



# DARE COUNTY SCHOOLS

## DARE COUNTY BOARD OF EDUCATION MEETING AGENDA

**MONDAY, JANUARY 30, 2023 / 3:00 PM**

**LOCATION: DARE COUNTY SCHOOLS ADMINISTRATIVE OFFICE  
3020 S. WRIGHTSVILLE AVENUE, NAGS HEAD, NC 27959**

### **Type of Meeting**

Regular	_____
Special	_____ x _____
Emergency	_____
Adjourned	_____
Recessed	_____

### **Members in Attendance**

Ron Payne, Chairman	_____
Barry Wickre, Vice-Chairman	_____
Mary Ellon Ballance	_____
Susan Bothwell	_____
Matt Brauer	_____
David Twiddy	_____
Carl Woody	_____

- I. Meeting Called to Order
- II. Approval of the Agenda
- III. Second Reading and Consideration of Proposed Policy Manual Updates – Rachel Hitch
  - New Policy 3105: Part-Time Admission of Home School Students
  - Revised Policy 3620: Extracurricular Activities and Student Organizations
- IV. Adjourn

**Agenda Item: III**  
**Attachment #1**

**DATE:** January 30, 2023

**KEY ADMINISTRATOR:** Rachel Hitch, Board Attorney  
Poyner Spruill LLP

**AGENDA ITEM:** Second Reading and Consideration of Proposed Policy Manual Updates

**BACKGROUND INFORMATION:**

Below are two policy manual updates presented to the Board for first reading on January 9, 2023. These updates were scheduled to be presented for second reading at the February 13, 2023, Board Meeting. However, in an effort to allow home-school students the opportunity to participate in tryouts for spring sports, the policies are being presented for second reading and Board consideration prior to the start of the 2023 Spring Sports Season.

- New Policy 3105: Part-Time Admission of Home School Students
- Revised Policy 3620: Extracurricular Activities and Student Organizations

**RECOMMENDATION**

The Superintendent recommends the Board approve the policy manual updates as presented.

## Policy Code: 3105 Part-Time Admission of Home School Students

Recognizing the right of parents to educate their children at home, the board will maintain a cooperative relationship with parents of home school students through dual enrollment of high school home school students.

Parents or legal guardians may enroll home school high school students in the Dare County Schools on a part-time basis under the following conditions:

1. The student must meet the requirements of policy 4110, Immunization and Health Requirements for School Admission, and policy 4120, Domicile or Residence Requirements.

2. Upon enrollment, the student will be assigned to a school within Dare County Schools in accordance with policy 4150, School Assignment.

3. The student must enroll for at least one-half of the school day and must take at least one course on campus each semester.

4. Classes will be assigned on a space-available basis. A school is not obligated to add classes to accommodate part-time enrollment of home school students.

5. The student must present academic records from the student's current home school. The principal will determine appropriate grade/class placement based on documentation of curriculum/courses the student has been studying in home school instruction and on the student's previous public, charter or private school record, if applicable. The principal may also require appropriate testing information or demonstration of subject matter mastery in determining placement.

6. The student is subject to all fees for the courses in which the student is enrolled.

7. Home school students dually enrolled in Dare County Schools must participate in all required district, state and federal testing.

8. The student is expected to adhere to the Dare County Schools *Student Code of Conduct* and other rules applicable to full-time enrolled students. Part-time enrolled students will be subject to consequences for violation of school or district rules to the same extent as full-time enrolled students.

9. The student may be eligible to participate in athletics as determined by the principal, board policy 3620, Extracurricular Activities and Student Organizations, and any applicable rules of the North Carolina High School Athletic Association, the North Carolina Department of Public Instruction, and the State Board of Education.



35 10. Transportation for part-time enrolled students is the responsibility of the  
36 parent or legal guardian. However, at the principal's discretion, a student may be  
37 allowed to access bus transportation to or from school if a compatible preexisting  
38 bus route is available.

39 11. At all times while enrolled on a part-time basis in the Dare County Schools,  
40 the student must maintain attendance in an active home school registered with  
41 the North Carolina Division of Non-Public Education.

