

# KANNAPOLIS MIDDLE SCHOOL DISCIPLINARY CONSEQUENCES MATRIX: 4300-R

OFFENSE	DESCRIPTION	1ST OFFENSE	2ND OFFENSE	3RD OFFENSE	4TH OFFENSE	5TH OFFENSE
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KCS BOE Policy 4300, reads:

The reasons for managing student behavior are to (1) create an orderly environment in which students can learn; (2) teach expected standards of behavior; (3) help students learn to accept the consequences of their behavior; and (4) provide students with the opportunity to develop self-control. The following principles apply in managing student behavior.

1. Student behavior management strategies will complement other efforts to create a safe, orderly, and inviting environment.
2. Positive behavioral interventions will be employed as appropriate to improve student behavior.
3. Responsibility, integrity, civility, honesty, respect, and other standards of behavior will be integrated into the curriculum.
4. Disruptive behavior in the classroom will not be tolerated.
5. Consequences for unacceptable behavior will be designed to help a student learn to comply with rules, to be respectful, to accept responsibility for his or her behavior, and to develop self-control.
6. Strategies and consequences will be age and developmentally appropriate.

## B. Communication of Policies

Board policies related to student behavior are codified mainly in the 4300 series. The superintendent shall incorporate information from such policies into a Code of Student Conduct that notifies students of the behavior expected of them, conduct that may subject them to discipline, and the range of disciplinary measures that may be used by school officials. At the discretion of the superintendent, the Code of Student Conduct may include additional rules needed to implement the board's student behavior policies. Each school shall create a student behavior management plan that will elaborate further on processes for addressing student misbehavior and the use of intervention strategies and consequences (see policy 4302, School Plan for Management of Student Behavior). The Code of Student Conduct must incorporate by reference any additional student behavior standards, prohibited conduct, or disciplinary measures identified in individual school behavior plans developed in accordance with policy 4302, provided such measures are consistent with law and board policy. The Code of Student Conduct must not impose mandatory long-term suspension or expulsion for specific violations unless otherwise provided in state or federal law.

Kannapolis Middle Administration will review the matrix at least annually prior to preparing student handbooks.

## LEVEL I: MINOR OFFENSES

ASD = AFTER SCHOOL DETENTION    ISS = IN-SCHOOL SUSPENSION    OSS = OUT OF SCHOOL SUSPENSION    LTS = LONG-TERM SUSPENSION

