



DARE COUNTY SCHOOLS

DARE COUNTY BOARD OF EDUCATION MEETING AGENDA

MONDAY, FEBRUARY 13, 2023 / 5:00 PM

**LOCATION: DARE COUNTY ADMINISTRATION BUILDING
954 MARSHALL C. COLLINS DR., MANTEO, NC 27954**

Type of Meeting

Regular	<u> x </u>
Special	<u> </u>
Emergency	<u> </u>
Adjourned	<u> </u>
Recessed	<u> </u>

Members in Attendance

Ron Payne, Chairman	<u> </u>
Barry Wickre, Vice-Chairman	<u> </u>
Mary Ellon Ballance	<u> </u>
Susan Bothwell	<u> </u>
Matt Brauer	<u> </u>
David Twiddy	<u> </u>
Carl Woody	<u> </u>

- I. Meeting Called to Order – Board Chairman
- II. Moment of Silence – Board Chairman
- III. Welcome/Pledge – Carl Woody
- IV. Approval of Agenda
- V. Announcements
- VI. Public Comment
- VII. Reports / Items for Information
 - A. Report of Donation to Cape Hatteras Secondary School Athletic Program – Steve Basnight
 - B. College of the Albemarle Dare Presentation – Dr. Jack Bagwell and Timothy Sweeney
 - C. Overview of JROTC Program – Lt. Col. Warner White
 - D. Overview of Dare County Schools Career and Technical Education Program – Dr. Castillo
 - E. Update on Secondary School Program of Studies – Steve Blackstock

VIII. Approval of Consent Agenda (Attachment #1)

A. Personnel Consent Agenda

B. Minutes

- January 9, 2023, Special Meeting
- January 9, 2023, Regular Meeting
- January 16, 2023 Special Meeting/Board Training
- January 17, 2023 Special Meeting/Board Training
- January 30, 2023 Special Meeting

C. Finance

- Budget Amendments

D. Other

- School Nutrition Bids
- 2022-2023 Summer Retesting Program Plan

IX Unfinished Business

A. Second Reading of Proposed Policy Manual Updates – Rachel Hitch (Attachment #2)

- NEW Policy 3220: Technology in the Educational Program
- Revised Policy 3225/7320: Technology Responsible Use
(to be codified as 3225/4312/7320)
- Revised Regulation 3225/7320-R: Technology Responsible Use Regulations
(to be codified as 3225/4312/7320-R1)
- Revised Form 3225/7320-R: Student E-Mail Parent Permission Form
*(to be codified as 3225/4312/7320-R1, Form 1
Dare County Schools Technology Permission Form – Parent)*
- Revised Form 3225/7320-R: Acceptable Use of the Internet Form
*(to be codified as 3225/4312/7320-R1, Form 2
Dare County Schools Technology Permission Form – Student)*
- Revised Form 3225/7320-R: Information Technology Resource Acceptance Form
(to be codified as 3225/4312/7320-R1 Form 3 - Staff)
- NEW Policy 3228/7323: Use of Personal Technology to Conduct School Business
- Repeal Policy 3229: Digital Learning

- Revised Regulation 3229-R: Student Laptop User Agreement
(to be codified as 3225/4312/7320-R2)
- Revised Form 3229-R: Annual Student and Parent/Guardian Authorization Form
(to be codified as 3225/4312/7320-R2 - Form 1)
- Revised Policy 7360/8225: Crowdfunding
- Revised Policy 7241: Drug and Alcohol Testing of Commercial Motor Vehicle Operators
(Drafts A & B)
- NEW Policy 4720: Surveys of Students

X. New Business

A. First Reading of Proposed Policy Manual Updates – Rachel Hitch (Attachment #3)

- Revised Policy 3101: Dual Enrollment
- Revised Policy 3102: Online Instruction
- Revised Policy 3460: Graduation Requirements
- Revised Policy 4120: Domicile and Residence Requirements
- Revised Policy 4150: School Assignment
- Revised Policy 4400: Attendance
- Revised Policy 4130: Discretionary Admission
- Revised Regulation 4130-R: DCS Discretionary Admission Regulations
- Revised Policy 4135: Tuition for Discretionary Admissions
- Revised Student Code of Conduct

B. Memorandum of Understanding Between the County of Dare, Dare County Board of Education, and Outer Banks Babe Ruth Baseball for Use of Kitty Hawk Elementary School Baseball Fields – Steve Blackstock (Attachment #4)

C. Approval to Sign Lease Agreement for Facilities Use – Ian Adams (Attachment #5)

XI. Board Member Comments

XII. Adjourn

FEBRUARY 13, 2023 CONSENT AGENDA

A. Personnel

Recommend the Board approve the personnel consent agenda as presented.

B. Minutes

Recommend the Board approve the Board meeting minutes for the following dates:

- January 9, 2023, Special Meeting
- January 9, 2023, Regular Meeting
- January 16, 2023 Special Meeting/Board Training
- January 17, 2023 Special Meeting/Board Training
- January 30, 2023 Special Meeting

C. Finance

Recommend the Board adopt the budget amendments as presented.

D. Other

Recommend the Board approve the School Nutrition bid award as requested.

Recommend the Board approve the 2022-2023 Summer Retesting Program Plan as requested.

DARE COUNTY BOARD OF EDUCATION

January 9, 2023

The Dare County Board of Education met in **special session** on Monday, January 9, 2023, at the Dare County Board of Commissioners Meeting Room in Manteo, NC. Members in attendance were Board Chairman Ron Payne, Vice-Chairman Barry Wickre, Mary Ellon Ballance, Susan Bothwell, Matt Brauer, David Twiddy, and Carl Woody.

Chairman Payne called the meeting to order at 3:30 p.m. and welcomed everyone to the meeting. He then requested a motion to approve the agenda. Carl Woody made a motion that the Board approve the agenda as requested. The motion was seconded by Matt Brauer and approved 7 to 0 by the Board.

Next, Carl Woody made a motion that the Board go into closed session to consult with the Board of Education attorney to preserve the attorney-client privilege as provided in N.C.G.S. 143-318.11(a)(3); to consider confidential personnel matters as provided in N.C.G.S. 143-318.11(a)(6); and to consider confidential student matters as provided in N.C.G.S. 143-318.11(a)(1) and the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99). The motion was seconded by Barry Wickre and approved 7 to 0 by the Board. The Board went into closed session at 3:32 p.m. and returned to open session at 4:59 p.m. With there being no further business, the meeting was adjourned by Chairman Payne at 5:00 p.m.

Ron C. Payne, Board Chairman

Steve Basnight, Secretary

The Dare County Board of Education met in **regular session** on Monday, January 9, 2023, at the Dare County Board of Commissioners Meeting Room in Manteo, NC. Members in attendance were Board Chairman Ron Payne, Vice-Chairman Barry Wickre, Mary Ellon Ballance, Susan Bothwell, Matt Brauer, David Twiddy, and Carl Woody.

Chairman Payne called the meeting to order at 5:01 p.m. and requested a moment of silence. He then recognized Commissioner Rob Ross and thanked him for attending the meeting.

Next, Susan Bothwell provided the official welcome on behalf of the Board and led the Pledge of Allegiance.

Following the Pledge, Chairman Payne requested a motion to amend the agenda in order to revise the Personnel Consent Agenda as discussed in closed session. Carl Woody made a motion that the Board amend the agenda as requested. The motion was seconded by Barry Wickre and approved 7 to 0 by the Board.

Chairman Payne then requested a motion to approve the amended agenda. Carl Woody moved that the Board approve the amended agenda as requested. The motion was seconded by Matt Brauer and approved 7 to 0 by the Board.

Next, Board Attorney Brian Shaw opened the floor for *Public Comment*. The Board heard comments from Olivia Sugg, Erica Rohrbacher, Macey Chovaz, and Susie Walters. Topics included concerns about the school district's regulations regarding school-sponsored publications; the participation of home-school students in Dare County Schools' sports and activities; equal educational rights for all students; and a request for board meeting agendas and supporting documents to be posted on the Dare County Schools Website for public access and transparency. A complete recording of all comments can be heard online at <https://www.daretolearn.org/board-of-education/board-meetings> under the January 9, 2023, Board of Education Meeting.

Under Announcements, Assistant Superintendent Steve Blackstock announced that the DCS Transportation Department received a surprise inspection by staff from the North Carolina Department of Public Instruction Transportation Office earlier during the day, and that the department received a score of 9.75. Mr. Blackstock noted that the DCS Transportation Department has received first place in the state for multiple years; however, this was the best rating the department has ever received.