42 Legal References: G.S. 115C

43 Cross References: Graduation Requirements (policy 3460), Extracurricular Activities  
44 and Student Organizations (policy 3620), Immunization and Health Requirements for  
45 School Admission (policy 4110), Domicile or Residence Requirements (policy 4120),  
46 School Assignment (policy 4150)

47 Adopted: January \_\_, 2023

48 **Dare County Board of Education**

## Policy Code: 3620 Extracurricular Activities and Student Organizations

The board recognizes the value of interscholastic athletics and extracurricular activities in promoting leadership and team skills, practicing democratic principles, and encouraging the lifelong learning process. Students are encouraged to participate in opportunities available at the school, including interscholastic athletics and student organizations. As provided in board policy 4326, all students in grades 6-12 who desire to participate in voluntary school activities or privileges, including interscholastic athletics and other extracurricular activities, must agree to participate in the random drug testing program. All activities are open to all students attending that school unless a restriction is justified and has been approved by the principal. The principal shall ensure that students and parents are notified of the various opportunities for participation in extracurricular activities and shall establish rules, as necessary, to govern such activities.

### A. Requirements for Participation in Extracurricular Activities

Participation in extracurricular activities, including student organizations and interscholastic athletics, is a privilege, not a right, and may be reserved for students in good academic standing who meet behavior standards established by the board, the superintendent, ~~and~~ or the school.

Participation in extracurricular activities may be restricted if a student (1) is not performing at grade level as provided in policy 3400, Evaluation of Student Progress; (2) has ~~exceeded the number of absences allowed by policy 4400;~~ Attendance failed to meet any applicable attendance requirements; (3) has violated the student conduct standards found in the 4300 series of policies; or (4) has violated school rules for conduct. School administrators choosing to exercise this authority to restrict participation shall provide this policy and any additional rules, including attendance requirements, developed by the superintendent or the principal to all parents, guardians, and students.

~~The grievance procedure provided in policy 1740/4010, Student and Parent Grievance Procedure, may be utilized by parents or students who believe that a student has been aggrieved by a decision made pursuant to this policy.~~

### B. Additional Rules for Specific Activities

#### 1. Intervention Plan

Extracurricular activities may be used as a component of an at-risk student's intervention plan. The intervention plan may include providing for or restricting the student's participation in extracurricular activities. If the plan restricts the student's participation, the plan must include other intervention strategies designed to improve student performance. All students with disabilities will be accorded rights as required by federal and state law.



## 2. Student-Initiated, Noncurriculum-Related Student Groups at the Secondary Level

Student-initiated, noncurriculum-related, secondary school student groups will be permitted to conduct voluntary meetings on school grounds during noninstructional time, regardless of the size of the group or the religious, political, philosophical, or other content of the speech at the meetings, provided that the meetings do not materially and substantially interfere with the orderly conduct of the educational activities of the school. The principal shall establish viewpoint neutral rules governing such meetings, including restrictions on when and where meetings may occur.

School employees may not promote, lead, or participate in student-initiated meetings but may be present at meetings to maintain order and discipline, to protect the well-being of the students and faculty, and to assure that attendance of students at the meetings is voluntary. School employees may not influence the form or content of any prayer or other religious activity or require any person to participate in prayer or other religious activity. In addition, non-school persons may not direct, conduct, control, or regularly attend the activities of the groups.

No public funds will be expended on behalf of the student-initiated, noncurriculum-related student groups except for the incidental cost of providing space for the group meetings.

Student-initiated, noncurriculum-related groups will have the same access to communication channels for publicizing their meetings as is allowed to all other noncurriculum-related student groups. However, school officials may indicate in such communications that the meetings are not sponsored by the school.

For purposes of this section, a noncurriculum-related student group is one that is not directly related to the curriculum. A student group will be considered curriculum-related only if (1) the group's subject matter is taught in a regularly offered course or relates to the curriculum as a whole; (2) participation in the group is required as part of a course; or (3) participation in the group results in course credit.

## 3. Interscholastic Athletics

In addition to meeting the general requirements listed above, to be eligible for interscholastic athletics participation, students must meet all applicable eligibility standards of the State Board of Education, the North Carolina High School Athletic Association, and the North Carolina Department of Public Instruction as well as any locally established requirements for interscholastic athletics participation.

## C. Special Circumstances

### 1. Students with Disabilities

Students with disabilities must be afforded the legal rights required by federal and state law.

