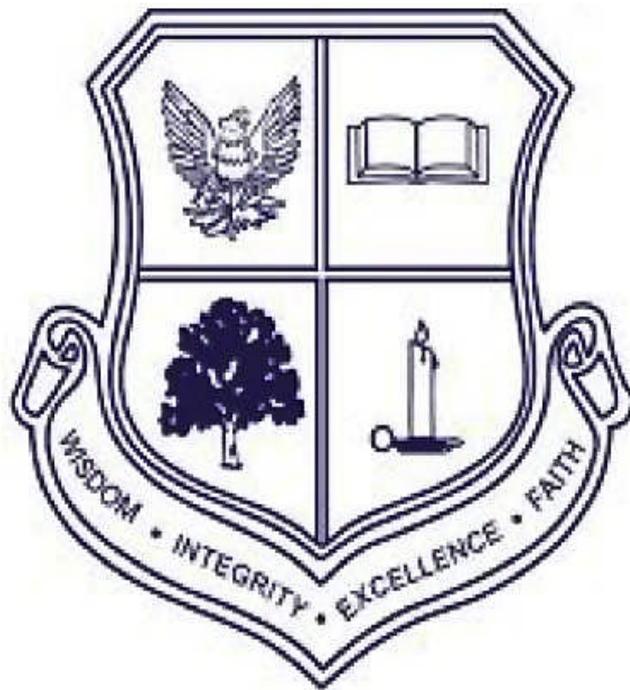


# *Phoenix Academy Student Handbook*



## DEFINITIONS

**Aggravating Factors** — aggravating factors suggesting consequences beyond the recommended penalty include, but are not limited to, repeated violations, imminent danger to self or others, failing or refusing to follow the directives of school personnel while they are attempting to investigate or control behavior during a potential Code violation and other extreme circumstances within the discretion of the managing director.

**Alternative Setting** — educational services provided by the system or another provider in a setting other than the student's school assignment.

**Board** — Phoenix Academy, Inc. Board of Directors.

**Classroom** — locations where designated learning experiences take place and where school officials have supervisory responsibility.

**Consequences** — consequences for violations of the Code of Conduct include, but are not limited to, conferences with parents, confiscation of property which disrupts the learning environment, detention, isolation, restitution, in-school suspension, suspension from school activities and events, suspension of bus privileges, after-school detention, out-of-school suspension and expulsion (See also the section entitled Disciplinary Measures).

**Day or Days** — school days excluding teacher workdays, holidays, vacation days and weekends.

**Expulsion** — permanent exclusion of a student from entering the school, school grounds or riding on a school-owned or operated vehicle and removal of the student from the rolls of Phoenix Academy, Inc. and other consequences provided by law.

**In-School Suspension** (hereinafter ISS) — the in-school suspension program is an alternative to students being suspended out-of-school. Purposes are to provide a form of consequence that results in improved behaviors without the removal of students from the school environment and supervision.

**Long-Term Suspension** — Out-of-school suspension for any designated period of more than 10 days but not in excess of the maximum time allowed by law (N.C.G.S. 115C-391).

**Memorandum of Disciplinary Action** — The written summation by the managing director or his designee of the charges against the student, the managing director's findings and the disciplinary action assigned by the managing director as a consequence of the action.

**Mitigating Factors** — mitigating factors include but are not limited to self-defense, provocation, former record of the student, and other factors in the discretion of the managing director and Superintendent.

**Out-of-School Suspension** (hereinafter OSS) — the removal of the student from school, school activities and school grounds for a designated period of time as prescribed by law.

**Parent** — includes the natural parent, legal guardian, legal custodian or person serving in loco parentis having charge or control of any student enrolled at Phoenix Academy.

**School Officials** — the “School Officials” are the Superintendent/Principals or any school professional to whom the Superintendent/Principals may officially delegate authority.

**Restitution** — to make whole, by replacement or restoration of property to its original condition, or payment of money sufficient to compensate for damage to property.

**Student** — any person enrolled or attending Phoenix Academy, Inc.

**Tardy** — means late for a class or other school period as defined by the schools and the North Carolina laws and regulations.

**Teacher** — the licensed professional entrusted by the Board with the responsibility pursuant to law for the education, health and well-being of students under his/her direction.

**Teacher Assistant** — the paraprofessional hired by the Board to provide classroom support and assistance to teachers.

**Year-Long Suspension** — Students who bring weapons or explosives or physically assault teachers, other adults or students may be suspended up to 365 days or placed in an alternative setting if the criteria set out in N.C.G.S. 115C-39(d1) are met. In some instances, a suspension for 365 days is mandatory. Students may be placed in alternative settings at the expiration of their long-term suspensions if re-entry into the regular education program could not reasonably result in appropriate academic progress.

## **ADMISSIONS POLICY AND PROCEDURES**

*North Carolina children are entitled to a free public education under the North Carolina Constitution and NC statutes Article IX, Sections 2 and 3; N.C. Gen. Stat. Section 115C-364-366. Initial Entry during the first 120 days as detailed in N.C. Gen. Stat. 115C-364(a). Initial Entry after the first 120 days as detailed in N.C. Gen. Stat. Section 115C-364(b). Admission at age 4 as detailed in N.C. Gen. Stat. Section 115C-364(d). Phoenix Academy does not discriminate against any student on the basis of ethnicity, disability, religious affiliation, national origin or gender.*

Phoenix Academy requires that all applications be received by the required deadline of September 30<sup>th</sup> of each calendar year. If applications exceed capacity of student seats available a lottery will be held for anyone who has applied between October 1<sup>st</sup> and the spring lottery date posted on the school calendar each school year. Applications not chosen in lottery will be waitlisted until September 30<sup>th</sup> of each year and seats will be offered in the order in which applications were received.

## **IMMUNIZATION POLICY AND PROCEDURES**

***Phoenix Academy complies in full with the provisions of 130A-155 regarding the immunization of students. Phoenix Academy requires that parents and guardians of all students' present certificates of immunization prior to the first day of school. Phoenix Academy will maintain records of its students' immunization certificates, which will be open to inspection by the Department of Public Health.***

### **Attendance Policy**

***Phoenix Academy, Inc. recognizes that regular attendance is one of the most significant factors in school success and educational achievement. Therefore, the Board encourages and strongly supports every effort made to have students at school and present for all classes in order that they might benefit from a quality education. Students, parents/guardians, and all school personnel are encouraged to recognize and fulfill their individual responsibilities in keeping with laws, regulations, and school policies governing the attendance of students in school.***

***Students play the leading role in the responsibility for remediation losses incurred through absence from school. School staff members will cooperate in these remediation efforts, but the student must take the initiative to request make-up work immediately upon returning to school, and even prior to the absence if the situation allows. Effort must be made by the student to complete all make-up work on a schedule set by the teacher and if possible before the end of the affected grading period.***

## **Attendance Procedure**

### **I. STUDENT ATTENDANCE**

#### **A. Lawful Absences**

Excusable absences permitted by N.C. State Board of Education Attendance Rules:

- Illness or injury
- Quarantine
- Death in family
- Medical/dental appointments
- Court proceedings
- Religious observances
- Educational opportunity
- Suspension
- Expulsion
- Medically Fragile

#### **B. Unlawful Absences**

Unlawful (unexcused) absences are defined as the student's willful absences from school without the knowledge of the parents/guardians, or the student's absences from school without justifiable causes with the knowledge of parents/guardians.

#### **C. Homebound Placements**

Homebound placements are based on medical recommendations and students are credited as in attendance when pre-approved by the appropriate official of Phoenix Academy, Inc.

#### **D. Make-Up Work**

Students are responsible for all work missed when absent from school. Immediately upon

returning to school students must make arrangements with his/her teacher(s) to make up all work (assignments, tests, projects, etc.) missed while absent.

