

## **NINER UNIVERSITY ELEMENTARY CRIMINAL BEHAVIOR**

Criminal or other illegal behavior is prohibited. Any student who the principal reasonably believes has engaged in criminal behavior on school premises or at school activities will be subject to appropriate disciplinary action, as stated in applicable Niner University Elementary (“NUE”) policies, and may also be criminally prosecuted.

School officials shall cooperate fully with any criminal investigation and prosecution. School officials shall independently investigate any criminal behavior that also violates school rules or NUE policy.

### **A. Students Charged with or Convicted of Criminal Behavior**

The Dean of the Cato College of Education (“Dean”) and principal may take reasonable or legally required measures to preserve a safe, orderly environment when a student has been charged with or convicted of a serious crime, regardless of whether the alleged offense was committed on school grounds or was related to school activities. Depending upon the circumstances, including the nature of the crime or alleged crime, the child’s age, and the publicity within the school community, reasonable or legally required efforts may include changing a student’s classroom assignment or suspending the student. The student will continue to be provided with educational opportunities unless and until the student is found to have violated NUE policy or school rules and is suspended in accordance with procedures established in NUE policy.

### **B. Reporting Criminal Behavior**

A school employee is permitted to report to law enforcement an assault by a student on a school employee. Principals or other supervisors shall not, by threats or in any other manner, intimidate, or attempt to intimidate the school employee from doing so.

The principal will immediately report to law enforcement the following acts when the principal has personal knowledge or actual notice from school personnel that such acts have occurred on school property, regardless of the age or grade of the perpetrator or victim: (1) assault resulting in serious personal injury; (2) sexual assault; (3) sexual offense; (4) rape; (5) kidnapping; (6) indecent liberties with a minor; (7) assault involving the use of a weapon; (8) possession of a firearm in violation of the law; (9) possession of a weapon in violation of the law; and (10) possession of a controlled substance in violation of the law.

The principal or designee shall notify the Dean or designee in writing or by e-mail of any report made by the principal to law enforcement. Such notice must occur by the end of the workday in which the incident occurred, when reasonably possible, but not later than the end of the following workday. The Dean must inform the Chancellor of the University of North Carolina at Charlotte (“Chancellor”) or designee of any such reports. In addition, the principal or

designee must notify the parents of students who are alleged to be victims of any reported offenses as soon as practicable after the alleged incident is reported.

In addition, the principal must promptly notify the parents if a school employee suspects that any criminal offense has been committed against the parents' child, including but not limited to any of the offenses required to be reported to law enforcement, regardless of where the offense allegedly occurred, unless the incident has been reported to law enforcement or the county child services agency and notification of the parents would impede the investigation.

Certain crimes must be reported to the Department of Public Instruction in accordance with [16 N.C.A.C. 6E .0107](#).

**History:**

Initially approved: December 14, 2021

Revised:

**Authority:** Chancellor

**Responsible Office:** Academic Affairs