### 2. ~~Transitioning~~ Children of Military ~~Students~~ Families

School administrators shall facilitate the inclusion and participation of ~~transitioning military children~~ in extracurricular activities of children of military families, as defined in policy 4050, Children of Military Families, transferring into the school, to the extent they are otherwise qualified, by:

- a. providing information about extracurricular activities to ~~transitioning military~~incoming children of military families; and
- b. waiving application deadlines.

### 3. Athletic Participation by Dually Enrolled Home School Students

Home school students who are dually enrolled in accordance with policy 3105, Part-Time Admission of Home School Students, are eligible to participate in high school interscholastic athletics if they comply with all of the following.

- a. The student must present a home school card from the Division of Non-Public Education for the previous and current years, as well as a transcript, attendance record, and record immunizations.
- b. The student must submit proof that the student has been enrolled in a registered home school for 365 days prior to participation in athletics.
- c. Prior to the first date of practice, the student must provide the results of a nationally standardized achievement test, taken within the last year, that indicates the student was on grade level at the time the test was taken.
- d. The student must pass all classes in which the student is enrolled at the assigned school in order to maintain athletic eligibility.
- e. Once dually enrolled and deemed eligible to participate in athletics, the student must maintain continuous dual enrollment. Failure to maintain continuous dual enrollment would render the student ineligible for athletic participation for 365 days.



f. The student must notify the principal of the assigned school in writing of the student's intent to try out for an athletic team at least 10 days prior to the first practice date of each sport season in which the student wishes to participate. Failure to comply with this requirement renders the student ineligible for that sport season.

g. The student must comply with all other applicable North Carolina High School Athletic Association rules and regulations regarding eligibility for athletic participation.

A dually enrolled student who transitions to full enrollment within the school system will then be governed by State Board of Education and North Carolina High School Athletic Association rules and regulations regarding fully enrolled students.

#### **D. Appeals Process**

The grievance procedure provided in policy 1740/4010, Student and Parent Grievance Procedure, may be utilized by parents or students who believe that a student has been aggrieved by a decision made pursuant to this policy.

Legal References: Americans with Disabilities Act, [42 U.S.C. 12132](#), [28 C.F.R. pt. 35](#); Equal Access Act, [20 U.S.C. 4071-4074](#); Individuals with Disabilities Education Act, [20 U.S.C. 1400 et seq.](#), [34 C.F.R. pt. 300](#); Rehabilitation Act of 1973, [29 U.S.C. 705\(20\)](#), [794](#), [34 C.F.R. pt. 104](#); [G.S. 115C art. 9](#), [115C-12\(23\)](#), [-47\(4\)](#), ~~[115C-47\(4\)](#)~~, [-390.2](#), [-407.5](#), [-407.55](#), [-407.60](#), [-407.65](#); [16 N.C.A.C. 6E .0204](#); State Board of Education Policy [ATHL-001](#); *Policies Governing Services for Children with Disabilities*, State Board of Education Policy [EXCP-000](#); N.C. High School Athletic Association Handbook, available at <https://www.nchsaa.org/handbook>; Middle/Junior High School Athletic Manual (NCDPI), available at <https://sites.google.com/dpi.nc.gov/nchealthyschools/athletics> <http://www.dpi.nc.gov/districts-schools/classroom-resources/academic-standards/programs-and-initiatives/nc-healthy-schools/athletics>

Cross References: Parental Involvement (policy 1310/4002), Student and Parent Grievance Procedure (policy 1740/4010), Evaluation of Student Progress (policy 3400), Student Promotion and Accountability (policy 3420), School Improvement Plan (policy 3430), Children of Military Families (policy 4050), Domicile or Residence Requirements (policy 4120), Homeless Students (policy 4125), School Assignment (policy 4150), North Carolina Address Confidentiality Program (policy 4250/5075/7316), Student Behavior Policies (4300 series), Attendance (policy 4400), Community Use of Facilities (policy 5030)

Adopted: November 11, 1997

Revised: January 9, 2007



Regulations Issued: January 9, 2007

Revised: November 10, 2009

Revised: November 8, 2016

Revised: June 13, 2017

Revised: June 9, 2020

Revised: January \_\_, 2023

**Dare County Board of Education**