<b>BUS MISBEHAVIOR</b>	Disruption to the safe environment of the school bus, distracting the driver, or failing to adhere to a driver or school official's reasonable request.					
<b>BEING IN AN UNAUTHORIZED AREA</b>	Major infractions, such as a fight on the bus, will not be coded and treated as bus misbehavior; it will be treated as the actual offense, such as a fight.	ASD/ISS 1 day/1p	ISS 1 day	ISS 2 days	OSS 1 day	OSS 3 days
<b>CUTTING CLASS/TARDY FOR CLASS</b>	Not the same as walking out - this is for students being encountered in areas they are not permitted without express permission or accompaniment by school officials.	ASD/ISS 1-2 periods	ISS 1-2 days	OSS 1-2 days	OSS 3-5 days	OSS 7-10 days
<b>DISRUPTIVE BEHAVIOR</b>	Missing unexcused for more than 15 consecutive minutes of any given class period, including ISS.	ASD/ISS 1-2 periods	Saturday School/ ASD 2 days	ISS 3-5 days	Potential escalated administrative intervention	
<b>DRESS CODE VIOLATION</b>	Verbal, written, or physical behavior that interferes with the teaching, learning, or safety of the classroom environment. BOE Policy 4315	ASD/ISS 1 day/1p	ISS 1 day	ISS 2 days	OSS 1 day	OSS 3 days
<b>EXCESSIVE DISPLAY OF AFFECTION</b>	Student attire does not conform to student dress code. BOE Policy 4316	Parents contacted to bring up appropriate attire	ISS 1 period and conform immediately.	ISS 2 periods and conform immediately.	ISS 1 day and conform immediately.	ISS 3 days and conform immediately.
<b>FALSIFICATION OF INFORMATION</b>	Excessive hugging/kissing.	ASD/ISS 1 day/1p	ISS 1 day	ISS 2 days	OSS 1 day	OSS 3 days
<b>FOOD AND BEVERAGES</b>	Intentionally providing false phone numbers for home contact; intentionally deceiving school officials; intentionally providing inaccurate information on school documents.	ISS 1 day	ISS 2 days	OSS 1 day	OSS 3 days	OSS 5 days
<b>HONOR CODE VIOLATION</b>	A student will not eat in unauthorized areas of the school.	Warning	ASD 1 day/ ISS 1 period	ASD 2 days/ ISS 1 day	ISS 2-3 days	ISS 3-5 days
<b>HORSEPLAY</b>	Plagiarism, cheating BOE Policy 4310	ISS 1 day	ISS 2 days	OSS 1 day	OSS 3 days	OSS 5 days
<b>INAPPROPRIATE LANGUAGE/DISRESPECT</b>	Students will not engage in rough, noisy play or pranks <b>NOT for student-to-staff behavior.</b> Use "disrespect to faculty/staff" for student to staff behavior. Minor: continued/repeated inappropriate language and comments that causes a disruption to the learning environment. Not profanity. Major: profanity directed at another student, name calling based on gender, race, sexuality, ethnicity that causes a disruption to the learning environment.	ISS 1 Period - 1 day	ISS 1-3 days	ISS 3-5 days	OSS 1-3 days	OSS 3-5 days
<b>LEAVING SCHOOL WITHOUT PERMISSION</b>	Walking off school property without permission during the school day, including if they return during the same school day.	ASD/ISS 1 day/1p	ISS 1 day	ISS 2 days	OSS 1 day	OSS 3 days
<b>LITTERING</b>	Parent conference, student sent home for that day	Warning	OSS 1-3 days	OSS 3-5	Potential escalated administrative intervention	
<b>MISUSE OF TECHNOLOGY (MINOR)</b>	A student will use the trashcan to discard unwanted items.	Warning	ASD 1 day/ ISS 1-4 periods	ASD 2 days/ ISS 1 day	ISS 2-3 days	ISS 3-5 days
<b>OTHER: FAILURE TO REPORT TO ASD</b>	Unauthorized, prohibited, or unsafe use of school technology hardware, software, and/or the Internet.	ISS 1 period + possible loss of technology privileges	ISS 1 day + possible loss of technology privileges	ISS 3 days + loss of technology privileges	OSS 1 day + loss of technology privileges	OSS 3 days + loss of technology privileges
<b>SKIPPING SCHOOL</b>	Missing after-school detention without permission to reschedule. The teacher will reschedule a no show 1 time before escalating to a referral	ISS 1 day	ISS 2 days	ISS 3 days	ISS 5 days	ISS 10 days
	Failure to report to school for an entire school day without an approved excuse.	ASD 2 days	ISS/ OSS 2 days/ 1 day	Potential escalated administrative intervention		

## LEVEL II: INTERMEDIATE OFFENSES

ASD = AFTER SCHOOL DETENTION    ISS = IN-SCHOOL SUSPENSION    OSS = OUT OF SCHOOL SUSPENSION    LTS = LONG-TERM SUSPENSION