Next, Chairman Payne requested a motion to approve the following Consent Agenda. Carl Woody made a motion that the Board approve the consent agenda as requested. The motion was seconded by Barry Wickre approved 7 to 0 by the Board.

Personnel

Recommend the Board approve the personnel consent agenda as presented.

Minutes

Recommend the Board approve the Board meeting minutes for December 12, 2022.

Other

Recommend the Board accept the donation of funds in the amount of \$8,100 from the Knights of Columbus for the Exceptional Children Program as requested.

Under *Reports and Items for Information*, Mr. Blackstock announced that the North Carolina School Boards Association recently awarded our former Board a *Silver Bell Award* for actively working towards their 12 hours of required training during the 2021-2022 school year.

Next, the Board moved to *Unfinished Business*, however, there were no items discussed under this agenda item.

Under *New Business*, Board Attorney Brian Shaw presented the first reading of the following proposed policy manual updates for the Board's consideration. No action was required. The policies will be presented for second reading and approval at the February Board Meeting.

- NEW Policy 3220, Technology in the Educational Program
- Revised Policy 3225/7320, Technology Responsible Use
- Revised Regulation 3225/7320-R, Technology Responsible Use Regulations
- Revised Form 3225/7320-R, Student E-Mail Parent Permission Form
- Revised Form 3225/7320-R, Acceptable Use of the Internet Form
- Revised Form 3225/7320-R, Information Technology Resource Acceptance Form
- NEW Policy 3228/7323, Use of Personal Technology to Conduct School Business
- Repeal Policy 3229, Digital Learning
- Revised Regulation 3229-R, Student Laptop User Agreement
- Revised Form 3229-R, Annual Student and Parent/Guardian Authorization Form
- Revised Policy 7360/8225, Crowdfunding
- Revised Policy 7241: Drug and Alcohol Testing of Commercial Motor Vehicle Operators
- New Policy 4720: Surveys of Students
- NEW Policy 3105: Part-Time Admission of Home School Students
- Revised Policy 3620: Extracurricular Activities and Student Organizations

Next, Mr. Shaw presented a Memorandum of Understanding (MOU) between the County of Dare and the Dare County Board of Education for the County's use of the athletic fields behind the First Flight schools. After the presentation, Mr. Shaw opened the floor questions and discussion by the Board. Following the Board's discussion, Mary Ellon Ballance made a motion that the Board approve the MOU for use of the athletic fields as presented. The motion was seconded by Susan Bothwell and approved 7 to 0 by the Board.

For the third item under New Business, Mr. Blackstock presented a Memorandum of Understanding (MOU) between the County of Dare and the Dare County Board of Education for the school district's use of county-owned and operated fueling stations. The floor was then opened for questions and discussion by the Board. Following the Board's discussion, Susan Bothwell made a motion that the Board approve the MOU for use of the fueling stations as presented. The motion was seconded by Mary Ellon Ballance and approved 7 to 0 by the Board.

For the final item under New Business, Mr. Blackstock presented a Memorandum of Agreement (MOA) between the Dare County Board of Education and the Town of Southern Shores for placement of a School Resource Officer at Kitty Hawk Elementary School. The floor was then then opened for questions and discussion by the Board. Following the Board's discussion, Matt Brauer made a motion that the Board approve the MOA between the Dare County Board of Education and the Town of Southern Shores. The motion was seconded by Carl Woody and approved 7 to 0 by the Board.

Following *New Business*, Chairman Payne opened the floor for comments from the Board. No action was required.

With there being no further business, Carl Woody made a motion that the Board adjourn the meeting. The motion was seconded by Barry Wickre and approved 7 to 0 by the Board. The meeting was adjourned at 5:42 p.m.

Ron C. Payne, Board Chairman

Steve Basnight, Secretary



DARE COUNTY SCHOOLS

PERSONNEL CONSENT AGENDA January 9, 2023

The Superintendent recommends the following ADMINISTRATIVE APPOINTMENT:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Steve Blackstock	Interim Director of Finance	Central Office	1/3/2023
Denise Fallon	Director of Secondary Education	Central Office	TBD

Inform the Board of the following RESIGNATIONS:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Wendy Cortez	DLI TA 1st Grade	FFES	11/22/22
Kimberly McGee	EC TA/ISS	FFMS	1/2/23
Chris Davenport	CTE / Carpentry Teacher	MHS	1/2/23
Hilaire Baxley	Spanish Teacher	MHS	1/25/23

effective date updated

Inform the Board of the following LEAVE of ABSENCE:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Sara Patton	P E Teacher	FFES	1/10/23-1/27/23
Colby Voight	EC Specialist	FFMS	1/11/23-2/22/23

Inform the Board of the following INTERNAL TRANSFERS:

<u>Name</u>	<u>From</u>	<u>To</u>	<u>Effective Date</u>
John Randy Peacher	Custodian FFES/FFMS split	Custodian FFMS	12/12/2022
Louella LePage	DCS Sub Teacher	Behavior Support Asst / FFMS	TBD
Justin Orgsbon	Administrative Asst to Testing Dept	ASEP	1/9/23

Recommend the Board approve the following personnel for EMPLOYMENT for the 2022-23 school year:

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Brian Kennedy	ESL Teacher	FFHS	01/08/2023
Fiara Fischer	5th Grade Teacher	MES	1/30/2023
Jade Irving	Media TA	FFHS	TBD
Jennifer Lambert	DLI TA 1st Grade	FFES	1/3/2023
Katie Weaver	ECTA	FFES	1/9/2023
Katy O'Neal	TA	CHES	1/3/2023
Morgan Hattich	EC TA	FFES	1/3/2023
Robert Etheridge	Bus Garage Mechanic	Transportation	1/3/2023
Wendy Cortez	DLI TA Kindergarten	NHES	1/3/2023

Recommend the Board approve the following SUBSTITUTE TEACHERS for the 2022-23 school year:

<u>Name</u>	<u>Name</u>
Christy Mode	Curvonte Blue
Elizabeth Smoak	Tod Gene Ray
Jessica Sulewski	
Judith Fearing	
Savannah Wallace	

Recommend the Board approve the following SUBSTITUTE BUS DRIVERS/MONITORS for the 2022-23 school year:

<u>Name</u>
Amy Moore

Recommend the Board approve the following COACHES for the 2022-23 school year:

<u>Name</u>	<u>Position</u>	<u>Location</u>
Benjamin Holcomb	Assistant Boys Basketball	FFMS
Christian Hanburger	VOL Assistant Boys Basketball	CHSS

The Dare County Board of Education met in **special session** on Monday, January 16, 2023, at Poyner Spruill LLP in Raleigh, NC, for Board Training. Members in attendance were Board Chairman Ron Payne, Vice-Chairman Barry Wickre, Mary Ellon Ballance, Susan Bothwell, Matt Brauer, David Twiddy, and Carl Woody.

Chairman Payne called the meeting to order at 9:00 a.m. and welcomed everyone to the meeting. He then turned the meeting over to Board Attorney Rachel Hitch to lead the training sessions for the Board. Other attorneys participating in the training were Mr. Brandon McPherson and Mr. Brian Shaw. Topics included Basic Boardsmanship, Board Member Ethics, Board Liability, an update on the *Leandro Case*, and Free Speech Issues Facing Boards.

Following the training session, the Board took a recess at 5pm, with plans to reconvene at 9:00 a.m. the following morning.

Ron C. Payne, Board Chairman

Steve Basnight, Secretary

The Dare County Board of Education reconvened in **special session** at 9:00 AM on Tuesday, January 17, 2023, at Poyner Spruill LLP in Raleigh, NC, to continue their Board Training from the previous day. Members in attendance were Board Chairman Ron Payne, Vice-Chairman Barry Wickre, Susan Bothwell, Matt Brauer, David Twiddy, and Carl Woody.

The following topics were reviewed during the training:

- Open Meetings and Parliamentary Procedures by Brian Shaw;
- Public Records and the Importance of Confidentiality by Rachel Nicholas; and
- A review of the Dare County Board of Education Policies, Practices, Processes by Rachel Hitch.

No action was required by the Board, and at the conclusion of the training session, there was a motion to adjourn the meeting. The motion was seconded and approved unanimously by the Board. The meeting was adjourned at 1:30 p.m.