#### **E. Absence Documentation Requirement**

All absences require a written note from the parent/guardian explaining the absence(s). The student should deliver the note to school authorities (teacher, attendance office official, etc.) as soon as possible upon his/her return to school; failure to submit such notes within 3 days after returning to school will result in an unexcused absence being recorded.

Parents/guardians are requested to contact school officials immediately when extended unanticipated absences occur. All anticipated extended periods of absence should be reported to school officials previous to the period of absence. Such absences should receive prior approval by school officials. Prior approval is required for any student departing from campus once they have arrived; this approval is required throughout the school day.

#### **F. Definition of being “in attendance”**

To be considered “in attendance”, a student must be present in the school for at least one-half of the school day (or one-half of the class for class attendance in secondary schools) or at a place other than the school with the approval of school officials to attend an authorized school activity. Such activities include, but may not be limited to, field trips, athletic contests or other competitions, student conventions, music festivals or concerts or similar activities approved by the school.

#### **G. Unlawful Absence Disciplinary Actions**

Unlawful absence will result in conferences with parents/guardians. Unlawful absence and/or truancy may lead to disciplinary action to include court proceedings involving parents and/or students if the student is under sixteen years of age. North Carolina statutes (G.S. 115C-378) require attendance until age 16.

### **THE THREE CATEGORIES OF STUDENT ABSENCES NUMBERED FROM ZERO TO TWO ARE:**

#### **Category 0/No Fault Absences**

Examples of no-fault absences: Death in the immediate family, religious observances, medical/dental appointments, military obligations, chronic illness with a doctor’s note on file, short-term illness with a doctor’s note, other extenuating circumstances at the managing director’s discretion.

Consequences: No formal consequences are applied.

Make-up time: Make-up time is not applicable.

Make-up work: Work will be received; actual grade will be recorded. Work must be presented within three days of the student's return to school. The ultimate responsibility for make-up work lies with the student.

### **Category 1/Excused Absences**

Examples of excused absences: Illness without a doctor's note, family trips, college visits, educational opportunities, etc.

Consequences: At 4 or more excused absences per grading period a grade of 69/"F" will be awarded (lower if the student's actual grade earned is lower), unless the time missed is made up.

Make-up time: Absences may be made up hour-for-hour in a fashion approved by the student's school (see section entitled **Make-up Time** below).

Make-up work: Work will be received; the actual grade earned will be recorded. Work must be presented within 3 days of the student's return to school. The ultimate responsibility for make-up work lies with the student (see section entitled **Suspensions** for information regarding absences resulting from suspension from school).

### **Category 2/Unexcused Absences**

Examples of unexcused absences: Truancy (skipping school or individual classes), missing school bus, work, car trouble, traffic, oversleeping, etc.

Consequences: At 3 or more unexcused absences per grading period a grade of 69/"F" will be recorded (lower if the student's actual grade earned is lower). Any applicable Student Code of Conduct consequence will also be taken.

Make-up time: None allowed.

Make-up work: Work will be received; the highest grade that will be recorded will be 69/"F" (lower if the student's actual grade earned is lower). Work must be presented within 3 days of the student's return to school.

### **Make-Up Time (Excused Absences Only)**

Make-up time for absences will be offered at the discretion of the classroom teacher with final approval from the Managing Director.

When a violation occurs, a grade of "I" (Incomplete) will appear on the student's report card until the time available for making up time (when applicable) has expired; at that point in time the grade of "F" will replace the "I" for the grading period in question.

## **Notifications of Absences**

Parents/guardians will be notified of students being absent on the following schedule:  
For excused absences notification will be given when the fourth excused absences occur  
For unexcused absences notification will be given when the third unexcused absences occur

**Caution:** Parents should monitor their student's attendance closely; notifications sent by the school can follow the actual absence by a number of days due to time needed for processing, mailing, etc. Parents will receive notification under North Carolina State Statute (G.S. 115C-378).

## **More Important Attendance Information**

**Attendance notes:** A note from a parent or guardian is required when students are absent. All notes are due within three days after a student's return. Failure to present a note will result in that absence being categorized as unexcused. Tardiness: Each school will design its own program for discouraging students from being late to school or class.

**Field trips:** Students are considered "present" in school when on field trips and other school-sponsored activities. Ask your attendance staff or school administrator when clarification is needed. Time required in class: Attendance in class for at least one-half of the class period is required for the student to be counted "present."

**Suspensions:** By state statute, suspensions are counted as excused absences. For suspensions of 3 days or less, suspended students must submit their make-up work within 2 days of their return to school. For suspensions of more than 3 days, make-up work must be submitted immediately upon the student's return to school. Failure to submit the work as outlined above will result in the grade of "zero" being recorded.

## **DISCIPLINARY MEASURES**

The Board shall delegate to the managing director the responsibility for establishing and enforcing necessary regulations and procedures not in conflict with state or federal law so as to govern and control the conduct of students. The Board expects school administrators to provide for and maintain an environment suitable for an orderly learning process. These disciplinary measures are consequences of violating the Student Code of Conduct and may include but are not limited to the following:

**Conference with Parents**

Parents are encouraged to set up an appointment with any teacher, counselor, or administrator to discuss their child's progress or problems. School officials may also request such a conference.

**Confiscation**

Any student's property which disrupts the learning environment will be removed from that student's possession.

**Court Referral**

In case of a drug offense, assault, or other violations of the North Carolina statutes, a student may be taken to court.

**Detention**

Any teacher or managing director may detain a student before or after regular school hours with prior approval of school officials.

**Expulsion**

Permanent prohibition/exclusion from the school system requires the recommendation of the managing director and Board action.

**In-School Suspension**

A student is excluded from attending regular classes but not from attending school and is required to do assignments developed by his/her regular teachers. Credit is given for this work. A student will not be allowed to participate in any extra-curricular activities during the period of in-school suspension. Managing directors shall notify parents when a student is assigned to in-school suspension.

**Isolation**

Any student may be removed from regular class activities for any portion of a school day as long as he/she is placed under the supervision of an adult.

**Involvement of Law Enforcement Agencies**

In cases of violations of North Carolina General Statutes or as provided for by law, law enforcement agencies may be contacted.

**Loss of Privileges**

Managing directors, teachers, and/or their designees may withdraw specific school privileges from students who exhibit inappropriate behaviors.

**Out-of-School Suspension**

A student may be suspended from attendance at school for violations of the Student Code of Conduct.

1. Short-term suspension – 10 days or less.
2. Long-term suspension – more than 10 days.
3. 365 Day Suspension – suspension for 365 days.

**Parent Contact**

Teachers, counselors, and school administrators may contact parents by telephone or letter in an effort to inform them of student misconduct and to gain their support in altering that behavior.

**Referral to alternative environment**

Students who have been referred to the Behavior team for discipline three or more times may be referred by the Principal and school counselor, and the school officials may recommend additional advice to the teacher, recommend a transfer for the student to another classroom, request an alternate school setting in LEA where student is domiciled, or provide other services as needed.

**Removal from School Provided Transportation**

Students exhibiting inappropriate behavior may be prohibited from riding the bus or other school provided transportation for any period of time up to the remainder of the school year.

**Removal from the Classroom**

The removal of a student from class by a classroom teacher or other school official for the remainder of a class period or school day and placement at some other place on the school premises shall not be considered a short-term suspension and shall not come under the rules and procedures governing suspensions.

**Restitution**

The replacement of or payment for property taken, damaged, or destroyed will be required.

**Suspension from Extra-Curricular Activities**

A student may be suspended from participating in any or all extra-curricular activities, including graduation exercises.

