THE MOUNTAIN COMMUNITY SCHOOL

Student / Parent Handbook

2026-2027

Table of Contents

General Information **4**
School Information and History *4*
The Mountain Community School Honor Code *5*
School Governance *6*
School Hours *7*
School Calendar *7*
State Testing *7*
Inclement Weather Procedures - School Closing *8*
Posting or Publishing Student Pictures and Information *9*
Emergency Data *9*
Parent Concerns *9*
Withdrawal Procedures *10*
Academic Honesty *10*
Academic Standards *10*
Attendance **10**
Attendance Requirements *10*
Educational Opportunity Absence *11*
Excessive Absences *12*
Make-Up Work for Absences *12*
Instructional Time *12*
Tardy Policy *12*
Partial Attendance for Extracurricular and Special Event Participation *13*
Third Party Rides *13*
School Operations **13**
Grading for Grades 3-8 ..... *13*
Field Trips and Overnight Trips *14*
Overnight Trip Parent and Student Expectations *15*
Personal Items *15*
Dress Code *15*
Lunch Information *16*
Destruction of School Property *16*
Smoking, Vaping, and Tobacco Use on Campus *16*
Drug and Alcohol Use *16*
Threats and Violence *17*
Weapons *17*
Video Monitoring *17*
School Safety *18*
Visitors *18*
Volunteers *18*
Student Code of Conduct **19**
Adult Code of Conduct **24**

Technology Use at School **26**
Electronic Devices *26*
Telephone and Cell Phone Usage *26*
Technology Use Policy *26*
Internet Acceptable Use Policy *28*
Social Media Policy *30*
Student Health and Wellness **31**
Communicable Diseases *31*
Immunizations *33*
Garrett's Law *34*
Medication Administration *34*
Self-administration of Medications in School *35*
Hazardous Chemicals *35*
Fire and Safety Regulations *35*
School Essentials **36**
Grievance Policy for Parents / Students *36*
Mandatory Reporting Policy *37*
Non-Discrimination, Equal Opportunity, and Anti-Harassment Policies *37*
Student Files *37*
Retention *38*
Right to Know Under the Every Student Succeeds Act *39*
The Protection of Pupil Rights Amendment *40*
Exceptional Children Program *41*
Section 504 Rehabilitation Act *41*
Services for Academically or Intellectually Gifted Children (AIG) *42*
Title IX Discrimination and Harassment Policy for Students and Staff Members *42*
Title IX Coordinator's Duties, Notice, Reporting and Grievance Policy *45*
Non-Title IX Discrimination, Harassment, and Bullying Complaint Process *53*
Compliance with Other Laws *58*
McKinney-Vento Dispute Resolution Policy *58*
Registered Sex Offenders Policy *62*
Campus Expectations Policy *64*
Media (Utilizing The TMCS name or brand) *66*
Admissions and Lottery Procedures *67*

General Information

School Information and History

Mission Statement

The mission of the Mountain Community School is to create an educational environment where students are inspired to academic excellence and discovery. Teachers, parents, students, and the community will work together to honor individuality and diversity, nurture respect for self and others, and foster a lifelong love of learning. By utilizing a curriculum rich in content, strong in basic skills and relevant to daily life, children will be guided to success. Small class size, strong parental support, teacher autonomy, and a willingness to explore innovative teaching methods are the hallmarks of this school. Our goal is to instill a sense of pride and a love of learning in each and every child, through service to school and community.

Notice

TMCS shall comply with all applicable federal laws and regulations, including, but not limited to, such laws and regulations governing employment, environment, disabilities, civil rights, children with special needs, transportation, and student records. The school shall also comply with all applicable health and safety laws and regulations, whether federal, state or local. Neither the State Board of Education nor the Henderson County Board of Public Education (HCBPE) assumes the duty to oversee the operations of TMCS except as may otherwise be provided by law or separate contract. Neither the State Board of Education nor the HCBPE is required to monitor TMCS for compliance with applicable laws and regulations.

Non-Discrimination Statement

The Mountain Community School abides by all North Carolina school enrollment laws. Any child who is qualified under the laws of this State for admission in grades K-8 to a public school is qualified for admission to a charter school. TMCS encourages diversity and does not discriminate on the basis of gender, race, national or ethnic origin, sexual orientation, economic standing, religion, or disability of the child in its admission policies or education programs.

A BRIEF HISTORY OF THE MOUNTAIN COMMUNITY SCHOOL

The Mountain Community School was conceived as an idea in the spring of 1998. A group of parents and educators applied for and received a "charter" from the North Carolina State Board of Education to begin a small kindergarten through 6th grade school. The goal was to offer an alternative public education choice to families in this area. Small class and school size, a commitment to academic excellence and strong parental involvement were the fundamental goals for the school. Charter schools are a deregulated public school, which means they have greater autonomy and freedom to explore and implement innovative teaching methods, educational models, and new curricula in the classroom. The school operates under the umbrella of The Henderson County Alliance for Education, a non-profit organization whose sole business is The Mountain Community School. We are directly accountable to the State of North Carolina through the State Board of Education and the Department of Public Instruction (DPI), which monitors the school's fiscal responsibility, student tracking, and academic achievement. Academic achievement is evaluated by our End-of-Grade/End-of-Course (EOG/EOC) scores, which measure both achievement and growth. Our charter was granted for five years beginning with the 1999-2000 school year and continues to cooperate in "good standing" with NCDPI. The school is governed by a Board that functions under the bylaws of The Henderson County Alliance for Education. Board members are either appointed to a

two-year term or appointed by the Board for a one-year term. The Executive Director of the school serves as an ex-officio member of the Board. As an organization receiving state monies, we are obliged to comply with public meeting laws. The Board meets monthly and at other times at the discretion of the Board. Times of additional Board meetings will be posted along with agendas when available. Minutes of all open session meetings are available on our website. The Board's responsibility is to guide the operations of the school in a manner consistent with its philosophy and vision, and to generate and approve policies that guide day to day activities at the school in a way that will allow that vision to become reality. Some of the most important Board Policies are reprinted in this handbook; a complete Policy Manual can also be found in the Executive Director's office.

A Message from the Board of Directors

Welcome to The Mountain Community School family! If you are a family new to our school, we are glad you have decided to enroll your child in the educational adventure of a lifetime. We hope that you find the contents of this handbook useful as we begin our unique educational partnership. If you are a returning family, we thank you for your support and commitment to this special program. The Board of Directors of The Mountain Community School is committed to meeting the goals established during our planning stages, which can be summarized in our hope that children at TMCS will "learn to love to learn." To achieve our goals, we offer student-centered education by caring adults, high academic standards for all children, and extensive parental involvement. To date, this model has proven highly successful in terms of student achievement, and in the satisfaction of families attending our school. TMCS offers a unique choice in public education. Your child is among the one percent of public-school students in Henderson County who attend the charter school. We hope that the experiences you and your child have here will be rewarding and offer growth for all of you. Our Board is always interested in hearing your ideas and suggestions, and the contents of this handbook will show you how to offer the most effective input. We are looking forward to a rewarding partnership in providing the best possible education for your child.

The Mountain Community School Honor Code

The purpose of the Honor Code at The Mountain Community School is to build a community of honor and trust among administrators, teachers, students, parents, and staff.

Mountain Lion Honor Code

TMCS students are good citizens who value honor and demonstrate integrity in all that they do. They help members of the community by having a positive attitude and by respecting other people and school property.

Honor: Having high moral standards of behavior; being perceived by other people as possessing good qualities or character.
Integrity: Possessing the quality of being honest and fair.
Lying: Purposefully being dishonest or misleading to a fellow student, teacher, or administrator.
Cheating: Receiving unauthorized help on work; copying another person's work or answers on assessments. Asking other students to provide information such as questions posed or material covered on tests, quizzes or other assignments already taken or completed by the other student. Plagiarizing is a form of cheating:
Plagiarism: Passing off another's work or ideas as your own or intentionally failing to cite sources for information that is not widely known. Ignorance of proper citation procedures is not an acceptable excuse for failing to cite sources. Plagiarism includes:

1. Excessive parental assistance on homework or projects.
2. Forgery or falsification of documents.
3. Lying, outwardly and/or by omission.

4. Aiding others who are violating the Honor Code.
5. Taking property that does not belong to you without permission.
6. Not abiding by the rules and/or guidelines outlined by the Technology Use Policy.

Stealing: Taking another person's belongings or ideas (plagiarism) without permission or providing proper citations.
Disrespectful of People or Property: Being rude, defiant, or unkind to another person; vandalism or misuse of school, student or staff property.
Inappropriate Use of Technology: Loading unauthorized programs or viewing non-approved websites.

Student Honor Pledge:
"I pledge to uphold the principles of The Mountain Community School and respect these principles. As a student of this school I shall be a part of my community, and I shall respect my community in every way I can. I will respect staff and fellow students. I will respect others' property and space. I will be responsible. I will strive to make the right choices, turn in my work on time, and always do my best. I will be honest. I will tell the whole truth, refuse to gossip or spread rumors, and do my own work."

Each student is honor bound to report immediately all violations of the Honor Code of which the student has first-hand knowledge; failure to do so is itself a violation of the Honor Code. All students, staff, and other employees are responsible for familiarity with and support of the Honor Code. Any student or staff member may charge a student with a violation of the Honor Code. Charges are presented to the Executive Director. Hearings, administrative conferences and other proceedings regarding alleged violations of the Student Code of Conduct (including, but not limited to, allegations of violation of the Honor Code) shall be conducted in accordance with applicable North Carolina law.

School Governance

Board of Directors

The Mountain Community School is a non-profit organization. As a non-profit, TMCS is governed by a Board of Directors. The Board of Directors has between three and fifteen members and the purpose of the board is to ensure that the school is achieving its mission, create and follow board policies, oversee the strategic plan for the school, and approve and follow the annual budget. The board is also responsible for the hiring and termination of employees at the recommendation of the Executive Director. The dates for all Board meetings are posted on the website. All board meetings are open to the public. Citizens may address the Board during the public comment portion of regular board meetings provided the individual has signed up ahead of time by emailing the Executive Director by 5pm the day prior to the meeting. The Board Chairperson will grant a maximum of three minutes to speak per person up to a maximum of 10 minutes.

The public comment period is not the time to address grievances. The process to address parent concerns or grievances is described in separate sections of this handbook.

Executive Director

The Executive Director of The Mountain Community School is responsible for the daily operations of the school and the implementation of the school's mission. The Executive Director serves as the CEO for the organization and serves as the school's final decision maker and authority much like a Superintendent for a local school system. The Executive Director is responsible for the supervision of staff and students and the implementation of the academic program at the various levels of the school.

School Hours

8:00am – 3:00pm
Drop off begins at 7:30

School Calendar

The Executive Director shall recommend, and the Board shall adopt, a school calendar in the spring of each year for the following school year. The calendar shall comply with applicable laws concerning educational instruction time. The TMCS calendar is available on the school's website.

State Testing

Testing Evaluation of student progress is accomplished through a variety of means. Individual student projects, quizzes, and unit tests are an integral part of the assessment for students at each grade level. In addition, TMCS utilizes the same NC ABC Accountability Program used to assess student performance in conventional public schools in our state, as mandated by Charter School Law. Students identified as having specific learning needs and who hold active IEP's are not exempt from the NC Testing program. They may qualify for test accommodations, which are provided by the classroom teacher or designee.

The North Carolina Required Testing
Elementary and Middle School All EOGs and EOC are administered online

Beginning-of-Grade 3 (BOG3) Reading Test
- The BOG3 Reading Test is aligned to the North Carolina Standard Course of Study (NCSCS) for grade 3 English language arts
- The purpose of the test is to establish a baseline measure of beginning third grade students' reading skills
- Students read authentic selections and then answer questions related to the selections
- Knowledge of vocabulary is assessed indirectly through application and understanding of terms within the context of the selections and questions
- All test questions are multiple-choice
- The BOG3 testing window begins on the eleventh day of the school year and continues through the fifteenth day

End-of-Grade (EOG) Tests
Reading
- The EOG reading tests are aligned to the NCSCS for English language arts.
- Students read authentic selections and then answer questions related to the selections
- Knowledge of vocabulary is assessed indirectly through application and understanding of terms within the context of the selections and questions
- All test questions are multiple-choice

• The EOG reading tests at grades 6–8 are required to be administered online. Exceptions to this rule are for approved technology hardship requests or for students with disabilities who have documented accommodations that dictate a paper test format is necessary for accessibility
• The EOG testing window is the last ten days of the school year

Mathematics
• The EOG mathematics tests are aligned to the NCSCS for mathematics
• The EOG mathematics tests consist of two parts: calculator inactive and calculator active. Students are not allowed to use calculators during the calculator inactive part of the test; students are allowed to use calculators during the calculator active part of the test
• The EOG mathematics tests at grades 3 and 4 contain multiple-choice questions
• The online EOG tests at grades 5–8 contain multiple-choice and numeric entry questions
• The EOG Mathematics Tests at grades 4–8 are required to be administered online. Exceptions to this rule are for approved technology hardship requests or for students with disabilities who have documented accommodations that dictate a paper test format is necessary for accessibility
• The EOG testing window is the last ten days of the school year

Math 1
• EOC tests are currently given for NC Math 1 students. Students enrolled in this course are required take the appropriate EOC (Math 1) test at the completion of the course
• The online NC Math 1 test contains multiple-choice questions, numeric entry questions, and technology-enhanced questions
• The NCMath1 test consists of two parts: calculator inactive and calculator active. Students may use a calculator only for the calculator active part of the test
• The EOC testing window is the last ten days of the school year

Science
• The EOG science tests at Grades 5 and 8 are aligned to the North Carolina Essential Standards for Science
• The EOG science tests are required to be administered online. Exceptions to this rule are for approved technology hardship requests or for students with disabilities who have documented accommodations that dictate a paper test format is necessary for accessibility
• The online EOG science tests contain multiple-choice and technology enhanced questions
• The paper EOG tests contain multiple-choice questions only.
• The EOG testing window is the final ten instructional days of the school year End-of-Course (EOC) Tests

Inclement Weather Procedures - School Closing

The Executive Director of The Mountain Community School will make all decisions regarding school delays, early dismissals, or closures related to inclement weather. There may also be non-weather related circumstances (example - power outage) that would require the Executive Director to initiate a school delay, early dismissal, or closing. School cancellation or a delayed opening will be communicated through an email and automated call to all parents and staff as well as via text for those who have registered for text alerts. The information will also be posted on our website.

Additionally, the Executive Director has the ability to call for an early dismissal if there are concerns about the road conditions or the safety of the children. Parents should ensure that their emergency contact information is updated for communication regarding inclement weather delays.

Posting or Publishing Student Pictures and Information

Parents, employees, and volunteers shall not post any pictures of students on Facebook, Twitter, Instagram or any other form of social media or on the internet unless a school administrator has approved such posting. This applies to all TMCS functions, whether or not conducted on school property, including field trips. Nothing in this policy shall prohibit a parent from taking and posting pictures of their own child, provided no other students are featured in such pictures. TMCS reserves the right to post pictures and images of current and former students on its website, official social media pages, marketing publications, or for any other school purpose. Parents who do not wish to allow TMCS to use their child's picture or image must notify the Executive Director in writing.

Emergency Data

Every family must complete the Emergency Information form sent to families as part of their back to school enrollment paperwork. All forms should be completed prior to the start of school. Please communicate any changes to the information throughout the year by emailing office manager.

The Emergency Information form includes the following information:

- Home address
- Home phone number
- Alternate phone numbers (work, cell)
- Names and phone numbers of people we are authorized to contact in case of an emergency
- Names and phone numbers of people who are authorized to pick the student(s) up from school

Parent Concerns

The Mountain Community School encourages the involvement of parents in their child's education. If you have a concern regarding your child please contact your child's teacher first. As a parent, you may request a conference with the teacher at any time. Please make these arrangements directly with your child's teacher. If you feel that your concern has not been handled by the teacher then you can contact the Executive Director.

Resolution of Student Issues in the School
If a parent wishes to meet to resolve a classroom/student issue, we encourage them to contact the following in this order:

1. Student's Classroom Teacher
2. Executive Director of the school

Withdrawal Procedures

If a parent would like to withdraw their child, TMCS must receive a completed withdrawal form. A records request to send records to another school for one of our current students is considered a request for withdrawal only after the parent withdrawal form is received. After that time, if a records request is received the records will be sent and that student will be withdrawn from TMCS.

Academic Honesty

Academic honesty is required by The Mountain Community School and any form of academic dishonesty is a violation of the school's Honor Code. Academic dishonesty is defined as cheating; working with another person(s) without permission, copying someone else's work, sharing your work with others, unauthorized use of notes or books on examinations, tests or quizzes; giving or receiving information on examinations, tests, quizzes, classroom assignments, lab assignments, homework assignments or any other work without the approval of the instructor; forging a parent signature; and plagiarism. Plagiarism is defined as intentionally using another person's words, thoughts or ideas as one's own without proper citation. Any act of academic dishonesty could result in loss of credit for the assignment and/or other disciplinary action.

Academic Standards

All students will be expected to master the grade level material each year. The teachers at TMCS will be responsible for assessing each student throughout the school year in order to track their progress towards mastery and keeping records of such progress. If a teacher has a concern about a student's academic progress or behavior they will bring the concern directly to the Multi-Tiered System Support (MTSS) Team. The MTSS Team will discuss the teacher's concern and will then create an intervention plan. The teacher will communicate the details of the plan with the parents. If a teacher has a concern about the promotion of a student, the teacher will communicate their concern to the MTSS team. If necessary, the teacher, parent, student and MTSS team will meet to discuss the details of the student's academic progress and an additional intervention plan will be put in place. Any student being considered for retention must have already been referred to the MTSS Team. At the end of the school year the Executive Director will review all of the data in the student's file with the Executive Director and a final decision will be made about the promotion or retention of the student.

Attendance

Attendance Requirements

At The Mountain Community School, every day is essential to the learning process; therefore, we encourage every student to be at school every day. Students are responsible for collecting and making up any work that they missed while they were out of school.

Parents may arrange to either pick up work in advance of a planned absence or can come by the school after an absence to pick up the child's work.

Compulsory Attendance

Every parent/guardian or other person of a child between the ages of 7 and 16 years shall cause such child to attend school continuously for a period equal to the time which their assigned school shall be in session. No person shall encourage, entice, or counsel any such child to be unlawfully absent from school. The parent/guardian or custodian of a child shall notify the school of the reason for each known absence of the child.

Lawful Absences

Absences are considered Excused Absences in accordance with State law and will be excused for the following reasons:

1. Illness/injury
2. Quarantine
3. Death of an immediate family member
4. Medical or dental appointments (a note from doctor/dentist office is required to verify appointment)
5. Court or administrative proceedings
6. Religious observance
7. Educational Opportunity (with prior approval by administration)
8. Local school board policy
9. Absence related to deployment activities

Absences must be documented and lawful in order to be considered excused. Please do your best to inform the school of your child's absence by emailing and/or calling the school by 9:00. A hard copy of the excuse may also be given to the office upon the student's return. At any point in the year that a student's excused absences are for an illness or injury, the school may require a statement from the student's physician in order to excuse future absences.