Ron C. Payne, Board Chairman

Steve Basnight, Secretary

The Dare County Board of Education met in **special session** on Monday, January 30, 2023, at the Dare County Schools Administrative Office in Nags Head, NC. Members in attendance were Board Chairman Ron Payne, Vice-Chairman Barry Wickre, Mary Ellon Ballance, Susan Bothwell, Matt Brauer, David Twiddy, and Carl Woody.

Chairman Payne called the meeting to order at 3:01 p.m. and welcomed everyone to the meeting. He then led the Pledge of Allegiance.

Following the Pledge, Mr. Payne requested a motion to approve the agenda. Mary Ellon Ballance made a motion that the Board approve the agenda as requested. The motion was seconded by Susan Bothwell and approved 7 to 0 by the Board.

Mr. Payne then turned the meeting over to Board Attorney Rachel Hitch who provided brief remarks about the two policies noted below and being presented to the Board for second reading.

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

Next, Mr. Steve Basnight, Superintendent of Schools, provided a detailed overview of proposed Policy 3105 and answered questions from the Board.

Following Mr. Basnight's presentation, a motion was made by Mary Ellon Ballance to adopt Policy 3105 as presented. The motion was seconded by Susan Bothwell.

The floor was then opened for discussion and a couple of amendments were recommended by the Board before adopting the policy. Mrs. Ballance therefore withdrew her original motion and recommended the Board adopt Policy 3105 with the amendments as discussed. The motion was seconded by Carl Woody and approved 7 to 0 by the Board.

Next, Susan Bothwell made a motion that the Board approve the revisions to Policy 3620 as presented. The motion was seconded by Barry Wickre and approved 7 to 0 by the Board.

With there being no further business, Barry Wickre made a motion to adjourn the meeting. The motion was seconded by Susan Bothwell and approved 7 to 0 by the Board. The meeting was adjourned at 3:30 p.m.

Ron C. Payne, Board Chairman

Steve Basnight, Secretary

DATE: February 13, 2023

KEY ADMINISTRATOR: Steve Blackstock

AGENDA ITEM: Finance – Budget Amendments

BACKGROUND INFORMATION:

Attached for your consideration are the following budget amendments:

State Public School Fund – Appropriate funds to reflect additional allotments, adjust allotments to reflect reductions associated with lower than projected ADM, and correct BA#6 approved in December to reflect a federal allotment which mistakenly was posted as a state allotment.

Local Current Expense Fund – Appropriate additional funds from Dare County to reflect adjustments to the per pupil funding formula as a result of higher than anticipated state salary increases and associated benefits.

Other Local Current Expense Fund – Appropriate funds from fund balance for second deposit for Tango Flight project.

Federal Fund – Appropriate funds as necessary to correct BA#6 which was approved in December as a state funded program but is a federal allotment.

Capital Outlay – Appropriate balance of Capital Improvement Project funds, as provided by Dare County, for projects in process or still outstanding and appropriate additional funds from fund balance to complete the Manteo Middle School sound system project (approved in December, 2022).

RECOMMENDATION:

The superintendent recommends that the Board adopt the budget amendments as presented.

Dare County Schools

BUDGET AMENDMENT - 2022-2023

The Dare County Board of Education, at a meeting on the 13th day of February 2023, passed the following resolution.

Be It Resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2023.

Purpose	Description	12/12/2022 Budget Resolution	Budget Amendment	2/13/2023 Amended Budget
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STATE EXPENDITURES

5000	Instructional Services	33,923,010.00	121,246.00	34,044,256.00
6000	System Wide Support Services	3,369,542.00	-29,993.00	3,339,549.00
7000	Ancillary Services	2,000.00	0.00	2,000.00
8000	Non-Programmed Charges	46,883.00	0.00	46,883.00
TOTAL		37,341,435.00	91,253.00	37,432,688.00

STATE REVENUES

	State Funds	37,341,435.00	91,253.00	37,432,688.00
	TOTAL	37,341,435.00	91,253.00	37,432,688.00

Explanation: To adjust State budgets to reflect revised allotments: additional funding for the following programs PRC 046 (3rd grade read to achieve teacher bonus \$40,380) PRC 048 (Principal and other teacher performance bonuses \$142,207), reduction to multiple allotments due to ADM 2% less than projected (-\$71,818) , small increase to PRC 029 (Behavioral Support \$3,629) and a correction to BA #6 of-\$23,145 (PRC 206 is a federal allotment but was included as an increase to state allotment on BA#6 approved in December 2022). Total increase to state revenues (net of the above adjustments) is \$91,253.

Requested by: Anna McGinnis	Date: 2/13/2023
Recommended by: Steve Basnight	Budget Amendment #: BA-8 (State)
Approved by: _____ Chairman, Board of Education	_____ Superintendent, Board of Education

Dare County Schools

BUDGET AMENDMENT - 2022-2023

The Dare County Board of Education, at a meeting on the 13th day of February 2023, passed the following resolution.

Be It Resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2023.

Purpose	Description	10/11/2022 Budget Resolution	Budget Amendment	2/13/2023 Amended Budget
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LOCAL CURRENT EXPENDITURES

5000	Instructional Services	16,731,436.00		16,731,436.00
6000	System Wide Support Services	10,150,521.00	199,775.00	10,350,296.00
7000	Ancillary Services	31,880.00		31,880.00
8000	Non-Programmed Charges	78,000.00		78,000.00
TOTAL		26,991,837.00	199,775.00	27,191,612.00

LOCAL CURRENT REVENUES

	Local Funds	23,428,614.00	199,775.00	23,628,389.00
	Fund Balance Appropriated	3,563,223.00	0.00	3,563,223.00
TOTAL		26,991,837.00	199,775.00	27,191,612.00

Explanation: To appropriate additional funding received from Dare County based on recalculation of the per pupil funding formula to incorporate actual state increases to salaries and related benefits.

Requested by: <u>Anna McGinnis</u>	Date: <u>2/13/2023</u>
Recommended by: <u>Steve Basnight</u>	Budget Amendment #: <u>BA-9 (Local)</u>
Approved by: _____	
Chairman, Board of Education	Superintendent, Board of Education

Dare County Schools

BUDGET AMENDMENT - 2022-2023

The Dare County Board of Education, at a meeting on the 13th day of February 2023, passed the following resolution.

Be It Resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2023.

Purpose	Description	12/12/2022 Budget Resolution	Budget Amendment	2/13/2023 Amended Budget
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OTHER LOCAL CURRENT EXPENDITURES

5000	Instructional Services	1,158,579.00	80,962.00	1,239,541.00
6000	System Wide Support Services	279,588.00	0.00	279,588.00
7000	Ancillary Services	0.00	0.00	0.00
8000	Non-Programmed Charges	0.00	0.00	0.00
TOTAL		1,438,167.00	80,962.00	1,519,129.00

FEDERAL REVENUES

	Other Local Current Funds	1,429,167.00	0.00	1,429,167.00
	Appropriated Fund Balance	9,000.00	80,962.00	89,962.00
TOTAL		1,438,167.00	80,962.00	1,519,129.00

Explanation: To appropriate funds for the second deposit payment (refundable) for the Tango Flight project.

Requested by: <u>Anna McGinis</u>	Date: <u>2/13/2023</u>
Recommended by: <u>Steve Basnight</u>	Budget Amendment #: <u>BA-10 (Other Local)</u>
Approved by: _____ Chairman, Board of Education	_____ Superintendent, Board of Education

Dare County Schools

BUDGET AMENDMENT - 2022-2023

The Dare County Board of Education, at a meeting on the 13th day of February 2023, passed the following resolution.

Be It Resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2023.

Purpose	Description	11/09/2022 Budget Resolution	Budget Amendment	2/13/2023 Amended Budget
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FEDERAL EXPENDITURES

5000	Instructional Services	7,961,263.42	23,145.00	7,984,408.42
6000	System Wide Support Services	8,777.29	0.00	8,777.29
7000	Ancillary Services	909.72	0.00	909.72
8000	Non-Programmed Charges	598,795.25	0.00	598,795.25
TOTAL		8,569,745.68	23,145.00	8,592,890.68

FEDERAL REVENUES

	Federal Funds	8,569,745.68	23,145.00	8,592,890.68
TOTAL		8,569,745.68	23,145.00	8,592,890.68

Explanation: To correct budget amendment #6, approved in December. Allotment for PRC 206 (ESSR III - Principal Retention Supplements) is a federal allotment but was recorded as a state allotment in error on budget amendment #6.

Requested by: Anna McGinis	Date: 2/13/2023
Recommended by: Steve Basnight	Budget Amendment #: BA-11 (Federal)
Approved by: _____	_____
Chairman, Board of Education	Superintendent, Board of Education

Dare County Schools

BUDGET AMENDMENT - 2022-2023

The Dare County Board of Education, at a meeting on the 13th day of February 2023, passed the following resolution.