## **DROP OFF AND PICKUP GUIDELINES**

Students shall be dropped off and picked up by their parents/guardians before and after school. (8:00am and 3:00pm) Students shall be dropped off and picked up via the car pool line. The car line transportation plan is available at the administrative office. Parking is prohibited at the back driveway of the building. All parents/guardians must park in the front of the buildings in the designated parking areas.

Early pick-up to avoid car pool line is NOT permitted.

No parent/guardian/visitor shall go directly to the classroom to pick up their child early.

All students must be signed out through the office if leaving in an alternate manner other than the car line.

## **STUDENT DISCIPLINE**

Phoenix Academy is committed to maintaining effective discipline in order to establish positive learning environments, which ensure that every student has the maximum opportunity to receive appropriate education. PA recognizes that establishing order and maintaining discipline in the school setting can be achieved only through the cooperative efforts of school personnel, students, and parents/guardians. State law addresses the responsibilities of teachers and managing directors as follows:

“It shall be the duty of all teachers, including student teachers, substitute teachers, voluntary teachers, and teacher assistants when given authority over some part of the school program by the managing director or supervising teacher, to maintain good order and discipline in their respective schools.” (G.S. 115C-307)

### **Discipline: A Cooperative Effort**

In addition to meeting the requirements of the law, the Board expects all school personnel to promote effective instruction and discipline through fair and non-discriminatory treatment of all students, to display an attitude of respect for all students, to initiate cooperative working relationships with all students and parents/guardians, and to seek parental/guardian input in planning and implementing discipline plans. It is the responsibility of all school personnel to consistently and impartially enforce the rules and regulations of the school and classroom while protecting the constitutional due process rights of the students.

Students are encouraged and expected to conduct themselves in a manner that is conducive to effective learning and which respects the personal, civil, and property rights of all members of the school community. Students are expected to know and to follow the rules and regulations of the school and each classroom teacher. If a student has a complaint or

concern, he/she is encouraged to discuss the problem with school personnel and parents/guardians and to seek changes in an orderly, responsible manner.

Parents/guardians are encouraged to maintain regular communication with school personnel concerning their child's academic progress and conduct, to attend conferences scheduled at a time mutually convenient for all concerned, and to bring to the attention of school personnel any concern or problem which affects the education of their child. Parents/guardians are also expected to know and to encourage their child to follow the rules and regulations of the school and each classroom teacher.

### **Preventive Measures**

When it is recognized that a student is behaving in a manner that indicates potential disciplinary problems, school personnel shall make reasonable efforts to initiate preventive measures. Possible preventive intervention procedures may include, but are not limited to:

- conferences with the student;
- conferences with the parents/guardians;
- periodic follow-up reports to parents/guardians; and
- referral to appropriate support personnel.

School personnel shall actively seek effective, positive methods and strategies to help each student learn to behave in a manner that is conducive to effective learning and that respects the rights of others. Each school managing director shall systematically identify potential problem areas within his/her school that may contribute to discipline problems and shall work to maintain a positive school environment to minimize discipline problems.

### **Corporal Punishment and Use of Reasonable Force**

The Board believes that a well disciplined school system can be maintained without the use of corporal punishment. Therefore, the Board prohibits the use of corporal punishment by managing directors, assistant managing directors, teachers, substitute teachers, any other school system personnel, student teachers or volunteers. While the Board prohibits the use of corporal punishment as a means of discipline, school personnel may use reasonable force to control behavior or to remove a person from the scene in the following situations:

- to quell a disturbance threatening injury to others;
- to obtain possessions of weapons or other dangerous objects on the person or within the control of a student;
- for self-defense; or
- for the protection of persons or property.

## **Suspension and Expulsion**

While the teacher has the major responsibility for classroom discipline, some disruptive behavior may require the attention of the managing director or his/her designee. State law assigns the managing director the authority to suspend for ten days or less. The Board expects the managing director to treat any suspension or expulsion as a very serious matter and in such instances the managing director should utilize resources at his/her disposal in an effort to effect another solution. In the event that a student must be suspended or excluded, the Board expects such action to be in full compliance with the provisions of the law and with the policies and procedures of the Board.

## **PARENT MEETINGS WITH FACULTY AND STAFF**

Conferences are scheduled throughout the year for student updates on their child's progress. Either the parents or the teacher may request conferences. We ask that you arrange to schedule an appointment by sending a note either to the office or to the teacher directly. Please do not stop to talk to a teacher while there are on duty or in the process of teaching their class. Before and after school appointments will be made at a mutually agreeable time, after filling out the Meeting Request Form, which can be obtained in the office. Meetings will be attended by two staff members where notes taken and signed off by parents for your files and school records.

## **GRADING AND REPORTING STUDENT PROGRESS**

Phoenix Academy, Inc. requires that all parents/guardians be informed at regular intervals on the academic progress of their children. A progress report will be sent to the parents of each student at the end of each grading period. Completing the progress report shall be the responsibility of the classroom teacher. Grades shall reflect a student's progress in meeting the objectives of a specified curriculum or course. Teachers shall keep accurate records, which reflect how they have determined each student's grades. The scale to report student progress Kindergarten through Eighth Grades shall be on a 10 point scale:

### Kindergarten through First Grades:

- A Always / Superior
- M Most of the time / Above Average
- S Some of the time / Average
- N Needs more time to develop / Below Standard
- G Below Grade Level
- I Incomplete

### The scale for Second through Eighth Grades:

- A 90-100 = Superior
- B 80-89 = Above Average
- C 70 -79 = Average
- D 60-69 = Below Standard
- F 59 and below = Failing
- I Incomplete

**\*\* Students identified and on an IEP or 504 will be capped at a low score of 45 unless the assignment is just not turned in.\*\***

### **ADMINISTRATION OF MEDICATION TO STUDENTS**

Phoenix Academy recognizes that under certain circumstances it will be necessary for students to take medication during school hours or after school hours while participating in extra-curricular activities or tutorials. The General Statutes (115C-375.1) permit public school employees, when given the authority by the Board, to administer medication prescribed by a doctor upon written request of the parent/guardian. The Board authorizes school system personnel to administer medications in the case of a student who has a chronic health problem, or a student with an unusual health problem where emergency measures may be required.

School staff may administer medication to students at school only if the health care provider deems it necessary for the medication to be given during the school hours and if a parent/guardian requests for distribution of medications is in writing. Medication shall be administered in accordance with the health care provider's instructions and established written procedures. No drugs may be administered without documentation from the health care provider.

The school will assume no responsibility for students who self-medicate or for the transportation of medication to and/or from school.

**The school, its personnel and the Board will assume no liability for complications or side effects of medications when administered in accordance with the instructions provided by the parent/guardian and health care provider.**

### **FIELD TRIPS**

Because the safety of students is a primary consideration in the approval of and carrying out of field trips, students must have the written permission of their parents for their participation

in each specific field trip. In the event that entry fees or meal charges are required, we ask that the student pay these charges. In the event of financial constraints, we will assist in seeking out sponsors to assist. All parent volunteer drivers must show current drivers license and insurance information prior to driving on any field trip. All trips must be cleared through the administrative office in writing.

### **INCLEMENT WEATHER PLAN, EMERGENCY DELAY/CLOSING/CANCELLATION OF SCHOOL**

During the extremely bad weather, it may sometimes become necessary to cancel school or to close school early. When the decision is made to delay opening or to close school, parents are advised of those decisions through the following television and radio announcements:

<b>TV Station</b>	<b>Signal #</b>
GSO Ch. 2	WFMY
High Point Fox 8	WGHP
W-S Ch. 12	WXII

We also advise by ONE CALL NOW, which will send email, text, and voice messages to staff and parents. Please do not call the TV stations or school officials since such calls tie up phone lines and might delay the announcements. A decision will be made by 6:00 AM and it usually may take up to 20 minutes to get it on the air. Parents must have made necessary arrangements in case the school closes early or is closed for the day. Students may not stay on campus after school is closed, all parents will be notified and will be expected to pick up their children as soon as reasonably possible.

