the students who failed Algebra I graduated from high school.

The CDRP determined that students that are absent from school 12 or more days are at risk of dropping out, which necessitates keeping students in the school building. This supports the notion that school districts must work to keep students in a school building through a variety of ways, two of the most important of which are to decrease short-term out-of-school suspensions and to provide alternatives to long-term out-of-school suspensions. Fuentes (2003) found that zero tolerance policies that suspend students out of school without any follow up or treatment does not work to deter disciplinary incidents. However, simply reducing short-term out-of-school suspensions without reducing the incidents that led to the out-of-school suspension leads to increasingly more serious and violent incidents.

Loeber (1999) found that reducing aggressive behaviors/fighting will also reduce more violent offenses which lead to long-term out-of-school suspensions. The data from this large southeastern urban school district for the 2008-09 school year showed that schools reported 5,031 student incidents of fighting, 6,174 incidences of aggressive behavior, and 1,298 violent reportable offenses. These incidents were district-wide and followed predictable national racial/ethnic, age, and gender patterns and were trending upward. The number of violent acts increased by 140 incidents from 2006-07 to 2007-08

and by 267 from 2007-08 to 2008-09. The changes in the numbers of each of the 17 reportable offenses reported from 2006-07 to 2007-09 are shown in Table 1.

Table 1

*Changes in the Number of each of the 17 Reportable Offenses Reported from 2006-07 to 2007-09*

Code	Reportable Offense Type	Year 2006-07	Year 2007-08	Year 2008-09
1	Assault resulting in serious injury*	13	12	15
2	Assault involving use of a weapon*	11	12	17
3	Assault on school personnel	51	106	169
4	Bomb threat	15	5	1
5	Burning of a school building	6	3	3
6	Death by other than natural causes*	0	0	0
7	Kidnapping*	0	0	2
8	Possession of alcoholic beverage	42	49	95
9	Possession of controlled substance	284	394	480
10	Possession of firearm or powerful explosive	29	17	4
11	Possession of a weapon	415	411	484
12	Rape*	0	0	1
13	Robbery with a dangerous weapon*	5	0	0
14	Robbery without a dangerous weapon*	1	11	13
15	Sexual assault*	8	6	9
16	Sexual offense*	10	4	5
17	Taking indecent liberties with a minor*	1	1	0
Totals		891	1031	1298

The offenses numbered 1-17 are referred to as reportable offenses and are law violations that must be reported to law enforcement and to the State Board of Education. The offenses with asterisks\* are the law violations that the State Board of Education considers in determining if a school should be labeled a persistently dangerous school (Appendix B).

### *Background and Significance of the Problem*

This large southeastern urban school district, similar to most urban school districts in this country, was plagued with behaviors indicated in disciplinary issues. The more severe infractions such as drugs, fighting, weapons, and assaults on staff members caused the environment of some schools to be labeled persistently dangerous by the North Carolina Department of Public Instruction (NCDPI, 2006). Parents want their children to attend safe schools and this district's leaders want to provide safe schools for all students, including those who are presenting discipline issues. In an attempt to address the violence, suspension, lack of academic achievement, and the dropping-out cycle, system-wide alternative discipline programs and/or schools were developed for all schools in this large southeastern urban school district (Appendix C). One program this large southeastern urban school district put into place was the Right Choices Program. The Right Choices Program for middle school students seeks to modify the violent student behaviors that led to out-of-school suspension and the Long-term Suspension Center provided a school for older long-term suspended students. The purpose of this study is to perform a program evaluation of the Right Choices Program to determine if the program is effective in delivering constructive interventions that modify student behavior once students have left the program and have returned to their regular learning environment.

### *Research Questions*

This study evaluated the effectiveness of the Right Choices Program for the 2007-2009 school years through a mixed-methods approach that included administering a survey to program participants, conducting interviews with program participants (qualitative), and reviewing program data from the North Carolina Window on Student Education (NC WISE) produced for the Annual Report of Crime and Violence

(quantitative). The research questions that guided the study are as follows:

1. What are the contextual issues that warrant an alternative program?
2. What are the capabilities of this school system to provide alternative sources?
3. Is the Right Choices Program following its design as planned?
4. What is the impact of the Right Choices Program on student behavior and attitudes?

These questions were answered by conducting interviews with program participants, completing focus groups, and by analyzing suspension data produced for the Annual Report of Crime and Violence that compared program participants to their peers.

#### *Program Qualification*

Before a student was assigned to the Right Choices Program due to a violation of the school system Code of Student Conduct, a discipline team meeting (DTM) was conducted at the regular school where the violation occurred. According to the DTM/hearing process (Appendix D) for this large southeastern urban school district, the following were the criteria for initiating a disciplinary team meeting:

1. The following items must be sent to the area administrator's office prior to the meeting with the parent, student and administrative staff:
  - a. Administrative Statement and Witness Statements
  - b. Investigation Form 5131.7H which includes the following: Student Information (name, age, date of birth, grade, parent/guardian name, Identification number, address, parent contact number, infraction)
2. The Area Administrator of Student Services for Discipline contacts parents with a date and time of the meeting.
3. A copy of the 5131.7H is given to the family directly or mailed to the home

address of the student.

4. All administrative statements are read by the school level administrator during the meeting.

5. All written/typed witness statements from all students involved in the incident are read by the school level administrator. This should include staff who were involved and student witnesses.

Once the discipline team meeting was completed, the district's area administrator of student services for discipline made a decision about the student's placement and mailed a copy of the decision letter within 3 days about student placement at the Right Choices Program (Appendix E).

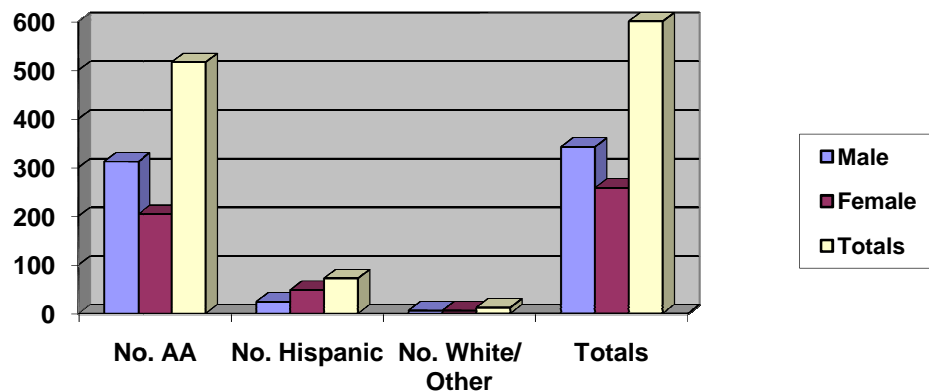
#### *Program Description*

The students enrolled in the Right Choices Program were previously taught in regular educational schools by "highly-qualified" teachers according to the Elementary and Secondary Education Act (also known as No Child Left Behind standards, 2009). The teachers in the Right Choices Program were not required to be "highly-qualified," but must have held a bachelor's degree. There were 16 certified staff members working in the Right Choices Program. Of these, four staff members obtained a bachelor's degree and two have a master's in education degree. The Right Choices Program students ranged from sixth through eighth grade, therefore the curriculum consisted of core academic middle school courses taught on a daily basis (NCDPI, Division of Accountability Services, 1997).

According to the data collected in NC WISE for the Annual Report of Crime and Violence during the previous school years, the Right Choices Program served 600 students during the 2007-2008 school year and the average student stay was 27 days of

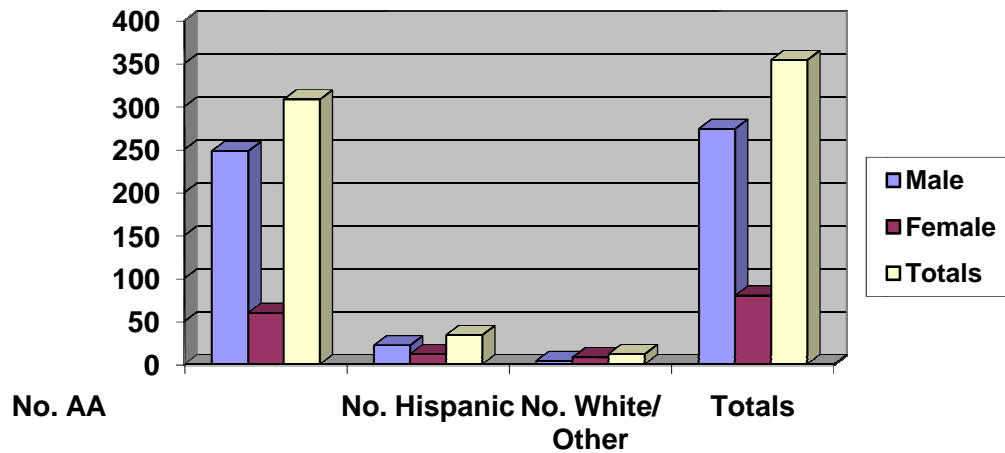
the prescribed 30 days. The racial breakdown of students attending the Right Choices Program consisted of 86% African American students, 12% Hispanic and 2% White and other as shown in figure 1. Of the African American students, 60.5% were males and 39.5% were females. The Hispanic population consisted of 33.3% males and 66.7% females (North Carolina Department of Public Instruction, 2006). Due to program changes instituted for the 2008-2009 school year, 354 students attended the Right Choices Program as opposed to the 600 who attended in the 2007-2008 school year. This reduction was due to a policy change in which some students were diverted to Turning Point Academy and the Long-term Suspension Program. The racial demographics for the 2008-2009 school year consisted of 87% African American students, 10% Hispanic, and 3% White and other as shown in figure 2. Of the African American students 80.5% were males and 19.5% were females. The Hispanic population consisted of 65% males and 35% females (North Carolina Department of Public Instruction, 2006).

Gender	No. AA	No. Hispanic	No. White/ Other	Totals
Male	312	24	6	342
Female	204	48	6	258
Totals	516	72	12	600



*Figure 1. 2007-2008 Right Choices Program Enrollment by Gender and Ethnicity.*

Gender	No. AA	No. Hispanic	No. White/ Other	Totals
Male	248	22	4	274
Female	60	12	8	80
Totals	308	34	12	354



*Figure 2. 2008-2009 Right Choices Program Enrollment by Gender and Ethnicity.*

When the students arrived with their parent/guardian to enroll into the Right Choices Program, they were required to complete an intake process. The student, parent, a behavior modification technician, and the program coordinator met to discuss the incident in the home school that caused the student to be assigned to the program and to design a behavior plan for the student to follow. The Right Choices Program enlisted former military staff who were assigned to work with the students on a daily basis. These drill sergeants took the students through transformational changes and worked with the students daily on the expectations of the program, interaction with staff and students, and appropriate classroom behavior. The drill sergeants taught the students how to march from one location to another, how to stand at attention when speaking to adults, and the proper way to address all adults. The drill sergeant's job was to address the overall character traits of the students.

Along with academic instruction, the Right Choices Program also contained a character education component that was a conscious effort to help students understand, care about, and act upon the core ethical values of respect and responsibility (Character Education Handbook and Guide, 2007). Respect was defined as showing high regard for self, others and property. Responsibility was being accountable for your own behavior.

### *Definition of Terms*

*Code of Student Conduct.* The student handbook used in this large southeastern urban school district that detailed all rules, procedures, and expectations of students. It was developed to help children receive quality instruction in an orderly educational environment.

*Out-of-school suspension.* Refers to the disciplinary alternative wherein disruptive or deviant students are excluded from school for a specific period of time.

## Chapter 2: Review of Related Literature

The North Carolina State Board of Education (2006) defined alternative learning programs as services for students at risk of truancy, academic failure, behavior problems, and/or dropping out of school. Such services should be designed to better meet the needs of students who have not been successful in the traditional school setting. Alternative learning programs serve students at any level who are suspended and/or expelled, at risk of participation in juvenile crime, have dropped out and desire to return to school, have a history of truancy, are returning from juvenile justice settings or psychiatric hospitals, and whose learning styles are better served in an alternative setting. Alternative learning programs provide individualized programs outside of a standard classroom setting in a caring atmosphere in which students learn the skills necessary to redirect their lives (Foley & Pang, 2006).

There are seven standards identified for alternative learning programs in North Carolina. According to the North Carolina State Board of Education, the standards for alternative learning programs and definitions are based on a review of the research, the historical implementation and operation of alternative programs throughout the country, and are aligned with the proposed national alternative education standards (North Carolina Department of Public Instruction, 2006). Those seven standards are a clear vision, leadership, culture and climate, professional development, parent/community involvement, curriculum and instruction, and monitoring and assessment (North Carolina Department of Public Instruction, 2006).

The California Dropout Research Program (CDRP) determined that students that are absent from school 12 or more days are at risk of dropping out which necessitates keeping students in a school building. This supports the notion that school districts must

work to keep students in a school building through a variety of ways, two of the most important of which are to decrease short-term out-of-school suspensions and to provide alternatives to long-term out-of-school suspensions. Fuentes (2003) found that zero tolerance policies that suspend students out of school without any follow up or treatment does not work to deter disciplinary incidents. However, simply reducing short-term out-of-school suspensions without reducing the incidents that led to the out-of-school suspension leads to increasingly more serious and violent incidents.

Loeber (1999) found that reducing aggressive behaviors/fighting will also reduce more violent offenses which lead to long-term out-of-school suspensions. The data from this large southeastern urban school district for the 2008-09 school year showed that schools reported 5,031 student incidents of fighting, 6,174 incidences of aggressive behavior, and 1,298 drug-related and violent reportable offenses. These incidents were district-wide and followed predictable national racial/ethnic, age, and gender patterns and were trending upward.

#### *A Large Southeastern Urban School District's Alternative Programs*

There are several tiers for each infraction as well as interventions that can be used for students so that they are reprimanded in a variety of ways depending on their infraction (Character Education Handbook and Guide, 2007). There are also various alternative programs that were developed in this large southeastern urban school district to avoid out-of-school suspensions.

Tier one was designed to provide programs and/or options for students who were at risk for behavioral issues and may be disenfranchised from school or commit minor infractions on an infrequent basis. Program options were implemented in the student's current school and included services such as support related to anger management or

conflict resolution. School assignment options included a student's enrollment in one of the district's current alternative schools. Principals, area administrators, area superintendents, and parents collaborated on the decision to enroll a student in one of the alternative programs. Students could not be given an out-of-school suspension for these infractions.

Tier two was designed to provide an intervention for students who committed infractions of the Code of Student Conduct, such as being chronically disruptive or participating in a first fight that does not result in injury or significant disruption to the educational environment (the number of fights was cumulative across elementary, middle, and high school, respectively). Students were allowed the option of attending one of the six Short-term Suspension Centers for 1 to 10 days, rather than taking an out-of-school suspension.

Tier three was designed to provide interventions for students who committed more serious infractions of the Code of Student Conduct and/or had repeat offenses. Secondary school students were allowed the option of attending the Alternative to Suspension Center for 11 to 30 days and middle school students had the option to attend the Right Choice Program for 30 days rather than taking an out-of-school suspension. A student could also be recommended to the Alternative to Suspension Center or to the Right Choices Program until an assignment was made to the Long-term Alternative to Suspension Center at Turning Point Academy (Appendix F).

Tier four was designed to provide an intervention for students who committed serious offenses and who could not attend school with the general student population. An option at tier four included long-term suspension or assignment to Turning Point Academy for the remainder of the academic year (in certain situations the assignment

could be permanent). Additionally, by law, students could be excluded from school for up to 365 days for any of the following behaviors, physically assaulting and seriously injuring a teacher or other school personnel; physically assaulting and seriously injuring another student; bringing a firearm or explosive device onto school property; or communicating a bomb threat and/or perpetrating or reporting a false bomb threat or hoax.

Tier five was a permanent expulsion from school and all school properties by the Board of Education for a student (age 14 or older) whose continued presence constituted a clear threat to other persons (Appendix G). Students were eligible to petition the Board for re-enrollment and, if granted, the student could be placed at Turning Point Academy with a re-entry plan developed by personnel.

The comprehensive list of alternative programs include Violence Is Preventable (VIP), Community Service, Short-term Suspension Centers, Sexual Harassment Is Preventable (SHIP), Positive Options Program (POP), the AWARE program, Alternative to Long-term Suspension Center, the Right Choices Program, and Turning Point Academy.

Violence Is Preventable (VIP) is a support program for students who have been involved in serious violent behaviors at school or at a school activity and for whom this is a first offense. (Students Rights, Responsibilities and Character Development Handbook, 2009). The parent or guardian is required to attend VIP with the student. The focus of VIP is to provide awareness of violence prevention and anger management and build positive life skills in areas of communication, decision making, and self-esteem. Each cycle of VIP consists of four 1-hour sessions (Students Rights, Responsibilities and Character Development Handbook).

The Community Service program was designed to allow the student an opportunity to remain in his or her home school while working in various community organizations, in lieu of an assignment to a discipline school (Students Rights, Responsibilities and Character Development Handbook, 2009). Each student and parent or guardian is required to attend an orientation meeting. At this meeting, the rules, expectations and parameters of the community service assignments are explained. In addition, the student and parent or guardian sign a community service contract and commit to a date, time, and specific location to complete the assigned hours. The community service meetings are usually held in a group format with approximately 15-20 students per meeting (Students Rights, Responsibilities and Character Development Handbook).

The Short-term Suspension Centers were designed to reduce the number of students who consistently act out on campus. The program provided a stable environment for students suspended for 1 to 10 days for up to tier three infractions. The home school collaborated with the family and center to ensure consistency of academic work.

Sexual Harassment Is Preventable (SHIP) is a support program for students who have been involved in serious incidents of sexual harassment at school or at a school activity and for whom this was a first offense (Students Rights, Responsibilities and Character Development Handbook, 2009). The parent or guardian is required to attend SHIP with the student. The focus of SHIP is to provide awareness for participation through discussion and focus groups to modify the inappropriate behavior.

The Positive Options Program (POP) is an option for students who possessed or used alcohol, marijuana or other unauthorized drugs at school or at school activities and for whom this was a first offense (Students Rights, Responsibilities and Character

Development Handbook, 2009). This program occurs after the regular school hours at a site where certified staffs teach both the parents and students about the casualties of using drugs. Parents are required to provide transportation to POP. Parents and students are required to attend four sessions where they have group sessions with a counselor, psychologist and social worker. After attending the four sessions, students are given a form that is returned to the school concerning their release from the program. If there are any further infractions at the school that involve drugs, then students are required to attend the Long-Term Suspension Center for a minimum of 30 days.

The AWARE program is a 15-day alternative learning program for first time fighters who have qualified and received due process following an incident (Students Rights, Responsibilities and Character Development Handbook, 2009). This program was designed for students who have been involved in fights that did not result in serious injury. Students selected for this program may not have had other serious infractions. The AWARE program is located at an alternative location where transportation is provided by the district. Students attend from 8:30 a.m. until 3:00 p.m. daily. This program teaches students how they should deal with their anger so that there are not negative consequences and how to make better choices. Students are monitored by certified teachers and drill sergeants.

The Turning Point Academy program was designed for students who have committed serious infractions of the Code of Student Conduct. Course offerings and programs at Turning Point Academy are not as inclusive as those in students' home schools. The staff of this school works with students, their families and the home school to develop a personal behavior plan and an appropriate curriculum to be implemented during the assignment to Turning Point Academy. Students are assigned to Turning Point

Academy for a determined period of time or until they meet stated goals and then return to the home school. Transportation will be provided when a bus route is established after the student begins attending the program.

The Turning Point Academy Extended Day Program was designed for students in Grades 9 through 12 who are age inappropriate at their current grade placement. This program provides opportunities for students to complete required courses for promotion/graduation at a faster pace than available in the traditional setting (Students Rights, Responsibilities and Character Development Handbook, 2009).

The Right Choices Program in this large southeastern urban school district was intended to provide a constructive intervention and an early support program for first-time middle school offenders who violated the substance abuse or violent acts rules of the Student Code of Conduct. Transportation will be provided when a bus route is established after the student begins attending the program. Course offerings at the Right Choices Program are not as inclusive as those in students' home schools. All students are required to wear uniforms and attendance is mandatory for the duration of the program.

This large southeastern urban school district currently uses the Code of Student Conduct found within the Student Rights, Responsibilities and Character Development Handbook as a guide for student discipline. All violations that result in a 10-day suspension from school and a request for long-term suspension or exclusion require a Discipline Team Meeting (DTM) in which the parent/guardian and the student must discuss and answer questions about the incident. Violations of the Code of Student Conduct with a consequence of tiers three, four and five require a 10-day suspension and a DTM.

### *Site Review of Successful Alternative Programs*

The National Center on Educational Statistics reported that there were 10,900 public alternative schools and programs serving 612,000 students in the United States during the 2000-2001 school year (Kleiner, Porch, & Farris, 2001). Today, there are approximately 20,000 alternative education schools and programs (White & Kochhar-Bryant, 2007). These alternative schools must provide the same consistent learning conducive atmosphere where teachers can teach and students can learn as traditional schools while at the same time providing constructive interventions that modify student behavior. Tobin and Sprague (2000) surveyed alternative programs and found the following key factors of alternative programs that are common to successful programs.

- Low student-to-teacher ratio to provide more individualized time with students.
- Structured classrooms with behavioral management that provide skill instruction and a high degree of praise.
- Positive emphasis on behavior management including rewards and recognition for acceptable behavior.
- Adult “school” mentors who take special interest in the student and help guide the student in decision making and problem solving.
- Individualized behavior plans must be based on the components of functional behavioral assessments.
- Social skills instruction must incorporate problem solving and anger management.
- High-quality teaching which includes direct instruction for learning strategies and active learning.
- Parental involvement with frequent contacts and parent education programs.

Kellmayer (1998) found the following characteristics of effective alternative programs:

- Size—never greater than a 15 to 1 student-to-teacher ratio.
- Site—full day program in a supportive environment.
- Voluntary participation—for both students and staff.
- Participatory decision making—both students and staff have a voice in the day-to-day operation.
- Curriculum—student-centered and individualized.
- Administrator—separate from the traditional schools.
- A distinctive mission where the community has a sense of commitment to shared values.
- Broader staff roles—flexible to meet student needs.
- Access to social services—available as needed on site.
- Use of technology—to increase availability of resources and teaching tools.

Three alternative programs in North Carolina were identified as effective programs using these criteria and a site visit was made to each. The purpose of these reviews, or site visits, was to afford the researcher the opportunity to both gather information about the programs and to see the key factors of Tobin and Sprague (2000) and the effective characteristics of Kellmayer (1998) in practice. Visits to the Brunswick Learning Center (BLC), Mt. Vernon Redirection Alternative School, and the Hartsell Center also provided the researcher a visual reference or standard in which to compare the Right Choices Program.

#### *Brunswick Learning Center (BLC)*

The Brunswick Learning Center is an alternative program in its sixth year of

operation and serves at-risk students at both middle and secondary school levels. This program serves long-term suspended, court-involved, truant, or otherwise “troubled” special needs children. Approximately 80% of students are assigned to BLC because of drug/alcohol and serious infractions involving assault and fighting on campus.

In 2006, Brunswick County had a system membership of 9,737, more than 72% of whom were Caucasian, approximately 25% of whom were African American, and almost 2% of whom were Hispanic, with the remainder representing other minorities. According to the system, there is an approximate 60%/40% split between Caucasian and minority populations at BLC (NCDPI/Division of Accountability Services/Evaluation Section, 2006).

Within the county as a whole, 46.4% of all students were eligible for free or reduced lunches in 2006. Violent incidents per 1,000 students in 2005 numbered 10.4 compared with 6.3 at the State level (NCDPI/Division of Accountability Services/Evaluation Section, 2006).