Be It Resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2023.

Purpose	Description	11/09/2022 Budget Resolution	Budget Amendment	2/13/2023 Amended Budget
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CAPITAL OUTLAY EXPENDITURES

5000	Instructional Services	540,383.00	9,000.00	549,383.00
6000	System Wide Support Services	2,307,671.00	1,526,572.00	3,834,243.00
7000	Ancillary Services	57,034.00		57,034.00
9000	Capital Outlay	50,262.00		50,262.00
TOTAL		2,955,350.00	1,535,572.00	4,490,922.00

CAPITAL OUTLAY REVENUES

	State Funds	0.00	0.00	0.00
	Local Funds	2,737,542.00	1,526,572.00	4,264,114.00
	Fund Balance Appropriated	217,808.00	9,000.00	226,808.00
TOTAL		2,955,350.00	1,535,572.00	4,490,922.00

~~Explanation: To carry forward funds appropriated from Dare County for Capital Improvement Projects funded in prior years but not completed and to appropriate an additional \$9,000 for the gym sound system project at Manteo Middle School, approved by the board at the December 12, 2022 meeting.~~

Requested by: Anna McGinnis	Date: 2/13/2023
Recommended by: Steve Basnight	Budget Amendment #: BA-12 (Capital)
Approved by: _____	_____
Chairman, Board of Education	Superintendent, Board of Education

DATE: February 13, 2023

KEY ADMINISTRATORS: Kelletha Govan, Director of School Nutrition

AGENDA ITEM: Approval of School Nutrition Bid

BACKGROUND INFORMATION:

School Nutrition issued bids requests for various categories of products and services. Under the umbrella of the North Carolina Child Nutrition Procurement Alliance and regional subgroup, North Eastern North Carolina Co-Op (NENC Co-Op), the Dare County Schools School Nutrition Department recommends award of new bid for the category listed below. Detailed copies of all original bids and the corresponding invitations for bids can be found in the School Nutrition office.

<u>Category</u>	<u>Recommended Vendor</u>
<u>North Carolina Child Nutrition Procurement Alliance</u> Fresh Produce	SYSCO (New formal bid)

RECOMMENDATION:

The superintendent recommends that the Board approve the bids as outlined above.

2022-23 Summer Program Plan

Summer program sessions with test scores uploaded to the NCDPI after July 6, 2023 will not be included in 2022-23 accountability analyses. Schools offering a summer program must have a written summer program plan for the school year that has been signed and approved by the local board.

Public School Unit Name: Dare County Schools

Public School Unit Number: 280

- ☒ Participating in a Summer Program with summer EOG, EOC, or NCEXTEND1 administrations
☐ Not Participating in a Summer Program with summer EOG, EOC, or NCEXTEND1 administrations

Purpose of Summer School Program: Students will repeat elements of a course or subject for the purpose of improving functional skills or to access an enrichment opportunity, and some students will be offered the opportunity to gain credit recovery.

Date for Parent Notification of Summer Program: June 3, 2023

Student Eligibility Criteria:

Grade levels: ☒ 3* ☒ 4 ☒ 5 ☒ 6 ☒ 7 ☒ 8 ☒ 9-12

Assessment Types: ☒ Reading ☒ Math ☒ Science ☒ NCEXTEND1
☒ NC Math 1 ☒ Biology ☒ English II ☒ NC Math 3

* The Reading EOG is not available for administration in grade 3 summer programs.

Regular Academic Calendar:

Last Day for Students: June 9, 2023

Last Day for Staff: June 14, 2023

Summer School Program Instruction:

Instructional Dates: June 12 - June 14

Number of Instructional Days: 3

Instructional Hours/Minutes Per Day: 3

Total Number of Instructional Hours: 9

Summer School Program Testing:

Testing Dates: June 15, 2023 – June 16, 2023

Number of Testing Days: 2

Arrangements for Security of Test Materials: Upon arrival in the PSU, test materials are county by the PSU Test coordinator; and any discrepancies will be faxed to TOPS within 5 days of the shipment arrival. Test materials are stored in a secure, locked facility until needed and after use until securely destroyed.

Date of Board Approval: _____

Board Chairperson Signature: _____

Superintendent/Charter Director Signature: _____

Reports / Items for Information

(No Attachments)

- A. Report of Donation to Cape Hatteras Secondary School Athletic Program – Steve Basnight
- B. College of the Albemarle Dare Presentation – Dr. Jack Bagwell and Timothy Sweeney, Dean
- C. Overview of JROTC Program – Lt. Col. Warner White
- D. Overview of Dare County Schools Career and Technical Education Program – Dr. Castillo
- E. Update on Secondary School Program of Studies – Steve Blackstock

Agenda Item: IX.A
Attachment #2

DATE: February 13, 2023

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

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

BACKGROUND INFORMATION:

Below is a list of policy manual updates being presented to the Board for second reading. These updates were presented to the Board for first reading on January 9, 2023, and no revisions have been requested.

- **NEW Policy 3220, Technology in the Educational Program**
(recommended policy from the N.C. School Boards Association)
- **Revised Policy 3225/7320, Technology Responsible Use**
(to be codified as 3225/4312/7320, recommended from the N.C. School Boards Association)
- **Revised Regulation 3225/7320-R, Technology Responsible Use Regulations**
(to be codified as 3225/4312/7320-R1, recommended revisions from Poyner Spruill, LLP)
- **Revised Form 3225/7320-R, Student E-Mail Parent Permission Form**
(to be codified as 3225/4312/7320-R1, Form 1, Dare County Schools Technology Permission Form (Parent), recommended revisions from Poyner Spruill, LLP)
- **Revised Form 3225/7320-R, Acceptable Use of the Internet Form**
(to be codified as 3225/4312/7320-R1, Form 2, Dare County Schools Technology Permission Form (Student), recommended revisions from Poyner Spruill, LLP)
- **Revised Form 3225/7320-R, Information Technology Resource Acceptance Form**
(to be codified as 3225/4312/7320-R1, Form 3 (Staff), recommended revisions from Poyner Spruill, LLP)
- **NEW Policy 3228/7323, Use of Personal Technology to Conduct School Business**
(recommended policy from the N.C. School Boards Association)
- **Repeal Policy 3229, Digital Learning** *(proposed repeal recommended by Poyner Spruill, LLP)*
- **Revised Regulation 3229-R, Student Laptop User Agreement** *(to be codified as 3225/4312/7320-R2, recommended revisions from Poyner Spruill, LLP)*
- **Revised Form 3229-R, Annual Student and Parent/Guardian Authorization Form**
(to be codified as 3225/4312/7320-R2 Form 1, recommended revisions from Poyner Spruill, LLP)

- **Revised Policy 7360/8225, Crowdfunding** *(recommended revisions from Poyner Spruill, LLP)*
- **Revised Policy 7241: Drug and Alcohol Testing of Commercial Motor Vehicle Operators** *(recommended revisions from Poyner Spruill, LLP) (Drafts A & B)*
- **New Policy 4720: Surveys of Students** *(recommended policy from the N.C. School Boards Association)*

RECOMMENDATION

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

Policy Code: 3220 Technology in the Educational Program

In alliance with the North Carolina Digital Learning Plan, the board is committed to establishing and supporting effective digital teaching and learning practices supported by contemporary information and communications technology systems to foster globally competitive students prepared for modern life. The board recognizes the benefits of digital and technology-enabled and -enhanced teaching and learning resources that provide the ability to make data more accessible, personalize learning, easily customize curriculum, provide access to current information, and enable access to quality materials at a lower cost than traditional materials. To that end, the board supports classroom digital and technology-enabled and -enhanced teaching and learning resources that are aligned with the current statewide instructional standards. In addition, to the extent funding permits, the board will endeavor to ensure that all students have access to personal digital and technology-enabled teaching and learning devices to foster the skills necessary for future-ready learners.

The board expects that information and communications technologies will be integrated seamlessly across the curriculum and used to support student achievement and to prepare students to be successful in college, in careers, and as globally engaged, productive citizens. The curriculum committee should provide suggestions in the curriculum guides referenced in policy 3115, Curriculum and Instructional Guides, for integrating technological resources (as defined in Section A below) into the educational program. School administrators and teachers are encouraged to develop additional strategies for integrating technological resources across the curriculum and utilizing the power of technology to personalize learning and improve learning outcomes while making more efficient use of resources. The strategies should be included in the school improvement plan if they require the transfer of funds or otherwise relate to any components of the school improvement plan.