# KANNAPOLIS MIDDLE SCHOOL DISCIPLINARY CONSEQUENCES MATRIX: 4300-R

OFFENSE	DESCRIPTION	1ST OFFENSE	2ND OFFENSE	3RD OFFENSE	4TH OFFENSE	5TH OFFENSE
AGGRESSIVE BEHAVIOR	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, or on a school bus, 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. --The School Violence Prevention Act passed in 2009 (Session Law 212) BOE Policies 4300	OSS 1-3 days	OSS 5 days	OSS 10 days		
DISRESPECT TO FACULTY/STAFF	Use of derogatory or offensive language towards a KCS staff or faculty member. Use of profane or inappropriate gestures.	OSS 2-3 days	OSS 3-5 days	OSS 5-10 days	OSS 10 days	
DISRUPTIONS WHILE ASSIGNED TO ISS	Students will behave in a positive manner while assigned to ISS.	OSS 2 Days				
GAMBLING	A student will not play games of skill or chance for money or property.	ISS 1-3 days	OSS 3 days	OSS 5-10 days		
HARRASSMENT - VERBAL (NOT PREJUDICED)	Behavior that demeans, humiliates or embarrasses a person.	ISS/OSS 1-3 days	ISS/OSS 3-5 days	ISS/OSS 5-10 days		
INSUBORDINATION	Not following the directives of a staff member or not following school policies that have been specifically outlined.	ASD/ISS 1 day/lp	ISS 1 day	ISS 2 days	OSS 1 day	OSS 3 days
LEAVING CLASS WITHOUT PERMISSION	Walking out of class without permission and not returning.	ISS 1p	ISS 1 day	ASD 2 days	Potential escalated administrative intervention	
PROPERTY DAMAGE	A student will not willfully or maliciously damage or destroy property belonging to another or participate in a plan with others to damage or destroy property, i.e. school-related activity on or off school property, or property belonging to a school employee. A student or parent/guardian will be held financially responsible, as allowed by North Carolina Law, for willful or malicious destruction of property.  Defacing Walls, Mirrors, Desks, Lockers, Computers or Any Other School Items  Damaging Another Person's Property: Including but not limited to clothing, class projects, automobiles, etc.  Graffiti: Willful or malicious defacing of public or private property. BOE Policy 4330	Restitution and OSS 5 days	Restitution and OSS 10 days			
THREATENING STATEMENTS	Any threat to do physical harm to another person. Threats may be communicated verbally or in writing, including on social media.	OSS 5-10 days (depends on offense)				
TRESPASSING AT ANY SCHOOL	Students will not make unauthorized visits to other schools. This could also result in a criminal charge.	ISS/OSS 1-3 days	ISS/OSS 3-5 days	ISS/OSS 5-10 days		
<b>LEVEL III: MAJOR OFFENSES</b>						
<b>ASD = AFTER SCHOOL DETENTION    ISS = IN-SCHOOL SUSPENSION    OSS = OUT OF SCHOOL SUSPENSION    LTS = LONG-TERM SUSPENSION</b>						
AIDING AND ABETTING A FIGHT	Students will not participate in or assist in causing a fight verbally or physically. Students who have knowledge that a fight has been planned have a responsibility to report that information to a staff member. Student video records a fight on their personal device, student shares or posts a recording through text or social media.	OSS 3-5 days	OSS 10 days			
ASSAULT ON A STUDENT	Committing an act of physical violence against another person. BOE Policy 4331	OSS 10 days and possible Recommendation for Long-Term Suspension	Recommendation for Long-Term Suspension and/or Expulsion			