*Philosophy and Mission.* The Brunswick Learning Center mission statement succinctly defined its purpose as “...providing an opportunity for each student to gain the skills needed to function effectively in the world at large” (S. Robinson, personal communication, July 23, 2009). This vision was predicated upon the belief that all adolescents and young adults have the ability to learn.

Goals and objectives for the school centered around the overarching purpose of providing flexible educational opportunities and activities that will meet the individual needs of students. Opportunities were designed to help students (a) improve basic academic skills; (b) improve communication skills; (c) work toward high school graduation and successful completion of requirements for a diploma; (d) accept

responsibility for their own behavior; and (e) develop a positive sense of self.

Pervading the mission and philosophy of the program was the shared recognition that enrollment in BLC represents a last chance for students to receive a public education in Brunswick County.

*Organization and Structure.* Brunswick Learning Center (BLC) was located in a renovated school building in the town of Southport on North Carolina's coast. Its location at one end of the county posed challenges for transporting students, many of whom resided up to 45 miles from the school. Four-regional school bus routes provided service to the school from designated attendance area stops. It was the responsibility of the student to arrive in a timely manner at the area pick-up spot.

Administered as a separate school within the county, the center employed two counselors, 14 teaching faculty, and two special education teachers in addition to the principal, assistant principal and support staff. All teachers were licensed in the instructional areas in which they taught.

The school had a computer lab with one laptop and 12 IBM computers, each of which was internet accessible. Students made extensive use of computer facilities and associated software in their work on individual projects.

The school's curriculum was offered on a 4x4 block schedule that was consistent with the structure at other schools in the district. Faculty members were adamant that brain research was totally in opposition to the 4x4 schedule, especially for at-risk kids. Attention spans are short, they say, and the school must be allowed to adjust curriculum and scheduling based on student needs rather than system-wide consistency.

The typical school day began with students' homeroom sessions from 8:40 to 9:00 a.m. This was followed by two scheduled instructional blocks of 1 1/4 hours each. Third

block and lunch periods spanned the noon hour from 11:35 to 1:00 p.m. During this time, middle school and high school students ate lunch at staggered intervals. Lunch was served in a large classroom-type area with tables and chairs. Food was catered to a portable server with the words “campus cuisine” displayed on its front.

A fourth instructional block was offered in the early afternoon with dismissal at 2:20 p.m. This schedule was modified on Fridays, with four instructional periods of approximately 45 minutes each offered in the mornings. Two hours devoted to exploratory courses that provided a “fun time” of discovery and enlightenment were featured for elective credit on Friday afternoons. Exploratory courses were limited to small groups of students (usually seven or eight) and included such diverse activities as photography, Bonsai, local history, a basketball clinic, boat building, and sewing. The opportunity to participate in these activities was contingent upon students’ good behavior during the week. Those who needed to make up missed time had the opportunity to attend monitored study hall at the same time as the electives (NCDPI, 1997).

Brunswick Learning Center’s Court Appointed and Probationary Status (CAPS) Program was a second unique aspect of the school’s program. Begun in 1995, this behavior modification and early intervention program worked closely with both juvenile and adult courts and probation offices in an effort to ensure effective diversion from the judicial system for youth who are under court supervision. CAPS supplemented the school’s academic component by affording opportunities for enhancement of self-esteem, learning and observing the relationship between actions and their consequences, and enabling access in an integrated fashion to the appropriate community resources and supports that can serve to increase the possibility of successful intervention (NCDPI, 1997).

*Shared Philosophy and Approach.* Both students and parents noted that the attitudes of BLC students toward school had changed markedly. Most felt that students were learning more, and cited the “friendliness” and “family-like” atmosphere of the school as contributors to students’ educational development. Many had praise for their teachers and their “welcoming” spirit. The willingness of faculty to work with students in their efforts to master difficult subject matter was also appreciated by the students and parents. Instructional staff varied in their expectations for student outcomes. Several expected the same personal outcomes and behaviors they would from regular education students and/or their own children (e.g., courtesy, goal orientation, and good performance on end-of-course and end-of-grade tests). Other teachers felt it would be unrealistic to expect the same level of performance and outcomes from all students and that demonstration of student effort was a hallmark of success. One limitation was the fluctuating student enrollment that caused some inconsistency at BLC.

*Student Focused, Individualized Learning Approach.* Community misperceptions of Brunswick Learning Center were cited as an ongoing concern. Students said, in fact, that the program did not turn out to be what they expected when they first started. By reputation, the school was supposed to be the “bad school” with “bad kids.” However, citing differences between Brunswick Learning Center’s program and regular school, students pointed out that the teachers were different. “They care and try to help, even with problems at home. They don’t gossip, so students can develop a real friendship relationship. Teachers at BLC have a sense of humor...every once in awhile you just have to laugh” (K. Owens, personal communication, July 23, 2009). The sensitivity, friendship, and personal attention teachers at BLC offer to students are highly valued.

*Expressed Issues and Needs.* The evaluation committee from the Department of

Public Instruction also expressed the need for additional hands-on vocational training and associated facilities, a suitable physical education facility, a functional media center, and more help from qualified social workers. There were considerable opinions expressed by Brunswick Learning Center faculty with respect to the 4x4 block teaching schedule.

While recognizing that a 4x4 block schedule enables close coordination with the structures at other schools in the district, most faculty members felt that the 4x4 is a disservice to the population of students at BLC as evidenced by psychological research for both regular and at-risk populations.

Several student interviewees expressed the desire for additional hands-on courses and vocational course opportunities. Faculty members pointed out that most kids attending BLC were never allowed privileges such as fieldtrips and computer labs.

#### *Mt. Vernon Redirection Alternative School*

The Mt. Vernon Redirection Alternative School is another example of an alternative learning program. This school was located in Raleigh, North Carolina within the Wake County school district. It served students in Grades 6 through 8 who demonstrated academic and/or behavioral difficulties which hindered their successful education in more traditional school settings. The school was in existence for approximately 2 decades and served continually as an alternative school during that time. The school was located in a building on the west side of Raleigh, a setting that was geographically centered within Wake County. The campus on which the school was located contained several older buildings some of which were renovated, as well as several facilities that were condemned.

Wake County was the largest county in the burgeoning Research Triangle metropolitan region of central North Carolina. Its fast growing population placed

enrollment pressures on the school district and may have had an impact on the ability of Mt. Vernon Redirection to address the needs of all the students for whom it was intended to serve.

Wake County Schools had a student membership of over 112,000 in 2006. About two-thirds were Caucasian, 27% African American, 4% Asian and less than 3% Hispanic. Just more than one in five students were eligible for free or reduced price lunches, compared to about 39% for the state as a whole (NCDPI, 2006). By design, enrollment at Mt. Vernon Redirection fluctuated over the course of the school year from approximately 300 to 600 students.

*Philosophy and Mission.* The mission statement of Mt. Vernon Redirection proclaimed its purpose as "...to provide at-risk students with an opportunity to succeed academically and behaviorally in a supportive, structured educational environment that emphasizes positive reinforcement of achievement" (NCDPI, 1997, p. 65). A small student/teacher ratio of approximately 15:1 combined with considerable opportunity for individual and group counseling were seen by staff members as essential components of the school's approach.

Mt. Vernon Redirection was an alternative school where children who had not been successful in the regular school program were given an opportunity to learn how to be successful, not only at Mt. Vernon Redirection, but when they returned to their home schools. Flexibility in educational approach was seen as necessary in order to work successfully with the school's student population. More formally, the mission was seen by staff members as working to prepare students for successful transition back to a more traditional middle school setting, incorporating the types of academic and psychosocial interventions that would enhance the students' chances for subsequent school success.

*Organization and Structure.* The school had an administrative staff of a principal and two clerical personnel, and a professional support staff that included a counselor, a school psychologist, and a clinical social worker. The full-time academic teaching staff of nine was supplemented by two vocational education teachers, a special education resource teacher, an in-school suspension teacher, a half-time physical education/health instructor, and a half-time media specialist. Staff members were organized into teams of teachers and support personnel.

Students at Mt. Vernon Redirection were drawn from all over the district. They were referred based on their inability to function well academically in the regular school and their having disciplinary problems. The intent was to have students return to their home schools.

Mt. Vernon Redirection provided the state standard course of study, including language arts, mathematics, science, social studies, vocational education and/or physical education, and one elective course. Attempts were made to individualize the curriculum as much as possible, given the broad diversity of students at the school, who ranged from gifted to “academically challenged.” Special education students could attend the school if their special education needs required less than 50% of the day to address. Class periods were 42 minutes in length. Breakfast and lunch were served in the school’s cafeteria.

Each quarter, students could take one elective or exploratory course, which was scheduled in combination with an advising period and homeroom period. The choice of electives depended on what the teachers could and would provide, and the electives were available to an individual student on condition of his or her good behavior. On days when a student was disruptive, he or she is assigned to a supervised study hall in lieu of

participating in the elective course.

*Shared Philosophy and Approach.* A distinguishing feature of the Mt. Vernon approach was its behavior management program, which was designed to foster a sense of responsibility for personal behavior on the part of each student and to encourage development of self-monitoring skills. This clinical/team approach was used in conjunction with the academic component of the curriculum. Students continually engaged with their advisors in the process of goal-setting. Individual daily goals for both behavioral performance and academic accomplishment were specified and recorded on a progress sheet that students carried with them each day. Attainment of goals was noted by the school's staff throughout the day, and a point system was used to reward or sanction student behavior and academic performance. Rules to be followed by all students were printed in an attractive handbook distributed to all students and parents.

Success at Mt. Vernon was measured in terms of improved standardized test scores, improved attendance, and improved behavior. As part of the clinical approach at Mt. Vernon, teaching teams met at the end of the each day to discuss each student's progress and problems. Each team was led in these discussions by its counselor, and free exchange of ideas, perspectives, and potential solutions to problems were encouraged.

*Student Focused, Individual Learning Approaches.* A parent contrasted the difference between Mt. Vernon Redirection and the regular school her child attended in emphasizing the one-on-one instruction—"My son understands things here," she said (NCDPI, 1997, p. 66). One student, when asked what he liked best about the school, said, "The teachers—they're pretty nice and can spend more time with me. I now understand stuff" (NCDPI, p. 66). Another student stated that for him it was easier to learn here; "...not so many people in the classroom to distract you from doing your work" (NCDPI,

p. 66).

One teacher observed that student needs could begin to be addressed almost immediately and that teachers could focus on strengths and needs of the individual, not just teach to the middle. Another teacher noted that there was time for one-on-one analysis of student needs and that the comparatively small class sizes were good, especially for students who were far behind. A major difference in teaching here and at regular schools was the goal-oriented structure with daily goals for each student.

*Expressed Issues and Needs.* Administrators, staff, and students alike at Mt. Vernon expressed the desire for additional courses and faculty to teach them. Teachers, support staff, and students all identified a need for vocational education courses. One student was specific in expressing his desire for “woodworking” (NCDPI, 1997, p. 67), while another said he would like courses in “technology—how to build houses” (NCDPI, p. 67).

Also recommended by several teachers were courses or programs in arts, music, and drama. Others called for the addition of reading teachers and tutorial assistance in reading and mathematics. A full-time physical education teacher was also seen as a need. In conclusion there is always an additional need for support staff in order to provide positive role models for kids and to make sure there is always someone available for a student when needed.

The most frequently mentioned concern in how the program operated related to what happens to students when they leave Mt. Vernon and return to a regular school. There was a need to follow-up with students during their transition back to their home base schools; there were some meetings, but the current process was not satisfactory. The need for a transitional piece was obvious because when students went back they were lost

and many of them returned to Mt. Vernon. One major program need was a formal process to help ensure a smooth transition for students in the first few months after they leave Mt. Vernon and return to a traditional school (NCDPI, 1997; NCDPI, 2006).

### *Hartsell Center*

The Hartsell Center is another example of an alternative learning program. The Cabarrus County School System first established the Hartsell Center in 1994 as an alternative school. The district later revised the mission of Hartsell in 1997. At that time, the school began operation as a “Suspension Center” serving short- and long-term suspended students. The rationale undergirding the establishment of the suspension center was predicated upon the assumption that for students to be successful and learn, they must be in school, and parents need to be more involved in their children’s academic lives (NCDPI, 1997; NCDPI, 2006).

Cabarrus County had a total enrollment of 17,790 students in 1998 of which 82% were Caucasian, 13.8% were African-American, 3% were Hispanic and less than 3% other. The county had only 21% of its students on free/reduced lunches in 1997-1998, indicating that the overall socio-economic status of Cabarrus residents was somewhat higher than that of North Carolina residents as a whole during the 1998 school year.

The county had a gender mix of 50.7% male and 49.3% female. Three point six percent of the population was identified as children with disabilities. The ethnic composition of Hartsell Center also reflected the statistics of Cabarrus County, with approximately one-third of its students classified as minorities. The majority of students attending Hartsell were Caucasian males, with the preponderance from lower-income families. Of the students enrolled, approximately 70% were eligible for free/reduced lunch in 1998 (NCDPI, 1997; NCDPI, 2006).

*Philosophy and Mission.* The school's primary objective was keeping kids in school and providing an alternative that would allow them to maintain academic acuity. The goals of the Hartsell Suspension Center were uninterrupted instruction for students while keeping them off the streets; increased parental involvement; a reduced number of out-of-school suspensions; the provision of counseling in anger management, conflict resolution, and decision making; and a reduction of the daytime crime in the community.

According to the North Carolina Department of Public Instruction, success at Hartsell was measured by such things as the number of students with successful exits from the program, a reduction in recidivism of suspensions, and an increase in average daily attendance for the system as a whole (NCDPI, 1997; NCDPI, 2006).

*Organization and Structure.* Following the home school's suspension of a student and contact with his/her parents, the referring school would notify the Center, usually by fax, on the day prior to the prospective student's admission. The notification included a copy of the student's suspension notice, medication order, if appropriate, and course schedule. For a student to be admitted to Hartsell, he/she had to be accompanied at intake by a parent or legal guardian.

An initial interview with the student and parent or guardian took place on the morning of enrollment and a contract was required to be signed between the school and the student agreeing to abide by the rules and regulations of the Hartsell Center. The student was then referred to a counselor who administered an assessment battery designed to identify potential personal and/or psychosocial barriers to school success. Following the initial assessment, the student was transitioned to the appropriate teacher who conducted an orientation with the student and began diagnostic assessment.

Hartsell served a total population of 426 students during the 1997-98 school year.

Students had an opportunity to earn credit for core courses in communications, mathematics, science and social studies. Satisfactory proficiency in these subjects was demonstrated by a score of at least a level three on the state's end-of-grade test. High school students had the opportunity to successfully earn two academic credits and one workforce development credit. Successful completion of these courses was contingent upon scores on computer-based learning programs, the student's achievement level, and demonstration of the student's initiative and effort. In courses that required an end-of-course test, secondary school students had to achieve a passing score to acquire academic credit.

Hartsell relied heavily upon computerized instruction for its students. Use of the PLATO system afforded a measure of flexibility for both subject matter and level and allowed tracking of student progress. The instruction was supplemented by individual tutorial sessions with the student's teacher as needed.

The school day and schedule were highly structured and routinized. Beginning at 8:00 a.m., students were assigned to either classroom or individualized computer-assisted instruction (CAI) sessions lasting 2 hours. Those students whose initial periods were spent in the classroom were then assigned to the computer lab following a short break, while the reverse pattern held true for those whose CAI sessions occurred first. At 10:30 a.m., a counselor began meeting with students for guidance, either one-on-one or in groups of three to five. A 20-minute lunch period followed for all students, and the day concluded with a 50-minute enrichment period when teachers worked with selected students on reading skills. Dismissal occurred at 1:30 p.m.

Parents and students were required to arrange the students' transportation to Hartsell. The school insisted on clearly articulated codes of conduct and behavior was

reinforced by such means as written contracts for conduct, consistent expectations of behavior, and maintenance of a no-nonsense atmosphere (NCDPI, 1997; NCDPI, 2006).

*Promising Practices.* Recognizing that most of these students had average to below average attention spans and, therefore, needed some time for movement, Hartsell provided frequent break times and a shorter day. The use of appropriate learning technology that enabled immediate feedback to students was also noted in this regard. Computers used in the Center were valued as no-fail, nonthreatening tools for learning.

*Shared Philosophy and Approach.* The establishment of a place for students who otherwise would have no alternative for placement during suspensions was also viewed as a success. The most tangible and successful element of the Hartsell Center was that it served the needs of students who wouldn't be at school and provided a safe environment at the regular schools (NCDPI, 1997; NCDPI, 2006).

*Student Focused, Individual Learning Approaches.* According to the students, Hartsell was different because the class sizes were smaller, the students received closer attention, and they worked in smaller groups. It was a better environment, especially for a student with a learning disability or an attention problem.

*Expressed Issues and Needs.* The use of substitute teachers when regularly employed teachers had to be out was an expressed issue by the staff of Hartsell Center. Substitutes didn't know how to operate the technology on which the program was heavily dependent. As a result, when a staff member was out, the person's students had to be divided among the teachers who were present. Other needs included a professional qualified to assess and plan instruction based on student learning styles and a school nurse. Even with the numerous computers, Hartsell received slow-to-no technical support.

Lack of staff resources to follow up with students once they had returned to their home schools or had moved on to other high schools was recognized as a deficiency in the program. A transitioning bridge was needed to transfer new anger management and conflict resolution skills so that students didn't return to Hartsell. According to the North Carolina Department of Public Instruction in 1997 there was some quantitative data on improved scores and recidivism that indicated that Hartsell was working. Qualitative data on attitudes towards school and learning also existed, but tracking data was still needed. In conclusion, the relatively low rate of students returning to Hartsell was seen as at least partial evidence of program success (NCDPI, 1997; NCDPI, 2006).

### Chapter 3: Methodology

There are many correlates with dropout rates in American high schools, one of which is violence (Eller, 2003). Valez (1989) found that disorderly behavior and fighting lead to school suspensions. Children who are suspended are likely to fall behind in classes and eventually quit school (Eller). Violence among children has risen dramatically over the past decade (Astor et al., 1996; Dohrn, 1995) and national data indicates that adolescents are at high risk of becoming both victims and perpetrators of violence (Eller). Additionally, close scrutiny of the data indicates that all children do not have an equal probability of being involved with violence. Minorities, specifically Latinos and African American children show a markedly higher likelihood of being involved with violence (Astor et al.; also see Hammond & Yung, 1993; Isaacs, 1992; Prothrow-Stith & Weissman, 1991; Shakoor & Chalmers, 1991). Ensminger and Slusarcick (1992) found that aggressive behavior in early school years leads to reduced retention in a cohort study of 1,242 African American children (Eller).

Many public urban school districts across the United States have assumed that the violence/dropout problem in their schools is an external locus of control issue. That is to say that demographic factors such as race/ethnicity, gender, language, and socio-economic status (SES) are beyond their control and, therefore, violence and dropping out are endemic to their client populations. However, recent research by the California Dropout Research Project (CDRP, 2007) at the University of California at Santa Barbara offers new hope to urban school districts struggling with student dropouts. The CDRP found that in the Los Angeles Unified School District, academic experiences explained six times the difference in graduation rates than demographic characteristics (race/ethnicity, gender, language, and SES). The CDRP reported that the two largest

predictors of school dropouts were attendance and academic achievement, not demographic characteristics. Therefore, it is imperative that school districts have in place alternative programs in order to avoid long-term suspensions for serious infractions that keep students in a school building. These alternative programs should serve a dual purpose; to both combat absenteeism and to provide students constructive interventions that modify their behavior once they return to their home schools. A large southeastern urban school district has started the Right Choices Program as an alternative school for middle school students who have committed drug and violent infractions in their home schools.

#### *Purpose of the Study*

The purpose of this study was to perform a program evaluation of the Right Choices Program to determine if the program is effective in delivering constructive interventions that modify student behavior once students have left the program and have returned to their regular learning environment. This evaluation consisted of an experimental-comparison design approach that included conducting interviews with program participants, completing focus groups, and comparison of the number of out-of-school suspensions that program participants received after completing the Right Choices Program. A stratified random proportionate sample was used to produce functionally equivalent groups from the NC WISE data for this out-of-school comparison. This study examined the benefits and limitations of the program based on teacher and staff perceptions and analysis of the suspension data from NC WISE.

#### *Rationale of the Study*

The researcher chose a management-oriented program evaluation model for this evaluation since the researcher was in a management position at the district's central

office. The management-oriented approach is best designed for decision makers such as school administrators. This approach is probably preferred by most boards and managers and lends itself to a formative evaluation. The management-oriented approach allows administrators an opportunity to evaluate a program before the program has run its course (Fitzpatrick, Sanders, & Worthen, 2004).

The management-oriented evaluation model chosen for this study followed Stufflebeam's CIPP Model (Stufflebeam, McKee, & McKee, 2003). The core concepts denoted by this model were an evaluation of a program's contexts, inputs, processes, and products. The objective of the context portion was to define the context while identifying population, assessing needs, and diagnosing problems. The input evaluation evaluated resources, time, budgets, and potential barriers to the program. Similarly, the process evaluation sought to predict design defects, while the researcher described and judged outcomes during the product evaluation. This model provided a simple approach that assisted the evaluator in identifying and addressing specific questions regarding the program (Fitzpatrick et al.; Stufflebeam et al.).

The study included 16 certified staff members working in the Right Choices Program including the executive director and the program coordinator. Of the 16 certified staff members, 12 have a bachelor's degree, 2 have a master's in education, and 2 have a doctorate degree. The researcher conducted personal interviews with the 16 staff members, including the executive director and the program coordinator. The primary data sources used in this study were the responses from personal interviews and the NC WISE data collected throughout the 2007-2009 school years. To enhance the trustworthiness of the study, the names of the staff members, executive director of the program and the program coordinator involved in the study were not used in order to protect the privacy of

the participants.

### *Gathering and Treatment of Qualitative Data*

Survey questionnaires (Appendix H) were distributed to all staff members of the Right Choices Program. The researcher developed a written survey that was distributed to each staff member with questions aimed at the same common themes as the focus questionnaire in order to remain consistent with the research questions. The staff was asked for responses to the following statements:

1. Students that attended the Right Choices Program demonstrate better decision-making skills.
2. Students that attended the Right Choices Program demonstrate more effective problem-solving skills.
3. Students that attended the Right Choices Program demonstrate a positive attitude toward school.
4. Students that attended the Right Choices Program demonstrate respect towards their peers.
5. Students that attended the Right Choices Program demonstrate respect towards adults and staff members.
6. Students that attended the Right Choices Program demonstrate a higher time on task.
7. Students that attended the Right Choices Program report to school regularly.
8. Students that attended the Right Choices Program demonstrate an improvement in their grades on assignments.

Every staff member in the Right Choices Program had the opportunity to respond to the survey questions. The survey contained eight questions that were designed to

solicit responses in one of five perceptions, strongly disagree, disagree, not sure, agree, and strongly agree. Percentages of responses for each question were tallied for analysis and the researcher assigned common themes to groups of the questions.

The survey was distributed by the researcher to the staff of the Right Choices Program. Respondents were provided envelopes that were returned to the researcher's work address. Tallies were made by hand, due to a small sample size, in order to determine number of responses in each of the five choices.

Following the written survey, two separate focus group interviews were conducted and arranged by the researcher. Focus groups are used by researchers to discover preferences for new or existing products and are particularly effective in providing information about why people think or feel the way they do (Krueger, 1994). Each of the separate rounds of interviews included teachers, behavior modification technicians (BMT) and drill sergeants of the Right Choices Program. Questions in these sessions remained consistent with the research questions by soliciting comments as to dissemination procedures, processes that may have occurred following dissemination, and examples of shared decisions that may have occurred within the Right Choices Program. The focus group sessions were audiotaped and were later transcribed for coding and analysis.