The superintendent shall oversee development of the school system's digital teaching and learning vision as part of the school system's strategic plan and a yearly action plan that aligns to the vision. The development and ongoing review of the vision and the action plan will include various stakeholders such as curriculum leaders, teachers, administrators, students, parents, and representatives from technology services, instructional technology, finance, and other departments as required. The action plan will include adequate data privacy protections to secure student data and will take into account the level of out-of-school Internet access for students.

The superintendent may establish relationships with businesses and seek grants and other funding sources in an effort to acquire additional technological resources for the educational program and to support continuous out-of-school Internet access for students.

A. Selection of Technological Resources

Technological resources are information and communications technologies including, but not limited to, the following: (1) hardware, including both fixed and mobile technologies and devices such as desktop computers, laptops, netbooks, tablets, e-readers, smartphones, and gaming devices; (2) software, including cloud-based and web-based applications, programs, and platforms; (3) network and telecommunications systems and services; (4) Internet access; (5) multimedia equipped classrooms; (6) computer classrooms and laboratories; and (7) other existing or emerging mobile communications systems. All technological resources must be purchased and used in a manner consistent with applicable law and board policy, including laws and policies related to copyright, public records, bidding, and other purchase requirements, accessibility for students with disabilities, staff duties, and standards for student behavior.

Technological resources must meet or exceed the following standards before they may be considered for implementation.

1. Technological resources must support the current statewide instructional standards or the programs of the school system.

2. Technological resources must support the current use of learning and instructional management technologies in the school.

3. Technological resources must be compatible with the condition of the network and other infrastructure resources. The technology director shall set minimum standards for technological resources that are purchased or donated. Upgrading, hardware conditions, and similar requirements must be maintained to the highest standards.

4. There must be sufficient staff to operate and maintain the technological equipment, programs, and systems.

5. There must be adequate funds budgeted to implement and support the technological resources and to train instructional staff to use the resources to improve educational outcomes.

Procurement of technological resources should be done in collaboration with teachers and technical support staff, as appropriate. Whenever possible, a pilot period to test the resource should occur prior to full purchase.

B. Deployment of Technology to Schools

The superintendent shall oversee the development of the school system's technology deployment and refresh plan. The plan will be designed to ensure organized, effective, efficient, and sustainable means of deploying and maintaining technology resources and will establish appropriate

refresh/replacement cycles. The superintendent shall develop procedures that outline the strategy of the technology deployment and refresh plan.

C. Bring Your Own Technology (BYOT) Initiative

The superintendent is authorized to investigate and develop a plan to allow staff and students the option to use their personal electronic devices in place of or along with their school system assigned devices. The plan should address, at a minimum, the instructional use of personal devices, compatibility requirements, access limitations or requirements, content filtering, security, and other issues as recommended by the technology director. The plan should assign personal responsibility to the user for repair and replacement of damaged or stolen devices and for any data or other charges arising from use of a personal device. The plan should require a written agreement for the use of personal technology devices from each student and staff member who wishes to participate in the BYOT initiative. The plan should ensure that students who are unable to bring in outside technology will be able to access and utilize school equipment so that no student is excluded from instruction due to lack of access to technology.

D. Electronic Communication and Other Collaborative Tools

The superintendent is authorized to permit instructional personnel to incorporate email, social networking sites, blogs, wikis, video sharing sites, podcasts, video conferencing, online collaborations, instant messaging, texting, virtual learning environments, and/or other forms of direct electronic communications or Web 2.0 applications for educational purposes to the extent the superintendent deems appropriate and in accordance with policy 7335, Employee Use of Social Media. The superintendent shall establish parameters and rules for use of these tools and shall require instruction for students in how to use such tools in a safe, effective, and appropriate way. Instructional personnel shall make all reasonable attempts to monitor student online activity and shall otherwise comply with the requirements of policy 3225/4312/7320, Technology Responsible Use, when using these tools.

E. Technology-Related Professional Development

The superintendent shall plan a program of professional development for digital teaching and learning that prepares administrators, teachers, coaches, school library media coordinators, and technical support staff to utilize digital tools and resources in accordance with the N.C. Digital Learning Competencies for Teachers and Administrators. Professional development shall emphasize technology integration and continuous improvement, including the use of ongoing technology-integrated online-learning activities throughout the course of study and the provision of personalized learning. Professional development shall also address the ethical, legal, and practical issues related to social networking and mobile devices in the classroom and other topics deemed necessary by the

superintendent or technology director. To the extent possible, job-specific professional development opportunities should be made available, as well as professional development that is personalized to meet the needs of individual staff.

School improvement teams should identify any staff development appropriations for technology-related professional development in their school improvement plans.¹⁰ The superintendent and technology director should assist schools in coordinating staff development needs as provided in policy 1610/7800, Professional and Staff Development.

Legal References: [G.S. 115C-522, -528; 143B-1341](#); State Board of Education Policy [SBOP-018](#)

Cross References: Professional and Staff Development (policy 1610/7800), Curriculum and Instructional Guides (policy 3115), Technology Responsible Use (policy 3225/4312/7320), Internet Safety (policy 3226/4205), Copyright Compliance (policy 3230/7330), School Improvement Plan (policy 3430), Integrity and Civility (policy 4310), Public Records – Retention, Release, and Disposition (policy 5070/7350), Network Security (policy 6524), Staff Responsibilities (policy 7300), Employee Use of Social Media (policy 7335), Gifts and Bequests (policy 8220)

Other Resources: North Carolina Digital Teaching and Learning Competencies for Teachers and Administrators, available at <https://www.dpi.nc.gov/districts-schools/districts-schools-support/digital-teaching-and-learning/digital-teaching-learning-standards#digital-learning-competencies-for-educators>; The North Carolina Digital Learning Plan (2022), available at <https://www.dpi.nc.gov/districts-schools/districts-schools-support/digital-teaching-and-learning/digital-learning-initiative#:~:text=The%20North%20Carolina%20Digital%20Learning%20Plan%20describes%20the,Learning%20Initiative.%202022%20North%20Carolina%20Digital%20Learning%20Plan>

Adopted:

Policy Code: 3225/4312/7320 Technology Responsible Use

The board provides its students and staff access to a variety of technological resources. These resources provide opportunities to enhance learning and improve communication within the school community and with the larger global community. Through the school system's technological resources, users can observe events as they occur around the world, interact with others on a variety of subjects, and acquire access to current and in-depth information.

The board intends that students and employees benefit from these resources while remaining within the bounds of safe, legal, and responsible use. Accordingly, the board establishes this policy to govern student and employee use of school system technological resources. This policy applies regardless of whether such use occurs on or off school system property, and it applies to all school system technological resources, including but not limited to computer networks and connections, the resources, tools, and learning environments made available by or on the networks, and all devices that connect to those networks.

A. Expectations for Use of School Technological Resources

The use of school system technological resources, including access to the Internet, is a privilege, not a right. Individual users of the school system's technological resources are responsible for their behavior and communications when using those resources. Responsible use of school system technological resources is use that is ethical, respectful, academically honest, and supportive of student learning. Each user has the responsibility to respect others in the school community and on the Internet. Users are expected to abide by the generally accepted rules of network etiquette. General student and employee behavior standards, including those prescribed in applicable board policies, the Code of Student Conduct, and other regulations and school rules, apply to use of the Internet and other school technological resources.

In addition, anyone who uses school system computers or electronic devices or who accesses the school network or the Internet using school system resources must comply with the additional rules for responsible use listed in Section B, below. These rules are intended to clarify expectations for conduct but should not be construed as all-inclusive.

Within the first month of school, all students must receive instruction on appropriate online behavior as provided in policy 3226/4205, Internet Safety.

All students and employees must be informed annually of the requirements of this policy and the methods by which they may obtain a copy of this policy. Before using school system technological resources, students and employees must sign a statement indicating that they understand and will strictly comply with these requirements and acknowledging awareness that the school system uses

monitoring systems to monitor and detect inappropriate use of technological resources. Failure to adhere to these requirements will result in disciplinary action, including revocation of user privileges. Willful misuse may result in disciplinary action and/or criminal prosecution under applicable state and federal law.