(PACES) will not operate during emergency closing days. Please contact ( PACES) for more information as Phoenix Academy is not in control of the before and aftercare services.

## **UNIFORMS**

Phoenix Academy discourages clothing with brand names and designer labels. We require that these guidelines be met when attending classes, school events and on school sponsored field trips. Clean clothing must be worn and tailored appropriately at all times. Shirts must be tucked in at all times and shoes tied. Undershirts must be worn beneath uniform shirt and must be solid white. No undershirts over uniform shirts.

\*\*If in need Phoenix has a second hand uniform program please ask our front desk or contact our school counselor.

### **Kindergarten through 5th Grade**

- No double shirts permitted (undershirts are fine if not seen and are solid white)
- Solid White polo (style) shirt (short or long sleeve)
- Solid White turtleneck (short or long sleeve) (100% cotton works best for cleaning)
- Solid White uniform button-down oxford cloth shirt (short or long sleeve)
- Solid White uniform blouse (short or long sleeve)
- Solid Navy blue uniform pants (cotton twill),(Nolycra ,No cargo style)
- Solid Navy blue uniform shorts (plain, no pockets on pant legs, no cargo style),(must be fingertip length)
- Solid Navy blue uniform jumper (plain, must be fingertip length)
- Solid Navy blue uniform skirt or skort (plain, must be fingertip length)
- Solid Navy blue uniform cardigan sweaters
- Solid Navy blue uniform corduroy pants (no cargo style) or navy blue uniform corduroy jumper
- Plaid #36 Girls (uniform through French Toast only)
- Accessories Navy, White or Plaid #36 boys or girls (ie: hair accessories or boys ties)
- Belts in black, brown, or navy (If pants have belt loops belts must be worn)
- Sock/Tights wear in navy or white (No leggings are permitted)
- Solid White socks (must come above the ankles)
- Solid White leather tennis shoes (no accent color allowed)
- Tan Bucks or tan suede oxfords (enter dirty buck suede into Google search)
- Solid navy blue sweaters (crew or v-neck) cardigan or sweater vest
- No sweatshirts with or without hoodies, fleece Jackets, or fleece vest may be worn in the school building.
- Nail polish is not permitted while in uniform (light colors on dress down days)
- No jewelry allowed
- No hair colors
- No extreme hair cuts

Uniform is as above for Middle Years Students with the following additional pieces added.

#### **Middle School Uniform Additional Pieces (Sixth Grade – Eighth Grade)**

**In addition to the K-5 uniform pieces, the following may be added for *Middle School*:**

- Solid Red Polo (Style) shirt (short or long sleeve)
- Solid Navy Polo (Style) shirt (short or long sleeve)
- Khaki uniform pants (Cotton Twill, no lycra or Cargo style)
- Khaki uniform shorts (Cotton Twill, no lycra or Cargo style)
- Khaki uniform jumper (Plain, fingertip length)
- Khaki uniform shorts (Cotton Twill, no lycra or Cargo style)
- Khaki uniform skirts or skorts (Plain, fingertip length) School Blazer (Navy Blue) Found on French Toast Website
- Sperry Boat Shoe (Light Brown see picture under news on home page of website)
- Leather Tennis Shoes (White with no accent color) Hightops are allowed if they are tied at all times.
- White or Navy Socks (Ankle socks are permitted.)

#### **Outer Day Wear Dress Code:**

Heavy winter items are your choice. These items are to be worn outside only and must be removed upon school entrance.

**\*\*Fridays will be “Dress Down Days” \*\***

( Students earn dress down days by following uniform code throughout the week.)

Uniform Dress is required on all field trips.

**\*\* Dress code applies to all field trips (No Exceptions) \*\***

**Dress code for “Dress Down Day”:**

- Tailored casual pants or jeans with no holes
- No baggy pants or low rider pants (pants must fit on the hips)
- No short shorts
- No cut off shorts
- No short skirts
- No sleeveless shirts or dresses with thin straps
- No backless dresses or shirts
- No sandals
- No logo shirts that are distracting or create a safety concern
- No bandanas
- No jewelry that is distracting or creates a safety concern
- No Fake fingernails or dark polish that draws attention
- No extreme hair colors or cuts

**\*\*\*All shirts must be of a length to be tucked into clothing apparel at waist at all times.**

**POLICY AND PROCEDURES FOR PLAYGROUND/SUPERVISION**

**RECESS:** The “Time on Learning” legislation requires 900 minimum hours of instruction per year. To fulfill this standard, the combined recesses and lunch schedule cannot exceed 60 minutes.

**OUTSIDE RECESS:** If there is a question as to the appropriateness of weather or grounds conditions for outside recess, the office should be notified. The director will make a school-wide decision.

**RATIO OF CHILDREN TO ADULTS:** The ratio should be the same as the indoor classroom. For example, if there is one adult to 18 children inside, the same ratio should be applied outside.

**PLAYGROUND INSPECTION:** All staff should be able to inspect basic aspects of playground safety. On a daily basis, the playground equipment and ground cover should be inspected. If problems are found, they should be reported immediately, and a written report of repairs to be done should be submitted to the office.

**STUDENT SUPERVISION**

Students should be supervised appropriately by classroom teachers or by a designated staff member employed by the school.

## **BIRTHDAYS/HOLIDAYS/GIFT GIVING**

Students' birthdays shall be acknowledged. A single day each month will be designated to celebrate all children whose birthday falls within that month. Summer birthdays will be celebrated in the first or last month of class accordingly. All gift giving or exchange of personal items is to be done off campus.

## **DISCIPLINARY GUIDELINES**

### **Rule 1. Trespassing**

Students shall not willfully enter or remain in any school structure, conveyance, or property without having been authorized by school personnel. No student shall be on the campus of another school other than his or her assigned school without the knowledge and consent of the officials of the school he or she is visiting. No student shall refuse to depart from the property after being requested to do so.

**Consequences** In-school disciplinary action up to 5 day OSS.

### **Rule 2. Attendance**

Students shall follow state and local attendance guidelines and attend classes in a timely and regular fashion.

- Skipping (Not coming to school) School in whole or in part** — Students shall come to school and be present by 8:15am in their designated homeroom and/or their assigned classroom unless they have been authorized to be absent by the managing director or his/her designee or unless they have an absence that is excused pursuant to state guidelines and Board policy for attendance.
- a)

**Consequences** In-school disciplinary action

- Skipping (leaving school once present) School in whole or in part** — Students shall come to school, remain at school once they have arrived and be present in their designated homeroom and/or their assigned classroom until 3:00pm unless they have been authorized to do otherwise by the managing director or his/her designee.
- b)

**Consequences** In-school disciplinary action.

- c) **Tardiness** — Students shall be considered tardy after 8:15am.

**Rule 3. Cheating**

Students shall not engage in any act of deception or falsification of work product. This includes cheating by receiving any unauthorized aid or assistance or the actual giving or receiving of unfair advantage on any form of academic work, plagiarism by copying the language structure, idea and/or thought of another and representing it as one's own work, and verbal or written statement of untruth.

**Consequences** In-school disciplinary action up to 1 day OSS. Zero on assignment

**Rule 4. Inappropriate Interpersonal Behavior**

Students shall conduct their personal and social relationships according to acceptable community standards. Inappropriate public displays of affection as determined by the managing director will not be allowed.