Responses gathered in surveys and focus group interviews received one of four strength codes, no response, weak response, moderate response, and strong response. Strength codes provided qualifications toward subject matter and were used as a measure of intensity or strength of a belief, conviction, or motivation (Krippendorff, 1980). The following strength codes were used in the analysis process of questionnaires, surveys, and focus groups. No response was given if the theme was not addressed; weak response was

given if the theme was addressed with a short answer such as a simple yes or no; moderate response was given if the theme was addressed with a specific example of the theme; and a strong response was given if the theme was addressed elaborately with actual examples of processes that pertain to the theme.

From the surveys, tallies were recorded for each item for each of the selections, strongly disagree, disagree, not sure, agree, and strongly agree. Data triangulation was accomplished by subjecting the data to common theme analysis, either as a perception or as an occurrence. For example, if the survey indicated a strong response that activities had directly occurred as a result of the Right Choices Program, the researcher determined if the same response was exhibited in a questionnaire or focus group dialogue. In order to be considered as a valid finding, any revelation had to be present at least in two sources for each unit of study.

The researcher trained two evaluators to assist in program evaluations and to serve as proxies for the researcher to avoid bias in conducting interviews. One evaluator is an assistant director of student support services at Johnson C. Smith University and the other is an exceptional children's teacher in the district. Both evaluators assisted in conducting interviews. To assure inter-rater reliability, the researcher met with the two evaluators and together defined the terms used in the interview instrument. During the meeting the researcher and the evaluators discussed the meaning of various terms on the interview rubric. Finally, a field test was conducted to test the rubric and to test and verify inter-rater reliability in which the researcher and the two evaluators jointly conducted a trial interview with a staff member not participating in the study. Dialog was held during the trial interview that answered questions regarding the components of the rubric and inter-rater reliability was established.

The researcher used the goals and objectives of the Right Choices Program during the interviews and with the focus groups. From focus group interviews a frequency table was developed denoting teachers' perceptions of program implementation, as well as strengths of the overall themes. The focus group interviews were audiotaped, transcribed by a secretary, and verified by the focus group members for accuracy. Once accuracy of the transcription was determined, the researcher read the script several times and color-coded the manuscripts for themes. The researcher created frequency tables, based on the focus group questionnaire (Appendix I), to analyze themes. The frequency of the themes was determined by their strength as follows, strongly disagree, disagree, not sure, agree, and strongly agree.

The data from school referral reports accumulated over 2 years were used to make a comparison and determine if the alternative program reduced the number of discipline reports from students.

Over the 2 years that are the focus of this study (2007-2009), the staff and administrative team met to review and discuss how to effectively implement the expectations of the Right Choices Program. The training incorporated a specific methodology to be followed. This methodology included an introduction, modeling, case-by-case reviews (depending on the incident with the student) and application. From focus group interviews a frequency table was developed denoting teachers' perceptions of program implementation, as well as strength of the overall themes. The researcher and two trained observers conducted focus group interviews to further define the degree of program implementation.

The focus group interviews were audiotaped, transcribed by a secretary, and verified by the focus group members for accuracy. Once accuracy of the transcription

was determined, the researcher read the script several times and color-coded the manuscripts for themes. The researcher created frequency tables, based on the focus group questionnaire (Appendix I), to analyze themes. The frequency of the themes determined their strength as follows, strong, the theme was mentioned three or more times; moderate, the theme was mentioned two times; weak, the theme was mentioned one time; and no relation, or the theme was not mentioned. Four questions guided the focus group interviews:

1. How do you think the program is going at the school?
2. What components do you think are effective and which ones are ineffective?
3. What have been the main difficulties with implementing the program?
4. Should the program be continued? Why or why not?

A total of 16 staff members were interviewed and surveyed by the researcher and the trained observers. The researcher and the trained observers conducted the interviews and gave the surveys simultaneously. The staff members were given surveys that consisted of eight questions and rated on a Likert scale of one, strongly disagree; two, disagree; zero, not sure; three, agree; and four, strongly agree.

The focus groups showed strong agreement that the program was expanding and going in the right direction and their agreement that the program was going as prescribed. Previously, one teacher chose not to incorporate the basic rule of addressing students out of uniform or displaying their uniforms incorrectly. During the focus interviews, several teachers and behavior modification technicians (BMT) agreed that the inconsistency of not following basic rules caused a disruption of the environment for other staff members that were enforcing the rules.

There was a difference between the focus group and the administrative staffs'

perceptions regarding the effect the Right Choices Program had on students' behavior. The staff held an opinion that the program was improving student behavior, while the administrative team had a strong opinion that the program was improving the students' behavior. The administrative team reported that Behavior Modification Technicians (BMTs) needed to incorporate a 15-minute interval point system for students on a daily basis while the teachers reported that the point system was not being followed by all BMTs during the intervals previously agreed upon. Table 2 lists the frequencies of the themes, while Table 3 presents the strength codes.

Table 2

*Frequency of Themes for the Focus Group Question, "How do you think the Program is Going at the School?"*

Themes	Staff	
	<u>Teachers/BMTs</u>	<u>Administration</u>
Program going well	6	2
Fluctuates: some doing it, some not	4	2
Provides consistency for students	3	2
Program not getting results	0	0

Table 3

*Overall Strength Codes for the Focus Group Question, “How do you think the Program is Going at the School?”*

Themes	Staff	
	<u>Teachers/BMTs</u>	<u>Administration</u>
Program going well	Strong	Strong
Fluctuates: some doing it, some not	Strong	Strong
Provides consistency for students	Strong	Strong
Program not getting results	No relation	No relation

A total of 16 surveys were dispersed and received by the researcher and the trained observers. The surveys revealed that the perception of the staff was that they agreed that the Right Choices Program had a positive effect on the students’ behavior. The surveys were rated on a Likert scale of one, strongly disagree; two, disagree; zero, not sure; three, agree; and four, strongly agree.

Staff members agreed that the students demonstrated better decision-making skills, more effective problem-solving skills, positive attitudes toward school, respect towards their peers, adults and staff members, as well as a higher time on task. The surveys also showed that the staff agreed that students reported to school regularly. There was a weak agreement that the Right Choices Program demonstrated an improvement in student grades on assignments. Table 4 lists the survey questions totals while Table 5 lists the overall percentage of the staff surveys.

Table 4

*Survey Totals (N = 16)*

Question	Totals				
	SD	D	NS	A	SA
Demonstrate better decision-making skills	3	2	3	7	1
Demonstrate more effective problem-solving skills	3	1	4	7	1
Demonstrate positive attitudes toward school	3	2	2	7	1
Demonstrate respect towards their peers	1	1	2	10	1
Demonstrate respect towards adults and staff	2	2	2	9	1
Demonstrate a higher time on task	4	0	4	7	1
Report to school regularly	4	0	1	8	3
Demonstrate an improvement in their grades	3	2	2	5	4

Table 5

*Percentage of Survey Totals (N = 16)*

Question	Totals				
	SD	D	NS	A	SA
Demonstrate better decision-making skills	19%	13%	19%	44%	6%
Demonstrate more effective problem-solving skills	19%	6%	25%	44%	6%
Demonstrate positive attitudes toward school	19%	13%	13%	44%	6%
Demonstrate respect towards their peers	6%	6%	13%	63%	6%
Demonstrate respect towards adults and staff	13%	13%	13%	56%	6%
Demonstrate a higher time on task	25%	0%	25%	44%	6%
Report to school regularly	25%	0%	6%	50%	19%
Demonstrate an improvement in their grades	19%	13%	13%	31%	25%

*Focus Group Question: What components do you think are effective and which ones are ineffective?* This question was answered from the focus group interviews. In order to effectively discover barriers to implementation, the researcher, through disciplinary data collection reports and focus group interviews, sought to determine effective and ineffective components of the program. During the focus group interviews, themes emerged regarding effective and ineffective components of the program, as well as the main difficulties staff members had while incorporating the Right Choices Program.

Staff reported the program's structure and supervision as strengths, while consistency with communication and rules (mentioned three times) was not effective. Weak areas of effective program components included the lack of professional development offered by the district to the staff, instruction in the classroom, and the need for technology.

According to the strength codes established for the effective components of the Right Choices Program, the staff determined that the strongest component of the program was the overall structure. Table 6 lists the frequencies of the effective components themes while Table 7 presents the strength codes.

Table 6

*Frequency of Focus Group Themes of Effective Components of the Right Choices Program*

Themes	Staff	
	<u>Teachers/BMT(s)</u>	<u>Administration</u>
Structure	5	2
Supervision	5	2
Instruction	1	0
Inconsistency	3	1
Lack of communication	3	2
ISS	0	0
Length of stay	4	2

Table 7

*Overall Strength Codes for the Focus Group Themes of Effective Components of the Right Choices Program*

Themes	Staff	
	<u>Teachers/BMT(s)</u>	<u>Administration</u>
Structure	Strong	Strong
Supervision	Strong	Strong
Instruction	Weak	No relation
Inconsistency	Strong	Moderate
Lack of communication	Strong	Strong
ISS	No relation	No relation
Length of stay	Strong	Strong

There were several ineffective components of the Right Choices Program identified by the staff during the focus interviews. The weakest area of program implementation reported by the staff was the lack of professional development and resources. Another ineffective component of the program identified by the staff was the lack of human resources such as counselors and psychologists. The focus group reported that the lack of technology available to the students had a negative impact on student achievement and, therefore, resulted in the program being partly ineffective in the area of instruction. Table 8 lists the frequencies of the ineffective components themes while Table 9 presents the strength codes.

Table 8

*Frequency of Focus Group Themes of Ineffective Components of the Right Choices Program*

Themes	Staff	
	<u>Teachers/BMT(s)</u>	<u>Administration</u>
Professional development	6	2
Resources (books)	5	2
Human resources	5	2
ISS	1	0
Technology	5	2

Table 9

*Overall Strength Codes for the Focus Group Themes of Ineffective Components of the Right Choices Program*

Themes	Staff	
	<u>Teachers/BMT(s)</u>	<u>Administration</u>
Professional development	Strong	Strong
Resources (books)	Strong	Strong
Human resources	Strong	Strong
ISS	Weak	No relation
Technology	Strong	Strong

The main difficulties with implementing the program identified during the focus group interviews were that the students arrived at the program on so many different levels of instruction, the lack of resources (such as books, workbooks, etc.), students with disabilities were assigned to the program without a copy of the Individual Education Plan (IEP), the lack of communication with the home schools (mentioned six times), and inconsistency among the staff (mentioned five times). There was a weak mention (one time) during the focus group interviews about the lack of flexibility to develop a school-based pacing guide that addresses the needs of the population of students in the program. Table 10 lists the frequencies of the main difficulties of program implementation while Table 11 presents the strength codes.

Table 10

*Frequency of Focus Group Themes of the Main Difficulties of Program Implementation*

Themes	Staff	
	<u>Teachers/BMT(s)</u>	<u>Administration</u>
Different levels of instruction	5	1
Lack of resources (books)	6	2
EC students (IEPs)	5	1
Lack of communication	6	2
Inconsistency amongst staff	5	2
Pacing calendar flexibility	1	0

Table 11

*Overall Strength Codes for the Focus Group Themes of the Main Difficulties of Program Implementation*

Themes	Staff	
	<u>Teachers/BMT(s)</u>	<u>Administration</u>
Different levels of instruction	Strong	Moderate
Lack of resources (books)	Strong	Strong
EC students (IEPs)	Strong	Moderate
Lack of communication	Strong	Strong
Inconsistency amongst staff	Strong	Strong
Pacing calendar flexibility	Weak	No relation

*Focus Group Question: Should the program be continued? Why or why not?*

According to the opinions of the staff and administrative team in the focus group interviews, the Right Choices Program should be continued. This continuation, however, should be modified. There was a strong strength code for the importance of the program to receive support from the district. The future of the program will be discussed in Chapter 5. Table 12 lists the frequencies of themes regarding the continuation of the program while Table 13 presents the strength codes.

Table 12

*Frequency of Focus Group Themes of the Continuation of the Right Choices Program*

Themes	Staff	
	<u>Teachers/BMT(s)</u>	<u>Administration</u>
Yes	8	2
Yes with modifications	10	2
No	0	0

Table 13

*Overall Strength Codes for the Focus Group Themes of the Continuation of the Right Choices Program*

Themes	Staff	
	<u>Teachers/BMT(s)</u>	<u>Administration</u>
Yes	Strong	Strong
Yes with modifications	Strong	Strong
No	No relation	No relation

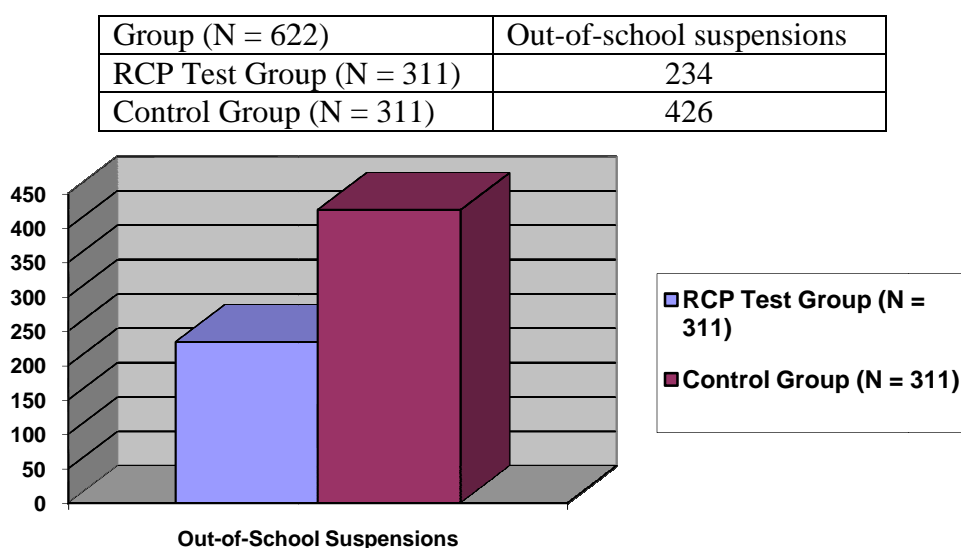
### *Summary*

The analysis of the data indicated that the focus groups showed strong agreement that the program was expanding and going in the right direction and there was agreement that the program was going as prescribed. Themes derived from focus group interviews, overall, showed a positive perception of the program and a desire to see the program continue.

### *Quantitative Data Methodology*

The NC WISE data gathered for the Annual Report of Crime and Violence was used to verify discipline issues in all of the schools within this large southeastern urban school district school system. Perceptions from qualitative activities were used to provide further conclusions as well as validate the quantitative measures. Using the out-of-school suspension data from NC WISE, the researcher determined that 386 students attended the Right Choices Program for the 2008-2009 school year. Student suspensions were tracked for the entire 2008-2009 school year and for the first 2 months of the 2009-2010 school year using NC WISE, a computer-based system used by all schools in the district. The researcher selected a matched pairs control group of 311 like students and measured the number of out-of-school suspensions for both groups for the period of time after the Right Choices students attended the program through the second month of the 2009-2010 school year. Only 311 of the 386 students in the Right Choices test group could be matched due to students changing schools and lack of a demographic match which was based on school, grade, age, gender, and ethnicity. The data was then analyzed by measuring the total number of out-of-school suspensions of the Right Choices test group and comparing that to the total number of out of school matched pairs control group for the same period of time. The researcher found that the 311 students in the Right Choices

test group received 236 out-of-school suspensions during the period of time measured after attending the Right Choices Program. The 311 students in the matched pairs control group received 426 out-of-school suspensions for the same measured period of time (Figure 3).



*Figure 3.* Total number of out-of-school suspensions.

Based on these findings of the Right Choices test group receiving 45% fewer out-of-school suspensions than the matched pairs control group, the researcher has determined that attendance in the Right Choices Program is effective in reducing the out-of-school suspensions (Figure 4). These findings are consistent and hold true for grade, gender and race (Figures 5, 6, and 7).

Group	RCP Test Group	Control Group
Number of OSS	234	426

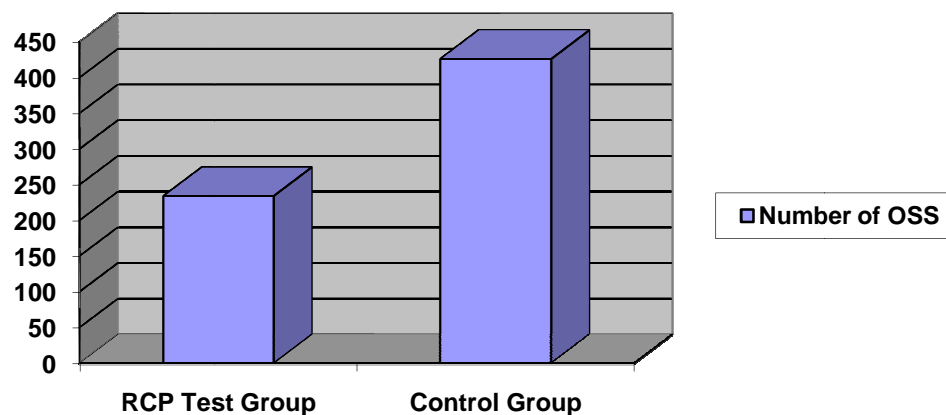


Figure 4. Total Number of Suspensions (N = 311 for each group).

Group	RCP Test Group	Control Group
Male	186	352
Female	48	74
Total	234	426

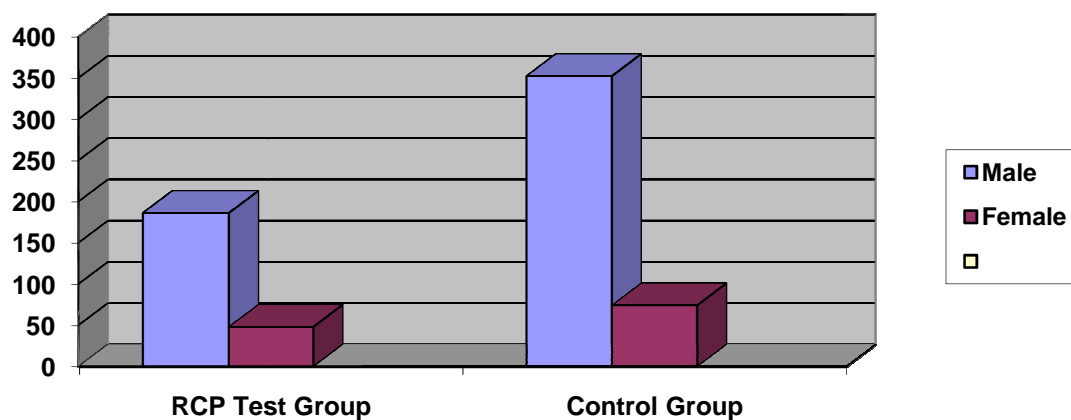


Figure 5. Total Number of Suspensions By Gender (N = 311 for each group).

Group	RCP Test Group	Control Group
6 <sup>th</sup> Grade	60	74
7 <sup>th</sup> Grade	87	134
8 <sup>th</sup> Grade	87	218
Total	234	426

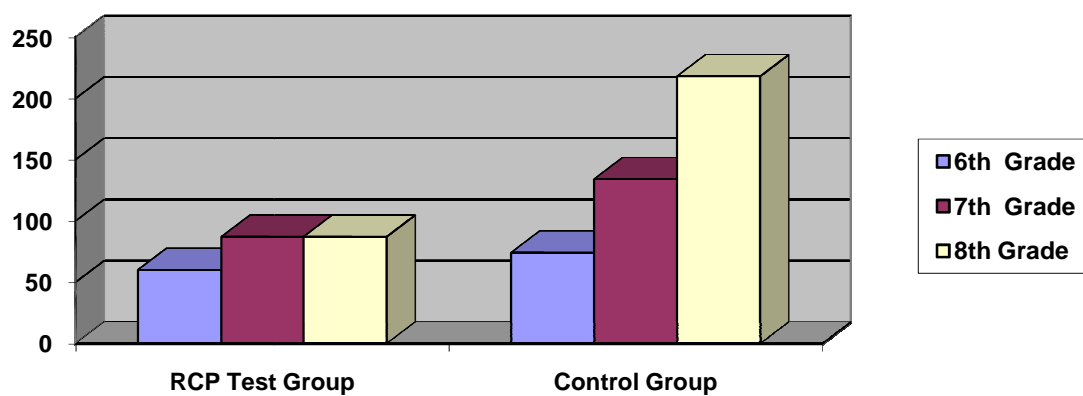


Figure 6. Total Number of Suspensions by Grade (N = 311 for each group).

Group	RCP Test Group	Control Group
Black N = 230	186	356
Hispanic N = 44	26	48
White N = 28	17	13
Mixed N = 9	5	9
Total N = 311	234	426

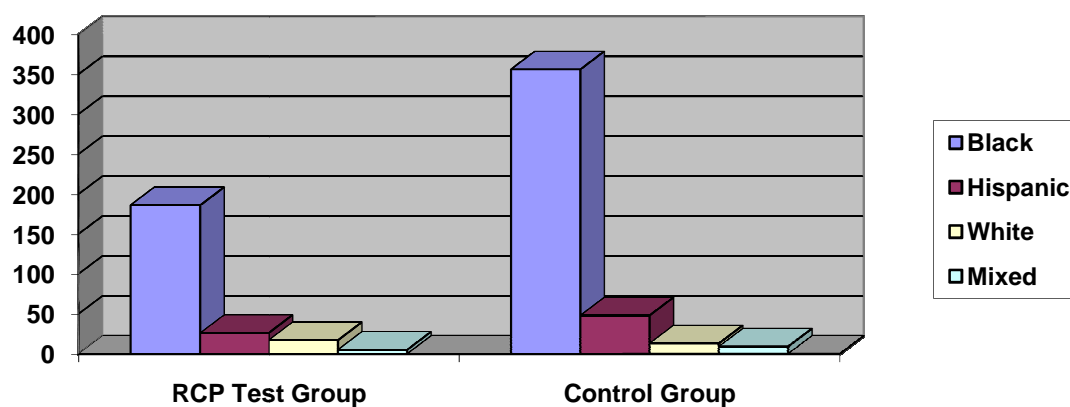


Figure 7. Total Number of Suspensions by Race.

### *Triangulation of the Quantitative and Qualitative Data*

Triangulation involves the seeking of corroboration of data through various means and assists in controlling biases in the data (Gall, Gall, & Borg, 2003). The researcher triangulated the findings of this study by comparing the summarized data from the interviews and focus groups to the analysis of the out-of-school suspension data from NC WISE. Because the findings from these two independent measures corroborate each other, this triangulation provides support for the conclusions of this study (Fitzpatrick et al., 2004).

### *Research Questions*

The data gathered from interviews and focus groups (qualitative) and from the out-of-school suspension data from NC WISE (quantitative) and was used to answer these research questions.

#### *1. What are the contextual issues that warrant an alternative program?*

The data from this large southeastern urban school district for the 2008-09 school year showed that schools reported 5,031 student incidents of fighting, 6,174 incidences of aggressive behavior, and 1,298 violent reportable offenses. These incidents are district-wide and follow predictable national racial/ethnic, age, and gender patterns and are trending upward. The number of violent acts increased by 140 incidents from 2006-2007 to 2007-2008 and by 267 from 2007-2008 to 2008-2009. Violent acts and the resultant out-of-school suspensions cause excessive absenteeism which leads to more violent behavior and dropping out of school.