BULLYING	<a href="#">See BOE Policy 1720</a>	OSS 5 days	OSS 10 Days and Refer to NC Bullying Laws			
CONTROLLED SUBSTANCE (POSSESSION/ UNDER THE INFLUENCE)	No student shall possess, use, transmit, sell, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance, or any alcoholic beverage, or other intoxicating liquor, or possess, use, or transmit drug paraphernalia or counterfeit drugs, or inhale or ingest any chemicals or products with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student's mood or behavior while in any school building on the premises, on any school bus or off the school grounds at any school activity, function or event before, during, or after school hours, or during any period of time when he/she is subject to the authority of school personnel, unless such possession, use, or transmission is authorized by the law and by school regulations, or unless prescribed by and taken in accordance with the prescription of a physician and registered with the school office as to the date, name, substance, dosage, and times to be administered.  All substance abuse violations must be referred to the Student Assistance Program. The student involved in the violation is subject to a 10-day Out-of-School Suspension and mandatory assessment by a certified substance abuse agency at the student's/parent's expense.  During the 10-day Out-of-School Suspension, the student must schedule and complete the initial assessment. Failure to follow through with the mandatory assessment and recommendation(s) from the assessment may result in a recommendation to the Alternative Program for student. SBOE Policy 4325	10 Day Suspension and Completion of Substance Abuse Counseling  or Recommendation for Long-Term Suspension and/or Expulsion	Recommendation for Long-Term Suspension and/or Expulsion			
CONTROLLED SUBSTANCE (SALE, DISTRIBUTION, OR EVIDENCE OF INTENT)	No student shall possess, use, transmit, sell, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance, or any alcoholic beverage, or other intoxicating liquor, or possess, use, or transmit drug paraphernalia or counterfeit drugs, or inhale or ingest any chemicals or products with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student's mood or behavior while in any school building on the premises, on any school bus or off the school grounds at any school activity, function or event before, during, or after school hours, or during any period of time when he/she is subject to the authority of school personnel, unless such possession, use, or transmission is authorized by the law and by school regulations, or unless prescribed by and taken in accordance with the prescription of a physician and registered with the school office as to the date, name, substance, dosage, and times to be administered. BOE Policy 4325	Recommendation for Long-Term Suspension and/or Expulsion				
CYBER-BULLYING	Behavior fitting the above pattern of bullying abuse committed through the use of technology/ social media.	OSS 5 days	OSS 10 Days and Refer to NC Bullying Laws			
DISCRIMINATION	<a href="#">See BOE Policy 1720</a>	OSS 5 days	OSS 10 days			
EXTORTION	Taking others' property through coercion, threats, or intimidation.	OSS 5 days	OSS 10 days			
FALSE FIRE ALARM		OSS 10 days				

