

SUBCHAPTER 06I – THE GOVERNER MOREHEAD SCHOOL

SECTION .0100 - ADMINISTRATIVE PROCEDURES

16 NCAC 06I.0101 PURPOSES AND RESPONSIBILITIES

The mission of the Governor Morehead School for the Blind is to provide educational, prevocational, vocational and transitional employment and living services to visually impaired children from birth to age 21 of North Carolina. This mission includes the responsibility to assist in the provision of a continuum of consultative and technical services to other public and private state and national agencies in an effort to meet the life-long needs of visually impaired people.

History Note: Authority G.S. 115C-127; 115C-128; 115C-130; 115C-131; 115C-132; 115C-135; Eff. February 1, 1976; Amended Eff. September 1, 1990; Transferred from 10A NCAC 93 .0101 Eff. June 1, 2011.

16 NCAC 06I.0102 ELIGIBILITY

(a) School age requirements for 5-21 years of age students:

- (1) The prospective student's parents or legal guardians must reside in the state of North Carolina.
- (2) The prospective student must be between the ages of 5 and 21.
- (3) The prospective student must have an educationally significant visual impairment:
 - (A) Blind - a student who after best correction, has no usable vision and therefore must rely on tactile and auditory senses to obtain information.
 - (B) Partially sighted - student who has a visual acuity of 20/70 or less in the better eye corrected, has a peripheral field that is restrictive to learning or who has a progressive vision loss which will affect the student's ability to learn.
 - (C) Blind multihandicapped - a student who has a visual impairment as defined in this Rule and a concomitant handicapping condition or conditions.
 - (D) Deaf-Blind - a student who has concomitant hearing and visual impairments, the combination of which causes severe communication problems.
- (4) The prospective student must demonstrate a potential for educational progress during the initial evaluation process, in the areas of:
 - (A) self-help skills such as eating, dressing, assistive responses to bathing and toileting.
 - (B) adaptation to new environments such as other children, teachers, support staff and dormitory staff as appropriate.
 - (C) tolerance for change from one setting to another such as classes, staff, support services.
 - (D) modification of undesirable or inappropriate behaviors.
 - (E) curiosity initiative in exploratory play, willingness or acceptance of manipulation through gross and fine motor activities.
- (5) The prospective student must be able to adjust socially and psychologically to the residential environment and present no long-lasting deficits in adaptive behavior that would interfere with either their or other student's educational progress.
- (6) The prospective student must demonstrate at least the characteristics as outlined by the American Association on Mental Deficiency for the Moderate, Mentally Retarded including:
 - (A) schedule-trained in toileting;
 - (B) accepts solid foods;
 - (C) finger-feeds self and cooperates in bathing, dressing and grooming;
 - (D) expresses his or her needs through natural gestures, signs or vocalizations;
 - (E) shows a differential reaction to familiar adults and accepts tactual stimulation;
 - (F) demonstrates potential for academic learning, self-care and semi-independent functioning as an adult;
 - (G) demonstrates a level of intellectual or social and adaptive functioning of at least 40 on a standardized instrument.
- (7) The Governor Morehead School cannot accept students with significant medical problems that would include, but are not limited to planned hospitalization for prolonged period during the school year, chronic moderate to severe respiratory difficulties, semi-consciousness or the requirement of

substantiated medical support services, such as respirators, or seriously emotionally disturbed children who are disruptive that they require constant medical care and treatment by a psychiatrist.

(b) Preschool requirements for birth - five years of age student:

- (1) The prospective student's parents or legal guardians must reside in the state of North Carolina.
- (2) The prospective student must be between the ages of 5 and 21.
- (3) The prospective student must have an educationally significant visual impairment:
 - (A) Blind - a student who after best correction, has no usable vision and therefore must rely on tactile and auditory senses to obtain information.
 - (B) Partially sighted - student who has a visual acuity of 20/70 or less in the better eye corrected, has a peripheral field that is restrictive to learning or who has a progressive vision loss which will affect the student's ability to learn.
 - (C) Blind multihandicapped - a student who has a visual impairment as defined in this Rule and a concomitant handicapping condition or conditions.
 - (D) Deaf-Blind - a student who has concomitant hearing and visual impairments, the combination of which causes severe communication problems.
- (4) The prospective student must demonstrate a visual impairment significant enough to affect his other development.
- (5) The Governor of Morehead School cannot accept students with significant medical problems that would include, but are not limited to planned hospitalization for a prolonged period during the school year, chronic moderate to severe respiratory difficulties, semi-consciousness or the requirement of substantiated medical support services such as respirators or seriously emotionally disturbed children who are so disruptive that they require constant medical care and treatment by a psychiatrist.