#### *2. What are the capabilities of this school system to provide alternative sources?*

Through interviews with the executive director, the program coordinator and finance officer, the researcher reviewed the cost of the program, activities, and resources

used. The cost of the Right Choices Program was merged with the cost for all of the alternative learning programs provided by the Alternative Education and Safe Schools Department. The staff members worked collaboratively in each of the programs, i.e., case managers, department coordinators, alternative to suspension staff, clerical support, and behavioral support staff, to provide the most effective programs possible. There was no separate budget designated for the Right Choices Program, but when additional funding was needed due to enrollment, a request was completed and presented to the Chief Operating Officer and was approved.

*3. Is the Right Choices Program following its design as planned?*

Through focus group and individual interviews with the executive director, the program coordinator, and staff, the researcher identified common themes and compiled a frequency distribution of key themes as well as prioritized a complete a summary of issues derived from the interviews. A total of 16 staff members were interviewed and surveyed by the researcher and the trained observers. The researcher and the trained observers conducted the interviews and gave the surveys simultaneously. The staff members were given surveys that consisted of eight questions and rated on a Likert scale of one, strongly disagree; two, disagree; zero, not sure; three, agree; and four, strongly agree.

*4. What is the impact of the Right Choices Program on student behavior and attitudes?*

The researcher provided data on the students' out-of-school suspensions as well as other variables such as grade, gender, age, and race using information from NC Wise, a computerized system that is used by all schools within the district. The students were compared individually to determine the significance or differences in measures of key

outcomes; in this case, out-of-school suspension. The Right Choices test group was compared to a control group of matched pairs to determine if a significant and meaningful difference existed between the Right Choices test group and the matched pairs control group in the number of out-of-school suspensions after attending the Right Choices Program. This was done by comparing the total number of out-of-school suspensions of the Right Choices test group with the total number of suspensions of the matched pairs control group over the same period of time.

### *Limitations*

There are two factors in the design of this study may affect its external validity. The ability to generalize the results from this study to other alternative schools is limited due to population and sample. The researcher is also the area administrator in the district, which could also affect information given in the focus interviews. The researcher employed the use of proxies to conduct the interviews to avoid bias as much as possible.

### *Conclusion*

The results of this study will provide this district's Board of Education with evidence of the perceptions of teachers and administrators of alternative learning centers regarding the effectiveness of the district's Right Choices Program. The program evaluator will also provide data on the effectiveness of the Right Choices Program using quantitative data.

## Chapter 4: Results

The purpose of this program evaluation of the Right Choices Program was to determine the effectiveness of the program in delivering constructive interventions and providing an early support program for middle school students in a large southeastern urban school district. The objective of the Right Choices Program is to modify the behaviors first-time middle school drug and violent act offenders. Students are removed from their home school and enrolled in the Right Choices Program for 30 days. During this 30-day stay, the staff of the program seeks to provide both academic instruction and behavior modification with the goal of reducing drug and violent behaviors when students return to their home school.

The four research questions that guided this study and their results were:

1. *What are the contextual issues that warrant an alternative program?* These issues can be summarized as behavioral challenges, emotional issues, drug and violent offenses, number of out-of-school suspensions, and behind academically.

1. *What are the capabilities of this school system to provide alternative sources?* In summary, the large southeastern urban school district is capable and willing to fund alternative programs that can show positive results as long as drug and violent acts, out-of-school suspensions, and drop outs are trending upward.

2. *Is the Right Choices Program following its design as planned?* In summary, the focus groups showed strong agreement that the program was expanding and going in the right direction and there was agreement that the program was going as prescribed and should be continued.

3. *What is the impact of the Right Choices Program on student behavior and attitudes?* In summary, the Right Choices test group received 234 out-of-school

suspensions after attending the program and the matched pairs control group received 426 out-of-school suspensions for the same period of time; this represented a 45% reduction.

## Chapter 5: Conclusions, Discussion, and Recommendations

### *Introduction of the Dissertation*

The purpose of this study was to conduct a program evaluation of the Right Choices Program implemented in a large southeastern urban school district. This large southeastern urban school district, similar to most schools in this country was plagued with behaviors indicated in disciplinary issues. The more severe infractions such as drugs, fighting, weapons, and assaults on staff members caused the environment of several schools to be labeled persistently dangerous by the North Carolina Department of Public Instruction (NCDPI, 2006). Parents want their children to attend safe schools and this district's leaders wanted to provide safe schools for all students, including those who were presenting discipline issues. In an attempt to address the violence, suspension, lack of academic achievement, and dropping out cycle, system-wide alternative discipline programs and/or schools were developed for all schools in this large southeastern urban school district. The Right Choices Program was specifically intended to improve student behavior and prepare the student to return to his/her home-based school.

Data reported in Chapter 5 included responses to and analysis of the following focus group questions:

1. How do you think the program is going at the school?
2. What components do you think are effective and which ones are ineffective?
3. What have been the main difficulties with implementing the program?
4. Should the program be continued? Why or why not?

Other data reported in Chapter 4 included the following responses to and analysis of the survey questions:

1. Students that attended the Right Choices Program demonstrate better

decision-making skills.

2. Students that attended the Right Choices Program demonstrate more effective problem-solving skills.

3. Students that attended the Right Choices Program demonstrate positive attitudes toward school.

4. Students that attended the Right Choices Program demonstrate respect towards their peers.

5. Students that attended the Right Choices Program demonstrate respect towards adults and staff members.

6. Students that attended the Right Choices Program demonstrate a higher time on task.

7. Students that attended the Right Choices Program report to school regularly.

8. Students that attended the Right Choices Program demonstrate an improvement in their grades on assignments.

Quantitative analysis of the Right Choices Program was performed by comparing the Right Choices test group to a control group of matched pairs to determine if a significant and meaningful difference existed between the Right Choices test group and the matched pairs control group in the number of out-of-school suspensions after attending the Right Choices Program. This was done by comparing the total number of out-of-school suspensions of the Right Choices test group with the total number of suspensions of the matched pairs control group over the same period of time.

### *Implications of the Findings*

According to focus group discussions, the staff and administrative team showed strong agreement that the program was expanding and going in the right direction, there

was agreement that the program was going as prescribed, and that the program should be continued. Themes derived from focus group interviews, overall, showed a positive perception of the program.

There were barriers to program implementation; the main difficulties with implementing the program identified during the focus group interviews were that the students arrived at the program on so many different levels of instruction, the lack of resources (such as books, workbooks, etc.), students with disabilities were assigned to the program without a copy of the Individual Education Plan (IEP), the lack of communication with the home schools (mentioned six times), and inconsistency among the staff (mentioned five times). There was a weak mention (one time) during the focus group interviews about the lack of flexibility to develop a school-based pacing guide that addresses the needs of the population of students in the program.

The Right Choices test group received 234 out-of-school suspensions after attending the program and the control group received 426 out-of-school suspensions for the same period of time; this represented a 45% reduction.

### *Limitations*

A primary limitation to the study was that the study took place in one location, with a limited number of participants (14 teachers and behavior modification technicians) over a brief period of time. Therefore, the ability to generalize the finding of the study beyond the large southeastern urban school district was limited. The researcher chose this particular alternative program because she was an area administrator in the district and was interested in determining what affect, if any, the Right Choices Program had on improving students' behavior.

The participants included staff members who had been working at the school for a

minimum of 6 months to a maximum of 23 school years. These staff members had adequate experience with the program which enabled them to be able to evaluate its effectiveness. Care was taken by the researcher to protect the identities of the individual participants during focus group interviews.

Since the researcher was the area administrator in the district, there were limitations to the internal validity of the study. Staff may have not been completely candid during the focus group interviews for fear of negative repercussions. Anonymity was protected by utilizing a proxy researcher to conduct the focus group interviews. Interviews were transcribed by a secretary.

### *Conclusions*

Staffs' perceptions of the program, based on analysis of frequency of themes and strength codes from the individual and focus group interviews, were positive. From these positive findings of the individual and focus group interviews and the reduction in out-of-school suspensions of the Right Choices Program graduates, it can be concluded that the Right Choices Program had a positive effect on the behavior of students.

Overall, the most effective components of the program, as reported during the focus group interviews, were the structure and supervision of the Right Choices Program. The researcher met with the staff of the program and discussed the results of the study. According to the data in Table 13, there was a strong strength code derived from the analysis of the results of the focus group interviews that the program should be continued with modifications. The staff and administration, together with the researcher, determined that the modifications would be more support from the area administrators within the district, additional human resources such as an academic facilitator, counselor, registrar, psychologist and more teachers, teacher assistants and BMTs. The implementation of the

Right Choices Program is not mandatory at the district level and it is the responsibility of the district level administrative team and the school leadership team to determine if the program is appropriate for students. The overall perception of the Right Choices Program is that it is effective in delivering constructive interventions that are positively affecting student behaviors when they return to their home schools. The constructive interventions employed by the Right Choices Program included:

1. Low student-to-teacher ratio to provide more individualized time with students.
2. Structured classrooms with behavioral management that provided skill instruction and a high degree of praise.
3. Positive emphasis on behavior management including rewards and recognition for acceptable behavior.
4. Social skills instruction that incorporated problem solving and anger management.
5. High-quality teaching which included direct instruction for learning strategies and active learning.
6. Parental involvement with frequent contacts and parent education programs.

### *Discussion*

Before the implementation of the 2007-2008 school year changes in the Right Choices Program, as conveyed during the focus interviews, the staff was frustrated with the lack of results they would see in student behavior. They all worked individually instead of collectively and there was much trial and error and a lot of inconsistencies among the staff. With the implementation of the changes in the Right Choices Program, all staff reported improved consistency with the decisions of the administrative staff. The

new program implementation has led to increased development of behavioral improvement strategies and more consistent supervision. Also, an improved consistency in dealing with student behaviors among the administrative staff came with the implementation of changes in the Right Choices Program. .

### *Recommendations*

1. Based on staff and administrative perceptions reported in the focus group interviews, the program should be continued.
2. The program will be enhanced by adding the following positions, program administrator, academic facilitator, counselor, registrar, more teachers; and BMTs.
3. The program should be monitored on an annual basis.
4. Staff and administrators should meet and discuss the program effectiveness annually. During this evaluation session, recommended changes should be made accordingly.
5. A longitudinal study of student behaviors is warranted leading to decisions to be made pending results after a designated period of time.

## References

- Astor, R. A., Pitner, R., & Duncan, B. (1996). Ecological approaches to mental health consultation with teachers on issues related to youth and school violence. *Journal of Negro Education*, (65)3, 336-355.
- California Dropout Research Project. (2007). Gevirtz Graduate School of Education, UC Santa Barbara, Santa Barbara, CA.
- Character Education Handbook and Guide. (2007, August). 88-92. Retrieved September 25, 2007, from <http://www.cms.k12.nc.us>
- Dohrn, B. (1995). Undemonizing our children. *Education Digest*, 61, 4-6.
- Elementary and Secondary Education Act. (2009). In *Encyclopedia Britannica*. Retrieved January 10, 2009, from <http://www.brittanica.com/Ebchecked/topic/Elem-and-Secondary-Education-Act>
- Eller, W. S. (2003). *School violence and dropout rates in Latinos*. The Cantu Foundation. Texas A&M University, College Station, Texas.
- Ensminger, M., & Slusarcick, A. (1992). Paths to high school dropout: A longitudinal study of a first-grade cohort. *Sociology of Education* (65)2, 95-113.
- Fitzpatrick, J. L., Sanders, J. R., & Worthen, B. R. (2004). *Program evaluation: Alternative approaches and practical guidelines* (3<sup>rd</sup> ed.). Boston: Pierson Education Inc.
- Foley, R., & Pang, L. S. (2006). Alternative education programs: Program and student characteristics. *The University of North Carolina Press*, (15)4, 10-21.
- Fuentes, A. (2003, December). Discipline and punish: Zero tolerance policies have created a 'lockdown environment' in schools. *The Nation Magazine*, pp. 17-20.
- Gall, M. D., Gall, J. P., & Borg, W. R. (2003). *Educational research: An introduction* (7<sup>th</sup> ed.). Boston: Allyn and Bacon.
- Hammond, R., & Yung, B. (1993). Psychology's role in the public health response to assaultive violence among young African-American men. *American Psychologist*, 48, 142-154.
- Isaacs, M. (1992). *Violence: The impact of community violence on African American children and families: Collaborative approaches to prevention and intervention*. Arlington, VA: National Center for Education in Maternal and Child Health.
- Kellmayer, J. (1998). Building educational alternatives for at-risk youth: A primer. *High School Magazine*, 6(2), 26-31.

- Kleiner, B., Porch, R., & Farris, E. (2001). *Public alternative schools and programs for students at risk of education failure*. U.S. Department of Education. Washington, D.C.: National Center for Education Statistics.
- Krippendorff, K. (1980). *Content analysis: An introduction to its methodology*. Newbury Park, CA: Sage.
- Krueger, R. A. (1994). *Focus groups: A practical guide for applied research*. Thousand Oaks, CA: Sage Publications.
- Loeber, R. (1999). *Serious and violent juvenile offenders: Risk factors and successful interventions*. Thousand Oaks, CA: Sage Publications.
- Mt. Vernon Redirection Alternative School. (2000). Retrieved May 18, 2007, from [www.wcpss.net/instructional/alteducation/redirection.htm](http://www.wcpss.net/instructional/alteducation/redirection.htm)
- North Carolina Department of Public Instruction (NCDPI). (2006, June 17). Retrieved October 19, 2007, from <http://www.ncpublicschools.org>
- North Carolina Department of Public Instruction, Division of Accountability Services. (1997). *Evaluation Section of Alternative Learning Programs*. Raleigh, NC: North Carolina Department of Public Instruction, Division of Accountability Services.
- North Carolina Department of Public Instruction, Division of Accountability Services. (2004). *North Carolina Window of Information on Student Education*. Raleigh, NC: North Carolina Department of Public Instruction, Division of Accountability Services.
- North Carolina Department of Public Instruction, Division of Accountability Services. (2006). *Evaluation Section of Alternative Learning Programs*. Raleigh, NC: North Carolina Department of Public Instruction, Division of Accountability Services.
- North Carolina State Board of Education. (2006). *Future-ready students for the 21<sup>st</sup> century*. Retrieved September 9, 2007, from <http://www.ncpublicschools.org>
- Prothrow-Stith, D., & Weissman, M. (1991). *Deadly consequences*. NY: Harper Collins.
- Shakoor, B., & Chalmers, D. (1991). "Co-victimization of African American children who witness violence: Effects on cognitive, emotional, and behavioral development. *Journal of the National Medical Association*, 83, 233-238.
- Students Rights, Responsibilities and Character Development Handbook. (2009, August). Retrieved September 25, 2009, from [www.cms.k12.nc.us](http://www.cms.k12.nc.us)

- Stufflebeam, D. L., McKee, H., & McKee, B. (2003, October 3). Presented at the 2003 Annual Conference of the Oregon Program Evaluators Network (OPEN). *The CIPP model for evaluation: An update, a review of the model's development, a checklist to guide implementation*. Portland, OR: Oregon Program Evaluators Network (OPEN).
- Tobin, T., & Sprague, J. (2000). Alternative education strategies: Reducing violence in school and community. *Journal of Emotional and Behavioral Disorders*, 8(3), 177-186.
- Valez, W. (1989). High school attrition among Hispanic and Non-Hispanic White youths. *Sociology of Education*, 62, 119-133.
- White, D., & Kochhar-Bryant, C. (2007). *Issue brief: Early care and education*. Washington, DC: Hamilton Fish Institute.

## Appendix A

Rights and Responsibilities Code of Student Conduct Handbook

## Rights and Responsibilities Code of Student Conduct Handbook

### Code of Student Conduct

Student and Parent Acknowledgement and Pledge .....	1
Character Traits .....	4
Section I. Student Rights and Responsibilities .....	5
Safe and Orderly Educational Environment .....	5
Attendance .....	5
Guidance and Student Services .....	6
Free Speech/Expression .....	5-6
Privacy and Property Rights .....	6
Safe Harbor Provision .....	6
Participation in Extracurricular/ Co-curricular Activities .....	6
Student Dress .....	6
Behavior on the School Bus or at the Bus Stop .....	6-7
Conduct while on School Property .....	7
Transfer when Criminal Charges are Pending .....	8
School Property .....	8
Section II. Disciplinary Response Code Overview .....	8
Treatment of Administrators, Teachers and Staff .....	8
Truancy .....	8
Possession of Illegal Substances.....	8
Possession of Weapons .....	8
Student Parking and School Locker Search .....	9

Search of Individual .....	9
Cell Phone Policy for Students .....	9
Reports to Law Enforcement Agencies .....	9
Reports to Department of Social Services .....	10
Reports to the Department of Motor Vehicles .....	9
Section III. Disciplinary Responses .....	9
Tier I .....	9-10
Tier II .....	10
Tier III .....	10
Tier IV .....	11
Tier V .....	11
Section IV. Infractions .....	11
Rule 1 - Attendance .....	11
Rule 2 - Food/Beverages .....	11
Rule 3 - Medication .....	11
Rule 4 - Student Dress .....	11
Rule 5 - Personal Property (i.e. cellular telephones and electronics) .....	11-12
Rule 6 - Misrepresentation (i.e. cheating) .....	12
Rule 7 - Insubordination .....	12
Rule 8 - Bullying/Profanity/Obscenity and/or Derogatory Language .....	12
Rule 9 - Generally Disruptive Behavior .....	12
Rule 10 - Trespassing .....	12

Yellow Pages .....	13
Rule 11 - Unsafe Action .....	13
Rule 12 - Vehicle Use .....	13
Rule 13 - Gambling .....	13
Rule 14 - Vandalism .....	13
Rule 15 - Use of Fire .....	13
Rule 16 - Theft .....	13
Rule 17 - Breaking and Entering .....	13
Rule 18 - Burglary .....	14
Rule 19 - Robbery .....	14
Rule 20 - Extortion .....	14
Rule 21 - Unauthorized Use of the Computer .....	14
Rule 22 - Pornographic, Profane and/or Violent Material .....	14
Rule 23 - Counterfeit Currency .....	14
Rule 24 - False Alarm .....	14
Rule 25 - Bomb Threat .....	14
Rule 26 - Aggressive Physical/Verbal Action .....	14-15
Rule 27 - Sexual Behavior .....	15
Rule 28 - Alcohol, Tobacco and other Drugs .....	15
Rule 29 - Weapons and Dangerous Objects .....	16
Rule 30 - Gang and Gang-Related Activities .....	16
Rule 31 - Firearms.....	16
Section V. Procedures Relating to Disciplinary Action ...	17

Corporal Punishment .....	17
Procedures for Short-term Suspensions (1 - 10 days) .....	17
Procedures for Long-term Suspensions (more than 10 days) or Exclusions .....	17-18
Procedures for Expulsion .....	18-19
Procedures for Re-entry of Expelled Students .....	19
Procedures for Suspension of Students with Disabilities .....	19
Procedures for Re-entry of Students from Alternative Settings .....	19
Alternative Discipline Programs .....	19
References .....	20
Forms .....	21
Intimidation, Bullying and/or Threats .....	23
Request for Conference and Appeal of Suspension .....	25
Request for Hearing for Suspensions of more than 10 Days .....	27
Request for Appeal to the Board of Education .....	29
Student Behavior Contract .....	31

## Table of Contents

Student Rights, Responsibilities and Character Development Handbook 2008-2009

*Student Rights, Responsibilities and Character Development Handbook*

### CODE OF STUDENT CONDUCT

#### Student and Parent Acknowledgement and Pledge

The *Code of Student Conduct* has been developed to help your child receive quality instruction in an orderly educational environment. The school needs your cooperation in this effort. Therefore, please (1) review and discuss the attached *Code of Student Conduct* with your child and (2) sign and return this sheet to your child's school. Should you have any questions when reviewing the *Code of Student Conduct*, please contact your child's school principal.

NOTE: FAILURE TO RETURN THIS ACKNOWLEDGEMENT AND PLEDGE WILL NOT RELIEVE A STUDENT OR THE PARENT/GUARDIAN FROM BEING RESPONSIBLE FOR KNOWING OR COMPLYING WITH THE RULES CONTAINED WITHIN THE *CODE OF STUDENT CONDUCT*.

I have received and reviewed the *Code of Student Conduct*, and we understand the rights and responsibilities contained therein.

Parent:

---

To help keep my school safe, I pledge to show good character, work to the best of my ability and adhere to the guidelines established within the *Code of Student Conduct*.

Student:

---

Date: \_\_\_\_\_

## Character Traits

Character education is the deliberate effort to help people understand, care about and act upon core ethical values. An intentional and comprehensive character education initiative provides a lens through which every aspect of school becomes an opportunity for character development.

### Benefits:

- It promotes character development through the exploration of ethical issues across the curriculum.
- It develops a positive and moral climate by engaging the participation of students, teachers and staff, parents and communities.
- It teaches students how to solve conflicts fairly, creating safer schools that are free of intimidation, fear and violence, and are more conducive to learning.\*

The following character traits are essential for students to compete locally, nationally and internationally! These traits should be modeled and maintained by adults and students.

### Respect, Responsibility and Caring

*These are the cornerstones of good character!*

#### Respect

*Showing high regard for self, others and property.*

#### Responsibility

*Being accountable for individual behavior.*

#### Honesty

*Being truthful in word and action.*

#### Caring

*Showing concern for the well-being of others.*

Justice and Fairness

*Demonstrating impartial, unbiased and equitable treatment for all.*

Citizenship

*Being an informed, responsible and caring participant in the community.*

Courage

*Doing the right thing in the face of difficulty and following the conscience instead of the crowd.*

Perseverance

*Staying the course and not giving up. Demonstrating commitment, pride and a positive attitude in completing tasks.*

Hope

*Believing in success.*

*\*Character Education Informational Handbook and Guide, DPI*

“Intelligence plus

character - that is

the goal of true

education.”

*Rev. Martin Luther King, Jr.*

Student Rights, Responsibilities and Character Development Handbook 2008-2009

REACH FURTHER . Global competitiveness starts here.

Section I – Student Rights and Responsibilities

*Safe and Orderly Educational Environment*

Student Rights Student Responsibilities

To attend school in a positive educational environment

To only engage in behaviors which support a positive educational environment

To have school staff that is willing to hear the needs and concerns of students

To express needs and concerns appropriately

To feel safe from crime, violence, intimidation, bullying, harassment, racism and other expectations and to report instances of bullying and

To understand and follow school behavior

### *Attendance*

#### Student Rights Student Responsibilities

To be informed of school board policies and school rules about absences, recovery and tardiness

To attend school and class daily and to be on time

To appeal a decision about recovery

To provide documentation of the reason for an absence

To arrange to make up class work/tests for credit within five days of returning from an absence

To request make-up work for an absence and arrange to complete it within five days of returning to school

### *Guidance and Student Services*

#### Student Rights Student Responsibilities

To be informed about school guidance services

To utilize guidance services for educational improvement

To have access to school counselors

To schedule an appointment with guidance personnel, except in emergency situations

To request counseling when needed

To work cooperatively with school staff

*Free Speech/Expression*

Student Rights Student Responsibilities

To express views (in written or verbal form) without being obscene, disruptive, discriminatory or provocative

To respect the rights of others when they express their views

To choose to participate in patriotic observances

To behave respectfully during patriotic observances

To have religious beliefs respected

To respect the religious beliefs of others and to refrain from activities that hold religious beliefs up to ridicule

To help develop and distribute publications as part of the educational process the guidance of an advisor and administrator, including refraining from publishing material that is inappropriate for the school environment

To follow the rules of responsible journalism

To be protected from harassment

To refrain from harassing conduct

*Free Speech/Expression, continued*

Student Rights Student Responsibilities

To be protected from bullying, intimidation, and threats

To refrain from bullying, intimidating and threatening conduct

### *Privacy and Property Rights*

#### Student Rights Student Responsibilities

To have personal possessions remain private unless school staff have reason to believe that a school and school functions

To keep prohibited items away from student is in possession of items prohibited by the *Code of Student Conduct*, other school policy or the law

To have personal property respected

To respect the personal property of others

#### *Safe Harbor Provision*

A student who inadvertently possesses or finds a prohibited object shall immediately notify school staff and surrender the object.