# KANNAPOLIS MIDDLE SCHOOL DISCIPLINARY CONSEQUENCES MATRIX: 4300-R

OFFENSE	DESCRIPTION	1ST OFFENSE	2ND OFFENSE	3RD OFFENSE	4TH OFFENSE	5TH OFFENSE
FIGHTING	Participating in reciprocal physical violence. *For filming/ aiding a fight, use "other school-defined offense"	OSS 10 days	OSS 10 days and possible Recommendation for Long-Term Suspension and/or Expulsion	Recommendation for Long-Term Suspension and/or Expulsion		
GANG ACTIVITY	See BOE Policy 4328	OSS 5 days ***If the first offense is wearing gang-related attire (when not involved in any kind of altercation), a student may receive a warning and contact with home, and be allowed to immediately change or remove the attire.***	OSS 10 Days to Recommendation for Long-Term Suspension and/or Expulsion			
HARASSMENT - DISABILITY HARASSMENT - RACIAL HARASSMENT - RELIGIOUS AFFILIATION HARASSMENT - SEXUAL HARASSMENT - SEXUAL ORIENTATION HARASSMENT	See <a href="#">BOE Policy 1720</a>					
HAZING		OSS 5 days	OSS 10 days			
INAPPROPRIATE ITEMS ON SCHOOL PROPERTY	Any inappropriate item not considered a weapon or drug but potentially distracting, disruptive, or dangerous to the learning environment as designated by school administration.	Confiscation and ISS/OSS 1-3 days	Confiscation and ISS/OSS 3-5 days	Confiscation and ISS/OSS 5-10 days		
MISUSE OF TECHNOLOGY (MAJOR)	Unauthorized, prohibited, or unsafe use of school technology hardware, software, and/or the Internet.	5-10 days OSS and loss of technology privileges				
MUTUAL SEXUAL CONTACT BETWEEN TWO STUDENTS	Sex, oral sex, or any sexual act that would not simply be covered under the "excessive display of affection" offense.	OSS 10 Days				
POSSESSION OF DRUG PARAPHERNALIA	No student shall possess, use, transmit, sell, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance, or any alcoholic beverage, or other intoxicating liquor, or possess, use, or transmit drug paraphernalia or counterfeit drugs, or inhale or ingest any chemicals or products with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student's mood or behavior while in any school building on the premises, on any school bus or off the school grounds at any school activity, function or event before, during, or after school hours, or during any period of time when he/she is subject to the authority of school personnel, unless such possession, use, or transmission is authorized by the law and by school regulations, or unless prescribed by and taken in accordance with the prescription of a physician and registered with the school office as to the date, name, substance, dosage, and times to be administered.  All substance abuse violations must be referred to the Student Assistance Program. The student involved in the violation is subject to a 10-day Out-of-School Suspension and mandatory assessment by a certified substance abuse agency at the student's/parent's expense.  During the 10-day Out-of-School Suspension, the student must schedule and complete the initial assessment. Failure to follow through with the mandatory assessment and recommendation(s) from the assessment may result in a recommendation to the Alternative Program for student. BOE 4325	10 Day Suspension and Completion of Substance Abuse Counseling  or Recommendation for Long-Term Suspension and/or Expulsion	Recommendation for Long-Term Suspension and/or Expulsion			
REFUSAL TO COMPLY WITH A REASONABLE SEARCH	In an effort to comply with the Safe Schools Mandate, the school administration has the right to conduct a search reasonable in scope of a student or his/her possessions if the administration has a reasonable suspicion that the student may be in possession of a weapon, illegal substance, stolen property, or other items prohibited by law or the Student Code of Conduct. Search of an Individual or His/Her Possessions: A student must cooperate with and may not obstruct or interfere with a reasonable search of the student, his/her book bag, purse or other possessions, which are present on school property or at a school activity. Search of a Vehicle: A student must cooperate with and may not obstruct or interfere with a reasonable search of the student's vehicle and its contents when it is present on school property or at a school activity. Violation of this rule may result in the student losing his/her parking privilege in addition to other applicable disciplinary action. Students' Lockers and Desks: Student lockers and desks are the property of the school and are assigned to the student with the understanding that he/she is responsible for all property placed in the locker or desk. Lockers shall be used only for storage of those items which are reasonably necessary for the student's school activities such as books, gym clothes, coats, school assignments, etc. A student must cooperate with and may not obstruct or interfere with a random search of his/her desk or locker. BOE Policy 4342	OSS 5 Days	OSS 10 Days	Recommendation for Long-Term Suspension and/or Expulsion		
ROBBERY WITHOUT A WEAPON	See <a href="#">BOE Policy 4335</a>	OSS 10 days	Recommendation for Long-Term Suspension and/or Expulsion			
THEFT	*A student will not steal or possess stolen property or participate in a plan with others to do so.  School Property: Unlawful taking and/or carrying away property belonging to Kannapolis City Schools.  Staff Property: Unlawfully taking and/or carrying away property belonging to a staff member.  Student Property: Unlawfully taking and/or carrying away property belonging to another student.  Student Locker: Removing any property from a locker other than the locker assigned.  Possession of Stolen Property: Having in one's possession property obtained without the permission of the owner to include items stolen in the community and brought onto school grounds.*	OSS 5 days	OSS 10 days			
THREAT OF PHYSICAL ATTACK WITH A WEAPON/FIREARM	Any threat to do physical harm to another person. Threats that include the use of weapons must be documented as such. Threats may be communicated verbally or in writing, including on social media. SBOE Policy 4331	OSS 10 Days	Recommendation for Long-Term Suspension and/or Expulsion			