Unexcused absences will be handled in the following manner:

Number of Unexcused Absences	Follow Up
0-3	Letter sent home after 3 unexcused absences
4-6	Letter sent home after 6 unexcused absences; Intervention conference with parent/student
7-10+	After 10 unexcused absences, required conference with the Executive Director or his/her designee and discussion regarding potential action in court for truancy violations as well as involvement of the Department of Social Services

Educational Opportunity Absence

The Mountain Community School requires advanced permission for excused absences for educational purposes. School administration will deny the request if the cumulative effect of such absences would substantially interfere with the education of the student. If the administration does not approve this request, you will be promptly notified. For an excused absence for

educational reasons, the intent of the experience should have been educational from the outset and comparable to that which the student would have experienced in school. Family trips and vacations that were not designed, initially, to be educational will not be excused. To request an absence be excused for an educational opportunity, the parent should complete the appropriate form and submit it to the Executive Director at least five days in advance of the intended absence. The Executive Director shall make the final decision on whether the absence will be excused or unexcused based on the all of the information provided.

Excessive Absences

Any student with 20 or more absences, excused or unexcused, during a school year is subject to retention. The Executive Director will review attendance and if he/she believes retention is warranted, the parent/guardian and student will be notified in writing. The parent/guardian or student shall have ten (10) school days from the date of receipt of such notification to appeal the decision to the Executive Director pursuant to the School/Parent Grievance Procedure.

Make-Up Work for Absences

Students are responsible for, and they are permitted to, make up all work missed during absences. All work must be made up according to teacher policy unless the teacher or an administrator determines that extenuating circumstances would support an extension of time. The student is responsible for finding out which assignments, quizzes and exams were missed and completing them within the specified time period. Generally, no homework assignments will be given out prior to a student's pre-planned absence (i.e. trips). Students who are absent due to a suspension from school will be provided an opportunity to complete work and take any examinations missed.

Instructional Time

Every minute of instructional time is valuable at TMCS so we work hard to minimize class time interruptions. If you need to speak to your child's teacher, you must make an appointment ahead of time. No visitors will be given access to any classroom unless the visitor has made prior arrangements for their visit.

Tardy Policy

Late to School

Students are expected to arrive to school on time. Students are considered tardy if they are not in their classroom by the beginning of the school day. Tardiness is only excused for medical and dental appointments or to comply with court ordered attendance at a legal proceeding. In all such instances, for the tardy to be excused proper documentation is required. Students tardy due to illness will only be excused with parent communication – verbal (in person or over the phone) or via written note.

Students who have more than five (5) unexcused tardies in the first semester or more than ten (10) unexcused tardies in the second semester may receive consequences. Students may also face disciplinary action up to and including out of school suspension where appropriate.

Late for Class

It is important for students to be in class on time, ready to learn. Missing just five minutes of class may be as much as 10% of instruction in that subject for that day. Teachers will address students who are late to class as potential disciplinary issues due to the disruption of the educational process and / or skipping class. Administration may impose consequences for the disruption up to and including out of school suspension. Each circumstance will be considered separately. While teachers and other staff will be in the hallways encouraging students to get to where they belong, ultimately, it is the student's responsibility to be in class on time, ready to learn. Taking responsibility for one's own learning is an essential for success.

Partial Attendance for Extracurricular and Special Event Participation

Students must be present at school for at least half of the school day in order to participate in any extracurricular activities. The same applies for special events. Students must be considered present the day of a special event or evening student activity to participate in the event.

Third Party Rides

Consistent with TMCS policies, parents and guardians must provide the school with the identity, by name, of persons permitted to pick up their children from school and students will only be released to such designated individuals. TMCS does not condone students leaving campus in third-party ride share services whose own policies explicitly prohibit minors from using them such as Uber and Lyft. TMCS will not allow any student to be picked up from school in a third-party car service, such as Uber or Lyft, and will turn away such ride sharing services from the school. Coordinated carpool services that are fee-based are welcome.

School Operations

Grading for Grades 3-8

The policy of The Mountain Community School is to strive for a consistent and fair evaluation of each student. To ensure the effectiveness of the policy, TMCS believes that students' grades should reflect their academic performance. While attendance and behavior may influence a student's learning, they should be reported separately and not a part of the student's grade.

Teachers shall compare each student's performance against the standards and not against the performance of others. Opportunities for making up missing work shall be consistent with Board policy as it relates to absences. Teachers shall provide students and their parents a clear explanation of their grading practices including the weighting of all student products and assessments at the beginning of the school year. The grading policy and a rubric for grading practices will be provided to students and parents, and teachers will review the policy and the grading process with the students. All assessments and assignments shall be aligned with the standards outlined by North Carolina's Department of Public Instruction.

The following grading parameters are in place and will be followed by the TMCS.

- Make-up policy – when a student is absent, the student has 3 school days to turn in missed work upon returning to school. The day the student returns to school is Day 1 of the 3 days.
- Late work – students have 3 days after the due date to turn in work. Each day the work is late, 10 points will be deducted from the grade. After 3 days, a zero will be given for that assignment.
- Test corrections – students may review the tests and make corrections as the questions are reviewed and discussed BUT the initial grade does not change.
- Teachers will determine the percentage of the grade for each assignment and provide students and/or parents with the percentages.
- If homework is a component of the grade, it will be no more than 10% of the grade.
- In core classes, class participation (not classwork) related to the content not the behavior of the student will be no more than 10% of the final grade based on whether or not the teacher includes participation in the grading rubric.
- When completing team/group assignments, students shall not be penalized for the incomplete work of others. In some situations, the student could receive a group grade and an individual grade. Teachers will determine whether they assign a group and individual grade.

The Mountain Community School uses the following grading scale for grades 3-8.

Grading Scale
A = 90-100
B = 80-89
C = 70-79
D = 60-69
F = 0-59

Field Trips and Overnight Trips

Field trips are an important part of enhancing a student's learning experience. TMCS provides field trip opportunities that provide academic value or community building time for our students. No TMCS student will be permitted to leave a field trip early except in the case of an emergency or unless requested by a member of the TMCS staff for disciplinary reasons. All students must remain with the group for the duration of the field trip. Due to the responsibilities of a chaperone to supervise the students in their care, we are not able to accommodate bringing additional children that are not in the designated class or course. Students are expected to adhere to the dress requirements established for the trip by the trip organizer which will mirror the school's dress code policy unless otherwise directed.

Students and families should be aware that any student who chooses to participate in a school-sponsored field trip is subject to search of their room or belongings if there is a reasonable suspicion that the student may be in violation of school policy or law. Local law enforcement may also be called to investigate if there is a belief that the student's behavior violated the law. Students who have been involved in serious disciplinary action may lose the opportunity to participate in future field trips scheduled in the same school year.

Overnight Trip Parent and Student Expectations

Overnight trips are optional for all students. Students not in good academic and behavior standing will not be able to attend trips as they are offered. Deposits and payments made towards trips are nonrefundable as vendors are paid well in advance of trips and will not refund the money to the school. Student accommodations will be made on trips per the student's IEP or 504 Plan, but special requests for dietary, rooming preferences, and parent or student desires will not be honored. If students are unable to participate on the overnight trip with accommodations identified in their 504 Plan or IEP, the parent must attend the trip at their own cost and provide any additional student needs.

Personal Items

The school will not accept responsibility for the personal items of students. We expect students to leave belongings that are not necessary for their education at home. Any personal items that staff members judge to be unsafe, inappropriate for TMCS, or interfering with students' educational focus will be confiscated and held in the office or remain in the possession of a staff member until the parents retrieve them. Such items may be subject to search. TMCS shall not be responsible for any items lost or damaged while in its possession.

Dress Code

Throughout our world, cultures set standards and norms for dress. Context is one factor that determines the appropriateness of clothing choices. The standard for what's acceptable when attending a sporting event is typically different from what's acceptable in a workplace. What's acceptable at a shopping mall is typically different from what's acceptable at a wedding or in a place of worship. In addition to being a place of learning and work, TMCS serves as a demonstration site for educators from around the world. As such, TMCS's expectations for student dress reflects that context. Students should wear clothing that is well-suited to the school environment.

Learning at TMCS often happens off campus and may involve long walks or experiences in natural environments. As such, shoes and clothing should be chosen carefully so that students are prepared to engage in these experiences. The appropriateness and safety of footwear and clothing for a particular activity will be determined by the child's supervising teacher. If it is determined that a student is not appropriately dressed for the activity, the parent will be contacted for a change of clothing/shoes. If alternate clothing/shoes are not available, the student may miss out on the activity.

Clothing should cover the torso, and backside. It should have straps or sleeves. Clothing, imagery, and accessories that display or promote negative messages are not permitted. These could include drug, weapon, alcohol, or tobacco/vaping-related information, obscenities, put-downs, innuendo, or offensive graphics/words. If a teacher questions the appropriateness of a student's dress, the student will be referred to an administrator. If the administrator determines that the student is inappropriately dressed, the student will be given the opportunity to call a parent and have other clothing delivered.

If a staff member determines that a student is in violation of dress code standards for the school environment, the student will be given the opportunity to call a parent and have other clothing delivered. If the parent/guardian cannot be reached the school will provide clothing for the student when possible. Habitual violations will be considered willful disrespect and non-compliance on the part of the student and formal disciplinary action will be taken:

- 1st offense: Teacher conference with student and parent contact
- 2nd offense: Executive Director conference with student and parent contact
- 3rd offense: Executive Director meets with student and parent to discuss behavior

Lunch Information

The Mountain Community School does not participate in the National School Lunch Program which provides for free and reduced-price meals. As meals are typically ordered from area vendors, the cost of those meals is passed on to the families. In the event that a family has a demonstrated need, TMCS is committed to support where possible. Please contact a school administration to discuss your specific situation.

Destruction of School Property

A student shall not intentionally cause or attempt to cause substantial damage, as determined by school officials, to school property or steal or attempt to steal school property either on school grounds or during a school activity, function or event off of school grounds. Damage or theft involving school property will result in disciplinary action up to and including exclusion from school. The parents or guardians will be asked to pay for the property that the student has damaged or destroyed. Students who have outstanding fines may be prohibited from all non-required activities (i.e. athletics, dances, parking, field trips, etc.).

Smoking, Vaping, and Tobacco Use on Campus

The Mountain Community School is a smoke and tobacco free campus. In keeping with the school's intent to provide a safe and healthy work environment, smoking and other tobacco use is prohibited on TMCS property at all times. This policy applies equally to all employees, parents, students, volunteers, contractors and visitors. This policy also includes the use of e-cigarettes and vape pens.

Drug and Alcohol Use

The Mountain Community School is dedicated to maintaining a safe educational environment. Thus, TMCS has implemented a drug and alcohol-free work environment policy, which prohibits anyone from being under the influence of alcohol or illegal/misused drugs on school grounds or attending a school related event. Alcoholic beverages are never to be possessed or consumed on school grounds, at school events, or during field trips. Alcoholic beverages are never to be possessed or consumed in vehicles of transportation owned or operated on behalf of TMCS, or by their drivers while they are responsible for the operation of such vehicles. The use, sale, transfer or possession of alcohol, illegal drugs, hallucinogens, stimulants, sedatives, controlled substances, or drug paraphernalia on school property, at TMCS events or on field trips is prohibited. This includes the misuse of prescription drugs, including medical marijuana, or any mood-altering substances while on TMCS property, at a TMCS event, on

field trips or in circumstances the school believes will adversely affect the school's operation or safety. Violators of the drug and alcohol policy may be subject to drug testing and school consequences according to the Student Code of Conduct.

Threats and Violence

Our policy is to strive to maintain a school environment that is free from intimidation, threats or violent acts. This includes, but is not limited to, intimidating, threatening or hostile behaviors, physical abuse, vandalism, arson, sabotage, use of weapons, carrying weapons of any kind onto school property, or any other act, which, in the school's opinion, is inappropriate to The Mountain Community School. In addition, jokes or offensive comments regarding violent events will not be tolerated and may result in disciplinary measures.

Weapons

Weapons of any kind are expressly prohibited on school grounds or during school events. Weapons are defined to include any firearm, knife, destructive device, and/or any item (regardless of its nature) used to threaten or cause actual harm. On-duty Law Enforcement Officers (LEO) or School Resource Officers (SRO) are the only approved individuals to carry weapons on school property or at other school-sponsored activities on or off school property. **Possession of a concealed handgun permit does not authorize the holder to carry a weapon on school property.**

Students who violate this policy will be subject to disciplinary action, up to and including expulsion from school for a period of one (1) year from the date the student was found guilty of the violation. The Executive Director will review each alleged violation of this policy and will exercise discretion for expulsion and /or exclusion on a case-by-case basis.

Video Monitoring

TMCS recognizes that the use of video monitoring/surveillance systems may be warranted to maintain campus security, to increase student and employee safety and to assist with the enforcement of the school's policies and rules concerning student and employee conduct, safety and security. School buildings and grounds may be equipped with video monitoring devices, but such devices shall not be placed where there are reasonable expectations of personal privacy such as in locker rooms, changing rooms, nursing and health room areas or bathrooms.

Use of Video Recordings

- Video recordings will only be utilized for official TMCS business.
- A video recording of actions by students may be used by administrators or the Board as evidence in any disciplinary action brought against students arising out of the student's conduct on or about school property.
- The video surveillance recordings may not be used in connection with instructional observations of professional staff. This policy does not prohibit the administration from establishing other methods of videotaping lessons for the purpose of instructional observation.
- Video surveillance recordings of students, staff and/or others may be reviewed for the purpose of determining adherence to school policy and rules.

- Such recordings may be used to detect or deter criminal offenses that occur in view of the camera(s) and may be shared with law enforcement officials.
- Video surveillance recordings will be released to others only in accordance with applicable state and/or federal law or regulation.

School Safety

The Mountain Community School has a school-wide Safety Team that creates and manages the procedures, actions, and responsibilities of staff and administration to deal with crisis situations through prevention, intervention, and responsive actions. The Safety Team will practice drills for fire, lockdown, shelter in place, medical, and evacuation emergencies.

The Executive Director oversees the Safety Team and it is the responsibility of the Executive Director to ensure that the procedures are current and applicable and that all applicable parties are aware of the procedures.

The Executive Director is also responsible for ensuring drills occur on a regular basis. These procedures will be reviewed annually by the Safety Team and any changes or revisions will be made with approval by the Executive Director.

Visitors

All visitors at TMCS must sign in at the front office. All visitors are required to wear a visitor badge while on campus. All visitors must abide by the policies set forth in this handbook at all times.

Volunteers

The staff at TMCS welcomes volunteers! Parent volunteers are very important to the success of our school. All volunteers must adhere to the volunteer requirements outlined below as per our Volunteer Policy. Volunteers must sign in at the front office and a volunteer visitor badge must be worn at all times if volunteering during school hours. All volunteers are expected to abide by all of the school policies set forth in this handbook.

A volunteer is anyone who provides services, without compensation or benefits of any kind or amount, on an occasional or regular basis at TMCS or TMCS activities. The Mountain Community School strongly encourages parent, grandparent, guardian, and community involvement in our school. The following policy assists our volunteers in being effective, satisfied, and successful school volunteers while maintaining the integrity of TMCS and the health and safety of our students and teachers. Volunteers in large group functions may not be subject to all of the same requirements to serve.

1. All volunteers must report directly to the school office when they arrive and should sign in. The school office will provide an official badge identifying the volunteer that must be worn at all times.
2. All volunteers must be at least 18 years of age unless they are supervised by another responsible adult as approved by the Administrator or his/her designee.
3. Volunteers work in partnership with, under the supervision of, and at the request of TMCS administration and staff. Volunteers are expected to abide by all Board policies, procedures, and TMCS rules when performing their assigned

responsibilities. The Executive Director or his/her designee shall make volunteers aware of all applicable policies, procedures, and rules before they begin their first volunteer assignment.

4. Volunteers will not have access to confidential information in student records except as allowed by federal and state laws and regulations. Volunteers will be responsible for maintaining confidentiality regarding information seen and heard while working as a volunteer. If there is a safety concern or an emergency situation, it must immediately be communicated to someone in authority at the school.

5. Volunteers shall not use information learned or acquired in the course of volunteering for any reason other than in furtherance of their volunteer efforts at the school. For example, if a volunteer is a class parent and receives parent email information to communicate with parents, the volunteer shall not share parent email addresses with others and shall not use such email addresses to communicate with parents about anything other than for the purpose of serving as class parent.

6. Volunteers are to serve as positive role models. TMCS volunteers must always:
   - Use appropriate language
   - Dress appropriately
   - Discuss age-appropriate topics

7. Volunteers are prohibited from engaging in any physical contact with students.

8. Volunteers are prohibited from disciplining students. Behaviors requiring discipline should be reported immediately to the appropriate teacher or staff member.

9. Volunteers are prohibited from administering medications of any kind to students.

10. Volunteers should refrain from giving students gifts, rewards, or food items of any kind without the permission of TMCS personnel.

    a. Volunteers are expected to be prompt and dependable. Volunteers should notify the school office if an illness or emergency prohibits them from attending a volunteer assignment.

    b. Volunteers may not take students off school property without the written permission of parents and school personnel.

    c. Volunteers must leave children not enrolled at TMCS at home when volunteering unless specifically approved by school administration.

TMCS does not tolerate any kind of racial, ethnic, disability, or gender discrimination or sexual harassment by volunteers of the school and it is expected that all volunteers will comply with the school's policies related to such matters.

Student Code of Conduct

Purpose and Description of the School Code of Conduct

The Mountain Community School is committed to giving every student the opportunity to reach his or her full potential by providing a rigorous academic program, character education, and meaningful parental participation. In order to fulfill this mission it is important that we provide a positive, safe, and orderly environment for our students, staff, and families. The Mountain Community School believes that a common and consistently applied code of conduct is a critical tool in building that environment. It reflects what the school believes to be reasonable expectations of conduct for all members of our student body.

The importance of a code of conduct is reinforced in North Carolina state law (G.S. 115C-288) stating that the Executive Director shall have the authority to exercise discipline over the pupils of the school under policies adopted by the local board of education in accordance with G.S. 115C-390.11 through G.S. 115C-390.12.

The TMCS code of conduct identifies those behaviors that are detrimental to our goal of a positive, safe, and orderly environment. Specifically, it identifies behaviors which interfere with the learning process or disrupts the educational environment for any student at any time. The identified consequences are designed to deter students from engaging in behavior which are counterproductive to the school's mission and, in the event that violations do occur, discourages students from committing further violations.