A student may approach a school official and voluntarily surrender an object prohibited by the *Code of Student Conduct* without being subjected to discipline so long as the object (excluding a firearm) is one that the student could lawfully possess off school grounds.

This provision may not apply if a search is ongoing in any location at the school, if the object is surrendered during a search, or if the object is not turned in prior to discovery by school staff.

The parent/guardian must make arrangements to pick up the object from the school, unless it is an object that must be turned over to law enforcement.

If a student discovers an illegal item (i.e., drugs or weapons) or other contraband on school property or at a school function, the student may approach a school official and report the discovery. A student shall not be in violation of the

*Code of Student Conduct* solely for making such a report. School officials shall make a determination after an investigation of the report.

#### *Participation in Extracurricular/Co-curricular Activities*

In order to participate in extracurricular/co-curricular activities or athletic programs, students must adhere to Board of Education policies, school-level criteria, North Carolina High School Athletic Association rules (where applicable) and law. The district's behavioral expectations extend beyond the classroom and school campus. Therefore, regardless of when and where the charge arises, any student who commits a felony or is charged with or adjudicated/found guilty of a felony may be excluded from participation in extracurricular/co-curricular activities.

#### *Student Dress*

The dress and grooming of students shall contribute to the health and safety of the individual and promote an orderly educational environment. These standards apply to all students, unless a specific exception is made by the school administrator. Please see the dress code at your school.

#### *Behavior on the School Bus or at the Bus Stop*

For the purpose of providing safe transportation for all students, the following guidelines must be observed:

1. Obey the bus driver at all times.
2. Stand off the roadway while waiting for the bus.
3. Be at the bus stop at least ten (10) minutes prior to a scheduled stop time.
4. Cross the roadway several steps in front of the bus.
5. Ride only on the assigned bus.
6. Board and depart only at the assigned bus stop.

7. Act appropriately while waiting for the bus.
  8. Give your proper name when requested by the bus driver or monitor.
  9. Remain seated at all times when the bus is moving.
  10. Remain silent when the dome lights are on.
  11. Remain silent at railroad crossings.
  12. Refrain from bringing food or drink onto the bus.
  13. Refrain from displaying signs from the bus.
  14. Refrain from using profane language or gestures.
  15. Refrain from acts of vandalism.
  16. Refrain from throwing objects from the windows of the bus.
  17. Refrain from conduct or behavior that interferes with the orderly, safe and expeditious transportation of bus riders.
  18. Refrain from using cellular telephones and other electronic devices while on the bus.
- Video cameras have been installed on some buses. Students may be filmed while on the bus.

Violations of these standards, the *Code of Student Conduct*, or any behavior which substantially distracts the bus driver and causes, or has the potential to cause, a safety hazard on a moving bus, may be the basis for suspension from the bus and/or school or revocation of bus-riding privileges.

#### *Conduct While on School Property*

Parents are encouraged to be active participants in their child's education. A partnership between parents and the school requires meaningful and appropriate communication. As such, we must be civil in our discourse. This requires that:

1. No one disrupt or attempt to interfere with the operation of a classroom or any other area of a school.
2. School rules for access and visitation are strictly obeyed.
3. Legitimate obligations and time constraints are respected.
4. Information that might help reach our common goal is shared. This includes information about safety issues, academic progress, changes that might impact a student's work or events in the community that might impact the school.

In the event of a violation of the above guidelines, the following steps are available:

1. Students who believe they have been treated in an inappropriate manner should report the behavior to the school administrator.
2. Parents/guardians or community members who believe that have been treated in an inappropriate manner should report the behavior to the staff member's immediate supervisor.
3. Employees who believe they have been treated in an inappropriate manner shall, if personal harm is threatened, report such to the school administrator.
4. Anyone on school district property may be directed to leave the premises by an administrator or other authorized staff. Anyone who threatens to, attempts to, or actually disrupts school or school district operations may be directed to leave the premises by an administrator or other authorized staff and may have limitations placed on their campus access. Disruptive behavior, includes, but is not limited to, the physical harm of someone, the intentional cause of damage, the use of loud or offensive language, the use of tobacco, the appearance of being under the influence of alcohol or other intoxicating substances, the use of inappropriate gestures, profanity, and displays of anger.

### *Transfer When Criminal Charges are Pending*

The district will continue the Criminal Watch program to monitor students charged or convicted of criminal offenses. In addition, upon review of the underlying allegations and based upon the preponderance of evidence, the Superintendent may transfer a student who has been charged with a criminal offense (juvenile or adult) that is or would be considered a felony. The parent may request a hearing to contest this transfer. If appropriate, the Superintendent will recommend expulsion of the student.

### *School Property*

School property is defined as “the physical premises of all school campuses and properties, bus stops, all vehicles under the control of the district, and the premises of all school-sponsored curricular or extra-curricular activities, whether occurring on or away from a school campus.” Board of Education Policy JK.

### Section II – Disciplinary Response Code Overview

Student disciplinary infractions and associated responses are divided into five progressively severe tiers. Both infractions and responses are outlined later in this document.

#### Treatment of Administrators, Teachers and Staff

A student who commits an infraction against or involving an administrator, teacher, or other district staff member will be subject to a heightened response under the five Tiers. However, the heightened response will not exceed the listed penalty for the appropriate Tier.

### Truancy

A student is required by law to attend school between ages 7 and 16. While the school will not impose an out-of-school suspension for attendance violations, the student will be required to make up the work missed, may be subjected to the district's recovery procedures and the student and/or parent may be referred for prosecution in truancy situations.

### Possession of Illegal Substances

The unlawful possession, use or distribution of illicit drugs and/or alcohol by students on school property or at any school function is prohibited. In addition to school consequences, such actions will be reported to local law enforcement and may be required to be reported to the Department of Motor Vehicles.

### Possession of Weapons

The possession of weapons by students on school property or at any school function is prohibited. In addition to school consequences, such actions will be reported to local law enforcement and may be required to be reported to the Department of Motor Vehicles.

### Student Parking and School Locker Search

All parking areas, lockers and desks are the property of the districts Board of Education. School authorities have the right to inspect any student vehicle parked on campus and any desk or locker in order to protect the health, safety and welfare of students. A student-parked vehicle, desk and/or locker search will be conducted if school staff has reasonable suspicion (i.e., a reason or inference based on facts that are capable of being explained) that a violation of the law or of the *Code of Student Conduct* exists. Students **do not** have

an expectation of privacy in any of these areas. Routine locker clean-ups are not considered searches.

#### Search of Individual

The district recognizes the need to respect the rights of students while protecting the health, safety and welfare of all students and school employees. However, individual student searches will be conducted if school staff has reasonable suspicion (i.e., a reason or inference based on facts that are capable of being explained) that a violation of the law or of the *Code of Student Conduct* exists. Failure to comply with a search will result in an immediate parent contact and removal from the school for the remainder of the day. Consequences will increase in severity for multiple refusals and/or if another rule is violated.

#### Cell Phone Policy for Students (also see Rule 5)

A student may possess a cell phone on school property, at after-school activities and at school-related functions, provided that during school hours and on a school bus, the cell phone remains off and put away. Possession of a cell phone by a student is a privilege which will be revoked for violations of this policy. Violations may result in the confiscation of the cell phone (to be returned only to a parent) and/or other disciplinary actions. The district is not responsible for theft, loss or damage to cell phones or other electronic devices brought onto its property.

#### Reports to Law Enforcement Agencies

Pursuant to state law, principals are required to report the following acts to law enforcement: “assault involving serious personal injury, sexual assault, sexual offense, rape, kidnapping, 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 or possession of a controlled substance in violation of the law.”

N.C.G.S. § 115C-288 (g). Refer to school district procedures

to follow at school when a law enforcement officer wishes to interview a student who is an alleged perpetrator of a criminal act or a witness to a criminal act.

#### Reports to Department of Social Services

Pursuant to state law, school personnel are required to report any suspected cases of child abuse or neglect to the Department of Social Services. Refer to school district procedures to follow at school when a representative of the Department of Social Services wishes to interview a student who is an alleged victim of child abuse or neglect.

#### Reports to the Department of Motor Vehicles

Pursuant to state law, principals are required to report the following acts to the Department of Motor Vehicles: possession or sale of alcoholic beverages or illegal controlled substances; bringing, possessing or using a weapon or firearm on school property; and physical assault on school staff when the conduct results in a suspension in excess of 10 days or the student is assigned to an alternative educational setting.

### Section III – Disciplinary Responses

Tier I - Designed to provide programs and/or school options for students who are at risk for behavioral issues and may be disenfranchised from school or commit minor infractions on an infrequent basis. Program options will be implemented in the student’s current school and include services such as support related to anger management or conflict resolution. School assignment options will include a student’s enrollment in one of the district’s current alternative schools such as the Performance Learning Center or

Hawthorne High School. Principals, area administrators, area superintendents and parents will collaborate on the decision to enroll a student in one of the alternative programs.

Potential Administrative Responses (*This list contains options that may be used by the administration in addressing student conduct. The list is not intended to be an exhaustive list.*)

- Parent contact
- Conference (any combination of parent/student/school officials/counselors and teacher)
- Counseling
- Verbal warning
- Peer mediation
- Social restriction
- Return of property or restitution for damages
- After-school detention or Saturday school
- Behavior contract
- Referral to intervention/alternative program
- In-school suspension
- Warning of referral to Tier II (referral to Tier II will be made for repeated violations)
- Confiscation of unauthorized items

Tier II - Designed to provide interventions for students who may commit infractions of the *Code of Student Conduct*

such as being chronically disruptive or participating in a first fight that does not result in injury or significant disruption

to the educational environment (the number of fights is cumulative across elementary, middle and high school).

Potential Administrative Responses (*This list contains options that may be used by the administration in addressing student conduct. The list is not intended to be an exhaustive list.*)

- Appropriate response from Tier I
- Suspension from bus (for bus-related offenses)
- Alternative classroom assignment
- Temporary or permanent removal from participation in extracurricular/co-curricular programs or activities
- Out-of-school suspension for one to 10 days (parent contact must be attempted and written notice is required)
- Warning of referral to Tier III (referral to Tier III will be made for repeated violations)

Tier III - Designed to provide interventions for students who commit more serious infractions of the *Code of Student Conduct* and/or have repeat offenses.

Potential Administrative Responses (*This list contains options that may be used by the administration in addressing student conduct. The list is not intended to be an exhaustive list.*)

- Appropriate response from Tier I and/or Tier II
- Out-of-school suspension or option to attend an Alternative to Suspension Center for one to 30 days. A student may be recommended for an assignment to a Long-term Suspension Center or the Right Choices Program, in lieu of long-term suspension.
- Expulsion from bus (for bus-related offenses)
- Warning of referral to Tier IV (referral to Tier IV will be made for repeated offenses)

Tier IV - An intervention for students who commit serious offenses and who cannot attend school with the general student population. An option at Tier IV would include long-term suspension or assignment to Turning Point Academy for the remainder of the academic year (in certain situations the assignment may be permanent). Additionally, by law, students will be excluded from school for up to 365 days for any of the following: physically assaulting and seriously injuring a teacher or other school personnel; physically assaulting and seriously injuring another student; bringing a firearm or explosive device onto school property; communicating a bomb threat, and/or perpetrating or reporting a false bomb threat or hoax.

Tier V - Also a possible consequence for student behavior described in Tier IV. It is a permanent expulsion from school and all school properties by the Board of Education for a student (age 14 or older) whose continued presence constitutes a clear threat to other persons. The student is eligible to petition the Board for re-enrollment and, if granted, the student may be placed at Turning Point Academy with a re-entry plan developed by district personnel.

*\* Within each tier, the administrator has the discretion to impose the consequences deemed most appropriate to address the infraction. In the instances where an infraction falls within multiple tiers, it is within the discretion of the administrator to determine tier assignment for the infraction.*

#### Section IV – Infractions (Related Character Trait)

Rule 1 ATTENDANCE (Citizenship/Responsibility): Unless a lawful excuse is presented, a student must attend every class every day. In addition to any administrative response, the student may be required to comply with the district's recovery procedures. Violations of this rule include tardiness, cutting school or class and excessive absences.

(Violations of this rule may also be subject to Rule 7 where the student engages in insubordinate behavior towards an authorized staff member attempting to obtain compliance under this Rule).

**Rule 2 FOOD/BEVERAGES (Responsibility/Honesty):** A student will eat and drink only in authorized areas of the school.

**Rule 3 MEDICATION (Responsibility/Honesty):** All medication will be provided to the school nurse and properly stored. Without proper medical authorization, students shall not transport prescription or nonprescription medication to or from school or have medication in their possession at any time without meeting conditions prescribed by the Board of Education.

**Rule 4 STUDENT DRESS (Respect/Responsibility):** A student will maintain personal attire and grooming standards that promote safety, health, and acceptable standards of social conduct, and are not disruptive to the educational environment. This will include student clothing that materially and substantially disrupts classes or other school activities, including but not limited to gang articles of clothing. Please see the dress code at your school.

**Rule 5 PERSONAL PROPERTY (Responsibility):** A student will only bring or possess objects that have an educational purpose and will not distract from teaching or learning. Students will sell items on campus only as part of an approved school activity. (All other items will be confiscated and returned to the parent at a mutually agreeable time, not to exceed one calendar week.) The following are among the list of prohibited items:

A. Cellular Telephones: Possession of cellular telephones is permitted; however, they must be turned off and concealed while riding the bus and throughout the instructional day. Violations of any other rule in the *Code of Student Conduct* with a cellular

telephone, including insubordination or multiple violations of this rule, will be addressed by losing the privilege to possess the cellular telephone on school property and the consequences outlined under the specific rule violated.

Out-of-school suspension for each tier:

Tier I 0 days (unless repeated violations)

Tier II 1 to 10 days

Tier III 11 to 30 days

Tier IV up to 365 days

Tier V expulsion

B. Toys, games, pagers and electronic equipment: Possession of these or any similar devices, without permission of the administration, is prohibited. Such items include but are not limited to IPOD's and other MP3 Players, PDA's and other electronic devices capable of peer-to-peer communication and recording audio and/or video/still images, except when being used as a part of instruction. This rule does not include a toy gun that is a reasonable facsimile of an actual weapon; for such an item see Rule 30.

Rules 1, 2, 3, 4 and 5 are Tier I infractions

(except where violations of Rule 1 may result in a Rule 7 violation).

Rule 6 MISREPRESENTATION (Honesty): A student will be honest and submit his/her own work.

A. Altering Report Cards or Notes: Tampering with report cards, official passes, notes or other school documents in any manner, including changing grades or forging names to excuses, is prohibited.

B. False Information: Making false statements, written or oral, to anyone in authority is prohibited.

C. Cheating: Violating rules of honesty and Honor Codes, including but not limited to plagiarism or copying another student's test or assignment, is prohibited.

Rule 7 INSUBORDINATION (Responsibility/Respect): A student will obey the lawful direction of any authorized staff member while in school, participating in a school activity or on school property. All students are expected to behave in a respectful manner. This includes, but is not limited to, complying with the direction or instruction of a staff member, not walking away from a staff member while being spoken to, speaking to staff in an appropriate manner and completing all assigned work.

Rule 8 BULLYING/PROFANITY, OBSCENITY AND/OR DEROGATORY LANGUAGE (Respect/Caring):

A student will use appropriate language and conduct at school and school functions and possess only appropriate materials. This rule applies to cursing, possessing written materials that convey an offensive, racial, derogatory, bullying or obscene message to another person (including but not limited to references to race, color, ancestry, national origin, gender, gender identity or expression, sexual orientation, religion, and/or physical or sensory disability, physical appearance or making offensive statements or gestures). Bullying and/or harassing are strictly prohibited. Students who feel bullied, harassed or intimidated at school by an adult or another student should see the Intimidation, Bullying and/or Threats form found in the Forms Section at the back of this book. Once completed, the form should be provided to school administration. No retaliation shall be permitted for making a report.

**Rule 9 GENERALLY DISRUPTIVE BEHAVIOR (Responsibility/Respect/Citizenship):**

A student will maintain appropriate behavior so as to refrain from disrupting the class, school or bus activity and be prepared for instruction at all times. A student shall not talk out in class or move from their assigned seat/area without permission, throw objects (except as directed by staff for an instructional purpose), horseplay, harass, tease or make rude noises.

**Repeated Violations:** Repeated incidents of generally disruptive behavior will result in an Intensive Behavior Assessment Process. The recommendation for this review must come from the school-level Intervention Team, following appropriate documented interventions. This may be a Tier III infraction.

**Rule 10 TRESPASSING (Citizenship):** A student will not enter school property or a school facility without proper authority. This rule includes entering any school during a period of suspension or exclusion.

Rules 5, 6, 7, 8, 9 and 10 are Tier I or Tier II infractions

(except where repeated violations of Rule 9 may result in a Tier III infraction).

**YELLOW PAGES**

Unless otherwise specified, all of the violations found in the yellow pages are Tier III, IV or Tier V infractions

**Rule 11 UNSAFE ACTION (Citizenship/Caring):**

**A. Harms Way:** A student shall not commit any action that has the potential to cause danger or physical harm to himself or to others, to include but not limited to: exiting a moving school bus, exiting a school bus by way of the emergency exit absent an emergency, attempting to elude school officials by running

through a parking lot or any traffic area, climbing on the roof of buildings, being in construction areas, boiler rooms, attics or elevator shafts, or any action that has the potential for physical harm to self or others. This rule will apply only when the unsafe behavior does not meet the standards of any other violation.

B. Self-Medication: A student should not have in his/her possession any over-the-counter medication or prescription medication without meeting conditions prescribed by the Board. Simple possession of such items that are not in accordance with Board standards may result in consequences outlined in Rule 3. Distribution and/or consumption of such medication may result in an immediate Tier III consequence. In some instances, violations of Rule 11 may be a Tier II infraction.

**Rule 12 VEHICLE USE (Responsibility/Citizenship):**

A. Reckless Vehicle Use: A student will not operate any motorized or self-propelled vehicle on school grounds in a manner that is a threat to health and/or safety, or a disruption to the educational process. Driving to school is a privilege, which may be limited or revoked at any time by the school principal.

B. Vehicle Parking on Campus: A student will not leave an automobile on school premises without appropriate authorization and a visible parking permit. Unauthorized vehicles may be towed. In addition to the vehicle being towed, this may be a Tier I or II infraction.

**Rule 13 GAMBLING (Responsibility):** A student will not play games of skill or chance for money or property. In some instances, violations of Rule 13 may be a Tier II infraction.

**Rule 14 VANDALISM (Responsibility/Respect/Citizenship):** A student will not willfully, with or without malice, or participate with others, damage or destroy property

of another, including property belonging to the school or district, staff, students or other adults on campus or at a school sponsored or school-related activity on or off school property. A student or parent/guardian will be held financially responsible, as allowed by law, for willful or malicious destruction of property. In some instances, violations of Rule 14 may be a Tier II infraction.

**Rule 15 USE OF FIRE (Responsibility/Respect/Citizenship):** A student will neither set fire nor attempt to set fire to anything on school property, or participate with others to damage or destroy school property through the use of fire. This includes striking matches, flicking cigarette lighters or using any instrument capable of producing fire on school property or at a school sponsored or school-related activity that is on or off school property. (This violation does not include any smoking violations. For smoking violations refer to Rule 28A.) In some instances, such as the use of a lighter during a smoking violation, a Rule 15 violation may result in a Tier II infraction.

**Rule 16 THEFT (Responsibility/Respect/Citizenship):** A student will not steal or possess stolen property, or participate with others to do so. Stolen property includes any object that is possessed without the permission of the owner. In some instances, violations of Rule 16 may be a Tier II infraction.

**Rule 17 BREAKING AND ENTERING (Responsibility/Respect/Citizenship):** A student will not break into any district property. This will include any unauthorized entry into school property with or without destruction to the property.

**Rule 18 BURGLARY (Responsibility/Respect/Citizenship):** A student will not unlawfully enter any district property with the intent of committing a felony, to steal and/or take and carry away the property of another, or to attempt to commit the taking of property.

Rule 19 ROBBERY (Responsibility/Respect/Citizenship): A student will not take or attempt to take another person's property by force or violence.

Rule 20 EXTORTION (Responsibility/Respect/Citizenship): A student will not take, threaten or attempt to take the property (including but not limited to money) of others through intimidation.

Rule 21 UNAUTHORIZED USE OF THE COMPUTER (Honesty): A student shall refrain from inappropriate use of school system computers or from utilizing the districts Internet Site without proper authority. This includes unauthorized use of sign-on codes, the school telephone system, communication of threats or implied threats, and unauthorized attempts to contact any district computer site from any computer station. This rule also encompasses any activity or distribution of information from home or school computers that would constitute a violation of a Rule under the Code of Student Conduct or a violation of law, such as, but not limited to bullying or harassment. Publication on the internet is considered distribution regardless of the location of the computer where the offending content was published. (Minor violations of unauthorized use of the computer, including accessing home e-mail accounts from a school computer may be a Tier I or II infraction.)

**Rule 22 PORNOGRAPHIC, PROFANE AND/OR VIOLENT MATERIAL**

(Respect/Citizenship): A student shall refrain from having any pornographic or profane material in his/her possession, including but not limited to pictures, magazines, CDs, DVDs, and sexually explicit or graphically violent materials (including but not limited to documents or instructions concerning the creation of and/or the use of weapons).

Rule 23 COUNTERFEIT CURRENCY (Honesty): A student shall not distribute, produce or use counterfeit currency on school property or at a school-sponsored or school-related activity on or off school property.

Rule 24 FALSE ALARM (Responsibility): In the absence of an emergency, a student shall not call 911, signal, or set off an automatic signal indicating the presence of an emergency.

Rule 25 BOMB THREAT (Responsibility): A student shall not make any report or notification, knowing or having reason to know the report is false (verbal or written), indicating the presence of a bomb or explosive on school grounds, school bus or at any school activity.

Rule 26 AGGRESSIVE PHYSICAL/VERBAL ACTION (Responsibility/Caring/Justice and Fairness): A student shall not exhibit any form of aggressive physical or verbal action against another student, staff member or any other adult at school. Minor incidents of hitting, biting, spitting, shoving, kicking or throwing objects at a student or adult may be a Tier I or II infraction.

A. Verbal Confrontation/Provocation: A student shall not approach another person in a confrontational, provocative or bullying manner.<sup>1</sup> This will include attempts to intimidate or instigate another person to fight or commit other acts of physical aggression. (This may be a Tier I or II infraction.)

B. Fighting: The exchange of mutual aggressive physical contact between students, with or without injury, is prohibited. (The first violation of this rule shall be a Tier II infraction and will result in no more than an out-of-school suspension of five days, so long as it does not result in injury or disruption to the educational

environment. Subsequent violations (cumulative 6-12 grades), or those that cause injury or a disruption, shall be a Tier III infraction.) Self defense is the act of shielding yourself from being hit. Hitting a person back is not self defense; it is retaliation that will be considered fighting. The appropriate response to a Rule 26B violation shall be determined by school administrators in light of the circumstances, such as the location of the fight, the number of students involved, and the number of individuals in the location when the fight began.

C. Threatening/Intimidating: A student shall not threaten to strike, attack or harm any student or cause another student to become fearful by intimidation, through any medium, including threats made in person, on the telephone and/or in writing, that pose a safety risk to the school environment. The Tier will be determined by the level of risk presented by the threat, whether the threat could reasonably be carried out and whether the threatened person is made fearful. This rule violation could be considered a Tier I, II or III infraction and may include but is not limited to intimidation through the use of gang paraphernalia.