History Note: Authority G.S. 115C-127; 115C-106(b); 115C-113;
Eff. February 1, 1976;
Amended Eff. October 1, 1990;
Transferred from 10A NCAC 93 .0102 Eff. June 1, 2011.

16 NCAC 06I.0103 MEDICAL AND HEALTH SERVICES

(a) Health services at the Governor Morehead School consist of an infirmary and outpatient services. Extensive nursing care is not available for children actively needing special services to maintain their health and safety.

(b) The Governor Morehead School is not licensed as a hospital or treatment facility and is not staffed to serve the following types of students in a residential setting:

- (1) students whose primary need is for psychiatric treatment;
- (2) students in need of treatment for severe behavior disorders;
- (3) persons in need of around-the-clock, intensive medical care for severe health problems.

(c) Children who become ill may be kept in the infirmary, sent home for treatment, or if necessary taken to the emergency room of a nearby hospital.

History Note: Authority G.S. 115-325; 143B-173(b);
Eff. August 25, 1980;
Transferred from 10A NCAC 93 .0103 Eff. June 1, 2011.

16 NCAC 06I.0104 STUDENT INFORMATION

The Governor Morehead School is subject to the Department of Public Instruction rules governing the confidentiality of student information pursuant to 16 NCAC 06H .1514 in accordance with G.S. 150B-14(c).

History Note: Authority G.S. 115C-114; 115C-321; 143B-10; 150B-14(c);
Eff. February 1, 1976;
Amended Eff. October 1, 1990;
Transferred from 10A NCAC 93 .0104 Eff. June 1, 2011.

16 NCAC 06I.0105 THE GOVERNOR MOREHEAD SCHOOL CAMPUS PARKING

Parking on The Governor Morehead School Campus shall be in conformity with the following requirements:

- (1) Vehicles shall be parked only in designated parking spaces. Parking spaces are defined by painted lines in the surfaced areas and by wheel-stops in non-surfaced areas.
- (2) No parking is allowed on any streets.
- (3) No stopping to load or unload is allowed on any streets.
- (4) Signs shall be erected in specific areas indicating No Parking and Tow-away Zones.
- (5) The school may have removed to a place of storage, at the owner's expense, any unattended vehicle illegally parked in a designated tow-away zone.
- (6) No parking is allowed in any manner that would block or prohibit access to a designated cross walk.

History Note: Authority G.S. 143-116.7;
 Temporary Adoption Eff. March 9, 1998;
 Eff. April 1, 1999;
 Transferred from 10A NCAC 93 .0105 Eff. June 1, 2011.

SECTION .0200 - PERSONNEL

16 NCAC 06I.0201 AUTHORITY OF TEACHERS AND HOUSEPARENTS

Teachers and house parents may make rules or arrangements necessary for learning and the well-being of the classroom and cottage. Rules or arrangements are to be consistent with the Governor Morehead School policy and philosophy, and approved by the Director.

History Note: Authority G.S. 115C-127; 115C-307; 143B-10;
 Eff. February 1, 1976;
 Amended Eff. September 1, 1990;
 Transferred from 10A NCAC 93 .0201 Eff. June 1, 2011.

16 NCAC 06I.0202 WHO MAY GIVE DIRECTIONS

Students shall comply with all directions of principals, supervisors, teachers, houseparents, nurses, recreation supervisors and other authorized school personnel during the period they are subject to the authority of such personnel.

History Note: Authority G.S. 115-321; 143B-10;
 Eff. February 1, 1976;
 Transferred from 10A NCAC 93 .0202 Eff. June 1, 2011.

SECTION .0300 - STUDENT RULES

16 NCAC 06I.0301 COMPLIANCE WITH CAMPUS RULES AND AUTHORIZED PERSONS

- (a) Each student shall comply with all these Rules in this Chapter and all rules in Governor Morehead School parent/student handbook which are adopted by reference according to G.S. 150B-14(c).
- (b) In addition to the rules contained in this booklet, each student shall comply with all directions of principals, supervisors, teachers, houseparents, nurses, recreation supervisors and all other school personnel, who are authorized to give such directions, during any period of time when they are subject to the authority of such personnel.