A complete version of the Student Code of Conduct is a separate document and should be reviewed separately. For questions regarding the Code of Conduct, please contact school administration.

This Code of Conduct is not intended to be all inclusive. Situations arise that are not specifically addressed and school administration maintains the authority to address those issues in a manner that upholds the values of the school and order and discipline. Administration also maintains the right to adjust consequences based on mitigating and aggravating factors.

Bullying Policy & Procedure

Bullying is unwanted, aggressive behavior among school-aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time.
In order to be considered bullying, the behavior must include:

- An Imbalance of Power: Kids who bully use their power–such as physical strength, access to embarrassing information, or popularity–to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people.
- Repetition: Bullying behaviors happen more than once or have the potential to happen more than once.

Some specific examples of behavior that could be considered bullying include, but are not limited to; teasing, bullying slurs, innuendo, derogatory remarks, name calling, spreading rumors, and circulating written materials or pictures that are either derogatory or insulting to an individual or group.

Bullying or intimidation by adults toward students, staff, board members or other parents will not be tolerated and will be reported to the school Executive Director and the school resource officer.

Reporting Harassing and Bullying Behavior

1. Any student who believes that he or she has been harassed or bullied in violation of this policy should report such behavior immediately to a teacher, counselor, or administrator.
2. This behavior is expected from all members of our school community, including parents and family members. If a family reports to the administration that they have been negatively affected by another school family, this is a serious offense, and a discussion with the administration will happen.
3. A school employee who has witnessed or has reliable information that a student has been subject to any act of harassing or bullying behavior shall report the incident as soon as possible to the administrator on site

Investigation of Bullying

Reports of bullying activity will be investigated by the Executive Director and staff. Parents of the participants and victims will be notified. If warranted, formal disciplinary action will be taken by the Executive Director as outlined in the level of consequences.

Cyberbullying:

Instances of reported cyberbullying during the school day, on school grounds and over school devices will be handled in the manner described above. If the school is informed of inappropriate online comments/postings by students that happen outside of the school day, outside of the school network, or off the school campus, the following guidelines will apply:

- We will offer support to the student/family who reports, which may include consultations with our counseling staff, recommendations on tools to block and limit access to specific sites or tools, and recommendations on how to contact the hosting platform to report comments and activities.
- We will follow up to see if the behaviors are carrying into the school environment
- We will help students clarify the difference between bullying, which is behavior that is sustained, organized, creates a hostile environment, and random instances of unpleasant social media comments or conflicting political or social opinions

Corporal Punishment / Physical Management

Corporal punishment is defined as action taken by school employees or volunteers to physically handle a student in any way to purposely inflict punishment. No corporal punishment will be administered to students by anyone in the school.

In accordance with state law, TMCS has trained crisis intervention staff members who can recognize and de-escalate situations involving people going through a mental or emotional crisis. We provide professional development opportunities through formal training sessions, formal and informal modeling of evidence-based interventions, and crisis intervention to assist school staff in stabilizing students experiencing crisis behaviors.

The use of physical safety techniques may be used by trained staff under the following conditions:

1. There must be an imminent risk of serious harm to the agitated person or someone else.
2. There must be no other practical way to prevent that harm without physical management.
3. The risk of not intervening must be greater than the risk of intervening.

School staff will communicate with families any occurrence of crisis behaviors.

Extended Suspension for Students with Disabilities

When the school system seeks to suspend students with disabilities for more than ten days, the Individual Education Program (IEP) team must meet within ten days of the student's removal from school. The purpose of this meeting is to determine whether or not the behavior was a manifestation of the student's disability.

- If the IEP team determines that the behavior is related to the student's disability, the student is returned to school immediately or the IEP team will determine an alternative, but appropriate way to ensure services are continued.
- Regardless of whether the conduct is related to the disability, if the incident for which the student is being disciplined involves a dangerous weapon, a controlled dangerous substance, or serious bodily injury, the school system can unilaterally place a special education student in an alternative education setting for up to 45 days.

- If the IEP team determines that the conduct is not related to the disability, the student is subject to the regular discipline procedures explained herein. The school system is required to continue to provide the student with a free, appropriate, public education.

Student Conflict/Peer Mediation

Students are encouraged to work with one another to resolve conflicts and prevent hostility. Peer mediation is a student-based, voluntary process for resolving conflict among students. The school counselor can assist with this process. Peer mediation supports safe teaching and learning environments by increasing student responsibility for behavior and decreasing time spent on discipline. The goal is to repair relationships and reduce negative peer interactions that interfere with the learning environment.

Items from Home

Students should only bring appropriate academic-related items to school. Unrelated magazines, toys, trading cards, etc. should remain at home unless explicit permission has been granted by the teacher. Any items (including cell phones) that disrupt the learning environment in any way or present a safety hazard will be confiscated according to the following guidelines:

- 1st offense: Teacher will collect and return to the student at the end of the school day on the first occasion (Warning)
- 2nd offense: Items will be held in the office until a parent/guardian can pick them up on the second occasion and their after. (Family Involvement)
- 3rd offense: Item will be held in the office. The Executive Director meets with the student and parent to discuss the behavior. (Office Referral)
- Additional offenses: Items will be held in the office and additional consequences will be applied as outlined in the code of student conduct.

Cell Phone/Smart Watch Policy

Students are allowed to have cell phones and smart watches at school, but the phones not used during the school day. ***All students will be required to lock cell phones, smart watches and ear buds in a school provided locker/pouch during the school day.*** Students bring these devices to school at their own risk. The TMCS faculty and staff are not responsible for any damaged, missing, or stolen cell phones. Should a student need to make a phone call while at school, they must receive permission from a TMCS staff member and will be directed to use the phone in a classroom or in the main office. Parents who need to contact a student should call the main office. Students will not be allowed to answer calls or check messages on a cell phone during the school day. Cell phone use by students is prohibited at school without express permission for specific use of function or feature from a school staff member, including during lunch, exercise breaks, before and after school, at after care program and on field trips. Use is interpreted not just as the sending or receiving of calls. Use includes using any cell phone function or feature, including but not limited to texting, photography, recording, internet access, social media, music playing, etc. These restrictions apply to use in hallways, restrooms, offices, the outside or any other place on campus or on a field trip. Campus restrictions are in effect before school from initial drop off time and after school through dismissal procedures. Cameras, as part of other devices or as a single purpose device, are prohibited at TMCS without express permission for specific use of function or feature from a school staff member. This restriction follows the same guidelines as that for cell phones. ***Any student who has a electronic devices that are not properly pouched will have the items confiscated and turned in to the office for parent pickup.***

Responsibility for Personal Property

All personal property, including personal computers, brought to school is brought at the owner's risk. TMCS cannot assume responsibility for any property belonging to students. Distracting or inappropriate objects will be taken from a student and

returned at the end of the day. Repeated violations will require a parent conference. Students should not bring large sums of money to school. If it is necessary to bring a large sum of money, that money should be taken to the office.

Search and Seizure

To maintain order and discipline in the school and to protect the health, safety and welfare of all students and school personnel, there are times that searches may be deemed necessary. School authorities may search a student's person and/or personal property, cell phone, desk area, storage area, backpack, or parent/guardian automobile whenever a school authority has reasonable suspicion to believe that a student is in possession of illegal or unauthorized materials.

All searches will be conducted with two adults present. Anything found in the course of a search can be used as evidence against the student. The evidence may be:

1. Seized and admitted as evidence in any suspension or recommendation for expulsion proceeding
2. Returned to the parent or guardian of the student
3. Destroyed, if it is of no significant value
4. Given to a law enforcement officer if applicable

Disciplinary Process

Upon receiving a report of a potential occurrence of any of the above violations, school administration will begin an investigation. An investigation may include interviewing witnesses, reviewing camera footage, speaking with staff members, and a search of a student, a student's locker, or a student's belongings. Refusal to permit the search will result in the assignment of consequences that are commensurate with the suspected violation. Administration will speak with the student and give the student an opportunity to deny or explain the violation.

Upon completion of the investigation, school administration will determine if the preponderance of the evidence weighs in favor of the violation occurring. This means that it is more likely than not that the student committed the violation. If that is the conclusion, the student will be notified of the consequence of the violation as long as notification of the student does not pose a risk to the safety and security of other individuals on campus. If the violation is an offense which requires a report to law enforcement, the appropriate agency will be notified.

The school administrator will make a reasonable attempt to contact the student's parent or guardian by telephone to communicate the results of the investigation and the assigned consequences. The administration shall also notify the parent or guardian in writing that the student has been suspended from school. The administrator shall provide a description of the incident or incidents that resulted in the suspension and may offer the opportunity for an immediate informal conference with the administrator.

If a student is determined to have committed a violation for which the possible consequence is exclusion or long-term suspension, the administrator will follow the procedures outlined in the section below.

Long-Term Suspension and Exclusion Procedures

In accordance with the table and policy set forth above, each school's Executive Director may recommend a student for a Long-Term Suspension and/or Exclusion.

If the Executive Director determines that an infraction falls into the category for which a long-term suspension and/or exclusion is appropriate, he/she will recommend long-term suspension or exclusion. The Executive Director will also notify the parent or guardian in writing of this recommendation within two school days. The notification will include the time, date, and location for a hearing with the Executive Director and a panel of board members. The parent or guardian must notify the Executive Director within two school days of their intent to follow through with the hearing. Failure to notify intent indicates the parent or guardian's acceptance of the Executive Director's recommendation for exclusion or long-term suspension. If the parent / guardian intends to follow through with the hearing, he / she must notify the Executive Director at least three days in advance of the hearing if they are bringing an advocate to the meeting, and of the advocate's role (for example, legal representation). At the conclusion of the hearing, the board panel will determine if the Executive Director's recommendation for long-term suspension or exclusion should be upheld, modified, or overturned.

In either event, where the Executive Director assigns a student a long-term suspension or exclusion either directly or after a hearing, the parent or guardian has two school days to appeal the decision to the Board of. This request must be submitted in writing to the Executive Director. The school will follow the requirements set forth in North Carolina's General Statutes for any such appeal and hearing. Decisions of the Board shall be final, and there will be no further appeals will be permitted under any circumstances.

If the parent or guardian either refuses any hearing or fails to attend any hearing, the Executive Director will make the determination on whether to uphold the recommendation of long-term suspension.

Disciplinary procedures at TMCS will be exercised in a manner consistent with state and federal law, including the Gun Free Schools Act, the Individuals with Disabilities Education Act and the Rehabilitation Act of 1973. The disciplinary procedures applicable to students with disabilities and those who have Section 504 accommodation plans are available on the school's website.

Discipline of Students with Disabilities

The obligation and the responsibility to attend school regularly and to comply with the school's code of conduct applies to all students. When appropriate, the Executive Director may discipline a student with a disability who has not complied with the school's code of conduct. Exceptional Children's education services will be provided to a student with a disability if the student has been removed from school for more than ten school days. If a student with a disability is removed ten cumulative days or less, educational services will be provided only if such services are provided to students without disabilities who have been similarly removed. The school will follow all applicable state and federal laws when disciplining students with disabilities.

Adult Code of Conduct

As we partner with families to best support students, it is critical that we engage in a way that allows our partnership to flourish. We understand that situations can become stressful, and we want to maintain the best support possible.

All adults entering the school or participating in school events shall adhere to the following rules of conduct:

1. Always be respectful to the staff, students, and other members of the school community.
2. Model appropriate behavior and be good examples to our school community.

3. Do not display dangerous or unsafe behavior when on our campus.
4. Check-in and obtain clearance from the office upon entering the building.
5. Do not disrupt teaching and learning when visiting the school.
6. If you need to speak with a staff member, schedule a meeting.
7. Refrain from using threats, profanity, inappropriate or rude language/gestures, or an aggressive/loud voice.
8. Handle complaints by first seeking a resolution with the staff members involved in a positive and professional manner.
9. Ensure email communications to The Mountain Community School staff, faculty, or students are respectful.
10. Do not harass, bully, or threaten The Mountain Community School staff, faculty, or students on school grounds, at school events (whether or not on school grounds), or via email.

When engaging in a conversation with another person who is becoming overly aggressive and/or disrespectful, staff members are to follow the steps below:

1. Remind the individual that it is an expectation that all conversations remain respectful.
2. If the disrespectful behavior continues, end the conversation immediately.
   Possible script: "Unfortunately, we need to end this conversation here. I understand you are upset but we cannot continue until we can communicate with a calm tone and appropriate language."
3. Staff members must inform their direct supervisor of the interaction so they can document the situation and follow up as needed.

To the extent an adult's actions/behavior falls below the code of conduct, the adult can be subjected to disciplinary action by the administration.

- Upon the first occurrence, the direct supervisor will send a follow up email to the individual.
- Upon a second occurrence, individuals can be:
    - removed from the premises;
    - restricted from re-entry for a period of 30 calendar days; and
    - limited to pick-up and drop-off of students outside the building
- Upon a third occurrence, individuals can be:
    - Removed from the premises; and
    - Permanently restricted from re-entry.

*Violence/Threats: If the act or action of the individual falls within the category of acts of violence on school premises, threats of violence on school premises, bullying of teachers, students or other parents, the individual can be immediately removed from the premises and permanently restricted from re-entry.

*While a parent is restricted from re-entry to the school, their access to the school is restricted to external pick-up and drop-off of their student. Any interaction with The Mountain Community School teachers or staff must be done by electronic means.

The school reserves the right to restrict any adult, including parents, from coming onto campus for any reason, including drop off or pick up, if the adult has engaged in Violence/Threats as set forth above or if The Mountain Community School determines that the adult's behavior has created an unsafe or hostile environment.

Technology Use at School

While at The Mountain Community School, students will have access to a variety of technology. It is the expectation of the school that all school-owned tablets and laptops remain at the school. School-owned equipment may be loaned to families in certain circumstances with a signed technology form. All students and parents must sign and adhere to the Technology Acceptable Use Policy.

Electronic Devices

Cell phones, head phones, or other electronic devices not specifically designed to support learning in the classroom are not permitted during the instructional day. Students who violate the cell phone policy can expect consequences. Please reference our discipline policy for additional information regarding disciplinary action as it relates to the use of personal electronic devices. The Mountain Community School will not be responsible for lost, stolen, or broken items.

Cell phones, wireless headphones, and smart watches must be secured in a pouch provided by the school and locked during the school day. Pouches may be kept with the student during the day but must remained sealed. Exceptions are provided for those with documented medical need to access their smart devices.

The possession of such electronic devices at TMCS or during school events constitutes the consent to the search (either in the presence of the students possessing the device(s) or outside that students' presence) and confiscation of the device(s) by school personnel. Confiscated devices may be returned to the parent/guardian at the end of the school day. Any exceptions to this general rule sought by parents for specific health or safety concerns should be brought to the attention of the Executive Director.

Telephone and Cell Phone Usage

Students are not permitted to make phone calls except in cases of emergency or by teacher request. Students who need to use the telephone must have approval from their teacher. It is requested that all travel and afterschool plans be made ahead of time in order to keep the school telephones available.

Students devices will be pouched and inaccessible during the school day. Please do not call or text your child's cell phone as it is against TMCS policy for students to use them during school hours.

If during state testing a student is found to be in possession of ANY electronic device, it will be reported to the Regional Accountability Office and the device will be held until their investigation is completed. Cell phones are not the responsibility of the faculty and staff at TMCS.

Technology Use Policy

Students are offered access to the TMCS computer network for creativity, communication, research, and other tasks related to the academic program. All use of computers, furnished or created data, software, and other technology resources as granted by TMCS are the property of the school and are intended for school business and educational use. Students are to use the computer network responsibly. The use of the network is a privilege, not a right, and may be revoked if abused. The user is personally responsible for his/her actions in accessing and using the school's computer network and technological resources.

1. **Privacy:** TMCS reserves the right to monitor Internet traffic and to retrieve and review any data composed, sent, received, or stored using its network or Internet connections, including e-mail. Users do not enjoy any expectation of privacy when using any technology or transmissions originating within or around TMCS property.

2. **Cyber Bullying:** TMCS prohibits cyber-bullying, an act involving the use of information and communication technologies, including but not limited to email, text messages, blogs, instant messages, personal websites, online social directories and communities (e.g., Facebook, Instagram, Wikipedia, YouTube, etc.), video-posting sites, and online personal polling websites, to support deliberate or repeated hostile behavior, by an individual or group, that is intended to defame, harm, threaten, intimidate, or harass students, staff members, or the school during or outside school hours and on or off school premises. Cyber bullying will be handled in accordance with the Non-Discrimination, Equal Opportunity, and Anti-Harassment Policies.

3. **Materials and Language:** Use of or accessing profane, abusive, pornographic, obscene, and/or impolite materials or language is not permitted. Accidental access should be reported to the instructor immediately. Intentional circumvention of web-filtering is prohibited.

4. **Installing/Copying:** Students are not to install or download any hardware, software, shareware, or freeware onto any media or network drives. Software installed by anyone other than the network administrator will be removed. Downloading of non-work-related files is permitted only with an instructor's permission. Students may not copy other people's work or intrude into other people's files. All copyright laws must be respected. Use of any other organization's network or technology resources via the network requires the instructor's permission and must comply with the rules appropriate for that network.

5. **Access:** Users may not access the computer network without proper authorization. Hacking is expressly prohibited. Users are to use their own username and password when using a computer. Users must log off the computer when they are finished with their work and are not to log on to a computer for someone else or tell others their password. Students are to notify the instructor if someone else is thought to know his/her password.

6. **Data Protection:** Users must not attempt to damage or destroy equipment or files. Though efforts are made by TMCS to ensure the safety and integrity of data, the school makes no warranties of any kind, either expressed or implied, for the service it provides. TMCS will not be responsible for any damage to data.

7. **Storage:** Users are to delete their files and materials they no longer need.

8. **Printing Resources:** Paper and toner are costly, and excessive use is wasteful. Documents must be proofread before printing. Users are to print only the needed part(s) of documents. Students must obtain permission from an instructor before printing documents.

9. **Passwords:** Students are reminded not to share their password with anyone except a parent or guardian. Students should not use login IDs and passwords belonging to other students or faculty and staff members.

10. **Email:** Email correspondence on the TMCS system, the laptop, or making use of the student's assigned email account is the property of TMCS. Documents and other files created by the students and located on the laptops or the TMCS computer system are also property of TMCS.

The following consequences will apply if a student violates this policy. Any of the below consequences may be enforced alone or in conjunction with one another by the school against the violating student.