# KANNAPOLIS MIDDLE SCHOOL DISCIPLINARY CONSEQUENCES MATRIX: 4300-R

OFFENSE	DESCRIPTION	1ST OFFENSE	2ND OFFENSE	3RD OFFENSE	4TH OFFENSE	5TH OFFENSE
THREATENING A STAFF MEMBER	A student will not threaten another student, adult, or staff member.	OSS 5-10 Days and/or Recommendation for Long-Term Suspension or Expulsion	Recommendation for Long-Term Suspension and/or Expulsion			
TOBACCO USE AND/OR POSSESSION	A student will not possess or use tobacco products on school premises. This rule will also apply to vapes and vape juice. The school will test vape juice found in vapes or other packaging to determine whether any "controlled substances" are present. If so, administration will follow the "under the influence of a controlled substance" policy. BOE Policy 4320	ISS 2 days	ISS 3 days	OSS 2 days	OSS 5 days	
UNLAWFULLY SETTING A FIRE (CS 14-277)	A student will not possess any incendiary devices on school grounds or at any school function. Neither will a student set fire or attempt to set fire to school property or participate in a plan with others to damage or destroy school property.	OSS 10 days	Recommendation for Long-Term Suspension and/or Expulsion			
USE OF COUNTERFEIT ITEMS	Use of counterfeit money or other attempts at fraud.	OSS 10 days and contact law-enforcement				
<b>LEVEL IV: REPORTABLE OFFENSES</b>						
<b>ASD = AFTER SCHOOL DETENTION    ISS = IN-SCHOOL SUSPENSION    OSS = OUT OF SCHOOL SUSPENSION    LTS = LONG-TERM SUSPENSION</b>						
ASSAULT RESULTING IN SERIOUS PERSONAL INJURY	An intentional offer or attempt by force or violence to do injury to the person of another that causes reasonable apprehension of immediate bodily harm resulting in one of the following: (1) substantial risk of death, (2) serious permanent disfigurement, (3) a coma, (4) a permanent or protracted condition that causes extreme pain, (5) permanent or protracted loss or impairment of the function of any bodily member or organ, or (6) that results in prolonged hospitalization.  If an 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. BOE Policy 4331	Recommendation for Long-Term Suspension and/or Expulsion				
ASSAULT INVOLVING THE USE OF A WEAPON	An intentional offer or attempt by force or violence to do injury to the person of another that causes reasonable apprehension of immediate bodily harm through the use of one of the following: (1) any gun, rifle, pistol, or other firearm, (2) BB gun, (3) stun gun, (4) air rifle, (5) air pistol, (6) bowie knife, (7) dirk, (8) dagger, (9) slingshot, (10) leaded cane, (11) switchblade knife, (12) blackjack, (13) metallic knuckles, (14) razors and razor blades, (15) fireworks, or (16) 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.  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 Date Collection Form. BOE Policy 4333	Recommendation for Long-Term Suspension and/or Expulsion				
ASSAULT ON SCHOOL OFFICIALS, EMPLOYEES, AND VOLUNTEERS	An intentional offer or attempt by force or violence to do injury to a school official, employee, or volunteer that causes reasonable apprehension of immediate bodily harm while the school official, employee, or volunteer is discharging or attempting to discharge his/her duties.  The "duties" of a school official, employee, or volunteer include the following: (1) all activities on school property, (2) all activities 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. An "employee" includes (1) one who is employed by a local board of education, (2) one who is employed by a charter school, (3) one who is employed by a nonpublic school that operates under Part 1 or Part 2 of Article 39 of Chapter 115C of the General Statutes, or (4) an independent contractor if the independent contractor or employee of the independent contractor carries out duties customarily performed by employees of the school. A "volunteer" is one who volunteers his/her services or presence at any school activity and is under the supervision of an employee. This offense includes assaults on school personnel that do not involve the use of a weapon and do not result in apparent serious injury. BOE Policy 4331	Recommendation for Long-Term Suspension and/or Expulsion				
MAKING BOMB THREATS, OR ENGAGING IN BOMB HOAXES	A person who, with intent to perpetrate a hoax, conceals, places, or displays in or at a public building any device, machine, instrument, or artifact, so as to cause any person reasonably to believe the same to be a bomb or other device capable of causing injury to persons or property.  A "public building" encompasses all educational property, as defined in G.S. 14-269.2, including: (1) any school building or bus, and (2) school campus, grounds, recreational area, athletic field, or other property owned, used, or operated, by any board of education or school board of trustees or directors for the administration of any school.  "Public buildings" also include: (1) hospitals, and (2) buildings that house only State, federal, or local government offices, or the offices of the State, federal, or local government located in a building that is not exclusively occupied by the State, federal, or local government.	Recommendation for Long-Term Suspension and/or Expulsion				
WILLFULLY BURNING A SCHOOL BUILDING	This offense includes when a person communicates a bomb threat by any means. SBOE Policy 4333 A person who wantonly and willfully sets fire to, burns, causes to be burned, or aids, counsels, or procures the burning of any schoolhouse or building owned, leased, or used by any public school, private school, college, or educational institution.	Recommendation for Long-Term Suspension and/or Expulsion				
HOMICIDE	A murder which is perpetrated by one of the following means: (1) nuclear, biological, or chemical weapon of mass destruction, (2) poison, (3) lying in wait, (4) imprisonment, (5) starving, (6) torture, (7) any other kind of willful, deliberate, and premeditated murder, (8) during the perpetration or attempted perpetration of an arson, rape, sex offense, robbery, kidnapping, burglary, or other felony committed or attempted with the use of a deadly weapon, (9) the unlawful distribution and ingestion by someone of opium or any other synthetic or natural salt, compound, derivative, or preparation of opium, cocaine, or methamphetamine resulting in death, or (10) all other types of murder. BOE Policy 4335	Recommendation for Long-Term Suspension and/or Expulsion				