History Note: Authority G.S. 115C-321; 143B-173(b); 150B-14(c);
 Eff. August 25, 1980;
 Amended Eff. October 1, 1990;
 Transferred from 10A NCAC 93 .0301 Eff. June 1, 2011.

16 NCAC 06I.0302 PROTECTION OF PROPERTY

Each student shall control his actions so that no private or school property is damaged. If property is damaged, the student may be required to reimburse the owner for the damages.

History Note: Authority G.S. 115-321; 143B-173(b);
 Eff. August 25, 1980;

Transferred from 10A NCAC 93 .0302 Eff. June 1, 2011.

16 NCAC 06I.0303 USE OF DRUGS

The use, possession of or being under the influence of alcohol or any controlled substance as defined by Chapter 90 of the General Statutes, except by prescription and under the care of a licensed physician, is strictly forbidden, on or off campus, at any school activity or function.

*History Note: Authority G.S. 115C-391; 143B-173(b);
Eff. August 25, 1980;
Amended Eff. September 1, 1990;
Transferred from 10A NCAC 93 .0303 Eff. June 1, 2011.*

16 NCAC 06I.0304 CODE OF DRESS FOR STUDENTS

The following dress code shall apply to all students:

- (1) Staff should set the proper example in dress and decorum for each student.
- (2) Good grooming should be practiced every day. It includes:
 - (a) keeping the body clean (bathe daily);
 - (b) keeping the hair neat and clean;
 - (c) wearing clean, neat clothing.
- (3) Students will be required to dress appropriately for the occasion.
- (4) Students will be required to wear the clothing provided by their parents or sponsor. Wearing clothing belonging to other students is prohibited, unless parental permission to loan clothing and to wear another's clothing is secured for each individual concerned.
- (5) If makeup is worn, it is to be properly applied.

*History Note: Authority G.S. 115-321; 143B-173(b);
Eff. August 25, 1980;
Transferred from 10A NCAC 93 .0304 Eff. June 1, 2011.*

SECTION .0400 - DISCIPLINE

16 NCAC 06I.0401 DEFINITIONS OF DISCIPLINARY TERMS

- (a) "Discipline Team" means a committee that is chaired by the Director of Comprehensive Clinic and including Building Principal, Director of Residential Life or Dorm Director, Houseparent, Student's Classroom Teacher, and the Counselor or School Psychologist.
- (b) "Due Process" means the student has the right to tell his or her side of an incident to the Discipline Committee before disciplinary decisions are made regarding an incident. No matter what decision is made, the student or his parent or guardian have the right to talk to the administrative staff.
- (c) "Expulsion" means any action removing a student from the right to attend school for a designated period of time.
- (d) "Home Suspension" means removal of a student from the Governor Morehead School campus and exclusion (cannot participate) from all school-sponsored activities. This suspension by the administration is for a period of not more than ten school days per school year.
- (e) "Immediate Family" means spouse, parents, children, brother, sister, grandparents and legal guardians. Also included are the step, half, and in-law relationships.
- (f) "Isolation" means separating a student for up to two hours from activity in classroom or dorm into a quiet area within same room or in a separate room.
- (g) "In-Cottage Suspension" means removal of a student from the normal cottage activities and privileges and assignment to a specific area and staff member. Included is the loss of all privileges during dormitory hours.
- (h) "In-School Suspension" means removal of a student from the normal school day activities including school related extracurricular activities and assignment to a specific area and staff member. Included is the loss of all privileges during school hours.
- (i) "On-Campus Total Suspension" means removal of a student from normal classroom, cottage and afterschool activities with assignment to a specific area and staff member with loss of all privileges.

(j) "Required Parent Conference" means conferences intended to prevent future incidents. Mandatory aftersuspension to reinstate student.

(k) "Search and Seizure" means school personnel, with the approval of the Superintendent may conduct a reasonable search of students, student's personal property, or school property being used by a student when there is a reasonable suspicion that a student is concealing illegal contraband such as drugs, weapons, alcohol, or fireworks, or that a search is necessary to protect other students and staff.

(l) "Time-Out" means separating a student up to 30 minutes from the activity in the classroom or dormitory into a quiet area within the same room or in a separate room. This may be done by the houseparent or teacher to calm a student who is upset.

History Note: Authority G.S. 115C-228; 143B-173(b);
Eff. August 25, 1980;
Amended Eff. September 1, 1990;
Transferred from 10A NCAC 93 .0401 Eff. June 1, 2011.