1. Revocation or limitation of computer access privileges
2. Temporary or permanent confiscation of the student computer
3. Disciplinary action as provided for in the student handbook
4. Any other sanctions or remedies provided by law

3rd-Party Applications and Sharing of Student Data

The Mountain Community School utilizes a number of 3rd-party applications to facilitate school operations, classroom management, and student learning. Use of these applications typically requires sharing of student data with the operating company. All data sharing complies with The Family Educational Rights and Privacy Act of 1974 (FERPA), and use is reasonably monitored for compliance with the Technology Acceptable Use, Internet Acceptable Use, and Social Media policies. The North Carolina General Assembly has mandated that NC public schools aggressively adopt and improve digital learning methods and strategies, and digital learning has become an integral part of the classroom in public schools across the country. TMCS feels the educational benefit provided by these applications and the internet in general outweighs all possible disadvantages. As such, we do not seek explicit guardian consent to the use of technology and the sharing of student data. By enrolling a student at TMCS, the parent/guardian(s) implicitly consent(s) to the student's supervised use of technology, including the internet and 3rd-party applications.

TMCS utilizes Google's G Suite for Education extensively for both staff and students. The school provides students with access to applications in both the Core Services and Additional Services categories. By enrolling a student at TMCS, the parent/guardian(s) implicitly consent(s) to the student's supervised use of these applications.

Internet Acceptable Use Policy

The Mountain Community School provides internet access to support education and research. Access to the Internet is a privilege subject to restrictions set by the Board of Directors. For students and staff, violation of any provisions in the Acceptable Use Policy (AUP) may result in disciplinary action and/or cancellation of access to the TMCS network. This policy applies to all Internet access on TMCS property, including Internet access using mobile devices, and including access by staff, students, and visitors to the TMCS campus.

Although TMCS uses resources to protect against exposure to inappropriate material, there is always a risk of students accessing such materials. Although it may still be possible to access inappropriate material, TMCS feels the educational benefit provided by the Internet outweighs any possible disadvantages. We encourage parents to talk with their students about sites and material

which the parents believe are inappropriate. TMCS cannot accept responsibility for enforcing specific parental restrictions that go beyond those imposed by the school.

The Children's Internet Protection Act (CIPA) is a federal law enacted to address concerns about access to the Internet and other information. Under CIPA, schools must certify that they have certain internet safety measures in place. These include measures to block or filter pictures that (a) are obscene, (b) contain child pornography, or (c) when computers with internet access are used by minors, are harmful to minors. TMCS monitors online activities of minors and to address (a) access by minors to inappropriate matter on the Internet and World Wide Web, (b) the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications, (c) unauthorized access, including so-called "hacking," and other unlawful activities by minors online, (d) unauthorized disclosure, use, and dissemination of personal information regarding minors, and (e) restricting minors' access to harmful materials. TMCS certifies that it is in compliance with CIPA.

Students are prohibited from using or accessing internet sites containing pornographic, violent or other unacceptable content either at school or at home using school-owned computers/technology/electronic devices. Accessing, producing, posting displaying or sending offensive message, music or images, including images of exposed body parts is prohibited. Offensive material includes but is not limited to obscene, profane, lewd, vulgar, rude or sexually suggestive language or images.

Students who bring their own devices to campus are encouraged to take reasonable precautions to ensure the security of those devices. This includes operating system updates and virus scanning.

Safety and Ethical Use

Any internet user must take reasonable precautions to protect him or herself online. Students, staff, and visitors should use the following guidelines:

Email, forums, instant messaging, and other online messaging

- Never share personal information online. This includes, but is not limited to real full name, postal address, social security number, and passwords. Sharing the information of another individual, especially minors, is unethical, strictly forbidden, and may be unlawful. In the case of students, the privacy of student educational data is protected by the Family Educational Rights and Privacy Act (FERPA). When in doubt, do not release student data and consult a school administrator for further advice.

- Special care must be taken when sending mass emails. Email addresses themselves are private information, and improper mass emailing can result in inadvertent sharing of addresses. Improper mass emailing can also allow recipients to reply to the mass message and send their own messages to the entire group. This is preventable by using a blind carbon copy (BCC) feature or a mass emailing service. It is the responsibility of all TMCS staff and students to use BCC or a mass emailing service and to protect private information and data when sending mass emails.

Unauthorized access / hacking and general unlawful activity

- Gaining or attempting to gain unauthorized access to TMCS resources, or using TMCS resources to gain or attempt to gain unauthorized access to outside systems is unethical, unlawful, and forbidden. This includes bypassing the internet filter without permission or purposefully gaining access to material that is harmful to minors.
- Assuming the online identity of another individual for any purpose is unethical and forbidden.

- Use of TMCS resources for any unlawful purpose, including, but not limited to, copyright infringement, is unethical and forbidden.

Academic integrity

- Students are expected to follow all Board and school handbook policies regarding academic integrity when using technology.

Harassment and Cyberbullying

Cyberbullying may involve any of these behaviors:

1. Accessing, producing, posting, sending, or displaying material that is offensive in nature on the Internet
2. Harassing, insulting, or attacking others on the Internet
3. Posting personal or private information about other individuals on the Internet
4. Posting information on the internet that could disrupt the school environment, cause damage, or endanger students or staff.
5. Concealing one's identity in any way, including the use of anonymization tools or another individual's credentials/online identity, to participate in any of the behaviors listed above.

The Executive Director will determine whether or not specific incidents of cyberbullying have impacted the school's climate or the welfare of its students and appropriate consequences will be issued. TMCS is not responsible for electronic communication that originates off-campus but retains the right to impose discipline, where appropriate, for off-campus communication or conduct that substantially disrupts the educational environment at TMCS. Cyber bullying will be handled in accordance with the Student Discrimination, Harassment and Bullying Policy.

Social Media Policy

Students should understand that as a member of the school community they represent the school at all times. When using social media sites including, but not limited to, Twitter, Facebook, Instagram, Be Real, and Snapchat, they must do so responsibly and are accountable for their actions at all times.

Students should also understand that when using social media they are bound by the rules of student behavior as outlined in the school's student handbooks. The school will only intervene in a student's use of social media if a parent, teacher, coach, administrator or student reports an issue that is harmful to the health and well-being of the school community.

Cyber-Bullying, in the form of student to student or student to teacher, will be handled as any other form of physical or emotional bullying.

Students should expect the school administration to take note of and, if necessary, disciplinary action in response to information communicated digitally that:

- conveys a physical threat toward a student, teacher, or administrator;
- advocates for the immediate violation of any laws or school rules;
- defames or denigrates individuals affiliated with the school community;
- impersonates any member of the school community;
- suggests that one's blog, website, or other digital communication is sponsored by or affiliated with the school.

North Carolina Cyber-bullying Laws

The school encourages students and their parents to familiarize themselves with our State's anti-bullying laws and policies. In particular the following North Carolina General Statutes:

- GS 14-458.1 Cyber-bullying penalty
- GS14-458.2 Cyber-bullying of school employee by student; penalty
- GS 115C-407.12: Bullying and harassing behavior

Privacy

The school will make every effort to respect students' right to privacy on a day-to-day basis when using school provided resources. However, administrators may review files, communications, and log files to ensure students are using resources responsibly. Students should not expect that content stored on school servers, within the school's Google Apps for Education domain, or other school provided digital resources to be private.

Violations

Violations of this Policy's may result in the loss of privileges, suspension or exclusion from the school, as well as other disciplinary or legal action. Behaviors running counter to these standards and expectations may also be viewed as violations of the school's Honor Code.

Student Health and Wellness

Communicable Diseases

Students are excluded from school in cases of certain **reportable** communicable diseases. While the list of diseases reportable to the state Division of Public Health is lengthy, the number of such diseases common to the school age child is not. This list is available upon request from the school office.

When a student is suspected of having one of those **reportable** communicable diseases, it is the responsibility of the parent to take the child to the local health department or primary health care provider for verification and treatment before that student can return to school. Students should be temporarily excluded from school if presenting symptoms of a reportable disease is present. In each case, readmission to school should also take into account whether the student is able to participate in school. In some cases, a student with a disabling disease, who is no longer contagious but may require ongoing care, may be eligible for additional services under Section 504 of the Rehabilitation Act.

A list of students who have not been vaccinated for bona fide religious or medical reasons or who have illnesses that cause immunosuppression will be maintained in the school office so that appropriate action can be taken to protect these individuals when serious communicable disease outbreaks do occur.

TMCS staff makes every effort to reduce the prevalence of disease-causing organisms through ensuring cleanliness of the environment, emphasizing frequent hand washing of students and staff, and following proper decontamination procedures of items used in mealtime and other activities. Despite those actions, the school age child is often the source and conduit for communicable diseases ranging from the "common cold" to ringworm among many. The majority of such illnesses are not among the diseases for which the state Division of Public Health, following guidelines issued by the Centers for Disease Control and Prevention, has issued mandatory isolation rules. However, the following isolation guidelines must be followed:

- **Chickenpox (Varicella):** Student is excluded until all blisters have formed scabs.
- **COVID-19 (coronavirus):** The school will follow all CDC and NCDHHS guidelines on length of quarantine and return to school timing.
- **Fever:** The parent/guardian of any student with an oral temperature >100.4 degrees will be notified and asked to pick up their child. The student should remain at home until fever-free for 36 hours without medication.
- **Head Lice (Pediculosis):** The parents/guardians of any student found with lice will be notified and asked to pick up their student. The parent/guardian may consult their medical provider or treat with an over-the-counter product. The student may return to school after receiving treatment for lice and removing nits.
- **Impetigo:** Student is excluded from school if he/she has more than three to four sores until seen by a medical provider and treated with a prescription antibiotic for a minimum of 24 hours.
- **Measles (Rubeola/Rubella):** Student is excluded until physician's approval is given and student is no longer contagious.
- **MRSA (Methicillin Resistant Staphylococcus Aureus):** All suspected cases should be referred to their healthcare provider and if possible, lesions should be kept covered while at school. Exclusion from school and sports activities should be reserved for those with wound drainage that cannot be covered and contained with a clean, dry bandage and for those who cannot maintain good personal hygiene.
- **Nausea, Vomiting, Diarrhea:** The parent/guardian of any student experiencing nausea, vomiting, diarrhea will be notified and asked to pick up their child. The student may return to school 36 hours after the symptoms have abated.
- **Pink Eye (Conjunctivitis):** A student who is exhibiting symptoms of pink eye should be evaluated by their medical provider. Student is allowed to return to school on approval of physician. The student may return when treatment has begun, has minimal drainage & student is able to keep hands away from eyes.
- **Scabies:** Student is excluded until one (1) treatment with prescription medication has been completed for at least 24 hours.
- **Strep Throat (Streptococcal and Staphylococcal Infections):** Student is excluded from school until treated with a prescription antibiotic for 24 hours and have been fever free for 36 hours.

If a student has a communicable disease, including HIV/AIDS, hepatitis B, tuberculosis, etc.; the parents are encouraged to notify the Executive Director. This information will be kept confidential in accordance with the law.
If notified that a student suffers from such immunodeficiency, the school will request that the notifying party provide information about what types of exposures might put the student at risk and what reasonable practices can be taken in the school setting to minimize the risk to the student. Whenever possible, the Executive Director will notify the parents or guardians of an infected or immunodeficient student (or the student himself where appropriate) of the existence of chicken pox, influenza, meningococcus,

measles, tuberculosis, or other contagious diseases occurring in the school that may represent a serious threat to the student's health. Students who are removed from school as a result of such conditions will be provided instruction in an appropriate alternative educational setting.

Immunizations

North Carolina law requires immunizations for every child present in this state. Every parent, guardian or person in loco parentis is responsible for ensuring that their child(ren) receive required immunizations. It is the responsibility of the parent, guardian, or person in loco parentis to provide the immunization record of each school age child to the school **with registration documentation before the start of school before** the child enters school or the child will be suspended from school until a valid immunization record can be provided.

EFFECTIVE JULY 1, 2015, THE FOLLOWING ARE REQUIRED IMMUNIZATIONS:

Kindergarten Required Vaccines

Vaccine	**Number Doses Required Before School Entry***
Diphtheria, tetanus and pertussis	5 doses*
Polio	4 doses*
Measles	2 doses*
Mumps	2 doses*
Rubella	1 dose*
Hemophilus Influenzae type B (Hib)	4 doses*
Hepatitis B (Hep B)	3 doses*
Varicella (chickenpox)	2 doses*

** Please contact your child's healthcare provider for further information.*

7th Grade/12 Year Old Required Vaccines

Adolescents should be up to date on all the vaccines required for kindergarten entry.

In addition:

- Meningococcal conjugate vaccine (MCV) – 2 doses
  - One dose for individuals is required entering the 7th grade or by 12 years of age whichever comes first.
  - Booster dose for individuals is required entering the 12th grade or 17 years of age beginning August 1, 2020.
  - If the first dose is administered on or after the 16th birthday the booster dose is not required

- Tetanus, diphtheria, and pertussis (whooping cough) – Tdap
    - A booster dose of Tdap is required for individuals who have not previously received Tdap and who are entering 7th grade or by 12 years of age, whichever comes first.
    - School Entry from 6th to 7th Grade

If you have specific questions regarding your child, please contact your child's health care provide or your local health department.

Garrett's Law

North Carolina law mandates that at the beginning of every academic year, local boards of education shall provide parents and guardians with information about meningococcal meningitis, influenza, Human Papillomavirus (HPV) and their vaccines. This important information is available online for parents/guardians on our website.

Medication Administration

The needs of students who require medication during school hours to maintain and support their health and well-being during the educational day should be met in a safe and prudent manner.

Rationale

- Implementation of the IDEA (Individuals with Disabilities in Education Act), and amendments since enactment, has led to an increased number of children whose health concerns require medication to be given while at school.
- Students with chronic illness may be dependent on routine medications, which enable them to participate more fully in all aspects of school activities and to minimize their absences.
- Students may require the administration of controlled substances during the school day in order to maximize their classroom performance.
- Some students with infections and communicable diseases are able to resume school attendance based on continuation of their medication regimen.

North Carolina State Recommendations

- All medications administered by school personnel during school hours must be prescribed by a licensed healthcare provider.
- All medications administered at school must have a written request/permission signed by the parent or legal guardian and medication form completed and signed by the doctor.
- Students with asthma and/or at risk for anaphylactic allergic reaction, may possess and self-administer medication on school property within certain parameters.

School personnel ***will not administer any medication*** to any student unless they have received the "**Request for Medication Administration in School**" form properly completed and signed by the doctor. The medication must be received in an appropriately labeled container. To protect your student's well-being, there will be no exception to this policy. If you have any

questions about this policy, or other issues related to the administration of medication in school or during school-sponsored activities, please contact the office manager. Thank you for your cooperation.

Self-administration of Medications in School

In accordance with North Carolina state law, there are a ***limited number*** of health conditions which may require the student to carry medications at all times. These include asthma (inhalers), diabetes (insulin or source of glucose), and severe anaphylactic allergies (EpiPen). In addition, learning to care for one's health and well-being is an important developmental milestone for all students. Parents should be informed that students who are approved to self-carry medications while at school and during school sponsored activities are independent in the management of their medication with no expected oversight from school staff. In order for a student to self-carry a medication, the following ***requirements must be met annually***:

A. The student's parent/guardian must submit a written treatment plan prepared by a healthcare provider for managing asthma, anaphylaxis, or diabetes. Examples include: asthma action plan, diabetic treatment plan, etc. The plan must state:

   a. The student has a diagnosis of asthma, anaphylaxis, or diabetes
   b. Self-administration of required medications is part of the student's treatment plan
   c. The student has been instructed in, and has demonstrated to the healthcare provider, the skills necessary to self-administer the medication
   d. The name or type of medication that the student may self-administer while in school or during school sponsored activities

B. The student's parent/guardian must submit a completed "**Request for Medication Administration in School**" form

C. The parent/guardian must provide backup medication that will be kept in the office to which the student has immediate access in the event the student does not have the required medication.

D. When medication such as asthma inhalers, diabetes medications, and emergency medications will be self-administered, an appropriate "Individualized Health Care Plan" (IHCP) will be completed by the Executive Director, or his/her designee, in partnership with the parent/guardian and student.

E. The student must demonstrate to the Executive Director or his/her designee the knowledge, competence, and skills necessary to self-administer medication.

F. Students must dispose of contaminated sharps in accordance with OSHA guidelines.

Hazardous Chemicals

TMCS will take all necessary steps to protect its students and staff from hazardous chemicals or other potentially dangerous materials, and it will comply fully with all required inspections, laws, ordinances, and regulations regarding hazardous chemicals.

Fire and Safety Regulations

The Mountain Community School will submit to all fire and safety inspections by state, county, and municipal authorities as required by law. TMCS will also obtain all necessary certificates and licenses prior to opening for each school year.

School Essentials

Grievance Policy for Parents / Students

Purpose: To provide the procedures parents/students will follow when they have an issue at the school that constitute a grievance. This policy is in place to respond to parent/student grievances. It is expected that any parent/student with an issue should try to resolve the issue by using open communication with the teacher. This means that if a parent or student disagrees with any policy or procedure within the classroom, the first level of grievance is their student's teacher. If the student/parent is not satisfied with the teacher's response, they should then set a meeting with the Executive Director. At that meeting, the teacher, student, Executive Director and parent must be present and the issue at hand will be fully discussed.

If the parent or student wishes to pursue the matter further, they may then meet with the Executive Director. Similarly, if a parent/student disagree or have an issue with a policy or procedure at the school, the parent/student should set a meeting with the Executive Director. If the parent/student feels that their issue is still a concern after meeting with the Executive Director and the issue meets the definition of a grievance set forth below, the parent/student may initiate the grievance procedures as described below. Many issues that a parent/student has with the classroom, teacher or school will not rise to the level of a grievance and appropriate resolution will be found with the teacher and/or Executive Director .

1. **Definition of a grievance:** a grievance is defined as a formal written complaint by a parent/student stating that a specific action has violated a school policy, board policy, or law/regulation. Complaints under other policies including those under Title VI, Title IX, IDEA, Section 504, the school's Non-Title IX Bullying policy and those pertaining to student discipline are not grievances and this policy does not apply to such complaints. Please refer to the school's policies and procedures for those matters.
2. **Time Limits**: A grievance will only be heard if the complaint has been filed within fifteen (15) calendar days of the meeting with the Executive Director. The fifteen-day deadline may be extended at the discretion of the Executive Director.
3. **The grievance process is as follows:**

Step 1: If the parties are not satisfied with the decision of the Executive Director, and the grievance meets the definition set forth above, the parent/student must submit a letter in writing stating the school policy, board policy or law/regulation that was violated including details of the actions and the place, date and time of the violation. The parent/student should make all efforts to include any details about the event that may be helpful in the decision-making process. The written letter should be submitted to the Executive Director of the school and to the Chair of the Board of Directors within five (5) school days of the Executive Director's decision. If the Executive Director of the school is implicated in the grievance, the grievance should only be submitted to the Chair or the Vice Chair of the Board of Directors.

Step 2: The Board will review the facts and notify the parties in writing (email accepted) if further action is necessary. If the Board considers the matter should be heard, the parties will be called to meet with the Board. After the

hearing, any decision of the Board will be communicated to the Executive Director and the parent/student who filed the grievance within five school days, The Board's decision concerning the grievance is final.