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OFFENSE	DESCRIPTION	1ST OFFENSE	2ND OFFENSE	3RD OFFENSE	4TH OFFENSE	5TH OFFENSE
KIDNAPPING	A person who unlawfully confines, restrains, or removes from one place to another, any other person 16 years of age or over without the consent of such person, or any other person under the age of 16 years old without the consent of a parent or legal guardian of such person, shall be guilty of kidnapping if such confinement, restraint, or removal is for the purposes of one of the following: (1) holding such other person for a ransom, as a hostage, or using such other person as a shield, (2) facilitating the commission of any felony or facilitating the flight of any person following the commission of a felony, (3) doing serious bodily harm to or terrorizing the person so confined, restrained, or removed by any other person, (4) holding such other person in involuntary servitude, (5) trafficking another person with the intent that the person be held in involuntary servitude or sexual servitude, or (6) subjecting or maintaining such other person for sexual servitude. BOE Policy 4335	Recommendation for Long-Term Suspension and/or Expulsion				
UNLAWFUL, UNDERAGE SALES, PURCHASE, PROVISION, POSSESSION, OR CONSUMPTION OF ALCOHOLIC BEVERAGES	It shall be unlawful for a person younger than 21 years of age to possess, sell, give, or purchase any alcoholic beverages. It is also unlawful for any person to aid and abet a person under the age of 21 years old in his/her attempt to obtain an alcoholic beverage. An "alcoholic beverage" includes the following: (1) malt beverage, (2) fortified wine, (3) unfortified wine, (4) spirituous liquor, (5) mixed beverages, or (6) beer. SBOE Policy 4325	10 Day Suspension and Completion of Substance Abuse Counseling or Recommendation for Long-Term Suspension and/or Expulsion	Recommendation for Long-Term Suspension			
POSSESSION OF A CONTROLLED SUBSTANCE IN VIOLATION OF THE LAW	It is unlawful for a person to possess or have in his/her immediate control any of the following: Marijuana, Heroin, LSD, Methamphetamine, Cocaine, or any other drug listed in Schedules I - VI of the North Carolina Controlled Substances Act. (G.S. §90-89 through 90-94.) The unauthorized possession of a prescription drug is included under this offense. The principal should confer with law enforcement personnel if there is doubt as to whether or not a certain drug is considered a controlled substance. BOE Policy 4325	10 Day Suspension and Completion of Substance Abuse Counseling or Recommendation for Long-Term Suspension and/or Expulsion	Recommendation for Long-Term Suspension and/or Expulsion			
POSSESSION OF A FIREARM	It is unlawful for any person to possess or carry any gun, rifle, pistol, or other firearm of any kind on educational property or to a curricular or extracurricular activity sponsored by a school. This offense does not apply to a BB gun, stun gun, air rifle, or air pistol. Persons authorized to carry weapons on school property are individuals carrying a concealed handgun with a permit as authorized by Chapter 14, Article 54B of the NC General Statutes as amended by Session Law 2013-369, and law enforcement officers, firefighters, and emergency service personnel when discharging their official duties. BOE Policy 4333	Recommendation for Long-Term Suspension and/or Expulsion				
POSSESSION OF A WEAPON	It is unlawful for any person to possess or carry, whether openly or concealed, any of the following weapons on campus or other educational property: (1) any BB gun, (2) stun gun, (3) air rifle, (4) air pistol, (5) bowie knife, (6) dirk, (7) dagger, (8) slingshot, (9) leaded cane, (10) switchblade knife, (11) blackjack, (12) metallic knuckles, (13) razors and razor blades, (14) fireworks, or (15) any sharp-pointed or edged instrument, except instructional supplies, unaltered nail files, clips, and tools used solely for preparation of food, instruction, maintenance. "Educational Property" refers to any school building or bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by any board of education or school board of trustees, or directors for the administration of any school. Persons authorized to carry weapons on school property are law enforcement officers, firefighters, and emergency service personnel when discharging their official duties. BOE Policy 4333	10 Day Suspension and/or Recommendation for Long-Term Suspension and/or Expulsion	Recommendation for Long-Term Suspension and/or Expulsion			
RAPE	A person is guilty of rape if that person engages in vaginal intercourse with another person by force and against the will of the other person, or if the person being assaulted is mentally disabled, mentally incapacitated, or physically helpless and the person performing the act knows or should reasonably know that the other person is mentally disabled, mentally incapacitated, or physically helpless. 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. BOE Policy 4335	Recommendation for Long-Term Suspension and/or Expulsion				
ROBBERY WITH A DANGEROUS WEAPON	Any person or persons who, having in possession or with the use or threatened use of any firearms or other dangerous weapon, implement or means, whereby the life of a person is endangered or threatened, unlawfully takes or attempts to take personal property from another or from any place of business, residence, or banking institution or any other place where there is a person or persons in attendance, at any time, either day or night, or who aids or abets any such person or persons in the commission of such crime. SBOE Policies: 4333, 4335	Recommendation for Long-Term Suspension and/or Expulsion				
SEXUAL ASSAULT (NOT INVOLVING RAPE OR SEXUAL OFFENSE)	A person is guilty of sexual battery if he/she, for the purpose of sexual arousal, sexual gratification, or sexual abuse, engages in sexual contact with another person by force and against the will of the other person, or if the person being assaulted is mentally disabled, mentally incapacitated, or physically helpless and the person performing the act knows or should reasonably know that the other person is mentally disabled, mentally incapacitated, or physically helpless. NCGS 14-27.1 defines "sexual contact" as touching the sexual organ, anus, breast, groin or buttocks of any person or a person touching another person with their own sexual organ, anus, breast, groin, or buttocks. The difference between a sexual assault and a sexual offense is that the sexual assault involves forcible and intentional touching without penetration, and a 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. BOE Policy 4335	Recommendation for Long-Term Suspension and/or Expulsion				