16 NCAC 06I.0402 PROCEDURE FOR ADMINISTERING DISCIPLINE

The Discipline Team will convene and make decisions regarding disciplinary measures for behaviors considered to be too serious to be addressed by the school or dormitory rules and related consequences. The decision of the Discipline Team may be appealed to the Superintendent in writing within ten school days.

History Note: Authority G.S. 115C-288; 143B-173(b);
Eff. August 25, 1980;
Amended Eff. September 1, 1990;
Transferred from 10A NCAC 93 .0402 Eff. June 1, 2011.

16 NCAC 06I.0403 DISTRIBUTION OF POLICY

Parents and students shall be given the Governor Morehead School Parent-Student Handbook at registration day. The Discipline Policy is contained in the handbook.

History Note: Authority G.S. 115C-288; 143B-173(b);
Eff. August 25, 1980;
Amended Eff. September 1, 1990;
Transferred from 10A NCAC 93 .0403 Eff. June 1, 2011.

16 NCAC 06I.0404 DISCIPLINE VIOLATIONS

Violations of school or dormitory rules shall be handled by either established consequences for specific violations or with a referral to the school's Discipline Team. The Discipline Team shall determine the type of discipline most suitable for the violation and if any special circumstances may be considered in this determination.

History Note: Authority G.S. 115C-288; 143B-173(b);
Eff. August 25, 1980;
Amended Eff. September 1, 1990;
Transferred from 10A NCAC 93 .0404 Eff. June 1, 2011.

16 NCAC 06I.0405 DISCIPLINARY ACTIONS

The Disciplinary Team may implement any of the following:

- (1) "Time Out" or "Isolation". A teacher or houseparent may use time out as a method of allowing student to gain control of his or her own behavior. Isolation will require the approval of the appropriate supervisor.
- (2) "In-Program Suspension". In-Program Suspension such as the In-School Suspension from 8:00 a.m. to 3:30 p.m. and the in-cottage suspension from 3:30 p.m. to bedtime may last from one to five days. This procedure can only be implemented on the recommendation of the Discipline Team. Students are required to work on classroom assignments during In-School Suspension for credit in classes.

- (3) "On-Campus Total Suspension". On-Campus Total Suspension involves removing a student from both academic classes and cottage activities and placing that student in a designated suspension room. This procedure will be used to enable the student to continue academic progress and reflect upon his or her conduct. On-Campus Total Suspension may last more than one program day and up to 48 hours. This procedure can only be implemented by the recommendation of the Discipline Team.
- (4) "Home Suspension". Home Suspension is temporarily removing students from school by sending them home for a period not to exceed ten days per school year for the most serious infractions. Suspension is recommended to the Superintendent by the Discipline Team. The Superintendent or his designee is the only person who can suspend a student from school. Parents must attend the required parent conference to reinstate their child.

History Note: Authority G.S. 114-374; 143B-173(b);
Eff. August 25, 1980;
Amended Eff. September 1, 1990; March 9, 1981;
Transferred from 10A NCAC 93 .0405 Eff. June 1, 2011.

16 NCAC 06I.0406 REQUEST FOR DETERMINATION

- (a) In accordance with G.S. 150B-2(2), any person may request a determination of his or her legal rights privileges, or duties as they relate to laws or rules administered by the Governor Morehead School. All requests must be in writing and contain a statement of the facts prompting the request sufficient to allow for appropriate processing by the Governor Morehead School.
- (b) Any person seeking such a determination must exhaust all informal procedures available before requesting a hearing under G.S. 150B-23.
- (c) All petitions for hearings regarding matters under the control of the Governor Morehead School shall be filed with the Office of Administrative Hearings in accordance with G.S. 150B-23 and 26 NCAC 03 .0103. In accordance with GS. 1A-1, Rule 4(j) 4, the petition shall be served on a registered agent for service of process for the Department of Human Resources.

History Note: Authority G.S. 143B-10; 150B-11; 150B-22; 150B-23;
Eff. August 25, 1980;
Amended Eff. September 1, 1990;
Transferred from 10A NCAC 93 .0406 Eff. June 1, 2011.

16 NCAC 06I.0407 APPLICABILITY OF PROCEDURES

In conducting formal appeals, G.S. 150B, Article 2 and the departmental rules on contested cases, as codified in 10A NCAC 01B shall be applied.

History Note: Authority G.S. 115C-288; 143B-173(b);
Eff. August 25, 1980;
Amended Eff. September 1, 1990;
Transferred from 10A NCAC 93 .0407 Eff. June 1, 2011.