Mandatory Reporting Policy

Pursuant to N.C.G.S. § 7B-301, all school personnel are required to report any suspected abuse of any child as per the school's Child Abuse Reporting Policy. These reports should be made directly to the Department of Social Services in the jurisdiction in which the child resides. If a report is made, it must be reported to the Executive Director immediately. All school personnel will receive training on how to report child abuse. If any staff member has a question or concern, they should see the School Counselor and/or Executive Director.

In addition to cases of abuse, neglect, dependency, and maltreatment, under N.C.G.S. §14-318.6, any person 18 years of age or older who knows or should have reasonably known that a juvenile has been or is the victim of a violent offense, sexual offense, or misdemeanor child abuse under N.C.G.S. §14-318.2 shall immediately report the case of that juvenile to the appropriate local law enforcement agency in the county where the juvenile resides or is found. If a report is made, it must be reported to the Executive Director immediately. All school personnel will receive training on how to report child abuse. If any staff member has a question or concern, they should see the School Counselor and/or Executive Director.

Non-Discrimination, Equal Opportunity, and Anti-Harassment Policies

The Mountain Community School provides equal education opportunities to all students and prohibits discrimination and harassment of any type without regard to race, color, religion, age (40 years or older), sex (including pregnancy), national origin, disability status, genetics, protected veteran status, sexual orientation, gender identity or expression, or any other characteristic protected by federal, state or local laws. TMCS adheres to the legal obligations and requirements under all state and federal laws, including without limitation, Title IX, section 504 of the Rehabilitation Act of 1973 and the Individuals with Disabilities Education Act Amendments of 1997, including identification, evaluation, and provision of an appropriate education. The policy of equal opportunity includes a prohibition against any and all unlawful discrimination including but not limited to, harassment, including sexual harassment, or retaliation.

It always has been and continues to be TMCS policy that students and employees should be able to enjoy a work environment free from all forms of unlawful discrimination. All decisions regarding recruiting and enrollment of students will be made without unlawful discrimination on the basis of race, color, national origin, ancestry, sex, sexual orientation, gender identity or expression, religion, age, pregnancy, disability status, work-related injury, covered veteran status, genetic information, marital status, or any other factor that the law protects from discrimination.

Student Files

The Mountain Community School will adhere to all federal laws relating to maintaining student files. The following information regarding The Family Educational Rights and Privacy Act (FERPA) comes from the US Department of Education website (http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html).

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Parents and eligible students have the right to inspect and review the student's education records maintained by the school. TMCS is not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. TMCS may charge a fee for copies.

Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If TMCS decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

Generally, TMCS must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows TMCS to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

TMCS may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. If a parent would prefer that TMCS not release directory information about his/her student, s/he must inform the Executive Director in writing.

Retention

The process of retention is reserved for students in 8th grade or below. Students who fail to meet a minimum academic standard will have to repeat the grade level.

At the end of the school year an academic committee, which may include the Executive Director, assistant director, counselor(s), and teacher(s) of the failing subject(s), will review each student's case and make a recommendation. The committee will include parent(s) in the retention discussions before making the recommendation. Final decisions on student promotion or retention are at the discretion of the Executive Director.

Students' academic performance, age, emotional and social development, national, state, and local assessment results, overall performance, and teacher recommendation are all considered when making retention decisions. Every effort will be made to work with the student and parents in a timely manner to remediate the student's difficulties before he/she is retained.

It is expected that students pass all core classes (Math, ELA, Science, and Social Studies) in order to be promoted to the next grade level, and retention will be considered in the following cases:

1. Any student failing three (3) or more core classes for an academic year is automatically retained at that grade level.
2. If a student fails one (1) or two (2) core classes, the Student Academic Committee will review the situation on a case by case basis.
3. Any student who has absences, excused or unexcused, of more than twenty (20) days of the required school attendance days may be retained.
4. If a parent requests retention.

*The Read to Achieve Law- The goal is to ensure all third-grade students can read, comprehend, integrate, and apply complex texts needed for academic success and to ensure all students can meet the requirements of the Read to Achieve law (G.S. §115C-83.1). Students who do not achieve reading proficiency at the end of 3rd grade can be retained in third grade, placed in a transitional third and fourth class combination with a retained reading label, or placed in a fourth-grade accelerated reading class with a retained reading label.

If you have questions or concerns about the Read to Achieve law, please contact Brad Hallmark (bhallmark@mytmcs.org)

Right to Know Under the Every Student Succeeds Act

Parents of students have the right to know the professional qualifications of The Mountain Community School's classroom teachers. Parents can ask for certain information about their child's classroom teachers, and TMCS will give this information to parents in a timely manner if they ask for it. Specifically, parents have the right to ask for the following information about each of their child's classroom teachers and TMCS:

- Whether the State Department of Education has licensed or qualified the teacher for the grades and subjects he/she teaches
- Whether the State Department of Education has decided that the teacher can teach in a classroom without being licensed or qualified under state regulations because of special circumstances
- The teacher's college major
- Whether the teacher has any advanced degrees and, if so, the subject of the degrees
- Whether any teachers' aides or similar paraprofessionals provide services to their child and, if they do, their qualifications
- The School Improvement Plan
- Qualifications of your child's teachers

- Professional development opportunities for teachers and assistants to ensure highly qualified personnel
- Opportunities for parent involvement and input
- School Report Card

The Protection of Pupil Rights Amendment

The Protection of Pupil Rights Amendment (PPRA) affords parents certain rights concerning student privacy, parental access to information, and administration of physical examinations to minors. These include the right to:

- Consent before students are required to submit to a survey, which is funded in part or in whole by a program of the U.S. Department of Education, that concerns one or more of the following protected areas ("protected information survey"):
    1. Political affiliations or beliefs of the students or student's parent
    2. Mental or psychological problems of the students or the student's family
    3. Sexual behavior or attitudes
    4. Anti-social, demeaning, illegal, or self-incriminating behavior
    5. Critical appraisals of others with whom respondents have close familial relationships
    6. Legally-recognized privileged relationships, such as with lawyers, doctors, or ministers
    7. Religious affiliations, beliefs, or practices of the students or parent
    8. Income, other than as required by law, to determine program eligibility
- Receive notice and an opportunity to opt a student out of the following:
    1. Any other protected information survey, regardless of funding
    2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of the students (except for hearing, vision, scoliosis, or any other physical exam or screening permitted or required under state law)
    3. Any activity involving the collection, disclosure, or use of personal information or the marketing, selling, or distributing of such information to others
- Inspect the following, upon request:
    1. Surveys created by a third party before their distribution by TMCS to its students
    2. Instruments used to collect personal information from students for marketing, sales, or other distribution purposes
    3. Instructional material used as part of the educational curriculum

TMCS will both directly notify parents of the specific or approximate dates (if such events are planned and/or scheduled) of the above activities and provide an opportunity to opt a student out of participating in them. Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue SW
Washington, D.C. 20202-5920

Exceptional Children Program

The Individuals with Disabilities Education Improvement Act of 2004 (IDEA) is the federal law and Article 9, Section 115C of the North Carolina General Statutes is the State law concerning the education of students with disabilities.
Who does this Program serve?

Children with disabilities include those with autism, deaf-blindness, deafness, developmental delay, serious emotional disability, hearing impairment, intellectual disability, multiple disabilities, other health impairment, orthopedic impairment, specific learning disabilities, speech and/or language impairment, traumatic brain injury and visual impairment.
What is an IEP?

The IEP, Individualized Education Program, is a written document that's developed for each public-school child who is eligible for services. The IEP is created through a team effort and reviewed at least once a year.

Before an IEP can be written, your child **must** be eligible for special education. By federal law, a multidisciplinary team must determine that (1) the child has a disability **and** (2) the child requires special education and related services to benefit from the general education program.

The TMCS Exceptional Children programs are designed to support students with disabilities as they acquire academic, social, and functional skills. We support the policy of moderate inclusion, so that even students with severe disabilities can spend time with typically developing peers.

For more information: https://ec.ncpublicschools.gov/parent-resources/ecparenthandbook.pdf

Who should I contact if I suspect my child may have a disability?

- Contact the school's EC Coordinator

Section 504 Rehabilitation Act

Section 504 of the Rehabilitation Act of 1973 is a civil rights law intended to protect individuals with disabilities from discrimination. Section 504 protects qualifying students by prohibiting these students from being excluded from public schools, or being denied the benefits of the public schools, because of their disability. For more information visit the Department of Education at: http://www2.ed.gov/about/offices/list/ocr/504faq.html

What is A 504 Plan?
A 504 plan provides equal access to educational services for students with a qualified disability. It is designed to make changes, as appropriate, to the classroom environment or the delivery of instruction to provide the student with equal access to the educational curriculum. This plan is individualized to the needs of the student.

What is considered a disability under Section 504?

A student must have a physical or mental impairment. The Department of Education describes "physical or mental impairment" as follows:

- (A) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive, genito-urinary; hemic and lymphatic; skin; and endocrine; or
- (B) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, or specific learning disabilities. 34 CFR 104.3(j)(2)(i).
- The disabling condition must substantially limit one or more major life activity: A "major life activity" includes (but is not limited to) learning, concentrating, thinking, communicating, reading, walking, seeing, breathing, eating, lifting, bending, and major bodily functions/systems (neurological, immune, respiratory, etc.)

Who should I contact if I suspect my child may have a qualified disability and needs a 504 Accommodations Plan?

- Contact the Assistant Director

Services for Academically or Intellectually Gifted Children (AIG)

The school administration shall develop a plan to identify each academically or intellectually gifted (AIG) student attending The Mountain Community School and to provide appropriate educational services to such students.

The plan shall include at least the following components:

1) Screening, identification, and placement procedures that allow for the identification of specific educational needs and for the assignment of AIG students to appropriate services.
2) A clear statement of the program to be offered that includes different types of services provided in a variety of settings to meet the diversity of identified AIG students.
3) Measurable objectives for the various services that align with core curriculum and a method to evaluate the plan and the services offered. The evaluation shall focus on improved student performance.
4) Professional development clearly matched to the goals and objectives of the plan, the needs of the staff providing services to AIG students, the services offered, and the curricular modifications.
5) A plan to involve the school community, parents/guardians, and representatives of the local community in the ongoing implementation of the plan, monitoring of the plan, and integration of services for AIG students into the overall school program.
6) A procedure to resolve disagreement between parents/guardians and The Mountain Community School when a child is not identified as AIG or concerning the appropriateness of services offered to the AIG student.

Title IX Discrimination and Harassment Policy for Students and Staff Members

Title IX provides that "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." It is the policy of The Mountain Community School that students and staff should not be subjected to forms of unlawful discrimination or harassment, while at school or school-sponsored activities. Furthermore, the policy's intent is to address the issue in a proactive manner through the establishment of a system for educating students and staff at the school regarding the

identification, prevention, intervention, and reporting of such anti-social acts. The school acknowledges the dignity and worth of all students and staff and strives to create a safe, orderly, caring and inviting school environment to facilitate student learning and achievement. The school strives to model an inclusive environment and prohibits discrimination and harassment on the basis of gender or sex, including sexual orientation and LGBTQ+ identification. The school will not tolerate any form of unlawful discrimination or harassment in any of its educational or employment activities or programs based on such protected classifications.

A. PROHIBITED BEHAVIORS AND CONSEQUENCES

1. Discrimination or Harassment

Students, employees, contractors, volunteers and visitors are expected to behave in a civil and respectful manner. In accordance with Title IX, the school expressly prohibits discrimination or harassment, based on sex or gender and prohibits sexual harassment (including sexual violence) and gender-based harassment. Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome conduct on the basis of sex, requests for sexual favors in exchange for benefits (quid pro quo), and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. In accordance with Title IX, the school also prohibits gender-based harassment, which is unwelcome conduct based on a student's sex, harassing conduct based on a student's failure to conform to sex stereotypes.

Sex-based harassment can be carried out by school employees, other students, and third parties. All students and staff can experience sex-based harassment, including male and female students and staff, and LGBTQ+ students and staff, students and staff with disabilities, and students and staff of different races, national origins, and ages. Title IX protects all students and staff from sex-based harassment, regardless of the sex of the parties, including when they are members of the same sex.

2. Retaliation

The school prohibits intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under Title IX. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation. As such, the school prohibits reprisal or retaliation against any person for reporting or intending to report violations of this policy, supporting someone for reporting or intending to report a violation of this policy, or participating in the investigation of reported violations of this policy. After consideration of the nature and circumstances of the reprisal or retaliation and in accordance with applicable laws, policies, and regulations, the Executive Director or designee shall determine the consequences and remedial action for a person found to have engaged in reprisal or retaliation.

The exercise of rights protected under the First Amendment does not constitute retaliation. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under Title IX does not constitute retaliation prohibited under this policy, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

B. APPLICATION OF POLICY

This policy prohibits unlawful discrimination or harassment by students, employees, volunteers, contractors, and visitors. This policy is intended to apply to student's vis a via other students, faculty, staff, volunteers/visitors, or contractors. This policy also applies to employees, volunteers/visitors, and contractors. This policy applies to behavior that takes place within the school's "education program or activity," which includes, but is not necessarily limited to, behavior:

1. in any school building or on any school premises before, during or after school hours;
2. on any bus or other vehicle as part of any school activity;
3. during any school-sponsored activity or extracurricular activity;
4. at any time or place when the individual is subject to the oversight and authority of school personnel;
5. at any time or place when the behavior has a direct and immediate effect on maintaining order and discipline in the school; and
6. while using school or personal electronic communications, including employee and student emails, text messaging, instant messaging, chat rooms, blogging, websites and social networking websites (i.e., Snapchat or Instagram).

C. DEFINITIONS

For purposes of this policy ONLY, the following definitions apply:

1. Discrimination

Discrimination means any act or failure to act that unreasonably and unfavorably differentiates treatment of others based solely on the basis of gender or sex (including transgender and LGBTQ+ identification). Discrimination may be intentional or unintentional.

2. Harassment

Prohibited harassment, including sexual harassment, under this policy means conduct on the basis of sex/gender that satisfies one or more of the following:

1. An employee conditioning the provision of an aid, benefit or service on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo)
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program, employment, or activity (i.e., hostile environment)
3. Sexual assault (as defined by Clery Act), or "dating violence," "domestic violence" and "stalking" (as defined by Violence Against Women Act).

For purposes of this policy, "hostile environment" means that the harassment is objectively severe and pervasive enough that a reasonable person would agree that it is harassment and must be based on sex or gender. A hostile environment may be created through pervasive or persistent misbehavior if sufficiently severe.

Examples of behavior that may constitute harassment include, but are not limited to, verbal taunts, name-calling and put-downs, epithets, derogatory comments or slurs, lewd propositions, exclusion from peer groups, extortion of money or possessions, implied or stated threats, assault, impeding or blocking movement, offensive touching or any physical interference with normal work or movement, and visual insults, such as derogatory posters or cartoons. Legitimate age-appropriate pedagogical techniques are not considered harassment. Harassment, including sexual or gender-based harassment, is not limited to specific situations or relationships.

It may occur between fellow students or co-workers, between supervisors and subordinates, between employees and students, or between non-employees, including visitors, and employees or students. Harassment may occur between members of the opposite sex or the same sex.

Examples of sexually harassing conduct includes, but is not limited to, deliberate, unwelcome touching that has sexual connotations or is of a sexual nature, suggestions or demands for sexual involvement accompanied by implied or overt promises of preferential treatment or threats, pressure for sexual activity, continued or repeated offensive sexual flirtations, advances or propositions, continued or repeated verbal remarks about an individual's body, sexually degrading words used toward an individual or to describe an individual, sexual violence, or the display of sexually suggestive drawings, objects, pictures or written materials. Acts of verbal, nonverbal, or physical aggression, as well as intimidation or hostility based on sex, but not involving sexual activity or language, may be combined with incidents of sexually harassing conduct to determine if the incidents of sexually harassing conduct are sufficiently serious to create a sexually hostile environment.

Gender-based harassment is also a type of harassment. Gender-based harassment may include acts of verbal, nonverbal, or physical aggression, as well as intimidation or hostility based on sex or sex-stereotyping but not involving conduct of a sexual nature.

3. Conduct Not Covered by This Policy

Conduct that does not meet the definitions set forth above in this Title IX Policy are not subject to the school's Title IX Policy or any reporting/grievance procedures that govern Title IX matters. However, such conduct may still constitute a violation of other school policy, including the school's Code of Conduct, non-discrimination policy, and bullying policy. Please refer to and follow those policies for such conduct.

TO REPORT A VIOLATION OF THIS POLICY: PLEASE REFER TO THE SCHOOLS TITLE IX REPORTING AND GRIEVANCE POLICY.

This policy as it pertains to Title IX shall remain in effect to the extent required by law.

Title IX Coordinator's Duties, Notice, Reporting and Grievance Policy

This Policy sets forth the school's Notice, Reporting and Grievance policy for Title IX matters and should be read in conjunction with the school's Title IX policy. This Policy only pertains to Title IX and alleged violations of Title IX. It does not apply to any other type of discrimination, harassment or bullying. Please refer to the school's other policies, including Non-Discrimination and Harassment Policy, and student conduct policies when Title IX does not apply.

The school's Title IX Coordinator is:

Jeff Morris
Executive Director
The Mountain Community School
613 Glover Street
Hendersonville, NC 28792

A. TRAINING AND PROGRAMS

The designated Title IX Coordinator shall establish training and other programs that are designed to help eliminate unlawful discrimination or harassment and foster an environment of understanding and respect for all members of the school community. Information about this policy and the related complaint procedure must be included in the training plan. The training or programs should:

1. provide examples of behavior that constitutes unlawful discrimination or harassment;
2. teach employees to identify groups that may be the target of unlawful discrimination, or harassment; and
3. train school employees to be alert to locations where such behavior may occur, including locations within school buildings, at school bus stops, on cell phones and on the Internet.

In addition, training of Title IX personnel, including the Title IX Coordinator, Investigator(s) and Decision maker(s), must include training:

1. On the definition of the definitions of prohibited conduct, including sexual harassment;
2. The scope of the school's education program or activity;
3. How to conduct an investigation;
4. The grievance process including appeals, and informal resolution processes;
5. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
6. Relevance, including how to apply the rape shield protections provided only for complainants.

Moreover, training for Title IX personnel, including the Coordinator, Investigator(s), Decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of sexual harassment. The school will make materials used to train Title IX personnel available for members of the public to inspect.

B. NOTICE

The designated Title IX Coordinator is responsible for providing effective notice to job applicants, student applicants, students, parents, and employees of the procedures for reporting and investigating complaints of unlawful sex/gender discrimination and harassment. This policy will be posted on the school's website, and copies of the policy are available at the front office. Notice of this policy will appear in all job applicant information, admissions information, student and employee handbooks, and in any school publication that sets forth the comprehensive rules, procedures, and standards of conduct for students and employees.