**Consequences** In-school disciplinary action up to 1 day OSS.

**Rule 5. Use of Tobacco Products**

Students shall not use or possess tobacco products on any school property at any time while a student is at school in any school building and on any school premises, attending school-sponsored activities, on or about any school-owned or operated vehicle, off school property at any school-sponsored or school approved activity or function or during any period of time when students are subject to the authority of school personnel and at any time when the student's behavior has a direct and immediate effect on maintaining order and discipline and protecting the safety and welfare of students and staff.

**Consequences** In-school disciplinary action up to 1 day OSS.

**Rule 6. Noncompliance with Directives from Directors, Teachers and Other School Personnel**

Students shall comply with the directions of all managing directors, assistant managing directors, teachers, substitute teachers, counselors, media specialists, teacher assistants, student teachers, coaches, advisors, bus drivers, bus supervisors and any other authorized school personnel at all times while a student is at school in any school building and on any school premises, attending school-sponsored activities, on or about any school-owned or operated vehicle, off school property at any school-sponsored or school approved activity or function or during any period of time when students are subject to the authority of school personnel and at any time when the student's behavior has a direct and immediate effect on maintaining order and discipline and protecting the safety and welfare of students and staff.

**Consequences** In-school disciplinary action up to 1 day OSS.

## **Rule 7. Building Rules and Appropriate use of Facility and Surrounding Premises**

The building is a “place of public educational accommodation”, being used as a place of education and all that a school entails. Sidewalks, lobbies, hallways and passages shall not be obstructed. No sweepings, rubbish, rags, ashes, chemicals or other refuse or injurious substances shall be placed therein or used in connection therewith or left in any lobbies, passages or hallways. The toilet rooms, toilets, urinals, sinks, faucets, plumbing or other service apparatus of any kind shall not be used for any other purposes other than those for which they were installed.

Everyone shall comply with all safety, fire protection and evacuation procedures and regulations. No person shall go on the roof. Skylights, windows and doors shall not be covered or obstructed. Window coverings shall not be installed which would affect the exterior appearance of the building. Shades and blinds shall not be removed. No one shall hang, install, mount, suspend or attach anything from or to any sprinkler, plumbing, utility or other lines. No animals, other than seeing-eye dogs in the company of their masters, may be brought into or kept in or about the premises, unless it is for a specific educational experience. No installation boring or cutting for electrical devices shall be permitted.

Everyone shall use the property parking spaces and comply with all parking regulations. Parking shall be limited to automobiles, passenger or equivalent vans, motorcycles, light four wheel pickup trucks and (in designated areas) bicycles. Vehicles shall be parked only in striped parking spaces, except for loading and unloading which shall occur solely in zones marked for that purpose, and be conducted as to not unreasonably interfere with traffic flow within the property.

All vehicles entering or parking in the parking areas shall do so at the owner’s sole risk and the school takes no responsibility for any damage, destruction, vandalism or theft. Each vehicle owner shall promptly respond to any sounding alarm or horn, and failing to do so may result in temporary or permanent exclusion of such vehicle from the parking areas. Any vehicle which violates the parking regulations may be cited, towed at the expense of the owner, temporarily or permanently excluded from the parking areas, or subject to other lawful consequences.

Canvassing, soliciting and distribution of handbills or any other written material, and peddling in the buildings are prohibited. The staff/teacher workroom shall be utilized by the staff/teacher only. Designed office areas shall be utilized by administration only.

### **Rule 8. Insulting, Abusive, Harassing, Profane, Obscene, or Seriously Disrespectful Words, Acts of Touching Gestures, Signs, Verbal Threats or Other Acts**

Students shall respect other students, visitors, school employees and other persons by utilizing appropriate language and behaviors at all times. No aggression towards one self or others. Any action which is insulting, abusive, harassing, profane, obscene or seriously disrespectful and which disrupts the learning process for any student or which demeans or degrades another person is specifically prohibited. Students who believe they have been subjected to violations of Rule 8 should consult Board policies on reporting student harassment.

**Consequences** Up to 3 days OSS.

### **HARASSMENT/BULLYING**

It is the priority of Phoenix Academy to provide every student and employee in the school with a safe and orderly learning and working environment. To this end, the school specifically prohibits bullying and harassing behavior as defined below. This policy is in addition to the school's Sexual Harassment policy.

As used in this policy, bullying or harassing behavior is any pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication that takes place on school property, at any school-sponsored function, and that:

1. Places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property; or
2. Creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities, or benefits. A hostile environment means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior.

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

Bullying or harassing behavior is prohibited at all levels: between students, between employees and students, between peers or coworkers, between supervisors and subordinates, or between nonemployees and employees and/or students. Any person may report an act of bullying or harassment anonymously. However, formal disciplinary action may not be taken solely on the basis of an anonymous report. In addition, this policy may not be construed to allow school officials to punish student expression or speech based on an undifferentiated fear or apprehension of disturbance or out of a desire to avoid the discomfort and unpleasantness that may accompany an unpopular viewpoint.

Any student who believes that he or she has been bullied or harassed in violation of this policy should report such behavior immediately to a teacher, counselor or administrator at his/her school.

Any student who believes that he or she has been bullied or harassed in violation of this policy should report such behavior to the Superintendent / Principal or designee.

A school employee who has witnessed or has reliable information that a student or school employee has been subject to any act of bullying or harassing behavior shall report the incident as follows: 1) to the principal in the case of a student; or 2) to the immediate supervisor of the alleged bully or harasser or other appropriate school official in the case of an employee. Failure to make such a report may subject the employee to disciplinary action.

If the individual to whom a report under this policy is required to be made is the alleged bully or harasser, then the report should be made to that person's immediate supervisor or other appropriate school official.

All complaints of bullying or harassing behavior made by students shall be promptly and thoroughly investigated by the Principal or designee. All complaints of bullying or harassing made by employees shall be promptly and thoroughly investigated by the Superintendent / Principal or designee. If the individual required to investigate a complaint made under this policy is the alleged bully or harasser, the investigation shall be conducted by an appropriate school system administrator as designated by the Superintendent. If at any time during the investigation the school official investigating an allegation of harassment or bullying receives information alleging the harassment or bullying was based on sex or gender, the school official shall notify the Title IX Coordinator and any other appropriate person as required by law.

The actions taken in response to evidence of bullying or harassing behavior should be reasonably calculated to end any harassment or bullying, eliminate a hostile environment if one has been created, and prevent harassment from occurring again. Violations of this policy shall be considered misconduct and may include long-term suspension or expulsion in the case of students and disciplinary action up to and including dismissal in the case of employees.

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

Nothing in this policy precludes the school from taking disciplinary action against a student or employee where the evidence does not establish harassment but the conduct otherwise fails to satisfy the school's high expectations for appropriate conduct. This policy shall be distributed annually in the Phoenix Academy Student Handbook and the Phoenix Academy Employee Handbook.

LEGAL REF: Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.; Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.; Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.; Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq.; G.S. 126-16; North Carolina School Violence Prevention Act.

### **Rule 9. Gambling**

Students shall not engage in any form of games of chance or gambling for money and/or things of value.

**Consequences:** In-school disciplinary action up to 1 day OSS.

### **Rule 10. Forging Notes/Documents**

Students shall not provide false information to school officials and or parents or guardians with regard to any report card, attendance matter, grades or progress reports, discipline matters or any other school business.

**Consequences:** Up to 3 days OSS.

**Rule 11. Arson or Making or Possessing Explosive or Incendiary Devices**

Students shall not make or possess firecrackers, explosives, pyrotechnic, incendiary (capable of producing flame or fire) or smoke-creating devices or materials or facsimiles thereof. Students shall not set fire to anything unless directed to do so under the supervision of a teacher or administrator for educational purposes. In the event that a device is discovered, it shall be confiscated and not returned to the student.

