

Policy Code: 4335 Reporting Criminal Behavior

Keeping our schools safe is a shared responsibility. Any observed crime or alleged crime should be reported to the principal as soon as possible.

Principals must immediately report to law enforcement the following acts when they have personal knowledge or actual notice from school personnel that such acts have occurred on school property, regardless of the age or grade of the alleged 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. A principal who willfully fails to make a required report to law enforcement will be subject to disciplinary action, up to and including dismissal.

If the principal reports a crime committed by a child with a disability, the principal must ensure that copies of the child's special education and disciplinary records are transmitted to the appropriate authorities for consideration. The principal shall obtain the written consent of the parent or student (if the student is at least eighteen (18) years of age) before transmitting the records. If consent is refused, the records will not be transmitted unless pursuant to a lawful subpoena or court order, or as otherwise authorized under the Family Educational Rights and Privacy Act (FERPA) and with proper notice to the parent as may be required by that law.

The principal or designee shall notify the superintendent 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. At least annually, the superintendent must inform the board of any such reports.

For any notification to law enforcement, a notification must be made to the alleged offender's parent and/or guardian. In addition, the principal or designee must notify the parents of students who are alleged to be victims of any reported offenses. 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.

Certain crimes must be reported to the [Department of Public Instruction State Board of Education](#) in accordance with [16 N.C.A.C. 6E .0107, State Board of Education Policy SSCH-000](#).

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 discourage, in any manner, the school employee from making such a report.

Legal References: Gun-Free Schools Act, [20 U.S.C. 7151](#); 20 U.S.C. 1415(k)(6); 34 CFR 300.535; [G.S. 14-17, -18, -27.21, -27.22, -27.24 through -27.27, -27.29, -27.30, -](#)

[27.33](#), [-32 through -34.10](#), [-39](#), [-87](#), [-202](#), [-202.1](#), [-202.2](#), [-269.2](#); [ch. 90 art. 5](#); [115C-47\(56\)](#); [-288\(g\)](#); [16 N.C.A.C. 6E .0107](#) ~~State Board of Education Policy SSCH-000~~

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Wake County Board of Education