C. TITLE IX COORDINATOR

The Title IX Coordinator is responsible for monitoring the overall implementation of Title IX for the TMCS and coordinating the institution's compliance with Title IX in all areas covered by the implementing regulations. The major responsibility is the prevention of sexual harassment and discrimination. Other major monitoring duties include, but are not limited to, the following recruitment and admissions, educational programs and activities, hiring and employment. Other areas of consideration include:

- Participating in the development and implementation of the school's sexual harassment policy.
- Assisting faculty, counselors and administrators in complying with Title IX, and when a need arises, planning remedial actions.
- Making your presence known in the community by disseminating civil rights information or by speaking at parent-teacher group meetings, social or professional organization meetings, and other community functions.
- Serving as a resource on Title IX/gender issues.
- Monitoring and evaluating the school's Title IX compliance efforts and making recommendations for any appropriate changes.
- Providing updated information to schools on Title IX implementation and issues.

- Identifying and disseminating information about Title IX educational resources (organizations, individuals, print, internet, and audio-visual)

D. EVALUATION

The Executive Director or designee shall evaluate the effectiveness of efforts to correct or prevent unlawful sex/gender discrimination and harassment and shall share these evaluations periodically with the school's Board of Directors.

E. CONFIDENTIALITY

The recipient, whether a school employee, staff member, contractor, or the Title IX Coordinator, must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA or as required by law, or to carry out the purposes of Title IX, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to the Title IX grievance procedures.

The Title IX Coordinator shall maintain confidential records of complaints or reports of unlawful discrimination or harassment. The records will identify the names of all individuals accused of such offenses and the resolution of such complaints or reports. The Title IX Coordinator also shall maintain records of training conducted and corrective action(s) or other steps taken by the school to provide an environment free of unlawful discrimination or harassment. The Executive Director shall report to the Board all verified cases of unlawful discrimination or harassment under the school's Title IX Policy.

F. REPORTING TITLE IX VIOLATIONS

1. For Students:
    a. To report discrimination, harassment, and sexual harassment/misconduct based on sex/gender, students or their parents should contact a trusted teacher, advisor, Executive Director and/or Title IX coordinator immediately and file a complaint.
    b. Employees are required to report any actual or suspected violations of this policy. When anyone reports harassment and/or discrimination to a school employee, that employee shall notify the Title IX Coordinator, or Executive Director, as soon as possible and within 24 hours.
    c. If the Executive Director is involved in the allegation, then another administrator will immediately inform the Chair of the Board of Directors.
2. For Employees: for discrimination, harassment, and sexual harassment complaints based on sex/gender, employees should contact the Title IX coordinator immediately and follow the school's harassment and discrimination policy as well as its Title IX Reporting and Grievance policy.
3. Students, parents, volunteers, visitors or others are also strongly encouraged to report any actual or suspected incidents of discrimination or harassment based on sex/gender under this policy. Reports may be made anonymously, and all reports shall be investigated in accordance with that policy.
4. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by e-mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.
5. Reporting may be made at any time, including during non-business hours, by contacting the school's Title IX Coordinator.

G. DEFINITIONS

As used in this and all other Title IX related policies, the following definitions shall apply.

1. "Complainant" is as an individual who is alleged to be the victim of conduct that could constitute sexual harassment. This means that any third party as well as the complainant may report sexual harassment. While parents and guardians do not become complainants (or respondents), parents and guardians have a right to act on behalf of parties (including by filing formal complaints) in Title IX matters.
2. "Respondent" is as an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
3. "Formal complaint" is as a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school investigate the allegation of sexual harassment and state that at the time of filing a formal complaint, a complainant was participating in or attempting to participate in the education program or activity of the school with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator, and by any additional method designated by the school.
4. "Document filed by a complainant" means a document or electronic submission (such as by e-mail or through an online portal provided for this purpose by the school) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or a party during a grievance process and must comply with requirements for Title IX personnel to be free from conflicts and bias.
5. "Supportive measures" are individualized services reasonably available that are non- punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment. The school's selection of supportive measures and remedies shall be based on what is not clearly unreasonable in light of the known circumstances.

H. MANDATORY RESPONSE AND PROCEDURAL OBLIGATIONS

The school is required to respond whenever any employee has notice of sexual harassment, including allegations of sexual harassment or allegations relevant to mandatory reporting laws in North Carolina. Notice to the Title IX Coordinator or to any school employee, board member, or official with authority to institute corrective measures on the school's behalf, charges the school with actual knowledge and triggers the school's response obligations under Title IX.

The school will respond promptly to Title IX sexual harassment or discrimination in a manner that is not deliberately indifferent, which means a response that is not clearly unreasonable in light of the known circumstances. The school shall also comply with the following mandates:

1. The school will offer supportive measures to the person alleged to be the victim (referred to as the "complainant").
2. The Title IX Coordinator will promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.
3. The school will follow the grievance process set forth herein before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent.

4. The school will not restrict rights protected under the U.S. Constitution, including the First Amendment, Fifth Amendment, and Fourteenth Amendment, when complying with Title IX.
5. The school will investigate sexual harassment allegations in any formal complaint, which can be filed by a complainant, or signed by a Title IX Coordinator.
6. A complainant's wishes with respect to whether the school investigates should be respected unless the school determines that not pursuing an investigation would be deliberately indifferent (or that pursuing an investigation is necessary for community safety or similar reasons), in which case the Title IX Coordinator may sign complaint even if the complainant does not file a formal complaint (doing so will not be viewed as adversarial toward the respondent).
7. If the allegations in a formal complaint do not meet the definition of sexual harassment as defined in the school's Title IX policy, or the alleged conduct did not occur in the school's education program or activity, against a person in the United States, the school must dismiss such allegations for purposes of Title IX. However, the school may still address the allegations in any manner the school deems appropriate under the school's code of conduct or other policies.
8. Treat complainants equitably by providing remedies any time a respondent is found responsible and treat respondents equitably by not imposing disciplinary sanctions without following the grievance process set forth herein.
9. Remedies, which are required to be provided to a complainant when a respondent is found responsible, must be designed to maintain the complainant's equal access to education and may include supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.
10. All Title IX personnel (Title IX Coordinators, investigators, decision-makers, people who facilitate any informal resolution process) shall be free from conflicts of interest or bias for or against complainants or respondents.
11. There is a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
12. The school's grievance process shall not use, rely on, or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
13. Any provisions, rules, or practices that a school adopts as part of its grievance process for handling formal complaints of sexual harassment must apply equally to both parties (complainant and respondent).
14. The standard of evidence to determine responsibility is the preponderance of the evidence standard for all formal complaints of sexual harassment, whether the respondent is a student or an employee (including faculty member).

I. SUPPORTIVE MEASURES, REMEDIES AND DISCIPLINARY SANCTIONS

Supportive measures include: services, accommodations, and/or other assistance that the school puts in place for a complainant after receiving notice of alleged sexual misconduct but before any final outcomes – investigatory, disciplinary, or remedial – have been determined. The school wants students and employees to be safe, to receive appropriate medical attention, and to get the help they need to heal and to continue to access their educational opportunities. We also want students and employees to understand their reporting options and how to access available interim measures.

Upon receiving a report of sexual harassment, the school will provide the complainant, or their advocate, with a written explanation of the interim measures available at school and through local community resources and shall ask complainants, or their advocates, what measures are sought. Some possible interim measures are listed below, and the school determines which measures are appropriate for a particular complainant on a case-by-case basis. Not all of the measures listed below will be necessary in every case to keep victims safe and ensure their equal access to educational programs and activities. If the complainant or advocate identifies an interim measure that is not already provided by the school, the school will consider whether the request can be granted. In those instances where interim measures affect both a complainant and the respondent, the school will minimize the burden on the

complainant wherever appropriate while ensuring that the measures are non-disciplinary and non-punitive prior to reaching a determination regarding responsibility.

A complainant or their advocate may request the interim measures listed below. The school – after consulting with the complainant and/or their advocate – will determine which measures are appropriate to ensure the complainant's safety and equal access to educational programs and activities:

- Academic accommodations, including change in classes, testing, or assignments;
- Medical and mental health services, including counseling;
- Modifications to extracurricular activities, field trips or on or off-campus activities;
- A "no contact" directive pending the outcome of an investigation. Such a directive serves as notice to both parties that they must not have verbal, electronic, written, or third party communication with one another;
- Providing an escort to ensure that the student can move safely between school programs and activities;
- Transportation accommodations; and
- Assistance identifying an advocate to help secure additional resources or assistance including off-campus and community advocacy, support, and services.

Remedies Include:
Depending on the specific nature of the problem, remedies for the complainant may include, but are not limited to:

- Providing an effective escort to ensure that the complainant can move safely between classes and activities;
- Ensuring the complainant and perpetrator do not share classes or extracurricular activities;
- Moving the perpetrator or complainant (if the complainant requests to be moved to a different class);
- Providing comprehensive, holistic victim services including medical, counseling and academic support services, such as tutoring;
- Arranging for the complainant to have extra time to complete or re-take a class or withdraw from a class without an academic or financial penalty; and
- Reviewing any disciplinary actions taken against the complainant to see if there is a causal connection between the sexual violence and the misconduct that may have resulted in the complainant being disciplined.

When a respondent is found responsible for sexual harassment, the school will offer all remedies needed to eliminate the harm to the complainant and the school community and prevent the recurrence of sexual harassment. Simply sanctioning a respondent found responsible, in some cases, may be insufficient to eliminate a hostile environment. Rather, in addition to sanctions, the school may consider offering appropriate remedies for the broader student/staff population after the final outcome, including the following:

- Training or retraining school employees on the school's responsibilities to address allegations of sexual violence and how to conduct Title IX investigations;
- Developing materials on sexual harassment, which should be distributed to all staff and students;
- Conducting bystander intervention and sexual harassment prevention programs with students and/or staff;
- Issuing policy statements or taking other steps that clearly communicate that the school does not tolerate sexual harassment and will respond to any incidents and to any student who reports such incidents;
- Conducting, in conjunction with student leaders, a school climate check to assess the effectiveness of efforts to ensure that the school is free from sexual violence, and using that information to inform future proactive steps that the school will take;

- Targeted training for a group of students if, for example, the sexual harassment created a hostile environment (i.e., on an athletic team);
- When a school is unable to conduct a full investigation into a particular incident (i.e., when it received a general report of sexual violence without any personally identifying information), it should consider remedies for the broader student population in response.

Disciplinary sanctions include:

- For Students found responsible: verbal warning, written warning, interim suspension, restitution, suspension, required participation in appropriate training, counseling, required completion of a probationary period without additional infractions, or requiring the respondent to stay away from the complainant for a period of time.
- For Employees found responsible: sanctions for violations of Title IX vary depending on severity from formal written warning to dismissal.

J. INVESTIGATIONS

The school shall investigate the allegations in any formal complaint and send written notice to both parties (complainants and respondents) of the allegations upon receipt of a formal complaint.

The school, through the Title IX Coordinator or other authorized school official, shall designate an impartial individual to serve as the Investigator and conduct an investigation. The Investigator may be the Title IX Coordinator. However, the Investigator shall not be someone with a conflict of interest or bias. The school may choose an outside investigator, school employee or contractor to conduct the investigation. During the grievance process and when investigating, the Investigator shall comply with the following:

1. The burden of gathering evidence and burden of proof must remain on the school, not on the parties.
2. The school must provide equal opportunity for the parties to present fact and expert witnesses and other inculpatory and exculpatory evidence.
3. The school must not restrict the ability of the parties to discuss the allegations or gather evidence (e.g., no "gag orders").
4. Parties must have the same opportunity to select an advisor of the party's choice who may be, but need not be, an attorney.
5. The school shall send a written notice to the parties (complainant and respondent) of any investigative interviews, meetings, or hearings.
6. The school shall send the parties, and their advisors, evidence directly related to the allegations, in electronic format or hard copy, with at least 10 days for the parties to inspect, review, and respond to the evidence.
7. The school shall send the parties, and their advisors, an investigative report that fairly summarizes relevant evidence, in electronic format or hard copy, with at least 10 days for the parties to respond.
8. The school shall dismiss allegations of conduct that do not meet the definition of sexual harassment set forth in the school's Title IX policy or did not occur in a school's education program or activity against a person in the U.S. Such dismissal is only for Title IX purposes and does not preclude the school from addressing the conduct in any manner the school deems appropriate.
9. The school may, in its discretion, dismiss a formal complaint or allegations therein if the complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations

therein, if the respondent is no longer enrolled or employed by the school, or if specific circumstances prevent the school from gathering sufficient evidence to reach a determination.

10. The school shall give the parties written notice of a dismissal (mandatory or discretionary) and the reasons for the dismissal.

11. The school may, in its discretion, consolidate formal complaints where the allegations arise out of the same facts.

12. The school shall protect the privacy of a party's medical, psychological, and similar treatment records and shall not access or use such records unless the school obtains the party's voluntary, written consent to do so.

K. DECISION-MAKER

The school, through the Title IX Coordinator or other authorized school official, shall designate a Decision-maker with regard to a Title IX complaint. The Decision-maker shall not be the Title IX Coordinator or Investigator, and shall not be someone with a conflict of interest or bias. The Decision-maker shall comply with the following rules:

1. Start with the presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
2. All Complainants are afforded rape shield protections, deeming questions and evidence about a complainant's prior sexual behavior irrelevant, unless offered to prove that someone other than the respondent committed the alleged misconduct or offered to prove consent.
3. Use the preponderance of the evidence standard in reaching her/his decision.
4. Require objective evaluation of all relevant evidence, inculpatory and exculpatory, and avoid credibility determinations based on a person's status as a complainant, respondent, or witness.
5. After sending the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker(s) must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.
6. Issue a written determination regarding responsibility with findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, any disciplinary sanctions imposed on the respondent, and whether remedies will be provided to the complainant.
7. The written determination must be sent simultaneously to the parties along with information about how to file an appeal.

L. GRIEVANCE PROCESS

Prompt Filing. The Complainant must file a formal complaint within a reasonable time, ideally within 10 days of the alleged incident. A complaint will not be disallowed solely because of the passage of time. The Title IX coordinator is charged with ensuring that all such complaints are timely, impartially, and appropriately investigated in accordance with applicable law.

Confidentiality. Every effort will be made to ensure the confidentiality of the complainant. There may be times where confidentiality may not be possible for the school to conduct a thorough investigation. There may also be instances where the school has a legal obligation to report certain information it receives to state or local authorities or to protect the school community.

Timeline. While the timeframe for completing an investigation into individual complaints may vary depending on the circumstances, the Title IX coordinator will ensure that timeframes are reasonable and endeavor to complete any investigation, including any decision, within sixty (60) days of the filing of a complaint. The timeline may be extended where appropriate at the

discretion of the school. Include reasonably prompt time frames for conclusion of the grievance process, including appeals and informal resolutions, with allowance for short-term, good cause delays or extensions of the time frames.

Investigation. The Title IX coordinator or other school official shall designate an impartial Investigator to conduct the investigation. The Investigator shall have full authority to investigate, including the authority to interview witnesses. The Investigator shall follow the guidance/mandates set forth above in this policy in conducting the investigation.

Decision-Maker. The Decision-maker shall follow the guidance/mandates set forth above in this policy and shall use the preponderance of the evidence standard in reaching her/his decision. The Decision-maker shall timely provide written notice of the outcome of the complaint to the relevant parties.

Appeal. Either party may appeal the Decision-maker's decision to the Board of Directors within 14 days after a decision is made or the school dismisses a formal complaint in a Title IX proceeding, on the following bases:

1. Procedural irregularity that affected the outcome of the matter,
2. Newly discovered evidence that could affect the outcome of the matter, and/or
3. Title IX personnel had a conflict of interest or bias, that affected the outcome of the matter.

The Board of Directors will appoint a panel of three board members to serve as the impartial review panel. The review will be conducted in accordance with all applicable laws and the panel may, but is not required to, request information directly from the parties. The three-member review panel will make a decision and will provide written notice of the outcome of the appeal to the parties within fourteen (14) school days, unless circumstances require more time.

M. INFORMAL RESOLUTION PROCESS FOR STUDENTS

After a formal complaint is filed, the school may, in its discretion, offer and facilitate informal resolution options, such as mediation or restorative justice, so long as both parties give voluntary, informed, written consent to attempt informal resolution. The school will not require participation in an informal process. And, at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

The school does not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to a formal investigation and adjudication of formal complaints of sexual harassment. Any person who facilitates an informal resolution must be well-trained. The school will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student. Finally, the school may not offer an informal resolution process unless a formal complaint is filed.

N. POLICY APPLICATION

This policy shall remain in effect as long as required by law.

Non-Title IX Discrimination, Harassment, and Bullying Complaint Process

No student or school employee shall be subjected to bullying or harassing behavior by school employees or students. Bullying or harassing behavior is a 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, that places a student or

school employee in actual and reasonable fear of harm to their person or damage to their property or creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities, or benefits.

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.

The school takes seriously all complaints of discrimination, harassment, and bullying. The process provided in this policy is designed for those individuals who believe that they may have been discriminated against unlawfully, bullied, or harassed in violation of the school's Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy. Individuals who have witnessed or have reliable information that another person has been subject to unlawful discrimination, harassment, or bullying also should report such violations in the manner provided in this policy. Reports may be made anonymously. This policy does not apply where an individual seeks to assert allegations regarding or related to the identification, evaluation, educational placement, or free appropriate public education of a student under Section 504 or the IDEA, such allegations may be raised through the procedures governing such matter. This Policy also does not apply to Title IX complaints, behavior falling within Title IX or Title VII complaints. Please refer to the school's policies for Title IX and VII matters.

A. Reporting by Employees or Other Third Parties

1. Mandatory Reporting by School Employees

Any employee who witnessed or who has reliable information or reason to believe that an individual may have been discriminated against, harassed, or bullied in violation of the school's Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy must report the offense immediately to an appropriate individual designated in subsection B.1., below. An employee who does not promptly report possible discrimination, harassment, or bullying shall be subject to disciplinary action.

2. Reporting by Other Third Parties

All members of the school community including students, parents, volunteers, and visitors are also strongly encouraged to report any act that may constitute an incident of discrimination, harassment, or bullying.

3. Anonymous Reporting

Reports of discrimination, harassment, or bullying may be made anonymously, but formal disciplinary action may not be taken solely on the basis of an anonymous report.

4. Investigation of Reports

Reports of discrimination, harassment, or bullying under this policy will be investigated sufficiently to determine whether further action under this policy or otherwise is necessary, and school officials shall take such action as appropriate under the circumstances. At the option of the alleged victim, the report may be treated as a complaint by the alleged victim under this policy.