D. Assault on a Student: A student shall not physically attack another student. See self defense as defined above. Multiple Assaults: A student shall not act in concert to physically attack another student.

E. Assault on a Staff Member: A student shall not physically attack a staff member or adult. See self defense as defined above. Multiple Assaults: A student shall not act in concert to physically attack a staff member or other adult.

F. Inciting to Riot/Chaos: A student shall not engage in behavior of a violent or aggressive nature in a highly volatile area that could result in widespread chaos, a riot, or

aggressive actions (verbal and/or physical) by students witnessing or involved in the incident. (This may be a Tier II or III infraction.)

G. Refusing to Disperse: A student who witnesses an incident under this Rule shall disperse at the request of staff members. (This may be a Tier II or III infraction.)

H. Participation in a Civil Demonstration: A student shall not disrupt the school day by participating in a civil demonstration, including leaving campus without permission. (This may be a Tier I, II or III infraction.)

Rule 27 SEXUAL BEHAVIOR (Respect/Caring): A student shall not engage in any sexual behavior on school property or at a school-sponsored activity.

A. Offensive Touching: A student shall not engage in unwanted touching of an offensive or sexual nature. (This may be a Tier I, II or III infraction.)

B. Sexual Harassment: A student shall not engage in unwanted verbal or physical conduct of a sexual nature which may reasonably be regarded as intimidating, hostile or offensive. (This may be a Tier II or III infraction.)

C. Indecent Exposure: A student shall not intentionally expose private body parts, including but not limited to “mooning.” (This may be a Tier I, II or III infraction.)

D. Consensual Sexual Activity: A student shall not engage in consensual sexual activity. (This may be a Tier I, II or III infraction.)

E. Sexual Battery: A student shall not engage in sexual activity or attempt against another person by force, threat or fear.

Rule 28 ALCOHOL, TOBACCO AND OTHER DRUGS (Responsibility/Citizenship): A student shall not use, purchase, sell, distribute, be under the influence of or possess any kind of alcoholic beverage, tobacco, controlled substance (as defined by state law) or illegal or counterfeit substance.

A. TOBACCO: All district properties are tobacco free. A student shall not possess, use or distribute tobacco, tobacco-like products or paraphernalia on school property or at a school function. For possession of rolling papers, see subpart C (1). (This may be a Tier I, II or III infraction.)

B. ALCOHOL: A student shall not possess, use, distribute or be under the influence of alcohol on school property or at a school function. The first violation of this rule will be a Tier I or II infraction with an immediate referral to the Positive Options Program (“POP”). All subsequent violations (cumulative 6-12 grades) will be a Tier III infraction.

C. DRUGS/ILLEGAL SUBSTANCES, COUNTERFEIT DRUGS AND PARAPHERNALIA:

*1. Use, Influence or Possession of Drugs/Paraphernalia:* A student shall not use or be under the influence of illegal or controlled substances or possess illegal, counterfeit or controlled substances or drug paraphernalia on school property or at a school function. The first violation of this rule will be a Tier I or II infraction with an immediate referral to the Positive Options Program (“POP”). All subsequent violations (cumulative 6-12 grades) will be a Tier III infraction.

*2. Sale/Distribution (Attempt or Actual):* A student shall not distribute, sell or attempt to sell any illegal, counterfeit or controlled substance (including prescription medication) on school property or at any school function.

Rule 29 WEAPONS AND DANGEROUS OBJECTS (Responsibility/Caring): A student will not possess, handle, transport or use any weapon, object that can be reasonably considered a weapon, dangerous object or substance that could cause harm or irritation to another individual on school property or at any school

function. All items will be confiscated and will not be returned except with the mutual agreement of school and law enforcement. This rule does not apply to normal school supplies unless used as a weapon. Note: any object thrown from a school bus will be treated as a weapon.

Special Note: See the Safe Harbor Provision on page 6.

*Prohibited items include, but are not limited to:*

- Knives, look-alike knives, camouflaged weapons, razor blades and box cutters;
- Look-alike guns, not capable of propelling a missile;
- Laser pointers;
- Ammunition;
- Fireworks and explosives;
- Bomb and bomb-making components; and
- Any object or substance that could cause injury including but not limited to, slingshots, ice picks, multi-fingered rings, metal knuckles, nun chucks, Bowie knife, dirk, dagger, leaded cane, switchblade knife, clubs, stun guns, starter pistol, BB gun, flare gun, air rifle, air pistol, air soft pellet guns, stun

gun or paint ball guns, mace, fire extinguisher and/or the use of any object or any substance that will potentially cause harm, irritation or bodily injury. This will include chemical or biological agents or counterfeit versions of chemical or biological agents.

Rule 30 GANG AND GANG-RELATED ACTIVITIES (Responsibility/Caring/Justice and Fairness): No student shall commit any act that 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, or the purposeful violation of

any district policy, and having a common name or common identifying sign, colors or symbols. Conduct prohibited by this policy includes:

- A. Clothing: Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs, visible tattoos and body markings, or other items, or being in possession of literature that shows affiliation with a gang, or is evidence of membership or affiliation in any gang or that promotes gang affiliation;
- B. Communication: Communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.), to convey membership affiliation in any gang or that promotes gang affiliation;
- C. Vandalism or Destruction of Property: Tagging, or otherwise defacing school or personal property with gang or gang-related symbols or slogans;
- D. Intimidation/Threats: Requiring payment of protection, money or insurance, or otherwise intimidating or threatening any person related to gang activity;
- E. Coercion: Inciting other students to intimidate or to act with physical violence upon any other person related to gang activity;
- F. Solicitation: Soliciting others for gang membership;
- G. Conspiracy: Conspiring to commit any violation of this policy or committing or conspiring to commit any other illegal act or other violation of school district policies that relates to gang activity.

Rule 31 FIREARMS (loaded or unloaded) (Responsibility/Caring): A student shall not possess, handle or transport any handgun, rifle, shotgun or any other weapon which will or is designed to or may readily be converted to expel a projectile by action of an explosion, including camouflaged guns. Violations of this rule are Tier IV infractions.

Section V – Procedures Relating to Disciplinary Action or Re-entry

To protect student rights, certain procedures are followed with regard to disciplinary actions. These procedures are developed as suggested or required by law or regulation. School and classroom discipline in areas not covered by these specific procedures are encouraged.

#### Corporal Punishment

Discipline shall be maintained without the use of corporal punishment, which is prohibited in the school district (District Board of Education Policy JK and implementing Regulation JK-R). However, staff is authorized by state law to “use reasonable force in the exercise of lawful authority to restrain or correct pupils and maintain order.” N.C.G.S. § 115C-390.

#### Procedures for Short-term Suspensions (1-10 days)

A student accused of serious misconduct, which in the opinion of the principal or designee would require suspension from school, shall be afforded the procedures below. In emergency situations, these procedures may be modified so long as reasonable efforts are made to provide substantially similar opportunities for the procedural safeguards. A student must be given an opportunity to complete assignments and take exams missed during the period of suspension.

Step 1: The student must be told by the principal/designee of the reason(s) for the consideration of suspension.

Step 2: The student must be given the opportunity to present their version either verbally or in writing and to identify witnesses to the incident.

Step 3: The principal/designee shall make a determination as to whether or not a student is guilty of the misconduct, and if so, what disciplinary response will be imposed. Notices to impose suspension shall be in writing.

Step 4: The principal/designee shall report each suspension in writing to the student's parent/guardian and to the area superintendent or designee. This report shall be mailed (or delivery initiated) within 24 hours of the start of the suspension or on the next regular workday. Reasonable efforts shall be made to contact parents or guardians prior to the start of the suspension. If parents or guardians cannot be reached prior to the start of the suspension, the principal/designee may determine to start the suspension without contacting parents/guardians, but continued reasonable efforts shall be made.

Step 5: A student and parents/guardians have the right to appeal to the principal the disciplinary consequences assigned when the violation charged when the decision to suspend has been made by the assistant principal, or other principal designee. Appeals will not be granted for disagreement with the disciplinary consequence without one of the aforementioned grounds. All such requests must be made within three (3) school days of the first notification of suspension received by the parent. The principal shall have the discretion to uphold or modify the suspension if it is determined that it would be in the best interest of the student and school. If the suspension is not appealed within three (3) days of the date first notified (verbally or in writing), it becomes final. The disciplinary consequence remains in effect throughout all appeals. Please see the Forms Section for an appeal form.

Step 6: At the discretion of the principal, a written behavior contract may be required upon the return of the student.

#### Procedures for Long-term Suspensions (more than 10 days) or Exclusions

A student accused of a violation of the *Code of Student Conduct* which, in the opinion of the principal/designee may require a long-term suspension or exclusion from school, shall be afforded the procedural safeguards described below. The procedures for a short-term

suspension must be employed, as well as the following additional steps, prior to the imposition of a long-term suspension or exclusion.

Step 1: A Discipline Team meeting, consisting of the principal/designee, area administrator, the parent/guardian and student, will be convened at the school within the initial 10-day suspension. The team will review the investigation completed by the school, the due process procedures and any information provided by the student and parent/guardian. The area administrator will review the recommended consequences and determine if any additional consequences shall be imposed and outline those consequences. If the parent/guardian agrees with the determination of the area administrator, the decision will stand. If the parent/guardian disagrees with decision of the area administrator, a hearing may be requested by making a written request to the area administrator. Please see the Forms Section for a request form.

Step 2: The hearing will also be scheduled within the initial 10-day suspension, or as close to it as feasible. If parents/guardians request a later hearing date, the area superintendent/designee will determine if the offense warrants an extension of the suspension prior to agreeing to a later hearing date. If the hearing cannot be held within the initial 10 day suspension, the superintendent/designee will determine whether to approve the long-term suspension pending appeal.

Step 3: Written notice will be sent to parents/guardians advising them of the date, time and location of the hearing. The notice will also describe the hearing process and advise parents/guardians of the student's rights under law.

Step 4: A hearing will be held at the Learning Community offices and the student will be able to exercise the rights identified in the notice, including the right to have an

opportunity to present their version of the events, provide witnesses (or written witness statements) on their behalf, question the witnesses presented

by the school administration and be represented by counsel (at their own expense).

Step 5: The superintendent/designee shall make a written determination as to whether sufficient information was provided at the hearing to determine whether the student is guilty of the misconduct and, if so, the appropriate disciplinary response. The superintendent/designee does not review the initial 10-day suspension. A student shall be informed of the determination within seven to 10 days of the hearing.

Step 6: If the parent/guardian disagrees with the decision of the superintendent/designee, an appeal before a panel of the Board of Education may be requested. This appeal must be requested within ten days of the date of the superintendent's decision letter. The disciplinary consequence remains in effect throughout all appeals. Please see the Forms Section for an appeal form.

#### Procedures for Expulsion

Pursuant to N.C.G.S. § 115C-391(d), the Board of Education may expel any student, over 14 years of age, "whose behavior indicates that the student's continued presence in the school constitutes a clear threat to the safety of other students or employees."

Step 1: After the hearing explained above, the superintendent/designee may make a recommendation to the Board of Education that the student be expelled.

Step 2: The parent/guardian will receive notice of the hearing before a panel of the Board of Education. The notice shall include the date, time and location of the hearing, a summary of the charge being levied against the student, the information to support the charge and the student's rights at this proceeding.

Step 3: A hearing will be held at the offices of the Board of Education, where the student will be able to exercise the rights identified in the notice. The student will have the opportunity to explain why his/her presence is not a threat to the safety of others, provide witnesses (or written witness statements) on his/her behalf, question the information presented by the Superintendent/designee and be represented by counsel, at their expense.

Step 4: The Board of Education will determine the following: were the statutory requirements met and are there any alternative programs which would meet the needs of the student and maintain the safety of the educational environment.

Step 5: The decision of the Board of Education will be provided to the parent/guardian in writing within seven to 10 days of the hearing.

#### Procedures for Re-entry of Expelled Students

Following the Board of Education decision to expel a student, the student shall have no right to attend district schools, until such time as the student can demonstrate that s/he no longer constitutes a threat to the safety of other students and staff. The student shall have a right to request that the Board of Education reconsider the decision to expel any time after the first July 1st that is at least six months after the decision to expel. If a decision to allow the student to re-enter is made, it shall be pursuant to a behavior contract and assignment to an alternative program to be identified by the Superintendent/designee.

Failure of the student to abide by the behavior contract or again engage in conduct which threatens the safety of students or staff may result in immediate referral to the Board of Education.

### Procedures for Suspension of Students with Disabilities

Please see the *Handbook on Parents Rights* for the additional procedural safeguards to be followed for students with disabilities. If you need a copy of this handbook, please contact the principal at your school or obtain a copy through the learning community offices.

### Procedures for Re-entry of Students from Alternative Settings

The school placement for students transitioning from alternative settings or treatment facilities such as Jail North, mental health centers, etc. will be determined by a Multi-disciplinary Transition Team (MDTT). The team will consist of representatives from various district departments, the relevant alternative or treatment facility, and the judicial system, where applicable. An individual designated by the Superintendent will facilitate the appeal process for school placement decisions made by the Multi-disciplinary Transition Team.

### Alternative Discipline Programs

\*Assignment to any of the programs listed below is based upon availability.

#### *Alternative to Suspension Centers:*

The primary goal of the Alternative to Suspension Centers is to reduce the number of students who consistently display inappropriate behavior on campus. The program will provide a stable environment for students suspended for one to 10 days for up to Tier III infractions. This is a voluntary placement offered instead of suspension; therefore, transportation will not be provided. The home school will collaborate with the family and the center to ensure consistency of academic work. Course offerings and programs are not as inclusive as those in students' home schools.

The Long-Term Alternative to Suspension Centers is an assignment for 11-30 days to which transportation will be provided.

*Positive Options Program (POP):*

POP is an option for students who possess or use alcohol, marijuana or other unauthorized drugs at school or at school-related activities and for whom this is a first offense.

*Turning Point Academy:*

The Turning Point Academy is designed for students who have committed serious infractions of the *Code of Student Conduct*. Course offerings and programs at Turning Point Academy are not as inclusive as those in students' home schools. Staff works with students, their families and the student's home school to develop a personal behavior plan and curriculum to be implemented during the assignment to Turning Point Academy. Students are assigned to Turning Point Academy for a determined period of time or until they meet stated goals and then return to the home school.

*Turning Point Mastery Evening Program*

The Turning Point Mastery Evening Program is designed for students in grades nine-12 who are age inappropriate at their current grade placement. Course offerings and programs at Turning Point are not as inclusive as those in students' home schools. This program provides opportunities for students to complete required courses for promotion/graduation at a faster pace than available in the traditional setting.

*Right Choices Program:*

The goal of the Right Choices Program is to provide a constructive intervention and early support program for first-time offenders who violate the substance abuse or violent acts rules of the *Code of Student Conduct*. This six-week

voluntary program is in lieu of assignment to Turning Point Academy.

*AWARE Program:*

The AWARE program is a 15-30 day alternative learning program, housed at the Long-Term Alternative to Suspension Center for first-time fighters who have qualified and received due process following the incident.

*Violence Is Preventable (VIP) Program:*

VIP is a support program for students who have been involved in serious violent behaviors at school or at a school activity and for whom this is a first offense. The parent/guardian is required to attend VIP with the student. The focus of VIP is to provide awareness of violence prevention and anger management and to build positive life skills in the areas of communication, decision-making and self-esteem. Each cycle of VIP consists of four one-hour sessions.

*Sexual Harassment Is Preventable (SHIP) Program:*

SHIP is a support program for students who have been involved in serious incidents of sexual harassment at school or at a school activity and for whom this is a first offense. The parent/guardian is required to attend SHIP with the student. The focus of SHIP is to provide awareness for participants through discussion and focus groups to modify the inappropriate behavior.

References

District Board of Education (Policies of the Board of Education are available on the districts Web site)

- Policies KLC, KLG, JBA, JICA, JICG, JICH, JICH-R, JICI, JIAA, JIJ, JIJ-R, JJJ, JK, JK-R, JKD, JKD-R, and JKDA-R.

## North Carolina General Statutes

- §§ 20-11(n1), 1-538.3(b), 115C-288, 115C-307, 115C-390, 115C-391 and 115C-391.1.

## Other References

- *Handbook on Parents Rights*
  - Title IX of the 1972 Education Amendments
  - Section 504 of the Rehabilitation Act
  - Title II of the Americans with Disabilities Act of 1990 (ADA)
  - Individuals with Disabilities Education Improvement Act of 2004 (IDEA)
  - McKinney-Vento Homeless Assistance Act of 1987 (McKinney-Vento)
  - Family Educational Rights and Privacy Act (FERPA)
  - District Parent-Student Handbook (available at the district Web site)
- and the Forms and Notices Handbook (provided to all students)

## FORMS

- ☐ Intimidation, Bullying and/or Threats - Administrative Report Form
- ☐ Request for Conference and Appeal of Suspension
- ☐ Request for Hearing for Suspensions of more than 10 days
- ☐ Request for Appeal to the Board of Education
- ☐ Behavior Contract

## Intimidation, Bullying and/or Threats

# Administrative Report Form

This form is to be completed to provide appropriate documentation for the school and central office administration when incidents of intimidation, bullying and/or threats occur, involving students or staff. Please complete the form below and submit a copy to the individuals indicated. This form may be completed anonymously.

Student name: \_\_\_\_\_ School: \_\_\_\_\_

---

Name of individual communicating the threat:

---

Date of incident: \_\_\_\_\_

**Brief description of the incident:**

[illegible]

---

---

---

---

---

---

---

---

---

Signature \_\_\_\_\_

Date \_\_\_\_\_

*Submit copies to:*

- School principal (A response will be provided within three (3) days)
- Area superintendent

## Request for Conference and Appeal of Suspension

*Submit to school principal within three (3) days*TO: \_\_\_\_\_ *Principal*

DATE: \_\_\_\_\_

FROM: \_\_\_\_\_ *Parent*\_\_\_\_\_ *Student*\_\_\_\_\_ *Grade*\_\_\_\_\_ *Address*\_\_\_\_\_ *Telephone number*I have reviewed the *Districts Rights, Responsibilities and Character Development**Handbook: Code of Student Conduct* and do not believe that proper procedures were

followed because:

\_\_\_\_\_ The Schools procedures, as outlined by the *Code of Student Conduct*, were not followed by the school. Please explain.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_ The level of the disciplinary action was not consistent with the *Code of Student Conduct*. Please explain.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_The evidence does not support the claim that my child actually committed this violation. Please explain.

---

---

---

I am requesting a conference and a review of the decision to suspend my child.

This appeal form must be submitted to the principal within three (3) days or the decision becomes final. Within three (3) days of the receipt of this appeal, the principal will report the decision of the appeal in writing. *Please be aware that any changes in the suspension will not change the official coding of school days already served as suspended.*

Student Rights, Responsibilities and Character Development Handbook 2008-2009

REACH FURTHER . Global competitiveness starts here.

# Request for Hearing for Suspensions of More Than 10 Days

*Submit to area superintendent within three (3) days*

TO: \_\_\_\_\_ *Principal*

DATE: \_\_\_\_\_

FROM: \_\_\_\_\_ *Parent*

\_\_\_\_\_ *Student*

\_\_\_\_\_ *School/Grade*

\_\_\_\_\_ *Address*

\_\_\_\_\_ *Telephone number*

I wish to request a hearing because:

\_\_\_\_\_ The districts procedures, as outlined by the *Code of Student Conduct*, were not followed by the school. Please explain.

---

---

---

\_\_\_\_\_ The level of the disciplinary action was not consistent with the *Code of Student Conduct*. Please explain.

---

---

---

\_\_\_\_\_ The evidence does not support the claim that my child actually committed this violation. Please explain.

---

---

---

---

---

---

---

Other. Please explain.

This request for hearing form must be submitted to the area superintendent within three (3) days or the decision becomes final. *Please be aware that any changes in the suspension will not change the official coding of school days already served as suspended.*

Student Rights, Responsibilities and Character Development Handbook 2008-2009

REACH FURTHER . Global competitiveness starts here.

Request for Appeal to the Board of Education

*Submit to the Board of Education within ten days*

TO:

DATE: \_\_\_\_\_

FROM: \_\_\_\_\_ *Parent*

\_\_\_\_\_ *Student*

\_\_\_\_\_ *School/Grade*

\_\_\_\_\_ *Address*

\_\_\_\_\_ *Telephone number*

I wish to appeal the decision of the area superintendent for the following reasons:

\_\_\_\_\_ The districts procedures, as outlined by the *Code of Student Conduct*, were not followed by the school. Please explain.

---



---



---

\_\_\_\_\_ The level of disciplinary action was not consistent with the *Code of Student Conduct*. Please explain.

---



---



---

\_\_\_\_\_ The evidence does not support the claim that my child actually committed this violation. Please explain.

---

---

---

---

---

---

---

---

Other. Please explain.

This appeal form must be submitted to the Board of Education within ten (10) days or the decision of the area superintendent becomes final. In addition, this form is not for use for suspensions of ten (10) days or less.

Student Rights, Responsibilities and Character Development Handbook 2008-2009

REACH FURTHER . Global competitiveness starts here.

### Student Behavior Contract

\_\_\_\_\_ *Student*

\_\_\_\_\_ *School/Grade*

\_\_\_\_\_ *Administrator*

Description of the unacceptable behavior:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Description of the desired replacement behavior:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Strategies that will be used to teach the replacement behavior:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Reinforcements/rewards for appropriate behavior:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Consequences for violation of this Behavior Contract:

---

---

---

---

My administrator has reviewed with me the *Code of Student Conduct* and the behavior expectations of my school. I acknowledge that my behaviors were not consistent with the expectations of my school. I agree to abide by the terms of the *Code of Student Conduct* and any additional behavior guidelines developed by my school. Most importantly, I will not engage in the inappropriate behavior listed above. When I feel that I am unable to adhere to the behavior standards discussed today, I will seek the assistance of a staff member. I understand the consequences for violating this Behavior Contract.

Date: \_\_\_\_\_

Student signature: \_\_\_\_\_

Administrator signature: \_\_\_\_\_

Appendix B  
Discipline Data Collection

## Discipline Data Collection

### Disciplinary Data Collection

Annual Report on School Crime and Violence and Out-of-school suspension Reports

Each year schools are asked to complete the North Carolina Disciplinary Data Collection Report on School Crime and Violence for the State Department of Public Instruction.

For the 2008-2009 school year, all schools will collect and submit their disciplinary data through their site-based eSIS/NC WISE Incident Reporting module. Individual school data will then be downloaded by the State Department of Public Instruction.

Since the 1999-2000 school year, the Department of Public Instruction (DPI) has provided the School Crime and Violence Incident Record form for principals to document acts of disruption, crime and violence on their school property or at school-sponsored events. The web-based report is found at <https://usddc.ncpublicschools.org>.