**Consequences:** Up to long-term suspension for 365 days. Law enforcement may be called.

**Rule 12. Unjustified Activation of a Fire or Other Alarm System**

Students shall not activate any fire or other alarm system unless authorized to do so by school employees or unless there are reasonable grounds to believe that an actual emergency situation exists.

**Consequences:** Up to 10 days OSS. Law enforcement may be called.

**Rule 13. Gangs and Gang Related Activities**

Phoenix Academy does not support or condone gang membership or gang activity. The managing directors shall regularly consult with law enforcement officials to identify gang-related items, symbols and behaviors, and provide each assistant managing director with this information. 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 Phoenix Academy Policy, and having a common name or common identifying sign, colors or symbols.

Conduct prohibited by this policy includes:

A. 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. Communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.), to convey membership affiliation in any gang or that promotes gang affiliation;

- C. Tagging, or otherwise defacing school or personal property with gang or gang-related symbols or slogans;
- D. Requiring payment of protection, money or insurance, or otherwise intimidating or threatening any person related to gang activity;
- E. Inciting other students to intimidate or to act with physical violence upon any other person related to gang activity;
- F. Soliciting others for gang membership;
- G. Conspiring to commit any violation of this policy or committing or conspiring to commit any other illegal act or other violation of school policies that relate to gang activity.

Before being suspended for a first offense of wearing gang-related attire (when not involved in any other kind of gang-related activity or behavior), a student may receive a warning and be allowed to immediately change or remove the attire if the school administration determines that the student did not intend the attire to show gang affiliation.

**Consequences:** Up to long-term suspension for 365 days. Law enforcement may be called. **A serious violation of this policy may result in long-term suspension, or in the case of repeated violations and provided the student and parent(s) have been notified of this possibility, expulsion.**

#### **Rule 14. Fighting Among Students**

Students shall not fight or attempt to cause bodily harm to another student through physical contact. If a student is attempting to involve another student in a fight, the other student should walk away and report it to a teacher, assistant managing director or managing director. If a student is a victim of a sudden unprovoked attack or fight, he or she may defend himself or herself only long enough to disengage from fighting to report it to an appropriate school official. Students who instigate fights will be subject to the same consequences as those who are actually involved in fighting.

**Consequences:** Up to 10 days OSS. Law enforcement may be called.

### **Rule 15. Theft or Destruction of School or Personal Property**

Students shall not steal or attempt to steal or knowingly be in possession of stolen property or intentionally damage or attempt to damage any school or private property while under school jurisdiction. Students shall not vandalize or damage or attempt to damage property belonging to others.

**Consequences:** Up to 10 days OSS. Law enforcement may be called. Restitution may be required.

### **Rule 16. Threats or Actions of Assault Against Adults**

A) Physical Assault or Physical Harm to School Employees and Other Adults. — Students shall not cause or attempt to cause physical or bodily harm to managing directors, assistant managing directors, teachers, substitute teachers, student teachers, coaches, advisors, counselors, media specialists, bus drivers or monitors, or other adults at any time while a student is at school, in any school building and on any school premises, attending school-sponsored activities, on or about any school-owned or operated vehicle, off school property at any school-sponsored or school approved activity or function or during any period of time when students are subject to the authority of school personnel and at any time when the student's behavior has a direct and immediate effect on maintaining order and discipline and protecting safety and welfare of students and staff. A student who is 13 years old and physically assaults and seriously injures a teacher or other school personnel will be suspended for at least 300 days up to 365 days. A student who is at least 13 years old and physically assaults a teacher or other adult may be suspended for up to 365 days. **Consequences:** Up to 10 days OSS. Law enforcement will be called

B) Written or Verbal Assault to School Employees and Other Adults. — Students shall not, through written or oral communication, threaten to cause, cause or attempt to cause harm to managing directors, assistant managing directors, teachers, substitute teachers, student teachers, teacher assistants, coaches, advisors, counselors, bus drivers or monitors, or other adults at any time while a student is at school in any school building and on any school premises, attending school-sponsored activities, on or about any school-owned or operated vehicle, off school property at any school-sponsored or school approved activity or function or during any period of time when students are subject to the authority of school personnel and at any time when the student's behavior has a direct and immediate effect on maintaining order and discipline and protecting safety and welfare of students and staff. **Consequences:** Up to 10 days OSS. Law enforcement will be called

**Rule 17. Violent Physical Assault Upon a Student**

Students shall not cause, attempt to cause or verbally (written or oral) threaten to cause injury of any kind to a student while a student is at school in any school building and on any school premises, attending school-sponsored activities, on or about any school-owned or operated vehicle, off school property at any school-sponsored or school approved activity or function or during any period of time when students are subject to the authority of school personnel and at any time when the student's behavior has a direct and immediate effect on maintaining order and discipline and protecting safety and welfare of students and staff. A student who is at least 13 years old and physically assaults another student if the assault is witnessed by school personnel, or physically assaults and seriously injures a student may be suspended for up to 365 days.

**Consequences:** 10 days OSS. Law enforcement will be called.

**Rule 18. Possession of a Firearm**

Students shall not possess or conceal or transport any gun, air gun, BB gun, pellet gun, firearm, or any weapon capable of firing a projectile of any kind or any gun facsimile or incidental items relating to firearms use, such as bullets, magazine clips, or other projectile items at any time while a student is at school in any school building and on any school premises, attending school-sponsored activities, on or about any school-owned or operated vehicle, off school property at any school-sponsored or school approved activity or function or during any period of time when students are subject to the authority of school personnel and at any time when the student's behavior has a direct and immediate effect on maintaining order and discipline and protecting safety and welfare of students and staff. Any student who brings a gun, rifle, pistol or firearm of any kind on campus may be suspended for an entire calendar year pursuant to N.C.G.S. 115C-391(d1).

**Consequences:** 10 days OSS. Confiscate weapon. Law enforcement will be called.

**Rule 19. Possession of a Dangerous Weapon or Other Instrument**

Students shall not possess or conceal or transport any weapon or other instrument that could cause or that is intended to cause bodily injury or other harm to another or misuse otherwise acceptable objects in a manner intended to cause harm to others at any time while a student is at school in any school building and on any school premises, attending school-sponsored activities, on or about any school-owned or operated vehicle, off school property at any school-sponsored or school approved activity or function or during any

period of time when students are subject to the authority of school personnel and at any time when the student's behavior has a direct and immediate effect on maintaining order and discipline and protecting safety and welfare of students and staff.

**Consequences:** 10 days OSS. Confiscate weapon. Law enforcement will be called.

**Rule 20. Disruption of School (Inciting or Participating in Student Disorder)**

Students shall not lead or participate in any activity that has as its purpose the disruption of school business or which significantly affects the educational process. In the event that the disruption does not abate immediately or if the managing director deems it appropriate, law enforcement will be called.

**Consequences:** 10 days OSS. Law enforcement will be called.

**Rule 21. Possession, Use, Sale, Delivery or Distribution of Marijuana, Narcotics, Stimulants, Alcoholic Beverages, or any other Unauthorized or Illegal Substances or Drug Paraphernalia**

Students shall not possess, use, sell, transmit, deliver, distribute marijuana, narcotics, stimulants, alcoholic beverages or any other controlled or unauthorized or illegal substances or drug paraphernalia at any time while a student is at school in any school building and on any school premises, attending school-sponsored activities, on or about any school-owned or operated vehicle, off school property at any school-sponsored or school approved activity or function or during any period of time when students are subject to the authority of school personnel and at any time when the student's behavior has a direct and immediate effect on maintaining order and discipline and protecting safety and welfare of students and staff. In all cases the substance will be confiscated and police will be notified.

**Consequences:** 10 days OSS. Confiscate substance. Law enforcement will be called. Treatment Program may be required for re-entry.