B. Complaints Brought by Alleged Victims of Discrimination, Harassment, or Bullying

1. Filing a Complaint

Any individual who believes that he or she has been discriminated against, harassed, or bullied in violation of the school's Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy is strongly encouraged to file a complaint orally or in writing to the following individuals as applicable:

a. the school counselor, teacher, or administrator of the school for any claim of discrimination, harassment or bullying, including Title VI complaints;
b. the Title IX coordinator for claims of sex discrimination or sexual harassment;
c. the Section 504 coordinator or the ADA coordinator for claims of discrimination on the basis of a disability; or
d. any member of the Board if the alleged perpetrator is the Executive Director.

2. Time Period for Filing a Complaint

A complaint should be filed as soon as possible but no later than 30 days after disclosure or discovery of the facts giving rise to the complaint. Complaints submitted after the 30-day period may be investigated at the discretion of school officials and outside the formal process described in Section C of this policy; however, individuals should recognize that delays in reporting may significantly impair the ability of school officials to investigate and respond to such complaints.

3. Informal Resolution

The school acknowledges that many complaints may be addressed informally through such methods as conferences or mediation. The school encourages the use of informal procedures such as mediation to the extent possible; however, mediation or other informal procedures will not be used to resolve complaints alleging sexual assault or sexual violence or complaints by a student of sexual harassment perpetrated by an employee. Informal procedures may be used only if the parties involved voluntarily agree. Any informal process should be completed within a reasonable period of time, not to exceed 30 days unless special circumstances necessitate more time.

C. Process for Addressing Complaints of Alleged Incidents of Discrimination, Harassment, or Bullying

1. Initiating the Investigation

a. Whoever receives a complaint of discrimination, harassment, or bullying pursuant to subsection B.1. shall immediately notify the Executive Director who shall coordinate with the Executive Director to designate an individual to conduct an investigation and respond to the complaint, such individual may be a school employee or outside consultant.

b. As applicable, the investigator shall immediately notify the Title IX, or other relevant coordinator of the complaint, and, as appropriate, may designate the coordinator to conduct the investigation.

c. The investigator shall explain the process of the investigation to the complainant and the alleged perpetrator.

d. Written documentation of all formal reports and complaints, as well as the school system's response, must be maintained in accordance with the school's Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy.

e. Failure to report, investigate, and/or address claims of discrimination, harassment, or bullying may result in disciplinary action.

2. Conducting the Investigation

a. The investigator is responsible for determining whether the alleged act(s) constitutes a violation of the Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy. In so doing, the investigator shall impartially, promptly, and thoroughly investigate the complaint. The investigator shall interview (1) the complainant; (2) the alleged perpetrator(s); (3) individuals identified as witnesses by the complainant or alleged perpetrator(s); and (4) any other individuals, including other possible victims, deemed likely to have relevant information. The alleged perpetrator shall be notified of the general nature of the allegations. The investigation will include a review of all evidence presented by the complainant or alleged perpetrator. If the investigator, after receipt of the complaint, an interview with the complainant, and consultation with the board attorney, determines that the allegations submitted, even if factual, do not constitute discrimination, harassment, or bullying as defined in the

school's Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy, the matter will be treated outside the scope of this policy. Information regarding the investigator's determination and the process for addressing the complaint will be provided to the complainant.

b. The complaint and investigation will be kept confidential to the extent possible. Information may be shared only with individuals who need the information in order to investigate and address the complaint appropriately and those with a legal right to access the information. Any requests by the complainant for further confidentiality will be evaluated within the context of the legal responsibilities of the school system.

c. The investigator shall review the factual information gathered through the investigation to determine whether, based on a preponderance of the evidence, the alleged conduct constitutes discrimination, harassment, or bullying, giving consideration to all factual information, the context in which the alleged incidents occurred, the age, and maturity of the complainant and alleged perpetrator(s), and any other relevant circumstances.

3. Notice to Complainant and Alleged Perpetrator

a. The investigator shall provide written notification to the complainant of the results of the investigation within 15 days of receiving the complaint, unless additional time is necessary to conduct an impartial, thorough investigation. The investigator shall specify whether the complaint was substantiated and, if so, shall also specify:

1) reasonable, timely, age-appropriate, corrective action intended to end the discrimination, harassment, or bullying, and prevent it from recurring;

2) as needed, reasonable steps to address the effects of the discrimination, harassment, or bullying on the complainant; and

3) as needed, reasonable steps to protect the complainant from retaliation as a result of communicating the complaint.

b. Information regarding specific disciplinary action imposed on the alleged perpetrator(s) will not be given to the complainant unless the information relates directly to the complainant (e.g., an order requiring the perpetrator not to have contact with the complainant).

c. If the investigator determines that the complaint was substantiated, the perpetrator(s) shall be subject to discipline or other corrective steps, as set forth in school policy. If the corrective steps involve actions outside the scope of the investigator's authority, the Executive Director or designee will be notified so that responsibility for taking the corrective steps may be delegated to the appropriate individual.

d. The alleged perpetrator will be provided with a written summary of the results of the investigation in regard to whether the complaint was substantiated, whether the alleged perpetrator violated relevant law or school policies by his or her actions, and what, if any, disciplinary actions or consequences may be imposed upon the perpetrator in accordance with school policy. The perpetrator may appeal any disciplinary action or consequence in accordance with school policy and law. However, an appeal by the perpetrator of disciplinary action does not preclude school officials from taking appropriate action to address the discrimination, harassment, or bullying.

4. Appeal

a. If the complainant is dissatisfied with the results of the investigation, he or she may appeal the decision to the Executive Director. The appeal must be submitted in writing within ten days of receiving the notice of the results of the investigation. The appeal must state with particularity whether the complainant is appealing (1) the investigator's determination of whether the alleged conduct constitutes discrimination, harassment, or bullying in violation of the school's Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy, or (2) the school's response to any violation, including the appropriateness of any remedial measures taken by the district. If

the complainant is appealing pursuant to option (2), he or she must state what additional measures the complainant believes should have been taken by the district. The Executive Director or designee may review the documents, conduct any further investigation necessary, or take any other steps the Executive Director or designee determines to be appropriate in order to respond to the complaint. The Executive Director or designee shall provide a written response within 10 days after receiving the appeal, unless further investigation is needed. The Executive Director's decision is final.

b. If the alleged perpetrator is the Executive Director or the Executive Director declines to hear the appeal and refers it to the Board of Directors, the complainant may appeal the decision in writing within ten days of receipt directly to the Board of Directors. The appeal must state with particularity whether the complainant is appealing the Executive Director's decision with regard to (1) the investigator's determination of whether the alleged conduct constitutes discrimination, harassment, or bullying in violation of the school's Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy, or (2) the school's response to any violation, including the appropriateness of any remedial measures taken by the school. If the complainant is appealing pursuant to option (2), he or she must state what additional measures the complainant believes the school should have taken. Upon receipt of the appeal, the Board Chair shall appoint a panel of not less than two members of the Board to hear and decide the appeal. The panel shall make reasonable efforts to meet and consider the appeal within twenty days after the chairperson refers the grievance to the panel. The panel shall review the complaint on the record unless it determines that additional information may be presented. No new evidence, written or verbal, may be presented without the prior knowledge and consent of both parties. At the Board Panel's discretion, they may hold a hearing and ask each party may make a brief oral presentation of no more than twenty minutes to summarize his or her position. The panel has the authority to ask questions, extend time limits, exclude extraneous or duplicative information, and otherwise maintain an efficient and fair appeal hearing. If a hearing is held, it will be recorded and shall be held in closed session. The Board panel may affirm, reverse or modify the decision. The Board panel shall use the preponderance of the evidence standard in reaching its decision. The Board panel will provide a final written decision within twenty days after the Board hearing unless the panel determines that additional time is needed for further review. The decision of the Board panel shall be final.

D. Timeliness of Process

If any school official charged with investigating the complaint or reviewing the investigation fails at any step in the process to communicate a decision within the specified time limit, the complainant will be entitled to appeal the complaint to the next step unless the official has notified the complainant of the delay and the reason for the delay. The school official shall make reasonable efforts to keep the complainant apprised of progress being made during any period of delay. Delays that interfere with the exercise of any legal rights are not permitted.

Failure by the complainant at any step in the process to appeal to the next step within the specified time or to attend a scheduled meeting or hearing under this policy will be considered acceptance of the results of the investigation and the school's response to the complaint, unless the complainant provided notice of the delay and the reason for the delay and the district consented in writing to the delay.

E. General Requirements

1. No reprisals or retaliation of any kind will be taken by the Board or by any school employee against the complainant or other individual on account of his or her filing a complaint or report or participating in an investigation of

a complaint or report filed and decided pursuant to this policy. Disciplinary or other action may be taken against the complainant or other individual if the person knew or had reason to believe that the complaint or report was false or knowingly provided false information.

2. All meetings and hearings conducted pursuant to this policy will be private.
3. The complainant may be represented by an advocate, such as an attorney, at any meeting with the school under this policy. Should the complainant choose to be represented by an attorney, an attorney for the school may also be present.
4. Nothing in this policy shall prevent the or Board from suspending the alleged perpetrator without pay during the course of the investigation or taking any other action deemed appropriate.

F. Records

Records will be maintained as required by school's Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy.

Compliance with Other Laws

The Mountain Community School shall comply with all applicable federal and state laws and regulations, including but not limited to such laws and regulations governing employment, environment, disabilities, civil rights, children with special needs, transportation, and student records. TMCS shall comply with all applicable health and safety laws and regulations, whether federal, state or local. Neither the State Board of Education nor the local board of education assumes the duty to oversee the operations of The Mountain Community School except as may otherwise be required to monitor the charter school for compliance with applicable laws and regulations.

McKinney-Vento Dispute Resolution Policy

BACKGROUND INFORMATION

The McKinney-Vento Homeless Assistance Act (also referred to as the McKinney-Vento Act) acknowledges that disputes may arise between Public School Units (PSUs) students and their parents, or unaccompanied youth, regarding eligibility, school selection or enrollment decisions. The McKinney-Vento Act includes dispute resolution among the required duties of the (PSU) homeless liaison. Below is the McKinney-Vento Dispute Resolution Policy and Process for The Mountain Community School.

PSUs should bear in mind that disputes related to eligibility, school selection or enrollment should be initiated at the request of the parent, legal guardian, or unaccompanied youth and not at the request or convenience of the PSU. Additionally, issues related to the definition of homelessness, the responsibilities of the PSU to serve homeless children and youth, and/or the explicit rights of homeless children and youth are addressed in the McKinney-Vento Act. Disputes related to eligibility, school selection, or enrollment shall be resolved within the parameters of the federal McKinney-Vento Act.

The following procedures are specified in the McKinney-Vento Act:

Enrollment: If a dispute arises over eligibility, school selection, or enrollment, the child shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute. In the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute.

Written Explanation: The PSU must provide a written explanation of the eligibility, school selection, or enrollment decision to the parent, legal guardian, or in the case of an unaccompanied youth, to the unaccompanied youth. (The written explanation must include a description of the parent's, legal guardian's, or unaccompanied youth's right to appeal the decision.)

Homeless Liaison: The designated PSU homeless liaison is assigned to carry out the dispute resolution process in an expeditious manner, such that the local process is completed in **no more than 15 school business days or 30 calendar days, whichever is less**.

Responsibility: The PSU homeless liaison, is responsible to inform the parent, legal guardian, or the unaccompanied youth of the dispute resolution process.

OVERVIEW

When a dispute occurs regarding eligibility, school selection, or enrollment the following process must be used:

- **Level I:** The initial dispute request is made with the PSU's homeless liaison.
- **Level II:** If unresolved, the dispute moves to the PSU head administrator (Level II),
- **Level III:** If unresolved the dispute moves to the local governing Board (Level III) for review and final decision on behalf of the charter school.
- **Level IV:** If the dispute continues to be unresolved, the final appeal (Level IV) is to the NC State Coordinator for the Education for the Education of Homeless Children and Youth (EHCY). Every effort must be made to resolve the dispute at the local level before it is brought to the NC State Coordinator for the Education of Homeless Children and Youth.

INITIATION OF THE DISPUTE RESOLUTION PROCESS

When a dispute occurs regarding eligibility, school selection, or enrollment the parent, legal guardian, or unaccompanied youth shall be informed in writing of the PSU's decision including reasons for the decision within one (1) school business day in a language and format understandable to the parent, legal guardian or unaccompanied youth of their right to appeal the decision made by the charter school and be provided the following:

1. Written contact information for the PSU homeless liaison and State Coordinator, with a brief description of their roles.
2. A simple form that parents, legal guardians, or unaccompanied youth can complete and turn in to the school to initiate the dispute process (the school should copy the form and return the copy to the parent, legal guardian, or youth for their records when it is submitted.)
3. A written step-by-step description of how to dispute the PSU's decision.
4. Written notice of the right to enroll immediately in the school of choice pending resolution of the dispute.
5. Written notice of the right to appeal to the State Coordinator for the Education of Homeless Children and Youth if the district-level resolution is not satisfactory.
6. Written timelines for resolving district- and state-level appeals.
7. A copy of the NC Dispute Resolution Policy (hard copy or online link).

Level I: PSU Homeless Liaison Communication

If a parent, legal guardian, or unaccompanied youth wishes to appeal the PSU's decision related to eligibility, school selection, or enrollment:

1. The parent, legal guardian, or unaccompanied youth must file a request for dispute resolution with the PSU's homeless liaison (or to his/her office) either verbally or by submitting a form that initiates the dispute resolution process. The request for dispute resolution must be submitted by the parent, legal guardian or the unaccompanied youth to the homeless liaison within **two (2) school business days** of receiving the initial homeless liaison decision on enrollment, school selection, or enrollment. The parent, legal guardian, or unaccompanied youth may initiate the request directly with the homeless liaison or they may initiate the request to the school where the dispute is taking place. If the request is submitted to the school where the dispute is taking place, the school shall immediately forward the request to the PSU's homeless liaison. In the event that the PSU's homeless liaison is unavailable, an PSU designee may receive the parent's, legal guardian's or unaccompanied youth's request to initiate the dispute resolution process.
2. The homeless liaison must log their receipt of the dispute , including the date and time, with a written description of the situation and the reason for the dispute, and a copy of the dispute, must be forwarded to the homeless liaison's immediate supervisor and the charter school's head administrator.
3. Within **one (1) school business day** of their receipt of the complaint, the homeless liaison must make a decision on the dispute and inform the parent, legal guardian or unaccompanied youth in writing of the result. It is the responsibility of the PSU to verify the parent's, legal guardian's or unaccompanied youth's receipt of the written notification regarding the homeless liaison's Level I decision.
4. If the parent, legal guardian, or unaccompanied youth disagrees with the decision made at Level I and wishes to move the dispute resolution process forward to Level II, the parent, legal guardian, or unaccompanied youth shall notify the PSU's homeless liaison of their intent to proceed to Level II **within one (1) school business day** of receipt of notification of the Level I decision.
5. If the parent, legal guardian, or unaccompanied youth wishes to appeal the homeless liaison's Level I decision, the PSU's homeless liaison shall provide the parent, legal guardian, or unaccompanied youth with an appeals package containing:
    a. A copy of the parent's, legal guardian's or unaccompanied youth's dispute which was filed with the PSU's homeless liaison at Level I,
    b. The decision rendered at Level I by the PSU homeless liaison, and
    c. Any additional information from the parent, legal guardian, unaccompanied youth, and/or the homeless liaison.

Level II: PSU Superintendent Communication

(If the dispute remains unresolved after a Level I appeal)

1. If there is a disagreement with the decision rendered by the LEA's/PSU's homeless liaison at Level I, the parent, legal guardian, or unaccompanied youth may appeal the decision to the charter school's head administrator, or the head administrator designee, (the designee shall be someone other than the PSU's homeless liaison) using the appeals package provided at Level I.
2. The charter school's head administrator, or his/her designee, shall meet (verbally, virtually or face-to-face) with the parent, legal guardian, or unaccompanied youth. The meeting shall be **held within two (2) school business days** of the parent's, legal guardian's, or unaccompanied youth's notification to the PSU of their intent to proceed to Level II of the dispute resolution process.

3. The charter school's head administrator, or his/her designee, shall provide a decision in writing to the parent, legal guardian, or unaccompanied youth with supporting evidence and reasons, **within two (2) school business days** of the charter school's head administrator, or his/her designee's, meeting with the parent, legal guardian, or unaccompanied youth. It is the responsibility of the PSU to verify the parent's, legal guardian's, or unaccompanied youth's receipt of the written notification regarding the charter school's head administrator, Level II decision.
4. A copy of the dispute package, along with the written decision made at Level II is to be shared with the PSU's homeless liaison.
5. If the parent, legal guardian, or unaccompanied youth disagrees with the decision made at Level II and wishes to move the dispute resolution process forward to Level III, the parent, legal guardian, or unaccompanied youth shall notify the PSU's homeless liaison of their intent to proceed to Level III **within two (2) school business days** of receipt of notification of the Level II decision.
6. If the dispute remains unresolved, the process then moves to Level III.

Level III: Local Governing Board Review

(If the dispute remains unresolved after a Level II appeal)

1. The charter school's head administrator, with assistance from the homeless liaison, shall forward all written documentation and related paperwork to the local governing Board for review within **two (2) school business days** of notifying the parent, legal guardian, or unaccompanied youth of the decision rendered at Level II.
2. The entire dispute package including all documentation and related paperwork is to be submitted to the governing Board in one consolidated and complete package. It is the responsibility of the PSU to ensure that the dispute package is complete and ready for review at the time of submission to the governing Board.
3. The local governing Board, or a panel of at least two Board members, shall schedule a conference with the parent, legal guardian, or unaccompanied youth to render a final decision on behalf of the Board. The Board or Board panel shall provide a written decision **within two (2) school business days.** The Board's or Board panel's decision shall be considered the final decision of the charter school for the purpose of appealing to the State Coordinator for the Education of Homeless Children and Youth. The written notification shall be provided to the parent, legal guardian, or unaccompanied youth as well as to the head administrator and the homeless liaison. Also, the notification shall contain the name and contact information for the State Coordinator for the Education of Homeless Children and Youth along with details on appeal rights of the parent, legal guardian, or unaccompanied youth.
4. The parent, legal guardian or unaccompanied youth have the option of filing an oral or written dispute with the State Coordinator for the Education of Homeless Children and Youth **within three school (3) business days** of receiving the Board's or Board panel's decision. The local homeless liaison shall provide the complete dispute record within three school business days following the request of the State Coordinator for the Education of Homeless Children and Youth. The State Coordinator shall issue a final written decision to the parent, legal guardian or unaccompanied youth and the PSU within ten (10) school business days following receipt of a complete dispute package. Additional details on the NC Dispute Resolution policy and the process used by the State Coordinator for the Education of Homeless Children and Youth is available by clicking this link.