B. Rules for Use of School Technological Resources

1. School system technological resources are provided for school-related purposes only. Acceptable uses of such technological resources are limited to responsible, efficient, and legal activities that support learning and teaching. Use of school system technological resources for commercial gain or profit is prohibited. Student personal use of school system technological resources for amusement or entertainment is also prohibited. Because some incidental and occasional personal use, the board permits infrequent and brief personal use so long as it occurs on personal or non-instructional time, does not interfere with school system business, and is not otherwise prohibited by board policy or procedure.

2. Under no circumstance may software purchased by the school system be copied for personal use.

3. Students and employees must comply with all applicable laws, including those relating to copyrights and trademarks, confidential information, and public records. Any use that violates state or federal law is strictly prohibited. Plagiarism of Internet resources will be treated in the same manner as any other incidents of plagiarism, as stated in the Code of Student Conduct.

4. No user of technological resources, including a person sending or receiving electronic communications, may engage in creating, intentionally viewing, accessing, downloading, storing, printing, or transmitting images, graphics (including still or moving pictures), sound files, text files, documents, messages, or other material that is obscene, defamatory, profane, pornographic, harassing, abusive, or considered to be harmful to minors.

5. The use of anonymous proxies to circumvent content filtering is prohibited.

6. Users may not install or use any Internet-based file sharing program designed to facilitate sharing of copyrighted material.

7. Users of technological resources may not send electronic communications fraudulently (i.e., by misrepresenting the identity of the sender).

8. Users must respect the privacy of others. When using e-mail, chat rooms, blogs, or other forms of electronic communication, students must not reveal

77 personal identifying information or information that is private or confidential,
78 such as the home address or telephone number, credit or checking account
79 information, or social security number of themselves or fellow students. For
80 further information regarding what constitutes personal identifying
81 information, see policy 4705/7825, Confidentiality of Personal Identifying
82 Information. In addition, school employees must not disclose on school
83 system websites or web pages or elsewhere on the Internet any personally
84 identifiable, private, or confidential information concerning students
85 (including names, addresses, or pictures) without the written permission of a
86 parent or guardian or an eligible student, except as otherwise permitted by
87 the Family Educational Rights and Privacy Act (FERPA). Users also may not
88 forward or post personal communications without the author's prior consent.

89 9. Users may not intentionally or negligently damage computers, computer
90 systems, electronic devices, software, computer networks, or data of any
91 user connected to school system technological resources. Users may not
92 knowingly or negligently transmit computer viruses or self-replicating
93 messages or deliberately try to degrade or disrupt system performance.

94 10. Users may not create or introduce games, network communications
95 programs, or any foreign program or software onto any school system
96 computer, electronic device, or network without the express permission of
97 the technology director or designee. An approval process will include the
98 review of a vendor's privacy policies.

99 11. Users are prohibited from engaging in unauthorized or unlawful activities,
100 such as "hacking" or using the computer network to gain or attempt to gain
101 unauthorized or unlawful access to other computers, computer systems, or
102 accounts.

103 12. Users are prohibited from using another individual's ID or password for
104 any technological resource without permission from the individual. Students
105 must also have permission from the teacher or other school official.

106 13. Users may not read, alter, change, block, execute, or delete files or
107 communications belonging to another user without the owner's express prior
108 permission.

109 14. Employees shall not use passwords or user IDs for any data system
110 (e.g., the state student information and instructional improvement system
111 applications, time-keeping software, etc.) for an unauthorized or improper
112 purpose.

113 15. If a user identifies a security problem on a technological resource, he or
114 she must immediately notify a system administrator. Users must not

115 demonstrate the problem to other users. Any user identified as a security
116 risk will be denied access.

117 16. Teachers shall make reasonable efforts to supervise students' use of the
118 Internet during instructional time.

119 17. Views may be expressed on the Internet or other technological
120 resources as representing the view of the school system or part of the
121 school system only with prior approval by the superintendent or designee.

122 **C. Restricted Material on the Internet**

123 The Internet and electronic communications offer fluid environments in which
124 students may access or be exposed to materials and information from diverse and
125 rapidly changing sources, including some that may be harmful to students. The
126 board recognizes that it is impossible to predict with certainty what information on
127 the Internet students may access or obtain. Likewise, it is impossible to block all
128 potentially inappropriate sites on the Internet. Nevertheless, school system
129 personnel shall take reasonable precautions to prevent students from accessing
130 material and information that is obscene, pornographic, or otherwise harmful to
131 minors, including violence, nudity, or graphic language that does not serve a
132 legitimate pedagogical purpose. The superintendent shall ensure that technology
133 protection measures are used as provided in policy 3226/4205, Internet Safety,
134 and are disabled or minimized only when permitted by law and board policy. The
135 board is not responsible for the content accessed by users who connect to the
136 Internet via their personal mobile telephone technology (e.g., 3G, 4G service).

137 **D. Parental Consent**

138 The board recognizes that parents of minors are responsible for setting and
139 conveying the standards their children should follow when using media and
140 information sources. Accordingly, before a student may independently access the
141 Internet, the student's parent must be made aware of the possibility that the
142 student could obtain access to inappropriate material while engaged in
143 independent use of the Internet. The parent and student must consent to the
144 student's independent access to the Internet and to monitoring of the student's
145 Internet activity and e-mail communication by school personnel.

146 In addition, in accordance with the board's goals and visions for technology,
147 students may require accounts in third party systems for school related projects
148 designed to assist students in mastering effective and proper online
149 communications or to meet other educational goals. Parental permission will be
150 obtained when necessary to create and manage such third party accounts.

151 **E. Privacy**

Students, employees, visitors, and other users have no expectation of privacy in anything they create, store, send, delete, receive, or display when using the school system's network, devices, Internet access, email system, or other technological resources owned or issued by the school system, whether the resources are used at school or elsewhere, and even if the use is for personal purposes. Users should not assume that files or communications created, transmitted, or displayed using school system technological resources or stored on servers or on the storage mediums of individual devices will be private. The school system may, without notice, (1) monitor, track, and/or log network access, communications, and use; (2) monitor and allocate filespace; and (3) access, review, copy, store, delete, or disclose the content of all user files, regardless of medium, the content of electronic mailboxes, and system outputs, such as printouts, for any lawful purpose. Such purposes may include, but are not limited to, maintaining system integrity, security, or functionality, ensuring compliance with board policy and applicable laws and regulations, protecting the school system from liability, and complying with public records requests. School system personnel shall monitor online activities of individuals who access the Internet via a school-owned device.

By using the school system's network, Internet access, email system, devices, or other technological resources, individuals consent to have that use monitored by authorized school system personnel as described in this policy.

F. Use of Personal Technology on School System Property

Each principal may establish rules for his or her school site as to whether and how personal technology devices (including, but not limited to smart phones, tablets, laptops, etc.) may be used on campus. Students are responsible for following expectations for acceptable use of the Internet even if using a personal device. Students' devices are governed also by policy 4318, Use of Wireless Communication Devices. The school system assumes no responsibility for personal technology devices brought to school.

G. Personal Websites

The superintendent may use any means available to request the removal of personal websites that substantially disrupt the school environment or that utilize school system or individual school names, logos, or trademarks without permission.

1. Students

Though school personnel generally do not monitor students' Internet activity conducted on non-school system devices during non-school hours, when the student's online behavior has a direct and immediate effect on school safety or maintaining order and discipline in the schools, the student may be

191 disciplined in accordance with board policy (see the student behavior
192 policies in the 4300 series).

193 2. Employees

194 Employees' personal websites are subject to policy 7335, Employee Use of
195 Social Media.

196 3. Volunteers

197 Volunteers are to maintain an appropriate relationship with students at all
198 times. Volunteers are encouraged to block students from viewing personal
199 information on volunteer personal websites or online networking profiles in
200 order to prevent the possibility that students could view materials that are not
201 age-appropriate. An individual volunteer's relationship with the school
202 system may be terminated if the volunteer engages in inappropriate online
203 interaction with students.