**Rule 22. Exploding Firecrackers or Igniting Similar Devices**

Students shall not explode firecrackers or ignite pyrotechnic, incendiary or smoke-producing devices or cause any fire whether or not there is an intent to commit arson or other crimes involving fire or explosion at any time while a student is at school in any school building and on any school premises, attending school-sponsored activities, on or about any school-owned or operated vehicle, off school property at any school-sponsored or school approved activity or function or during any period of time when students are subject to the authority of

school personnel and at any time when the student's behavior has a direct and immediate effect on maintaining order and discipline and protecting safety and welfare of students and staff.

**Consequences** OSS up to and including long-term suspension. Confiscate device. Law enforcement may be called. Restitution may be required.

### **Rule 23. Violations of North Carolina Criminal Statutes**

Students shall not violate any criminal statute or local ordinance or commit any act which could result in criminal prosecution or juvenile proceedings not previously covered elsewhere in these rules at any time while a student is at school in any school building and on any school premises, attending school-sponsored activities, on or about any school-owned or operated vehicle, off school property at any school-sponsored or school approved activity or function or during any period of time when students are subject to the authority of school personnel and at any time when the student's behavior has a direct and immediate effect on maintaining order and discipline and protecting safety and welfare of students and staff.

**Consequences:** Long-term suspension for maximum allowed. Law enforcement will be called.

### **Rule 24. Electronic Devices**

Items such as pagers, cell phones, record players, MP3 players, tape players, CD players, radios and other transmitters of sound must not be brought to school or to any school related activity. This policy also includes laser pointers/lights. Students may not have such devices at any time during the school day or at events. Our staff will be instructed upon a disturbance from these items, to confiscate the item and the student is considered to be out of compliance with the rule. It is our policy to only return these devices to a parent or guardian during the school year. Items collected more than one time will be held by Administration until the end of the school year at which time parents or guardians must pick them up. Any item not reclaimed on the last day of school will be disposed of.

## **GRIEVANCES – STUDENTS/PARENTS POLICY AND PROCEDURE**

### **Policy**

It is the policy of Phoenix Academy, Inc. to attempt to provide an environment, which is conducive to educational success. The Board believes that the potential for success is greatly enhanced in a school environment characterized by mutual respect, fair and impartial treatment, open lines of communication, and adequate procedures for solving differences, including access to the administration.

The Board expects all teachers and administrators to attempt to reduce sources of conflict between students and school employees and attempt to resolve differences when they occur. Likewise, the Board expects all students to attempt to resolve points of differences routinely, and when this effort proves unsuccessful, to facilitate efforts to resolve grievances.

The Board believes that most differences and problems need to be resolved in an expeditious manner through an open and honest discussion between the parties concerned. However, the Board recognizes that open discussion may not be able to resolve all problems thereby resulting in the utilization of the grievance procedures set forth.

The Board shall countenance no harassment or intimidation of any student because of having used the grievance procedure. Further, no reference to the use of this procedure will be used in the student's cumulative folder.

### **Procedure**

The grievance procedure is a positive process through which relationships and communications between students, parents and employees may be improved. The primary purpose of the grievance procedure is to secure an equitable resolution to the claim of the parents, and all parties involved shall show a good faith attempt to resolve the claim at the lowest possible administrative level. During all grievance conferences and hearings, effort shall be focused on finding a resolution to the problem, rather than merely describing or elaborating on the problem itself. No coercion, discrimination, or reprisal of any kind shall be taken by the Board or by any administrator against any student because of his/her or his/her parent's participation in the grievance procedure.

#### **I. Definitions**

A. A “grievant” refers to any student currently enrolled in Phoenix Academy, Inc. (PA) or his/her parent who files a grievance.

A “grievance” refers to a claim based on an event or condition that adversely affects a parent or his/her child, allegedly caused by a violation, misinterpretation, or inequitable application of Federal or State statutes and/or PA policies and administrative procedures. A grievance does not apply to:

1. Any matter for which a method of review is prescribed by Federal or State law;
  2. Any matter that is beyond the scope of the authority of PA Board.
  3. Any matter involving a suspension of more than ten (10) days
  4. Any exceptional child issue that is addressed by separate procedures and regulations established by PA policy or State or Federal law; or
- B.

The “parties of interest” or “interested parties” refer to the person who is filing the grievance, any employee who might be required to take action or against whom action might be taken in order to resolve the grievance, and the designated third party representatives.

C.

“Day or Days” means school days excluding teacher workdays, holidays, designated vacation days, and weekends (unless otherwise noted).

D.

## **II. Right to Representation**

Both grievant and the person against whom the grievance is being filed may be represented at all stages of the informal and formal grievance procedures by a third party representative whose role and type of participation shall be determined by the parties of interest. Third party representation shall exclude legal counsel at all conferences and hearings at administrative levels below the first level of appeal.

## **III. Procedures and Timeliness**

The individual filing a grievance may elect to begin with the informal or formal procedure.

### **A. Informal Grievance**

1. Informal grievances against school-based employees other than managing director: Within five (5) days following the event or condition that is the basis for the grievance, the individual may request an appointment with the employee with whom they disagree to present the matter orally. Within five (5) days following the conference request, the employee shall confer with the grievant and attempt to resolve the grievance through an oral response. If the grievant is not satisfied with the employee’s oral response, the

informal grievance may advance to the managing director in the event that the original grievance did not involve the managing director. Any grievance that is not advanced to the next level of authority or to the formal procedure within five (5) days following the oral response shall be deemed abandoned. The managing director shall then consider the grievance and provide an oral response to the grievant within five (5) days. In the event that the grievant is still not satisfied with the outcome of the grievance, he/she must file a formal grievance within five (5) days of the oral response of the managing director or the grievance will be deemed abandoned.

2. Informal grievances involving Managing Director: In the event that the managing director is the employee to whom the grievance was addressed originally, the grievant must within five (5) days following the event or condition that is the basis for the grievance request an appointment with the managing director to present the matter orally. Within five (5) days following the conference request, the managing director shall confer with the grievant and attempt to resolve the grievance through an oral response. If the grievant is not satisfied with the managing director's oral response, he/she must file a formal grievance within five (5) days of the oral response of the managing director or the appeal is deemed abandoned.

#### B. Formal Grievance

In the formal grievance procedure, the grievance is filed in writing, using the Grievance Filing Form, and the person receiving the grievance responds in writing. All written documents, formal communications, and any school records pertaining to the grievance proceedings shall be forwarded to the next level of appeal in the event that the matter is appealed. All written and taped records, including informal notes, of the grievance proceedings shall be destroyed thirty (30) calendar days following the final conference or appeal. Written records of the grievance proceedings shall not be filed in the file of the student.

1. Formal Grievances against school-based employees other than the administration: Within five (5) days following the event or condition that is the basis for the grievance, the individual may file a written grievance form, including all information requested on the form. A copy of the Formal Grievance Form is attached hereto. The written statement of grievance shall include, at a minimum:
  - the name of the person against whom the grievance is being filed;
  - the specific nature of the grievance and a thorough description of the conduct, event, policy or regulation or other matter to be considered;
  - the date, time, and place of the event or condition that caused the grievance;
  - the action requested to resolve the grievance;
  - the name and title of the third party representative of the grievant; and
  - the signature of the grievant.

Within five (5) days following the receipt of the written grievance, the employee shall meet with the grievant to attempt to resolve the grievance. Within five (5) days following the conference, the employee shall provide the grievant with a written response to the grievance. The written response must be signed and dated by the grievant, or it must be sent to the grievant through certified mail. Any formal grievance that is not advanced to the managing director within five (5) days following the receipt of the employee's written response shall be deemed abandoned. In the event that the grievance advances to the managing director, the managing director shall then consider the grievance within five (5) days of receiving notice of appeal from the employee's response and provide a written response to the grievant within five (5) days. In the event that the grievant is still not satisfied with the outcome of the grievance, he/she must file the Formal Grievance Appeal Form, a copy of which is attached hereto, to the appropriate executive director within five (5) days of the written response of the managing director or the grievance will be deemed abandoned.