G.S. 115C-288(g) and G.S.115C-47 (36) require that local education authorities report the seventeen incidents of crime and violence included on the Disciplinary Data

Collection report. It is important that schools maintain up-to-date data and be prepared to submit their Disciplinary Data Collection report to their Area Superintendent and to the Alternative Education and Safe Schools Department monthly. The data from the

Disciplinary Data Collection report will be used to identify schools that could be labeled Persistently Dangerous Schools (SS 4). The State Board defines a persistently dangerous school as "a public elementary, middle or secondary school or a charter school in which a total of five or more violent criminal offenses were committed per 1000 students (0.5 or more per 100 students) during each of the two most recent school years in which the conditions that contributed to the commission of those offenses are likely to

continue into another school year". *Defining persistently dangerous schools is a requirement of the federal No Child Left Behind law.* Schools that meet the definition outlined above would be reviewed by the State Board of Education and the Board would determine whether a school should be placed on probation or whether no additional intervention is necessary to protect students from violent crimes. Students assigned to a school which has been labeled persistently dangerous shall be allowed to attend another school in the local school system which is not designated a persistently dangerous school, provided there is another school with instruction at the student's grade level. The following tips will assist you in accurately reporting incidents of the Disciplinary Data Collection Form:

#### Guidelines for Reporting Acts in NC WISE / eSIS

Please report all disciplinary incidents in NC WISE. In addition to entering bullying, discrimination, sexual harassment, and verbal harassment (which are currently required), the following offenses must now be reported regardless of disciplinary consequences:

- Communicating Threats
- Extortion
- Fighting
- Affray
- Property Damage
- Possession of Tobacco
- Use of Tobacco

In addition, a new act type has been added for serious assaults in which the victim suffers injuries less severe than those specified in the reportable act "Assault Resulting in Serious Injury." Like the offenses listed above, this new act must be reported regardless

of disciplinary consequences. The new act, “Violent Assault Not Resulting in Serious Injury” is defined as “an intentional physical attack resulting in pain and/or fear of severe harm for the victim but resulting in an injury less severe than described in the definition of Assault Resulting in Serious Injury.”

Minor assaults not considered “violent” are not required for federal reporting. Use one of the currently existing "assault" act types if you choose to enter these in NC WISE.

CAUTION: eSIS allows the creation of incidents at the student level or at the school level.

All incidents should be entered at the school level, including incidents used to generate state and federal reports. The data entered at the school level will be used to generate the following federal and state reports:

- ☐ Annual Report on School Crime and Violence (reportable offenses)
- ☐ In School Suspension for EC Students
- ☐ Out-of-school suspensions (long-term suspensions/ 11-180 days and short-term suspensions/1-10 days)
- ☐ Expulsions (Board of Education assignments)
- ☐ Incidents that involve:
  - o Fights
  - o Communicating Threats
  - o Bullying
  - o Extortion
  - o Affray
  - o Property Damage
  - o Possession of Tobacco

- o Use of Tobacco
- o Discrimination
- o Sexual Harassment
- o Verbal Harassment

### Steps to Reporting Disciplinary Data in eSIS

1. For a particular offender in an incident, report the most serious offense (act) first.

- 1st are Persistently Dangerous Offenses (PD)
- 2nd are Reportable Offenses (RO)
- 3rd are Unacceptable Behaviors (UB)

2. Report each additional act committed not subsumed by a previously reported act. For example, in a knife assault the act of “RO: Possession of a Weapon” is subsumed by the more serious “PD: Assault Involving the Use of a Weapon,” so “RO: Possession of a Weapon” for the knife does not have to be reported.

3. For each weapon-related act, the type of weapon should be reported. Please remember that act/offense is the number of students involved in an incident. For example, a School Incident Summary report for an incident where two students handled one gun on campus would show 2 acts/offences (even though there was only one gun) and 1 incident.

4. Report multiple acts for incidents involving multiple victims if the acts are clearly separate events in time.

5. Report a separate act for each possession, use, or sale of a particular contraband item specified in the NCDPI definitions. Do not report possession as a separate act if also reporting use or selling of the same item in the same incident.

6. Each of the seventeen reportable offenses (RO) should be reported to the police or a School Resource Officer who is a sworn police officer. Document this in eSIS.

7. Please be sure to select the proper infraction code from the eSIS Incidents list for each disciplinary infraction. This is accomplished by strictly following the NCDPI Definitions of Offenses that follows.

*Please use the definitions for incidents provided by NC Department of Public Instruction, not district definitions, for offenses found in the Students Rights, Responsibilities and Character Development Handbook. Please remember to report criminal violations (codes 1-17) to law enforcement.*

#### NCDPI Definitions of Offenses Required to be Reported (Acts of Crime and Violence)

1. Assault Resulting in Serious Injury. An intentional physical attack causing the victim obvious severe or aggravated bodily injury involving (a) broken bones, loss of teeth, possible internal injuries; severe lacerations and bleeding or loss of consciousness; and/or (b) requiring emergency medical services by trained school personnel or other health professionals (e.g. EMS) and/or hospitalization, If the offender used a weapon in an assault resulting in serious injury, report both Assault Resulting in Serious Injury and Assault Involving Use of a Weapon. Fights or affrays, where no weapon was used, resulting in no apparent or serious injuries are not required by state law to be reported, even if the incident resulted in suspensions or expulsion for the student. Local School Board policy may require reporting of fights or affrays to law enforcement. (State law G.S. 11 5C-391 requires that local boards of education remove to an alternative educational setting any student who is at least 13 and who physically assaults and seriously injures a teacher or other school personnel. If no appropriate alternative then the board shall suspend for no less than 300 days but no more than 365 days any student who

is at least 13 and who physically assaults and seriously injures a teacher or other school personnel.)

2. Assault Involving Use of a Weapon. An assault by one person against another where the attacker either uses a weapon or displays a weapon in a threatening manner. Weapon is defined as: Any firearm or explosive device; force-impacting device; knife or sharp-edged or sharp-pointed utensil, device or tool; or any article, instrument or substance which can or is likely to produce death or great bodily harm. If a firearm or other weapon is used in the commission of any offense, the type of weapon must be identified in the WEAPON USED POSSESSED column of the Data Collection Form.

3. Assault on School Personnel. An assault is an intentional physical attack by one person on another. An assault is either the actual intentional striking of another person, or an attempt to physically strike another by an intentional show of force or menace of violence sufficient to put a reasonable person in fear of immediate physical injury. This offense includes assaults on school personnel that do not involve use of a weapon and do not result in Verbal Threats to physically attack are not included unless they are accompanied by an act that is an intentional show of force or menace of violence sufficient to put a reasonable person in fear of immediate physical injury.

4. Bomb Threat\*\* (See G.S. 14-69.1 and 14-69.2). Making or communicating a false bomb threat in any form, including a computer message; or perpetrating a bomb threat hoax by bringing a fake explosive device, whether openly or concealed, onto school property or to school-sponsored events (both are considered Class H felonies by G.S. 14-69.1 and G.S. 14-69.2). \*\* Because this definition is a summary of lengthy and detailed legislation, users of the definition should consult their school board attorney or the

<http://www.ncga.state.nc.us/statutes/toc-1.html> website for further details or clarifications regarding its use.

5. Burning of a School Building (See G.S. 14-60). Any person who maliciously and willfully sets fire to, burns or causes to be burned (i.e. aids, directs or procures the burning of) any school building owned, leased or used by the public schools (considered a Class F felony by G.S. 14-60).

6. Death By Other Than Natural Causes. The killing of a living person, done either by another or by suicide. Acts to be reported under this category include murder, manslaughter, death by vehicle, killing in self-defense, killing done by an insane person, accidental killing and suicide. Killing is to be reported if either the death or the act causing it occurred on school property, and regardless of whether the victim is associated with the school. Examples of incidents to be reported are the accidental death of a child in a school bus accident, or a victim on school property shot by someone located on or off school property.

7. Kidnapping. Confining, restraining or removing from one place to another a person, without his/her or the victim's or a minor victim's parents' consent, for the purpose of committing a felony; or holding a victim as hostage for ransom, or for use as a shield. A parent taking a child in violation of a court order, although it may be a crime, is not kidnapping for this purpose.

8. Possession of Alcoholic Beverage\*\*\* (See G.S. 18B-300 to 302). Any underage person who purchases, provides sells to another, possesses or has in his/her immediate custody or control, or consumes malt beverages, fortified or unfortified wine, or spirituous liquor, in any amount or form, on school property owned or leased by

the local board of education, or at school-sponsored events (comparable to a misdemeanor violation by G.S. F 102 and G.S. 18B-300, 301 and 302).

\*\*\* Because this definition is a summary of lengthy and detailed legislation, users of the definition should consult their school board attorney or <http://www.ncga.state.nc.us/statutes/toc-1.html> for further details or clarifications regarding its use.

9. Possession of Controlled Substance in Violation of Law. Possession of narcotic drugs on or in the immediate control of the person. Narcotic drugs include any form of cocaine, marijuana, heroin, LSD, methamphetamine, and all drugs listed in the North Carolina Controlled Substances Act. Possession of any amount in any form must be reported. Unauthorized possession of a prescription drug (e.g., Ritalin) is included in this category. The principal should confer with law enforcement personnel when in doubt as to whether a drug is a controlled substance. Alcohol possession should be reported as Possession of Alcoholic Beverage.

10. Possession of a Firearm or Powerful Explosive\*\*\*\*. Any unauthorized person possessing on their person or with in their custody or control, or storing, or carrying, whether openly or concealed, locked or unlocked, any firearm or powerful explosive, whether operable or inoperable, on school property; or bringing such a device onto school property. Persons authorized to carry weapons on school property are law enforcement officers, firefighters, and emergency service personnel when discharging their official duties (State law G.S. 11 5C-391 requires that local boards of education suspend for 365 days any student who brings a “weapon” onto school property. Weapons are defined as any gun, rifle, pistol, or other firearm of any kind, or any dynamite cartridge, bomb, grenade, mine or other powerful explosive, as defined in G.S. 14-284.1;

and this does not apply to fireworks. Superintendents may modify the suspension on a case-by-case basis, but a written explanation for the decision must be included with the school's Annual Report on School Crime and Violence). The type of any firearm(s) that is/are involved must be identified in the WEAPON USED/POSSESSED column of the Data Collection instrument. \*\*\*\*Because "Bomb Possession" involves the G.S. 14-269.2 definition of a bomb or "powerful explosive" as a felony-level weapon (G.S. 14-269.2 (b1)), as differentiated from a felony "firearm" weapon (G.S. 14-269.2 (b)), former definitions of "possession of a firearm" and "possession of a (misdemeanor) weapon" have been revised.

11. Possession of a Weapon. Possessing on their person or within their custody or control, storing, or carrying, by an unauthorized person, whether openly or concealed, a weapon, excluding firearms and powerful explosives, defined as follows: Any BB gun, stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades, any sharp pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction and maintenance. This category covers possession of all weapons, other than firearms and powerful explosives, which the law prohibits on educational property (N.C.G.S. § 14-269.2). Persons authorized to possess such weapons are law enforcement officers, firefighters and emergency service personnel when discharging their official duties. Report type of weapon unlawfully possessed in the WEAPON USED/POSSESSED column of the Data Collection instrument.

12. Rape. May be statutory or forcible. Forcible Rape is vaginal intercourse committed by force and without the consent of the victim, regardless of age. Statutory Rape is vaginal

intercourse committed on a child under the age of 16 by a person who is at least 12 years old and at least 4 years older than the victim, regardless of whether the victim consented. Consensual vaginal intercourse between a 13, 14 or 15 year old girl or boy and a 16 year girl or boy is not a crime; statutory rape requires at least four years between birthdays of the victim and perpetrator. Some examples of incidents which must be reported under this category are consensual intercourse between a 19-year old and a 15-year old; consensual intercourse with a person who is mentally handicapped or incapacitated, or physically helpless, regardless of whether the victim consented; or intercourse with an intoxicated or drugged victim who is too incapacitated to give consent.

13. Robbery With a Dangerous Weapon (Armed Robbery). Theft or attempted theft of anything of value from the person of another, or from the area under the immediate bodily control of the other, by using a dangerous weapon or by an act threatening use of a dangerous weapon. A dangerous weapon is any article, instrument or substance that is likely to produce death or great bodily harm. Forcible theft or attempted theft from a person without the use of a dangerous weapon should be reported under Robbery Without a Dangerous Weapon. Report type of weapon used in the WEAPON USED/POSSESSED column of the Data Collection instrument.

14. Robbery Without a Dangerous Weapon. The taking or attempting to take anything of value from another's person, by force, or by an act threatening force or violence, which puts a victim in fear, without the use of a weapon. The stealing of someone's property without the use of force or from a source other than the victim's Person is not included in this offense. If the taking from the person involves use of a dangerous weapon the incident is reported under Robbery With a Dangerous Weapon.

15. Sexual Assault (Not Involving Rape or Sexual Offense). An assault of a sexual nature. An unauthorized and unwanted, intentional, or forcible touching of a sex organ of a person of the opposite sex. Sex organs are the breasts of females and genital areas of males and females. This category includes forcibly and intentionally grabbing the clothed or unclothed breast or genitals of a person of the opposite sex, without the consent of the Victim. Report attempted rape and attempted sexual offense under this category. The difference between Sexual Assault and Sexual Offense is that Sexual Assault involves forcible and intentional touching without penetration of a sex organ, and Sexual Offense involves penetration of a sex organ or anus by any object, or touching another's mouth or anus by the male sex organ.

16. Sexual Offense. Sexual Offense may be forcible or statutory. Forcible Sexual Offense is actual oral-genital contact, or penile-anal penetration, or insertion of any object, including a finger, into the genital or anal opening of another person's body, committed by force and without the consent of the victim. Statutory Sexual Offense is any of the above acts committed on a child under the age of 16 by a person who is at least 12 years old and at least 4 years older than the victim, regardless of whether the victim consented. Statutory Sexual Offense is also any of the above acts committed on a person who is mentally handicapped or incapacitated or physically helpless, regardless of whether the victim consented. The difference between Rape and Sexual Offense is that Rape involves vaginal intercourse only, and Sexual Offense involves oral-genital contact, penile-anal penetration, or genital or anal penetration by any object.

17. Taking Indecent Liberties With A Minor. Committing a sexual act with or in the presence of a child under the age of 16 years, by a person at least age 16 and at least five years older than the child, for sexual gratification, regardless of whether force was used,

or whether the victim consented. Examples of acts to be reported under this category are intentional exposure of genitals in front of a child; showing a child pornography, secretly or in the child's presence; or photographing girls changing clothes or using toilets, if these acts are done for sexual gratification.

18. Other. All other acts not found in Acts 1 – 17.

## Appendix C

### Alternative Education and Safe Schools Services Manual

ALTERNATIVE EDUCATION AND SAFE SCHOOLS SERVICES MANUAL

2008-09 AESS Services Manual

SERVICES MANUAL

ALTERNATIVE EDUCATION AND SAFE SCHOOLS

2008-2009

ALTERNATIVE EDUCATION AND SAFE SCHOOLS

The mission of the Alternative Education and Safe Schools Department is to provide alternative educational programs and services for students who have specific needs that have not been met in a traditional educational program, and to provide services and strategies to facilitate a safe and orderly environment at school and at school functions.

Examples that clarify purpose:

Allow students to advance at a faster pace or slow down to learn

Manage or modify student behavior

Rehabilitate students into the mainstream

Attend to student learning styles and communicate to home school

Identify/diagnose problems/needs of students

Facilitate student graduation

Facilitate an ideal environment for learning

Provide alternatives for students who do not fit in regular programs

Allow students to progress academically

## Appendix D

### The Discipline Team Meeting (DTM) and Hearing Process

## The Discipline Team Meeting (DTM) and Hearing Process

### The DTM and Hearing Process

#### I. School Level Procedures

When a student is sent to the principal or assistant principal for any disciplinary action or conferencing concerning an incident, the steps listed below must be followed.

The administrator:

- (1) Advises the student of the charge(s).
- (2) Advises the student of the facts on which the charge(s) are based.
- (3) Gives the student an opportunity to respond to the charge(s) and to provide his/her version. The student is asked to give a written or verbal statement concerning the incident.
- (4) Provides written verification of the proposed disciplinary actions (including a written statement of appeal procedures) to the parent(s)/guardian. Note: Pages 25-29 in the *Students Rights, Responsibilities and Character Development Handbook* outline the suspension appeal procedure and has a sample appeal form for parents.
- (5) The school based administrator makes a good faith effort to notify the student's parent(s)/guardian by telephone and/or conference if immediate action will be taken to suspend the student based on guidelines in the *Students Rights, Responsibilities and Character Development Handbook*.
- (6) The school based administrator suspends for no more than 10 days without written permission from the Superintendent/Designee. School principals may request suspension extensions from their Area Superintendent's office via their personal email on a case-by-case basis.

#### II. Initiating a Disciplinary Team Meeting

When a student violates the Code of Student Conduct (Tier III, IV, or V) the school principal is required to notify the area superintendent/designee and a Disciplinary Team Meeting is requested. At this same time, the school administrator calls the hearing office to request that a hearing be scheduled with the Area Administrator. The school principal also notifies student and parent(s)/guardian of the recommendation for long-term suspension or exclusion via Form #5131.7H and the Investigation Form.

The administrator:

- (1) Gives student and/or parent a copy of the 5131.7H form at the time of the suspension (Attachment # 1).
- (2) Conducts a suspension conference with the parent within 2 days of the suspension at which time the parent is given a copy of the Investigation form (Attachment # 2) and other relevant evidence.
- (3) Informs the parent and/or student that a Disciplinary Team Meeting will be requested and to expect a call and a letter from the area administrator concerning the time and date of the Disciplinary Team Meeting.
- (4) Calls the hearing office and provides the following information:
  - a) Student ID number; corrected parent information if different than ESIS, school name, name of person conducting the Disciplinary Team Meeting for the school, and the number of days of suspension.
  - b) Arrested; Yes or No; violation number, date violation occurred and date conferenced with parent.
  - c) DTM's and Hearings for 504 students *are* called into the area office and hearing office at the time of the incident but *will not* be scheduled until the following takes place:

☐ Your assistance/intervention team meets and completes the 504 Manifestation form. *If no manifestation and a DTM and potentially a hearing is to proceed, all paperwork must be received in the area office within 15 days or have Area Superintendent approval for scheduling such a late hearing.* If there is a manifestation, call the Area Administrator and call the hearing office and cancel the Disciplinary Team Meeting and the hearing request.

☐ No Manifestation Determination meeting is required if the offense is drug or alcohol related, unless the student is in treatment.

☐ The school administrator sends to the Area Administrator all paperwork pertaining to 504 procedures and hearing procedures.

☐ The area office will get approval from the Federal Compliance office to continue with a DTM and/or a hearing.

☐ If approved, the Area Administrator will call the school to schedule a DTM and the hearing office to schedule a hearing. The hearing date will then be communicated to the school administrator by the Area Administrator.

☐ If not approved, the principal will receive a memo from the Federal Compliance office explaining why the DTM and/or hearing request was denied.

Disciplinary Team Meetings and Hearings for EC students *are not* called into the Area Administrator and hearing office at the time of the incident but will be scheduled when the following takes place:

☐ The IEP team meets to complete all EC paperwork. *If there is no manifestation and a DTM and/or hearing is to proceed, the paperwork must be received in the area office within 15 days or have Area Superintendent approval for scheduling such a late hearing.*

If there is a manifestation, the DTM and/or hearing process stops and the school works through the student's IEP.

☐ Check with your Exceptional Children Area Coordinator to make sure of procedures and that you complete and send *all* the appropriate paperwork to the area office.

☐ *A Behavior Packet Review Summary/Compliance Form completed by your coordinating teacher (CT) must accompany the DTM/Hearing packet that is sent to the Area Administrator requesting a hearing.*

☐ The EC Area Coordinator will review the DTM/Hearing packet, determine that the paperwork for DTM/Hearing is complete, gives the packet to the Area Administrator in order to proceed with the DTM, and sends a copy of the approved packet to the hearing office.

### III. Scheduling a Hearing

The school administrator calls the hearing in to the hearing office at the same time that he/she calls the Area Administrator to schedule the DTM and then sends the appropriate paperwork by courier to both the area office and hearing office (5131.7H, Investigation Form, administrative statement, and witness statements). The Area Administrator will then call the hearing officer and schedule a hearing date. The hearing officer will generate a hearing letter and transmit the letter to the Area Administrator. Hearings will generally be scheduled 2 to 5 days from the Disciplinary Team Meeting (DTM). The school administrator should also make a good faith effort to call and inform the parent of the time and date of the DTM. Hearings may be rescheduled by the hearing officer due to attorney representation or parental scheduling conflicts if adequate notice is given by the parent.

### IV. Due Process Disciplinary Hearing

If the parent requests a Due Process Hearing after the Disciplinary Team Meeting at the school, the Area Administrator will give the parent a copy of the hearing letter and then contact the Hearing Office to confirm the scheduled hearing. The assigned hearing officer will also mail a letter to the parent indicating the date and time of the scheduled hearing. The letter will also contain information concerning the hearing process as well as the due process rights afforded during the hearing.

(1) On the day of the scheduled hearing at the Learning Community (area) office, it is the responsibility of the hearing officer to receive the information concerning the violation from the school and to allow the student to address the violation.

(2) The school officials will present information (under oath) that was gathered during an investigation of the incident. Only information read into the record or stated for the record may be considered a part of the formal hearing. Information shared with a hearing officer prior to the hearing or following the hearing will not become a part of the record and will not be considered in the decision process.

(3) Documents required for all hearings. These documents must be sent to the hearing office after a hearing is called in and must be received in the hearing office before the hearing date.

(a) Form # 5131.7 H (Attachment # 1)

(b) Completed Investigation Form (Attachment # 2)

(c) Written Administrative Statement

☐ How the administrator became involved in the incident

☐ Statement of charges, all names, dates, locations, and pertinent facts

☐ Administrative statements should be written in the active voice and have the violation(s) clearly defined.

(d) Witness statements from adult and student witnesses should be obtained for all hearings. A recent court ruling affirms the validity of written witness statements and therefore live student witness presentations are not required for the school's presentation. Parents may request live presentations from staff witnesses, but must give the school 24 hours notice in order to arrange coverage for the staff members. Only the name of the student witness should be redacted from their statements. Student names in the body of the statements do not have to be redacted or masked.

(e) Pictures of any confiscated weapons or victim injuries will support the case.

(4) Following the school official's testimony the hearing officer, student, and parents will have the opportunity to ask clarification questions of the school officials of the testimony presented. When possible, the administrator involved in the investigation of the incident should present the case. Questions by parents cannot be answered if the administrator taking part in the hearing is presenting information with which he/she is not familiar.

(5) The hearing officer will ask for the following information at the hearing:

(a) Number of students and adults present

(b) Injuries, Medical Attention, Restitution for Medical Bills

(c) Weapons

☐ Reported to School Law Enforcement Officer

☐ Weapon report filed

☐ Weapon recovered

☐ Was weapon turned over to School Law Enforcement Officer

(d) Damage to School Board Property or Personal Property

(e) Value of Stolen, Damaged, or Destroyed Property

(f) Cost of False Alarm Fines from Fire, Police, or Rescue personnel

(g) Charges filed with Police or School Law Enforcement Officer

(6) The student will then be placed under oath (unless the parent objects) and the student will explain in his/her own words what occurred during the incident.

(7) Following the student's testimony the hearing officer, school officials and parent will have an opportunity to ask clarification questions. The hearing officer will ask for the following information.

(a) Aware that his/her action(s) was a violation of the Code of Student Conduct

(b) Had the student sought adult assistance prior to the incident

(8) Following the student's testimony the parents will have an opportunity to make a statement.

(a) The hearing officer will accept Character Statements in writing at the time of the hearing and will attach the statements to the report submitted to the area superintendent.

(b) Character witnesses will not be given the opportunity to speak during the due process hearing.

(9) The hearing will end following a closing statement from the school administration. Closing statements should not be personal in nature and should refrain from referring to previous incidents that the student was involved in except in cases where a pattern has been established (Sexual Harassment).

(10) The hearing officer will conduct a hearing in accordance with the provisions of the Schools Board of Education policy *JKD: Suspensions, Exclusions, and Expulsions of Students* and North Carolina General Statutes. The hearing officer will present the findings of fact, in writing, to the Area Superintendent and the Learning Community Executive Director.