# KANNAPOLIS MIDDLE SCHOOL DISCIPLINARY CONSEQUENCES MATRIX: 4300-R

OFFENSE	DESCRIPTION	1ST OFFENSE	2ND OFFENSE	3RD OFFENSE	4TH OFFENSE	5TH OFFENSE
SEXUAL OFFENSE	<p>First-degree sexual offense: A person is guilty of a sexual offense in the first degree if the person engages in a sexual act with (1) a victim who is a child under the age of 13 years and the defendant is at least 12 years old and is at least four years older than the victim, or (2) with another person by force and against the will of the other person, and (a) employs or displays a dangerous or deadly weapon or an article which the person reasonably believes to be a dangerous or deadly weapon, (b) inflicts serious personal injury upon the victim or another person, or (c) the person commits the offense aided and abetted by one or more other persons.</p> <p>Sexual offense with a child (adult offender): A person is guilty of sexual offense with a child if the person is at least 18 years of age and engages in a sexual act with a victim who is a child and under the age of 13 years.</p> <p>Second-degree sexual offense: A person is guilty of a sexual offense in the second degree if the person engages in a sexual act with another person (1) by force and against the will of the other person, or (2) who is mentally disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know that the other person is mentally disabled, mentally incapacitated, or physically helpless.</p> <p>Statutory rape or sexual offense of person who is 13, 14, or 15 years old: A person is guilty if he/she engages in vaginal intercourse or a sexual act with another person who is 13, 14, or 15 years old and the person committing the act is at least six years older than the person, except when the person committing the act is lawfully married to the other person. BOE Policy 4335</p>	Recommendation for Long-Term Suspension and/or Expulsion				
TAKING INDECENT LIBERTIES WITH A MINOR	<p>A person is guilty of taking indecent liberties with a child if, being 16 years of age or more and at least five years older than the child in question, he/she either: (1) willfully takes or attempts to take any immoral, improper, or indecent liberties with any child of either sex under the age of 16 years for the purpose of arousing or gratifying sexual desire, or (2) willfully commits or attempts to commit any lewd or lascivious act upon or with the body or any part or member of the body of any child of either sex under the age of 16 years.</p> <p>A "lewd and lascivious act" is defined as an act that is obscene, lustful, or indecent, or tending to deprave the morals with respect to sexual relations. BOE Policy 4335</p>	Recommendation for Long-Term Suspension and/or Expulsion				