#### IV. Confidentiality

All conferences, hearings, informal and formal written records, and tapes are confidential and shall not be shared in any manner with any person(s) except the interested parties.

#### CIVILITY – EMPLOYEES, PARENTS, VOLUNTEERS, PUBLIC

- MARCH 1, 2017

It is the intent of Phoenix Academy to prohibit volatile, hostile, threatening, profane or aggressive communications or actions.

##### A. Expected Level of Behavior

1. Parents and visitors will treat teachers, volunteers, administrators and other school employees with courtesy and respect.
2. School personnel will treat each other, volunteers, parents and other members of the public with courtesy and respect.

##### B. Unacceptable Behavior

###### ***1. Spectator Misconduct.***

Any person, including an adult, attending a school sponsored extra-class activity such as an inter-scholastic athletic contest, who behaves in a disorderly or unsportsmanlike manner

during the athletic or extra-curricular event may be ejected from the event by the superintendent, principal, assistant principal, athletic director, head coach or any law enforcement officer. In addition, upon the recommendation of the principal and approval of the superintendent or appropriate assistant superintendent, the person may be excluded from or denied permission to attend school events for up to a year.

## *2. Disorderly Conduct.*

Disorderly conduct includes, but is not necessarily limited to: behavior which interferes with or threatens to interfere with the operation of a classroom, an employee's office or office area, areas of a school or facility open to parents/guardians and the general public. It also covers areas of a school or facility, which are not open to parent/guardians and the general public. Disorderly conduct is a public disturbance intentionally caused by any person who:

- a. Engages in fighting or other violent conduct or in conduct creating the threat of imminent fighting or other violence; or
- b. Makes or uses any utterance, gesture, display or abusive language which is intended and plainly likely to provoke violent retaliation and thereby cause a breach of the peace; or
- c. Takes possession of, exercises control over, or seizes any building or facility of any public or private educational institution without the specific authority of the chief administrative officer of the institution, or his authorized representative; or
- d. Refuses to vacate any building or facility of PAHP in obedience to a superintendent, a school principal, an assistant principal or a school resource officer; or
- e. Engages in any sitting, kneeling, lying down, or inclining so as to obstruct the ingress or egress of any person entitled to the use of any PAHP building or facility in its normal and intended use; or
- f. Congregates, assembles, forms groups or formations (whether organized or not), blocks, or in any manner otherwise interferes with the operation or functioning of any PAHP building or facility so as to interfere with the customary or normal use of the building or facility; or
- g. Disrupts, disturbs or interferes with the teaching of students at any PAHP school or engages in conduct which disturbs the peace, order or discipline at any PAHP school or on the grounds adjacent thereto.

### 3. *Disorderly/Disrespectful Language.*

Using lewd, vulgar, or indecent language; shouting, swearing, cursing or display of temper.

### 4. *Assaults /Threats.*

Assaulting or threatening to do bodily or physical harm to a teacher, school administrator, school employee or student, regardless of whether or not the behavior constitutes or may constitute a criminal violation. It is a Class A1 misdemeanor to assault a school employee or school volunteer when the employee or volunteer is discharging or attempting to discharge his or her duties as an employee or volunteer, or to assault a school employee or school volunteer as a result of the discharge or attempt to discharge that individual's duties as a school employee or school volunteer. For purposes of this law and this policy, the following definitions shall apply:

#### a. "Duties" mean

(1) All activities on school property

(2) All activities, wherever occurring, during a school authorized event or the accompanying of students to or from that event; and

(3) All activities relating to the operation of school transportation

#### b. "Employee" or "volunteer" means

(1) An employee of PAHP board,

(2) An independent contractor or an employee of an independent contractor of the PAHP board, if the contractor performs duties customarily performed by employees of the school; and

(3) An adult who volunteers his or her services or presence at any school activity and is under the supervision of a school administrator.

### 5. Vandalism. Damaging or destroying school or school board property

6. Alcohol and/or drug possession or use. Possessing or being under the influence of any alcoholic beverage or illegal controlled substance.

7. Possession of a weapon (other than a pocket knife with a blade of 2.5 inches or less).

8. Any other behavior that disrupts the orderly operation of a school, classroom or any other PAHP facility.

9. Abusive, threatening or obscene e-mail or voice mail messages.

#### C. Parent Recourse:

Any parent who believes he/she was subject to behavior in violation of this policy on the part of any staff member or volunteer should bring such behavior to the attention of the principal, the staff member's immediate supervisor, or the appropriate assistant superintendent.

#### D. Authority of School Personnel

##### *1. Termination of Meeting or Telephone Conversation.*

If any employee, volunteer or member of the public uses obscenities or speaks in a demanding, loud, insulting and/or demeaning manner, the employee to whom the remarks are directed shall calmly and politely warn the speaker to communicate civilly. If the verbal abuse continues, the employee to whom the remarks are directed may, after giving appropriate notice to the speaker, terminate the meeting, conference or telephone conversation.

##### *2. Removal from School Premises.*

Any individual who engages in "unacceptable behavior" as defined in this policy may be directed to leave the school or school board premises by a school's principal or assistant principal, any assistant superintendent, the superintendent, or a school resource officer. If the person refuses to leave the premises as directed, the administrator or other authorized personnel shall seek the assistance of law enforcement and request that law enforcement take such action as is deemed necessary.

##### *3. Limitations on Access to School Premises.*

Any non-employee who repeatedly engages in "unacceptable behavior" as defined in this policy may be prohibited by a principal, an assistant superintendent or the superintendent from coming on school premises unless the individual calls in advance and makes an appointment to meet with a staff member in the presence of a school administrator. If the individual does not act civilly, as defined in this policy, during meetings or telephone conferences with staff members, the individual's access may be further limited by the principal, an assistant superintendent or the superintendent to telephone, e-mail, or written communications with staff members.

#### *4. Exclusion from Extra-Curricular Activities.*

A principal, after consultation with the superintendent or the appropriate assistant superintendent, may exclude from or deny permission to attend, for up to one year, any school extra-curricular and/or athletic events to any person who is guilty of disorderly conduct and/or unsportsmanlike behavior by delivering or mailing a notice, sent by certified mail with return receipt requested.

#### PHOENIX ACADEMY E-MAIL AND STUDENT CONTACT POLICY

##### Phoenix Academy E-Mail Policy

Phoenix Academy encourages communication between Parents/Guardians and the school. Due to (1) Family Educational Privacy Act concerns, (2) the fact that much of Phoenix Academy's emails are subject to disclosure under the North Carolina Public Records Act, and (3) concerns regarding the security of emails, Parents/Guardians are asked to schedule a conference with their children(s)' teacher on any issues that arise, especially regarding any "academic failure" or "bullying" issues, rather than emailing those concerns to the school. In addition, Phoenix Academy teachers and staff are instructed to answer Parent/Guardian e-mails regarding factual information about school events and assignments.

However, Phoenix Academy teachers and staff teachers and staff are instructed to not e-mail Parents/Guardians about academic, emotional, or behavioral issues. Academic, emotional and behavioral issues should be addressed by telephone or in-person conference(s) between Phoenix Academy and the Parent/Guardian.

##### Phoenix Academy Student Contact Information Policy

Phoenix Academy administration shall keep on file, and up to date, contact information for students and their Parents/Guardians. Parents/Guardians are asked to keep their contact information up to date with Phoenix Academy administration.