## V. Hearing Decisions

The Area Superintendent/designee of each Learning Community will make a specific decision following each due process hearing based on the testimony presented during the hearing and will take into account various mitigating circumstances (*Student Rights, Responsibilities and Character Development Handbook*). The Area Administrator, Hearing

Officer, and school administrators should never tell the parent or the student what they believe the decision will be or what they want it to be. The decision process must remain open and not addressed at the school level. The Area Superintendent/designee will present his/her decision in the form of a letter that will be mailed to the parent/guardian with a copy sent to the school principal and hearing office. If the decision results in a change of placement for the student, the parent will have an opportunity to request an appeal of the decision before the Board of Education. School based consequences can be appealed to the Area Superintendent.

## VI. Recent Court Rulings

(1) Principals are advised to keep a copy of the Area Superintendent/designee's decision letter along with all disciplinary documentation in a separate discipline file, not the cumulative folder. Only the name of the student witness should be redacted from the statements placed in the folder. Student names in the body of the statements do not have to be redacted or masked. No Child Left Behind requires that these separate discipline folders are to be sent from middle schools to high schools when students are promoted and from school to school when students transfer.

(2) Lesser Included Offense. Recently a judge found that even though a student was charged with an assault and the Executive Director found it to be a mutual fight, the student had been provided with notice that the school was alleging a physical altercation and the Executive Director's decision was upheld.

## Appendix E

Overview of the DTM Hearing Process from the Student Rights, Responsibilities, and  
Character Development Handbook

OVERVIEW OF THE DTM/HEARING PROCESS FROM THE *STUDENT RIGHTS, RESPONSIBILITIES, AND CHARACTER DEVELOPMENT HANDBOOK*

2008-09 AESS Services Manual

IMPORTANT INFORMATION RELATING TO THE  
*STUDENT RIGHTS, RESPONSIBILITIES, and CHARACTER  
DEVELOPMENT HANDBOOK*

I. PROCEDURAL ISSUES

Procedures for Long Term Suspension or Exclusion

Students accused of a violation of the Code of Student Conduct, which, in the opinion of the principal/designee may require a long-term suspension or exclusion from school, shall be afforded the procedural safeguards described below. The procedures for a short-term suspension must be employed, as well as the following additional steps, prior to the imposition of a long-term suspension or exclusion.

Step 1: A Discipline Team meeting, consisting of the principal/designee, area administrator, the parent/guardian and student, will be convened at the school within the initial 10-day suspension. The team will review the investigation completed by the school, the due process procedures and any information provided by the student and parent/guardian. The area administrator will make a determination if any additional consequences shall be imposed and outline those consequences. If the parent/guardian agrees with the determination of the area administrator, the decision will stand. If the parent/guardian disagrees with decision of the area administrator a

hearing may be requested by making a written request to the area administrator.

Step 2: The hearing will also be scheduled within the 10-day suspension, or as close to it as feasible. If parents/guardians request a later hearing date, the area superintendent/designee will determine if the offense warrants an extension of the suspension prior to agreeing to a later hearing date.

Step 3: Written notice will be sent to parents/guardians advising them of the date, time and location of the hearing. The notice will also describe the hearing process and advise parents/guardians of the student's rights under law.

Step 4: A hearing will be held at the Learning Community Offices, where students will be able to exercise the rights identified in the notice, including the right to have an opportunity to present their version of the events, provide witnesses (or written witness statements) on their behalf, question the witnesses presented by the school administration and be represented by counsel (at their own expense).

Step 5: The area superintendent/designee shall make a written determination as to whether sufficient information was provided at the hearing to determine whether the student is guilty of the misconduct and, if so, the appropriate disciplinary response. The Area Superintendent/designee does not review the initial 10-day suspension. Students shall be informed of the determination within seven to ten days of the hearing.

Step 6: If the parent/guardian disagrees with the decision of the Area Superintendent/designee, an appeal before a panel of the Board of Education may be requested. This appeal must be requested within ten days of the date of the Superintendent's decision letter. The disciplinary consequence remains in effect throughout all appeals.

## II. REQUEST FOR AN EXTENSION OF SUSPENSION

In agreement with Public School Laws of North Carolina, N.C.G. S. 115C-391 (c), the principal of a school, with the prior approval of the superintendent, shall have the authority to suspend for periods of times in excess of 10 school days but not exceeding the time remaining in the school year, any pupil who willfully violates the policies of conduct established by the local board of education. When safety is an issue the principal may request an extension of a suspension by notifying the Area Executive Director of the circumstances surrounding the request. This request should be made to the superintendent/designee (the Area Executive Director) in writing (via e-mail), and if granted the extension will be in 5-day increments. The principal will be responsible for communicating any extension to the parent and student verbally and in writing.

### III. POLICY HIGHLIGHTS

Please review to following policies from the *Student Rights, Responsibilities, and Character Development Handbook*.

- Safe Harbor Provision

A student who inadvertently possesses or finds a prohibited object shall immediately notify school staff and surrender the object. A student may approach a school official and voluntarily surrender an object prohibited by the Code of Student Conduct without being subjected to discipline so long as the object (excluding a firearm) is one that the student could lawfully possess off school grounds. This provision will not apply if a search is ongoing in any location at the school or if the object is not turned in prior to discovery by school staff. The parent/guardian must make arrangements to pick up the object from the school, unless it is an object that must be turned over to law enforcement. If a student discovers an illegal item (i.e. drugs or weapons) or other

contraband on school property or at a school function, the student may approach a school official and report the discovery. A student shall not be in violation of the *Code of Student Conduct* solely for making such a report. School officials shall make a determination after an investigation of the report.

- **Conduct While on School Property**

An administrator or other authorized staff may direct anyone on school district property to leave the premises. Anyone who threatens or attempts to disrupt school or school district operations, physically harm someone, intentionally cause damage, uses loud or offensive language, uses tobacco or is under the influence of alcohol or other substances, gestures profanity or displays temper may be directed to leave the premises by an administrator or other authorized staff and have limitations placed on their campus access.

- **Search of Individual**

The district recognizes the need to respect the rights of students while protecting the health, safety and welfare of all students and school employees. However, individual student searches will be conducted if school staff have reasonable suspicion that a violation of the law or of the Code of Student Conduct. Failure to comply with a search will result in an immediate parent contact and removal from the school for the remainder of the day. Consequences will increase in severity for multiple refusals and/or if another rule is violated. Rule 21 Refusal to Allow Search had been deleted from the Code of Student Conduct.

#### IV. Discipline Tier System

Disciplinary infractions are now categorized into 5 Tiers and within each tier, the administrator has the discretion to impose the consequences deemed most appropriate to

address the infraction. In the instances where an infraction falls within multiple tiers, it is within the discretion of the administrator to determine tier assignment for the infraction.

- Tier I

Designed to provide programs and/or school options for students who are at risk for behavioral issues and may be disenfranchised from school or commit minor infractions on an infrequent basis. Program options will be implemented in the student's current school and include services such as support related to anger management or conflict resolution. School assignment options will include a student's enrollment in one of the district's current alternative schools such as the Performance Learning Center or Hawthorne Day/Evening School. Principals, area administrators, area superintendents and parents will collaborate on the decision to enroll a student in one of the alternative programs.

- Tier II

Designed to provide interventions for students who may commit infractions of the Code of Student Conduct such as being chronically disruptive or participating in a first fight that does not result in injury or significant disruption to the education environment (fights are cumulative in elementary, middle and high school).

- Tier III

Designed to provide interventions for students who commit more serious infractions of the Code of Student Conduct and/or have repeat offenses.

- Tier IV

An intervention for students who commit serious crimes and who cannot attend school with the general student population. An option at Tier IV would include an assignment to Turning Point Academy for the remainder of the academic year (in certain situations the

assignment may be permanent). Additionally, students will be excluded from school for up to 365 days for any of the following: battering a staff member, bringing a powder weapon to school, possessing large amounts of separated drugs, communicating a bomb threat or perpetrating a hoax and/or physically assaulting and seriously injuring another student.

- Tier V

Also a possible consequence for student behavior described in Tier IV. It is a permanent expulsion from school and all school properties by the Board of Education for a student (age 14 or older) whose continued presence constitutes a clear threat to other persons.

The student is eligible to petition the Board for reenrollment and, if granted, the student may be placed at Turning Point Academy with a re-entry plan developed by personnel.

#### V. Alternative Discipline Programs

The following programs are available for the 2008-2009 school year.

- Alternative to Suspension Centers

The primary goal of the (Six) Alternative to Suspension Centers is to reduce the number of students who consistently display inappropriate behavior on campus. The program will provide a stable environment for students suspended for 1-10 days for up to Tier III infractions. This is a voluntary placement offered instead of suspension; therefore, transportation will not be provided. The home school will collaborate with the family and the center to ensure consistency of academic work. The (One) Long-term Alternative to Suspension Center is an assignment for 11-30 to which transportation will be provided.

- Positive Options Program (POP)

POP is an option for students who possess or use alcohol, marijuana or other unauthorized drugs at school or at school activities and for whom this is a first offense.

- Turning Point Academy

The Turning Point Academy is designed for students who have committed serious infractions of the *Code of Student Conduct*. Program staff works with students, their families and the student's home school to develop a personal behavior plan and curriculum that will be implemented during the assignment to Turning Point Academy. Students are assigned to Turning Point Academy for a determined period of time or until they meet stated goals and return to their home school.

- Turning Point Academy Mastery Program

The Turning Point Academy Mastery Program is designed for students in grades 9-12 who are age inappropriate at their current grade placement. This afternoon/evening program provides opportunities for students to complete required courses for promotion/graduation at a faster pace than available in the traditional setting.

- Right Choices Program

The goal of the Right Choices Program is to provide a constructive intervention and early support program for first-time offenders who violate the substance abuse or violent acts rules of the Code of Student Conduct. This six-week voluntary program is in lieu of assignment to Turning Point Academy.

- Aware Program

The AWARE program is a 15-30 day alternative learning program, housed at Alternative Ed at Bank Street for first-time fighters who have qualified and received due process following the incident.

- Violence Is Preventable Program (VIP)

VIP is a support program for students who have been involved in serious violent behaviors at school or at a school activity and for whom this is a first offense. The parent/guardian is required to attend VIP with the student. The focus of VIP is to provide awareness of violence prevention and anger management and to build positive life skills in the areas of communication, decision-making and self-esteem. Each cycle of VIP consists of three one and one-half hour sessions.

- Sexual Harassment Is Preventable Program (SHIP)

SHIP is a support program for students who have been involved in serious incidents of sexual harassment at school or at a school activity and for whom this is a first offense. The parent/guardian is required to attend SHIP with the student. The focus of SHIP is to provide awareness for participants through discussion and focus groups to modify the student's inappropriate behavior.

## VI. RULES FOR PHYSICAL ENGAGEMENT

There are five acceptable reasons for a teacher and/or administrator to touch a student.

1) To quell a disturbance threatening injury to others; 2) To obtain possession of weapons or other dangerous objects on the person, or within the control, of a student; 3) For self-defense; 4) For the protection of persons or property; or 5) To maintain order on school property, in the classroom, or at a school-related activity on or off school property.

When a staff member approaches a student involved in one of the five scenarios described above he/she MUST first make their presence known. The staff member should call out to the student and identify himself/herself before initiating physical contact.

When a staff member intervenes in a situation and is hit while attempting to restrain a student, the incident will not be considered an assault on the staff member. However, if the student is cognizant of a staff member's presence and continues to be an aggressor,

then the student may be charged with assault. Staff members need to be aware that physical confrontations with students resulting from a teacher attempting to block the door way, a teacher attempting to restrain a student in any manner in an effort to keep the student from leaving his/her immediate presence will NOT be viewed as an assault on the staff member. An appropriate response by a staff member would be to:

- 1) Shadow the student
- 2) Contact school security for assistance
- 3) Follow any procedure sanctioned by the Safe School Plan

## Appendix F

### Recommendation for Long-term Suspension or Exclusion Form

# Recommendation for Long-Term Suspension or Exclusion Form

## RECOMMENDATION FOR LONG-TERM SUSPENSION OR EXCLUSION

RE: \_\_\_\_\_

TO: \_\_\_\_\_

Student Name \_\_\_\_\_

Parent/Guardian \_\_\_\_\_

ID# \_\_\_\_\_

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ \_\_\_\_\_

Date of Birth

Grade

Race

Sex

Address \_\_\_\_\_

\_\_\_\_\_ City State Zip

School Name

School Number

\_\_\_\_\_

Date

School Phone

Home Phone

Work Phone

This is to inform you that an investigation has occurred concerning your child's participation in an incident that occurred on \_\_\_\_\_ resulting in his/her suspension. I have determined, based on information of the investigation, that a Long-Term Suspension or Exclusion may be necessary for your child and I am making that request to the Area Superintendent. A Discipline Team Meeting will be conducted here at the school and a subsequent Due Process Hearing may be held at the Learning Community office to further gather information and to insure that your child receives all due process rights. Your attendance and the attendance of your child will be very important to the Discipline Team Meeting and Due Process Hearing process. The Area Administrator for Student Services will confirm the time and place of the Discipline Team Meeting and your due process rights

within the next few days. If deemed appropriate by the principal, the suspension for your child will start on \_\_\_\_\_ and he/she may return to school on \_\_\_\_\_.

Your child may return to school when the suspension is over if the superintendent has not made a decision on the appropriateness of a long-term suspension or exclusion for your child. Your child may not take part in any school function and must remain off all school property during the suspension. (The principal may extend the length of the suspension under conditions approved by the superintendent or his designee.) This request for a Long-Term Suspension or Exclusion is based on a violation of the following from the Code of Student Conduct Rule #\_\_\_\_\_ Time of Incident:\_\_\_\_\_ Location of Incident:\_\_\_\_\_

*Description of Behavior or Circumstances of Misconduct:*

---



---



---



---

The district is committed to providing every student with the opportunity to obtain a quality education. A positive, uninterrupted learning environment must be maintained if this goal is to be achieved. If you have any questions concerning this request for Long-Term Suspension or Exclusion or your child's school status as a result of this action, please contact the school at ###-###-#### or the Area Administrator for Student Services at ###-###-####.

Upon request, the Area Administrator for Student Services will also provide you with the names of legal services groups which may be of assistance.

NOTICE TO ALL PARENT(S)/GUARDIAN(S): Decisions made by School Officials pursuant to the Code of Student Conduct may be appealed to the Board of Education.

---

Principal's Signature Date

Violations of the Code of Student Conduct at the Tier III, IV, or V consequence levels may result in a 10 day suspension, a Discipline Team Meeting, and a possible due process hearing. However, violations that occur within the last 10 days of the school year will result in a suspension through the end of the current school year followed by a Discipline Team Meeting and a possible due process hearing.

Initial school suspensions may not extend into the next school year. All suspensions must be issued and served for a Due Process Hearing to proceed.

c: Student, Parent, Principal, Area Administrator, Hearing Office

## Appendix G

### Board of Education Related Policies

## Board of Education Related Policies

### Safe Schools Policy NEPN Code ADD

The districts Board of Education will maintain a safe and orderly school environment so that effective teaching and optimum student learning may occur. The Administration, including each principal, will prepare a School Improvement Plan that includes a Safe School Plan, a Crisis Management Plan and an Anti Bullying program that coordinates resources within the school system and the community to ensure that unexpected occurrences are managed with sensitivity and dispatch, and to facilitate a rapid return to normalcy.<sup>1</sup>

### Student Discipline Policy NEPN Code JK

Education is the primary purpose of public school. In order for teachers to teach and students to learn, an atmosphere conducive to learning must be consistently maintained. Accordingly, the teacher is the recognized authority in the classroom. Discipline is defined as well-ordered, directed behavior. Therefore, students shall be taught character education, including the values of responsibility, respect for others, and self-discipline. Guidelines for appropriate student behavior shall be set by the district. Unless circumstances dictate otherwise, consequences that occur when students do not follow the guidelines shall be progressive in nature <sup>2</sup> Students are expected to follow the student behavior guidelines while on Board of Education property. Board of Education property includes the physical premises of all school campuses and properties, bus stops, all vehicles under the control of the district, and all school sponsored curricular or extra-curricular activities, whether occurring on or away from a school campus. Parents, as well as teachers, principals, administrative and support personnel, the Superintendent, Board of Education, and students share the responsibility to work together so that

students will develop and maintain disciplined behavior. Corporal punishment is prohibited in the school system and shall not be used in any circumstances to maintain discipline.

Suspension, Exclusion, and Expulsion Policy NEPN Code: JKD

## I. SUSPENSION

Suspension is the temporary removal of a student from the regular school program.

Suspension is considered an extreme measure. Before a student is suspended, there must be a serious attempt to resolve the problem through use of other disciplinary measures, unless the student has committed an infraction that requires immediate removal from the educational environment. A principal should make reasonable efforts to involve a student's parents<sup>3</sup> in working to resolve disciplinary problems. According to state law, the principal has the authority to suspend students for a minimum and definite period of time not to exceed ten school days. Under certain circumstances, the principal, with the prior approval of the Superintendent, may extend the suspension of students for an additional period of time that does not exceed the time remaining in the school year. If a student has been identified as disabled under the Individuals with Disabilities Education Act or is suspected of having a disability and it is proposed that the student be suspended from school or placed in an alternative educational setting, principals shall follow the procedures set forth in Regulation JKDA-R.

1 Copies of the Safe School Plan and the Crisis Management Plan for a particular school are available in that school.

2 The student behavior guidelines are usually referred to as the "Code of Conduct," and are published and distributed to each student each school year. The title of the publication may change from year to year.

## II. ALTERNATIVE EDUCATIONAL ASSIGNMENT (AEA)

Upon determination after a hearing that there has been a violation of student behavior guidelines 4 that results in a long-term suspension or exclusion, a student may be reassigned under an Alternative Educational Assignment (AEA) to the appropriate alternative school. This assignment will enable students to continue their education in an alternative program designed to meet their academic and behavioral needs. Upon satisfactory completion of this program, students will receive academic credit for their work and will be considered for reentry to their regularly assigned school unless otherwise designated by the Superintendent.

## III. Exclusion

Exclusion is defined as the removal by the Superintendent of a student from the regular school program for a definite period of time that exceeds the term of the school year. A student may be excluded for violation of any of the student behavior guidelines that have as a consequence a long-term suspension or exclusion, as well as for other serious offenses covered in Policy JK, Student Discipline, and its accompanying regulations. Secondary students excluded during the first semester will be reviewed for AEA at the end of the school year students excluded during the second semester will be reviewed for AEA before the end of the first semester of the following school year. Exclusion from the school system by the Superintendent must be within the provisions of the state law granting this authority.

## IV. APPEAL

When the Superintendent/designee imposes a suspension in excess of ten (10) days or an exclusion, the parent may request that the Board of Education review the decision. This appeal must be in writing, to the Chairperson of the Board of Education, and must be

made within ten (10) days of the Superintendent/ designee's decision. The appeal must state with specificity the basis for the appeal. For suspensions of ten (10) days or less that have been appealed to a final administrative decision, the parent may request that the Board of Education review that decision. This request must be in writing to the Chairperson of the Board of Education and must be made within ten (10) days of notice of the decision. For these suspensions of ten (10) days or less, the Board will hear such appeals only when the parent alleges that the administration has violated federal or State law, NC Board of Education policies, State rules, or District Board policies when making its decision. Documentation of one of these bases must accompany the request for a Board hearing. Any suspension or exclusion directed by the administration shall not be postponed pending the outcome of the appeal to the Board of Education.

#### V. EXPULSION

Expulsion is the permanent denial of a student's right to attend school or school sponsored activities. This decision may be rendered only by the Board of Education, pursuant to the following procedure established by NC law:

- 1.The student must be a least 14 years of age and his or her behavior must indicate that his or her continued presence in school constitutes a clear threat to the safety of employees or other students;
- 2.Prior to ordering the expulsion of a student, the Board must consider whether there is an alternative program offered by the district that may provide educational services to the student;
- 3.The Board's decision to expel a student must be based on clear and convincing evidence. At any time after July 1st that is at least six months after the Board's decision to expel a student, a student may request the Board to reconsider his or her expulsion. If the

student demonstrates to the satisfaction of the Board that his or her presence in school no longer constitutes a threat to the safety of other students or employees, the Board shall readmit the student on a date established by the Board. Corporal punishment is prohibited in the school system and shall not be used in any circumstances to maintain discipline.

**Weapon Possession by Students Policy NEPN Code: JICI**

With the exception of authorized law enforcement, firefighter, emergency service and other authorized personnel, the districts Board of Education strictly prohibits the possession, use, sale, distribution, transportation or manufacture of weapons of any type by:

(1) employees during working time, any Board sponsored event or curricular or extracurricular activity, or when otherwise representing the district;

(2) employees, students and visitors on Board property or motor vehicles, including parking lots, whether such property or vehicles are owned, used, leased or rented; and

(3) employees, students and others during any Board sponsored event or curricular or extracurricular activity. These prohibitions include both visible and concealed weapons and those for which the owner has obtained the necessary concealed handgun or other permits. While this list is not all-encompassing, weapons are further defined to include firearms, BB guns, air guns, knives, razors, explosives, incendiary devices, ammunition, stun guns, metallic knuckles, blackjacks, pocket knives, throwing stars, or any other deadly weapon or object.

**POSSESSION OF A CONCEALED HANDGUN PERMIT DOES NOT ALLOW  
INDIVIDUALS TO BRING A FIREARM OR ANY OTHER WEAPON ON BOARD**

PROPERTY OR VEHICLES OR AT BOARD SPONSORED EVENTS OR ACTIVITIES. MOREOVER, VIOLATORS OF THIS POLICY WILL BE SUBJECT TO DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION, AND/OR CRIMINAL PROSECUTION AND, AS APPROPRIATE, STUDENT SUSPENSION OR EXPULSION.

All employees who have knowledge or suspicions of any employee, student or others who is in possession of a weapon on Board property or vehicles, at Board sponsored events or activities, or of any other violation of this policy should notify their immediate supervisors, school law enforcement personnel, the Employee Relations Section of the Human Resources Department and/or outside law enforcement immediately, as applicable. This policy does not apply to weapons used solely for educational purposes or school-sanctioned ceremonial purposes, or used in a school-approved program conducted under the supervision of an adult whose supervision has been approved by the appropriate school authority. Students who possess weapons under such circumstances are required to inform the principal or appropriate adult supervisor that they are in possession of a weapon.

## Appendix H

### Survey

## Survey

Please respond to the statements below using a scale of 1 – 4 with 1 being Strongly Disagree to 4 being Strongly Agree. SD = Strongly Disagree, D = Disagree, NS = Not Sure, A = Agree, SA = Strongly Agree. Simply check the box representing the appropriate letter.

#	Question:	SD=1	D=2	NS=0	A=3	SA=4
1.	Students that attended the Right Choices Program demonstrate better decision making skills.					
2.	Students that attended the Right Choices Program demonstrate more effective problem solving skills.					
3.	Students that attended the Right Choices Program demonstrate positive attitudes toward school.					
4.	Students that attended the Right Choices Program demonstrate respect towards their peers.					
5.	Students that attended the Right Choices Program demonstrate respect towards adults and staff members.					
6.	Students that attended the Right Choices Program demonstrate a higher time on task.					
7.	Students that attended the Right Choices Program report to school regularly.					
8.	Students that attended the Right Choices Program demonstrate an improvement in their grades on assignments.					

## Appendix I

### Focus Group Questionnaire

## Focus Group Questionnaire

Grade Level: \_\_\_\_\_ Number of Participants: \_\_\_\_\_ Date: \_\_\_\_\_

1. What are the contextual issues that warrant an alternative program in the school system?
2. Explain the circumstances that caused the leadership team to adopt the Right Choices program.
3. How do you think the program is going at the school?
4. What components do you think are effective and which ones are ineffective?
5. What have been the main difficulties with implementing the program?
6. Should the program be continued? Why or why not?