Dispute Resolution Terms

1. The terms "homeless," "homeless child," and "homeless student" shall mean the same as the term "homeless children and youth" as defined by 42 U.S.C. § 11434a(2). These terms shall also be deemed to include the term "unaccompanied youth.

2. The term "unaccompanied youth" shall mean the same as defined by 42 U.S.C. § 11434a(6)
3. The term public school unit (PSU) includes local school administrative units, charter schools, lab schools, regional schools, Innovative School District schools, and Innovations Zone schools, and was formerly known as local educational agency (LEA).
4. The term "PSU dispute resolution process" shall refer to the PSU's policy on resolving complaints brought by parents, legal guardians, or unaccompanied youth regarding students experiencing homelessness. The term shall refer to appeals processes within the PSU, prior to any appeal by the parent, legal guardian, or unaccompanied youth appeals to the State Coordinator.
5. The term "local homeless liaison" shall refer to the official at each PSU, who ensures the PSU dispute resolution process for homeless children and youth is mediated in accordance with local, state, and federal policy as required by 42 U.S.C. § 11432(g)(6)(A)(vii).
6. The term "school business day" means days on which students are scheduled to be in attendance at school, according to the academic calendar adopted by the PSU.
7. The term "State Coordinator" shall refer to the staff person who carries out federally mandated duties regarding students experiencing homelessness as required by 42 U.S.C. § 11432(d)(3).
8. The term "State appeal process" shall refer to the policies the State Coordinator, PSUs, parents, legal guardians, and unaccompanied youth must follow when a parent, legal guardian, or unaccompanied youth seeks to appeal a dispute to the State Coordinator.

Registered Sex Offenders Policy

Purpose: To clearly identify how registered sex offenders will be expected to respect the boundaries set forth by the school.

Pursuant to Session Law 2008-117, *The Jessica Lunsford Act for North Carolina* (the "Act"), the General Assembly of North Carolina has recognized that sex offenders often pose a high risk of engaging in sex offenses after being released from incarceration or commitment and that the protection of students from sex offenders while on school property and at school-sponsored activities serves an important governmental interest.

The Mountain Community School is committed to the following

1. Sex offenders are banned from all school property and school events
   In accordance with G.S. 14-208.18, all persons who (1) are required to register under the Sex Offender and Public Protection Program AND (2) have been convicted of certain sexually violent offenses or any offense where the victim was under the age of 16 years at the time of the offense ("Prohibited Persons") are expressly forbidden to be present on any property owned or operated by the school system, including school buildings, athletic fields, playgrounds, parking lots, school or activity buses, or other property of any kind for any reason, including attendance at sporting events or other school-related functions, whether before, during or after school hours. In addition, Prohibited Persons may not attend or be present at any student function or field trip on or off of school property which is 1) school-sponsored or 2) otherwise under the official supervision or control of school personnel. This policy applies to all Prohibited Persons regardless of their relationship to, or affiliation with, a student in the school system (i.e. stepparents, aunts, uncles, grandparents, etc).
   A. Prohibited Persons

The Executive Director or designee shall insure that administration is familiar with the criminal offenses that qualify an individual as a Prohibited Person under this policy. The Executive Director will also subscribe to electronic notification of Registered Sex Offenders and access the state database as needed.

B. No special permission
There shall be no "special permission" given for Prohibited Persons to be on school grounds or attend events or activities in violation of this policy.

C. Possible exceptions for students
Students who meet the definition of a Prohibited Person may be on school property only in accordance with state law.

D. Limited exception for prohibited persons who are parents / legal guardians of a student
    a. A Prohibited Person who is the Parent/Legal Guardian of a student may be on school property only for the following reason:
        i. To attend a previously scheduled school conference with school personnel to discuss their child's academic or social progress; or
        ii. At the request of the Executive Director/designee, for any other reason relating to the welfare or transportation of their child.
    b. The procedure for making a request is as follows:
        i. or each visit authorized by subsection (a)(1) above, the Parent/Legal Guardian must provide the Executive Director with prior written notice of their registration on the Sex Offender Registry.
        ii. A request for presence at the school must be submitted to the Executive Director in writing, minimally 72 hours in advance.
        iii. The request must include the nature and specific times of the requested.
        iv. The Executive Director or designee will respond within 48 hours either authorizing or denying the request.
        v. The decision of the Executive Director or designee is final.
        vi. The Executive Director will notify the Board of any such requests and the decision.
    c. For each visit authorized by subsection (c) above, the Parent/Legal Guardian must check in at the front office upon arrival and departure. In addition, during each and every visit, the Parent/Legal Guardian must be under the direct supervision of school personnel at all times. If personnel are not available to supervise the Parent/Legal Guardian during any visit then they shall not be permitted on the school property.
    d. For each visit authorized by subsection (c) above, the Parent/Legal Guardian shall comply with all reasonable rules and restrictions placed upon them by the Executive Director, including any restrictions on the date, time, location and length of meetings.

2. Enforcement
Any suspected violation of this policy shall be reported by a school administrator to the Executive Director and to law enforcement for immediate investigation. All school personnel should report the presence or suspected presence of a Prohibited Person to a school administrator and take appropriate action. The Executive Director shall immediately notify

the Board Chair of any known or suspected Prohibited Person who is a student, or a parent or legal guardian of a student, at their school.

3. Applicability
   This policy shall supersede any conflicting provisions in all other Board policies regarding school safety, parental involvement, school field trips, school visitors, school volunteers and student transportation.

Child Sexual Abuse and Sex Trafficking Training Policy

It is the intent to this policy to comply with North Carolina law with respect to child abuse and sex trafficking, including N.C.G.S. 115C-218.75(g). Those laws require that The Mountain Community School adopt and implement a child sexual abuse and sex trafficking training program in accordance with N.C.G.S. 115C-375.20. Specifically, N.C.G.S. 115C-375.20, states as follows:

a) Definitions
   1) School personnel. – Teachers, instructional support personnel, Executive Director. This term may also include, in the discretion of the employing entity, other school employees who work directly with students in grades kindergarten through 12.

b) Each employing entity shall adopt and implement a child sexual abuse and sex trafficking training program for school personnel who work directly with students in grades kindergarten through 12 that provides education and awareness training related to child sexual abuse and sex trafficking, including, but not limited to, best practices from the field of prevention, the grooming process of sexual predators, the warning signs of sexual abuse and sex trafficking, how to intervene when sexual abuse or sex trafficking is suspected or disclosed, legal responsibilities for reporting sexual abuse or sex trafficking, and available resources for assistance. This training may be provided by local nongovernmental organizations with expertise in these areas, local law enforcement officers, or other officers of the court. All school personnel who work with students in grades kindergarten through 12 shall receive two hours of training consistent with this section in even-numbered years beginning in 2020.

c) No entity required to adopt a child sexual abuse and sex trafficking training program by N.C.G.S. 115C-47(64), 115C-218.75(g), 115C-238.66(14), or 116-239.8(b)(17), or its members, employees, designees, agents, or volunteers, shall be liable in civil damages to any party for any loss or damage caused by any act or omission relating to the provision of, participation in, or implementation of any component of a child sexual abuse and sex trafficking training program required by this section, unless that act or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing. Nothing in this section shall be construed to impose any specific duty of care or standard of care on an entity required to adopt a child sexual abuse and sex trafficking training program by G.S. 115C-47(64), 115C-218.75(g), 115C-238.66(14), or 116-239.8(b)(17)."

Such program shall be adopted and implemented by January 1, 2020, and training shall be required for school personnel beginning with the 2020-2021 school year. The Mountain Community Schoolprogram under this policy shall be conducted in accordance with North Carolina law and supervised by the Director of Operations.

Campus Expectations Policy

At The Mountain Community School, we are very fortunate to have a supportive and friendly parent body. Our parents recognize that educating children is a process that involves partnership between parents, class teachers and the school community. We understand and value the importance of sustaining a good working relationship between our parents and our educators to equip children with the necessary skills for adulthood. We greatly appreciate the commitment that our parents have made in choosing to entrust the education of their children to The Mountain Community School and thank them for their support of our unique school programming through which we engage our students daily. As we welcome and encourage parents/guardians to participate fully in the life of our school, and so we can continue to flourish, progress and achieve in an atmosphere of mutual understanding, the purpose of this policy is to provide a reminder to all parents, guardians and visitors to our school about their expected conduct.

Parents, guardians and visitors are expected to:

- Respect the caring spirit of our school.
- Understand that both teachers and parents need to work together for the benefit of their children.
- Demonstrate that all members of the school community should be treated with respect and therefore set a good example in their own speech and actions.
- Use effective communication with school staff, administration, and board members that cultivate open dialogue while seeking peaceful solutions to issues.
- Engage the school with an open mind to help resolve any issues of concern.

In order to support a peaceful and safe school environment, the school cannot tolerate parents, guardians and visitors exhibiting the following:

- Disruptive actions which interfere or threaten to interfere with the operation of a classroom, an employee's office, board meeting, school event, field trip, car line or parking lot, office area or any other area of the school grounds (including social media postings or discussions with community members regarding the school or a staff member).
- Using loud/or offensive language, swearing, cursing, using profane language or displaying temper on or in the sight of campus.
- Threatening to do actual bodily harm to school staff, board member, visitor, fellow parent/guardian or student regardless of whether or not the action constitutes a criminal offence.
- Damaging or destroying school property.
- Abusive or threatening e-mails, texts, voicemails, phone messages or other written communication.
- Defamatory, offensive or derogatory comments regarding the school or any of the pupils, parents, staff, or board on Facebook or other social sites. Any concerns you may have about the school must be made through the appropriate channels by speaking to the class teacher, or the administration team, so they can be dealt with fairly, appropriately and effectively for all concerned.
- The use of physical aggression towards another adult or child. This includes physical punishment against your own child on school premises.
- Approaching someone else's child in order to discuss or chastise them because of the actions of this child towards their own child. (Such an approach to a child may be seen as an assault on that child and may have legal consequences).
- Carrying weapons, smoking, and consuming alcohol or other drugs while on school property.
- Animals/pets brought onto school premises without permission. Service dogs are permitted at all times.

Media (Utilizing The TMCS name or brand)

All media utilizing The Mountain Community School name or brand (e.g. logo, mascot, etc.) must have approval by the school's Executive Director or Board of Directors and shall be linked to the school's official websites.

Misuse of the Brand (Defined):
The Board of Directors encourages parents and students to voice their concerns. It's important that any concerns you may have be made through appropriate channels as set forth in the student/parent handbook which includes speaking to the class teacher, the Executive Director, or the Board of Directors, so they can be dealt with fairly, appropriately and effectively for all concerned. We consider the use of social media websites used to fuel campaigns and complaints against the school, board, staff, students, and in some cases other parents not in the best interests of the children or the whole school community.
In the event that any staff member, pupil or parent/guardian of a children being educated at The Mountain Community School is found to be posting libelous or defamatory comments on Facebook or other social network sites, they will be reported to the appropriate 'report abuse' section of the network site and may be disinvited or otherwise prohibited from the school's official social media pages, including Facebook.

All social network sites have clear rules about the content which can be posted on the site and they provide robust mechanisms to report contact or activity which breaches this. The school will also expect that any parent/guardian or pupil removes such comments immediately.

In serious cases, the school will also consider its legal options to deal with any such misuse of social networking and other sites. Additionally, and perhaps more importantly, is the issue of cyber bullying and the use by one child or a parent to publicly humiliate another by inappropriate social network entry. We will deal with this as a serious incident of school bullying in accordance with the student/parent employee handbook and any other school policies.

We may take any of following steps if a parent/guardian or visitor does not follow the policy:

1. Request a parent meeting on campus
2. Ban the parent from campus for a period of time.
3. Contact the appropriate authorities.

Parents or visitors that receive consequences based on their behavior shall follow the school's grievance process as set out in the student/parent handbook or any other policy established by the school. Students engaged in such activity will be addressed in accordance with the school's student handbook.

We trust that parents/guardians and visitors will assist our school with the implementation of this policy, and we thank you for your continuing support of the school.

Nothing in this policy is intended or should be construed to interfere with or infringe upon any rights, obligations, or responsibility under state or federal law, including but not limited to free speech rights. Furthermore, nothing in this policy is intended or should be construed to discourage or interfere with any individual's right or decision to participate in a proceeding with any appropriate federal, state or local government agency, or to prohibit any individual from cooperating with any such agency in its investigation.

Admissions and Lottery Procedures

Any child who is qualified under the laws of this state for admission to a public school is qualified for admission to The Mountain Community School, provided age and grade requirements are met. Students entering kindergarten must turn five years of age on or before August 31st of the current school year.

Admission shall not be determined according to the school attendance area in which a student resides.

Notwithstanding any law to the contrary, the Board of Directors of The Mountain Community School may refuse to admit any student who is suspended or expelled from a public school until the period of suspension or expulsion has expired. Traditional school systems may refuse to admit any student who is suspended or expelled from TMCS due to actions that would lead to suspension or expulsion from a public school under G.S. 115C-391 until that period of suspension or expulsion has expired.

Spring Enrollment Period

The Open Enrollment Period is the time during which applications will be accepted for student admission for the following school year. Generally, it will begin in December and last at least 6 weeks. In the event that applications exceed available spaces at TMCS, a lottery will be held to determine enrollment and waiting list order.

In accordance with state law, children of the school's Executive Director, full-time staff members. and school board members may be granted priority for available openings, as may siblings of currently enrolled students. Also siblings of students who have completed the eighth grade and attended TMCS for at least four years will be granted priority for available openings as well. After openings have been assigned to current students, children of eligible employees and siblings of current students and eligible alumni siblings, the 16 remaining spaces will be made available to the public and all other applicants.

The lottery will be held during the Spring each year. The parents or guardians of the children chosen by lottery for admission to the school will be notified by email of the results of the lottery.

Parents or guardians of the children placed on the waiting list will also be notified by email of their number on the waiting list. Students on the current year's waiting list must file a separate application during the Open Enrollment Period to be included in the spring lottery for the following year's enrollment.

Ongoing Enrollment

Parents or guardians interested in enrolling their child at any other time of the year will be asked to submit a waiting list application for each child. A student is not granted a place on the waiting list until a lottery occurs. The lottery is held during the spring on a date published and announced with at least seven (7) days notice. Parents or guardians will be notified in writing when their child's waiting list position has been established by lottery. When openings become available throughout the year, they will be offered to applicants in accordance with their position on the waiting list. This waiting list for the current year becomes null and void on the day following the spring lottery for the following school year. Beginning the day following the spring lottery, no new students will be accepted for the current year.

Completion of Enrollment Procedure

For both new and returning students, the enrollment process is not complete until the student has attended and been served by the TMCS at the outset of each new academic year. The Board of Directors for TMCS has stated that all students must attend school on the first day. Any student who does not attend school on the first day will risk losing their space to the next eligible child. In choosing TMCS for their child, families are expected to adhere to the calendar determined annually by the Executive Director and the Board of Directors, and to bring their child to school on the days school is in session. However, the Board recognizes that individual circumstances may arise that make accommodation to the calendar difficult or impossible for some families.

Attendance at the beginning of the school year is extremely important. The curriculum utilized by the school is based on an ordered sequence and acquired knowledge. Missing any part of this sequence may interfere with the educational progress we hope to achieve with each child. In addition, like all other public schools in North Carolina, funding for the entire year is determined by enrollment in the early days of the school year. Our annual budget is based on the assumption of full enrollment from the first day of school.

1. It is imperative that all students attend school on the first day. Students must be in attendance for at least half a day (three hours) in order to be counted as present.
2. Students who do not attend school on the first day will risk losing their space at the school. If a student does not attend school on the first day, and the Executive Director has not been notified in advance in writing, he/she shall have the discretion to reassign that space to the next student on the waiting list. School officials will make every attempt to reach a family whose child is absent.
    a. When an absence is anticipated, whether legal* or illegal, prior notification of the Executive Director is required. This notification must be in writing.
    b. If the absence is not anticipated, families should contact the school immediately to prevent reassignment of their child's space.
3. If a student has missed more than the first five full days of school for a legal* absence without notification of the Executive Director and documentation provided, the Executive Director will be instructed by the Board of Directors to automatically reassign that student's space to the next student on the waiting list, and the student will lose their space at the school.
4. If a student has missed more than the first five full days of school for an illegal absence, with or without prior notification of the Executive Director, the Executive Director will be instructed by the Board of Directors to automatically reassign that student's space to the next student on the waiting list, and the student will lose their space at the school.
5. Even if the student has attended school on the first day, they cannot be included in the school's head count if they subsequently miss 10 or more consecutive days in the first 20 days of school, unless these absences are legal*. This is in accordance with the guidelines of the Student Information Management System administered by the North Carolina Department of Public Instruction. In other words, the state interprets such illegal absences as if the student is no longer enrolled in the school.

**Legal absences include Medical/Illness with a doctor's note, loss of a family member, and Educational Opportunities that have been approved in advance by the Executive Director.*

Errors

If any mistake is made by TMCS in registering students and administering the lottery (or if any discrepancy occurs in the lottery process as a result of the actions of TMCS that is not corrected during the lottery), such mistake or discrepancy will not invalidate the lottery and the lottery results will stand with respect to all registrants who were registered at the appropriate grade level through the lottery. The mistake or discrepancy will be corrected as soon as possible by school administration in a way that does

not adversely impact other applicants. If a mistake is made by a registrant resulting in the registrant not being placed at the appropriate grade level in the lottery, the registrant will not be registered and may submit a corrected registration, which will be subject to the After Lottery Procedures above.

1. If a student is included in the lottery at the wrong grade level due to a mistake by TMCS, the lottery results for that grade level will stand but the student who should have been included at a different grade level will be handled in accordance with subsection (2) below. If a student is entered in the lottery multiple times at a grade level due to a mistake by TMCS, the student will receive the lowest number (i.e. the highest priority for admission) of the numbers assigned in the lottery. Notwithstanding the foregoing, if a student name is duplicated in the lottery and TMCS administration determines that the student was intentionally registered more than one time, the student will be assigned the highest number (i.e. the lowest priority for admission).
2. If a registrant is left out of the lottery at a grade level by mistake, the number of students who were included in the lottery for that grade level will be determined (the "Number of Applicants"). For each applicant not included by mistake, the random function in the Microsoft Excel software program (or any similar software program) will be used to select a random number between zero and the Number of Applicants, and the registrant will be assigned that number as his placement number. If the student with the corresponding placement number (who was included in the original lottery) is admitted to TMCS, the student excluded from the lottery and assigned that number will also be admitted.
3. If a student receives a placement number through the lottery at a particular grade level and is offered admittance, and subsequent to the lottery it is determined by TMCS that the student will not be advanced to that grade level (based on TMCS assessment, which may consider the recommendation of his or her prior school), then the student will be assigned a placement number at the appropriate grade level on the same priority as if the student had sibling priority. The effective date of such priority shall be the date of the admission offer to the student at the incorrect grade level.