204 Legal References: [U.S. Const. amend. I](#); Children's Internet Protection Act, [47 U.S.C.](#)
205 [254\(h\)\(5\)](#); Electronic Communications Privacy Act, [18 U.S.C. 2510-2522](#); Family
206 Educational Rights and Privacy Act, [20 U.S.C. 1232g](#); [17 U.S.C. 101 et seq.](#); [20 U.S.C.](#)
207 [7131](#); [G.S. 115C-325\(e\)](#) (applicable to career status teachers), [-325.4](#) (applicable to
208 non-career status teachers)

209 Cross References: Curriculum and Instructional Guides (policy 3115), Technology in the
210 Educational Program (policy 3220), Internet Safety (policy 3226/4205), Web Page
211 Development (policy 3227/7322), Use of Personal Technology to Conduct School
212 Business (policy 3228/7323), Copyright Compliance (policy 3230/7330) Student
213 Behavior Policies (all policies in the 4300 series), Student Records (policy 4700),
214 Confidentiality of Personal Identifying Information (policy 4705/7825), Public Records -
215 Retention, Release, and Disposition (policy 5070/7350), Use of Equipment, Materials,
216 and Supplies (policy 6520), Network Security (policy 6524), Staff Responsibilities (policy
217 7300), Employee Use of Social Media (policy 7335)

218 Adopted: December 14, 1999

219 Revised: July 25, 2003

220 Revised: October 13, 2009

221 Revised: June 10, 2014

222 Revised: June 11, 2019

223 Revised: January 14, 2020

224

225 [Revised:](#)

226

Dare County Board of Education

Regulation Code: 3225/4312/7320-R1 Technology Responsible Use Regulations

Mandatory Orientation/Acknowledgement. To educate students on proper Computer, Network, and Internet use and conduct, a mandatory orientation session is required by the end of the first month of school each school year. Employees will receive a copy of the regulations and sign an acknowledgement form indicating that they have read and understand the regulations.

Availability of Access

Acceptable Use. Information technology resource access will be used to improve learning and teaching consistent with the educational goals of Dare County Schools. The District requires legal, ethical, and appropriate use of the information technology resources.

Privilege. Access to the Dare County Schools information technology resources is a privilege, not a right. Any users of these resources, including staff and students, must comply with the following requirements. Any student's failure to comply may lead to serious disciplinary action. Any employee's failure to comply may lead to serious disciplinary action up to and including dismissal.

Access to Information Technology Resources. Information technology resources are provided to all Dare County Schools teachers and staff. Students may be allowed to use the local network with campus permission, but may only use the Internet and school-based email communication with parent permission. Student's Internet access will be under the direction and guidance of a Dare County Schools teacher or staff member. Access to the District's electronic communications system, including the Internet, shall be made to students and employees primarily for instructional and administrative purposes in accordance with this policy and regulations.

Subject to Monitoring. All Dare County Schools information technology resource usage shall not be considered confidential and is subject to monitoring by designated staff at any time to ensure appropriate use.

User Responsibilities. Information technology resource users, like traditional library users, are responsible for their actions.

1. Users with accounts will be required to maintain password confidentiality by not sharing the password with others. Users will also be required to logout of the network prior to leaving the computer.

2. Users are expected to use appropriate language: Swearing, vulgarity, ethnic or racial slurs, and any other inflammatory languages are prohibited.

3. Revealing such personal information as addresses or phone numbers of users to others is prohibited.

- 37 4. System users are asked to purge electronic mail or outdated files on a regular
38 basis.
- 39 5. System users are responsible for making sure they do not violate any copyright
40 laws.
- 41 6. Users are to notify the appropriate supervisor or district designee if they should
42 encounter any material or electronic communication that is inappropriate.
- 43 7. System users may not use another person's system account.
- 44 8. System users and parents of students with access to the District's system
45 should be aware that use of the system may provide access to other electronic
46 communications systems in the global electronic network that may contain
47 inaccurate and/or objectionable material.
- 48 9. A user who gains access to inappropriate material is expected to discontinue
49 the access as quickly as possible. Students should report the incident to the
50 supervising teacher; all other users should report the incident to the Technology
51 Department.
- 52 10. A student who knowingly brings prohibited materials into the school's
53 electronic environment will be subject to suspension of access and/or revocation
54 of privileges on the District's system and will be subject to disciplinary action in
55 accordance with the Board-approved Student Code of Conduct.
- 56 11. An employee who knowingly brings prohibited materials into the school's
57 electronic environment will be subject to disciplinary action in accordance with
58 District policies.
- 59 12. Users who bring personal equipment into the school must coordinate with the
60 technology staff prior to connecting it to the network. Dare County Schools will not
61 be liable for any damage to and will not provide technical services to repair/fix
62 personal equipment.
- 63 13. Students who are issued district-owned and maintained laptops must follow
64 the guidelines in the district's Laptop Handbook for Students and Parents.
- 65 14. Those who use district-owned and maintained technologies to access the
66 Internet at home are responsible for both the cost and configuration of such use.
- 67 15. Students with permission to use their personal devices during school are
68 subject to the same rules and expectations for acceptable use outlined in policy
69 and this regulation.

Student Responsibilities. Students of Dare County Schools are bound by all portions of the Information Technology Resources Use Policy and Regulations.

Campus Level Responsibilities. The Principal or designee will:

1. Be responsible for disseminating and enforcing the Information Technology Resource Use Regulation for the District's system at the campus level.
2. Ensure that employees supervising students who use the District's systems provide information emphasizing the appropriate and ethical use of this resource.

Inappropriate Use Inappropriate use includes, but is not limited to, those uses that violate the law, that are specifically named as violations in this document, that violate the rules of network etiquette, or that hamper the integrity or security of any components that are connected to the Information Technology Resources.

The following actions are considered inappropriate uses and are prohibited:

Violations of Law. Transmission of any material in violation of any US or state law is prohibited. This includes, but is not limited to: copyrighted material; threatening, harassing, or obscene material; material protected by trade secret; or confidential information, or public records. Any attempt to break the law through the use of a Dare County Schools Information Technology Resources account may result in litigation against the offender by the proper authorities. If such an event should occur, Dare County Schools will fully comply with the authorities to provide any information necessary for the litigation process.

Modification of Computer. Modifying or changing computer settings and/or internal or external configurations without appropriate permission is prohibited.

Commercial Use. Use for the purpose of product advertisement, commercial, income-generating or "for-profit" activities is prohibited.

Vandalism/Mischief. Any malicious attempt to harm or destroy District equipment or materials, data of another user of the District's system, or any of the agencies or other networks to which the District has access is prohibited. Deliberate attempts to degrade or disrupt system performance may be viewed as violations of district policy and, possibly, as criminal activity under applicable state and federal laws. This includes, but is not limited to, the uploading or creating of computer viruses.

Vandalism as defined above will result in the cancellation of system use privileges, possible prosecution, and will require restitution for costs associated with system restoration, hardware, or software costs.

Personal Websites and Social Networking Sites. The superintendent may use any means legally available and appropriate to request the removal of personal websites

that substantially disrupt the school environment or that utilize school system or individual school names, logos or trademarks without permission.

1. Students

Though school personnel generally do not monitor students' Internet activity conducted on non-school system computers during non-school hours, when a student's on-line behavior has a direct and substantial effect on school safety or maintaining order and discipline in the schools, the student may be disciplined in accordance with board policy (see the student behavior policies in the 4300 series).

2. Employees

Employees are to maintain an appropriate professional relationship with students at all times. If an employee creates and/or posts inappropriate content on a website or profile and allows students access to the site, or if not, said content otherwise has a negative impact on the employee's ability to perform his or her job as it relates to working with students, the employee may be subject to appropriate discipline. This section applies to all employees, volunteers and student teachers working in the school system. Employees must review and acknowledge understanding of the expectations for use of social media outlined in Policy #7335 annually.

As role models for the school system's students, employees are responsible for their public conduct even when they are not performing their job duties as employees of the school system. Employees will be held to the same professional standards in their public use of social media and other electronic communications as they are for any other public conduct.

Employees are responsible for the content on their social media sites. Employees who use social media for personal purposes must be aware that the content they post may be viewed by anyone, including students, parents and community members. Employees shall observe the following principles when communicating through social media:

1. Employees shall not post confidential information about students, employees or school system business.

2. Employees shall be professional in all Internet postings related to or referencing the school system, students or their parents, and other employees.

3. Employees shall not use profane, pornographic, obscene, indecent, lewd, vulgar or sexually offensive language, pictures or graphics or other

141 communication that could reasonably be anticipated to cause a substantial
142 disruption to the school environment.

143 4. Employees shall not post content that negatively impacts their ability to
144 perform their jobs.

145 **Electronic Mail Violations.** Forgery of electronic mail messages is prohibited. Reading,
146 deleting, copying, or modifying the electronic mail of other users, without their
147 permission is prohibited. Sending unsolicited junk mail, chain letters, political lobbying,
148 transmitting obscene messages or pictures is prohibited.

149 **Illegally Accessing or Hacking Violations.** Illegally accessing or hacking and
150 subsequent manipulation of information of private databases/systems is prohibited.

151 **File/Data Violations.** Deleting, examining, copying, or modifying files and/or data
152 belonging to other users, without their permission is prohibited.

153 **Copyright Violations.** Downloading or using copyrighted information without following
154 approved Dare County Schools procedures is prohibited.

155 **System Interference/Alteration.** Deliberate attempts to exceed, evade or change
156 resource quotas (printing, downloading, storage) are prohibited. The deliberate causing
157 of network congestion through mass consumption of system resources is prohibited.

158 **Participation in Chat Rooms, Instant Messaging, and Newsgroups.** Students and
159 employees utilizing this district's electronic communications system, including access to
160 the Internet, are prohibited in any chat room, Instant Messaging, or newsgroup
161 accessed on the Internet, other than those approved and given access by the
162 Technology Department.

163 **Denial, Revocation, or Suspension of Access Privileges.** With just cause, the
164 System Administrator and/or building principal, may deny, revoke, or suspend
165 Network/Internet access as required, pending an investigation.

166 **Security**

167 **Reporting Security Problem.** If knowledge of inappropriate material or a security
168 problem on the Network/Internet is identified, the user should immediately notify his/her
169 supervisor. The security problem should not be shared with others.

170 **Impersonation.** Attempts to log on to the Network/Internet impersonating a system
171 administrator or Dare County Schools employee, student, or individual other than
172 oneself, will result in revocation of the user's access to Network/Internet.

Other Security Risks. Any user identified as having had access privileges revoked or denied on another computer system may be denied access to the Dare County Schools Network/Internet.

Warning. Sites accessible via the Network/Internet may contain material that is illegal, defamatory, inaccurate or controversial. Dare County Schools makes every effort to limit access to objectionable material, however, controlling all such materials on the Network/Internet is impossible. With global access to computers and people, a risk exists that students may access material that may not be of educational value in the school setting. The Dare County Schools Internet connection is the only system to be used in schools. No commercial Internet accounts may be used.

Disclaimer. This agreement applies to stand-alone computers as well as computers connected to the Network/Internet. Dare County Schools shall not be liable for users' inappropriate use of electronic communication resources or violations of copyright restrictions, users' mistakes or negligence, or costs incurred by users. Dare County Schools shall not be responsible for ensuring the accuracy or usability of any information found on the internet.

The board is aware that there is information on the Internet that is not related to the educational program. The board also is aware that there is information and opportunities to communicate on subjects that are not suitable for school-age children and that many parents would find objectionable. The school district will take reasonable precautions to prevent students from having access to inappropriate materials, such as violence, nudity, obscenity or graphic language which does not serve a legitimate pedagogical concern. The school district will not limit access to the Internet for the purpose of restricting access to political ideas or social perspectives if the action is not rated simply by a school district official's disapproval of the ideas involved. However, the user is ultimately responsible for his or her activity on the Internet.

Legal Reference: [U.S. Const. Amend. I](#); [17 U.S.C. 100](#) *et seq.*; Electronic Communications Privacy Act, [18 U.S.C. 2510-2522](#); Family Educational Rights and Privacy Act, [20 U.S.C. 1232g](#); [G.S. 115C-391](#), [-325\(e\)](#).

Cross Reference: Curriculum and Instructional Guides (policy 3115), Technology in the Educational Program (policy 3220), Copyright Complaint (policy 3230/7330), Standards of Expected Student Behavior (policy 4310), Public Records (policy 5070), Staff Responsibilities (policy 7300)

Adopted: July 25, 2003

Revised: October 13, 2009

Revised: August 4, 2014

Revised: August 21, 2017

210 Revised: June 11, 2019

211 [Revised:](#)

212 **Dare County Board of Education**

Dare County Schools**Student E-Mail Parent Technology Permission Form - Parent****Acceptable****Internet Use**

Online resources, including Internet access, and school-assigned email accounts will be available to students at Dare County Schools.

In use of these resources, transmission of any material in violation of any U.S. or state regulation is prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene material, and the uploading or creation of computer viruses.

Although all Internet usage is filtered and many inappropriate areas will be blocked for student access, students are expected to always have a specific topic of interest assigned by a teacher for research using the Internet. It is the student's responsibility to avoid accessing inappropriate or questionable material. Internet access is a privilege, not a right, and access entails responsibility. All Internet activity is monitored by Dare County Schools personnel for compliance with Dare County policy 3225/4312/7320.

As parent(s) I/we agree have reviewed Policy ~~Addendum~~ 3225/4312/7320 and Regulation 3225/4312/7320-R and will allow our student to access the Internet after signing this agreement.

Student _____ Date _____

Printed Parent(s) Name _____

Parent Signature _____ Date _____

School _____ Provided Email Account Use

Parents and Students:

Your ~~child's~~student's teachers will be using email for class assignments this year and in future years as long as the student is enrolled in Dare County Schools. -Since school-assigned, individual email accounts are now an option for Dare County Schools' students, your approval is necessary for your ~~child~~student to participate.

~~The use of email by individual students is not specifically included in the Dare County Schools Information Technology Resource Use regulation which you approve separately (see page 39). This form serves as an addendum to your approval of the Dare County Schools – Acceptable Use of the Internet.~~

With your permission, your student will be assigned his or her own username and will be allowed to send and receive email. -All district policies are still in effect, and apply, as indicated in the Information Technology Resource Use Policy. Every attempt has been made to provide safe, secured student email, however it is still the responsibility of users to follow all school rules, as well as teacher directions and procedures and to report any inappropriate use or material to school personnel.

As explained in the Acceptable Use Regulation, the use of school technology, networks, and Internet services does not create any expectation of privacy. -Dare County Schools reserves the right to search and/or monitor any information, created, accessed, sent, received, and/or stored in any format by students on school equipment.

~~By signing below you are indicating that you understand and agree to follow the district and school policies as detailed above and in board policies 3225/7320 and their supporting regulations. To read the entire policy and regulations, see pages 33-38 of this booklet or look online at: <http://www.dcs.daretolearn.org>~~

Printed Student Name _____ Student Signature _____ Signature Date _____

_____ I DO grant permission for my student~~child~~ to use the student email services referred to _____ above to be provided by the school system.

_____ I DO NOT grant permission for my ~~child~~-student to use the student email services _____referred to above to be provided by the school system.

Printed Parent(s) Name _____

Parent Signature _____Signature_____Date

_____Date:_____

PLEASE SIGN AND RETURN TO YOUR ~~CHILD'S~~-STUDENT'S SCHOOL

File with 3225-R/7320-R

Dare County Schools Technology Permission Form – Student~~Acceptable Use of the~~Internet Use

Online resources, including Internet access, and school-assigned email accounts will be available to students ~~and staff~~ at Dare County Schools. ~~In order to promote personal growth in gathering techniques, critical thinking skills, and communication skills, Internet accounts will be available in support of educational research consistent with the educational objectives of Dare County Schools. Transmission~~

In use of these resources, transmission of any material in violation of any U.S. or state regulation is prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene material, and the uploading or creation of computer viruses.

Although all Internet usage is filtered and many inappropriate areas will be blocked for student access, students are expected to always have a specific topic of interest assigned by a teacher for research using the Internet. ~~It is the student's responsibility to avoid accessing inappropriate or questionable material. -Internet access is a privilege, not a right, and access entails responsibility. -All Internet activity is monitored by Dare County Schools personnel for compliance with Dare County policy 3225/4312/7320.~~

I have reviewed Policy 3225/4312/7320 and ~~Regulations~~Regulation 3225/4312/7320-R1 and agree to abide by them. In order that the Internet be used appropriately for education purposes, I agree to access only those sites that are determined by my teacher to be of educational value. I agree to download/print only information that has been approved by my teacher. I understand that any violation of this policy may result in the termination of my access to the Internet.

Print Student Name _____

____ Student Signature _____
____ Date _____

~~As parent(s) I/we agree have reviewed Policy 3225/7320 and Regulation 3225/7320-R
and will allow our student to access the Internet after signing this agreement.~~

Printed Parent(s) Name _____

____ Parent Signature _____ Date _____

~~PLEASE SIGN AND RETURN TO YOUR CHILD'S SCHOOL~~

Dare County Schools

Information Technology Resource Acceptance Form

Employee Information

Name (last, first, middle)

Assignment Location

Assignment/Position Title

School/Fiscal Year

Acceptance

As prescribed in the Information Technology Resource Acceptable Use Regulation (3225/4312/7320-R1) all staff employees of Dare County Schools are required to receive a copy of the regulations and sign an acknowledgement form indicating that they have read and understand the regulations.

Access to the Dare County Schools information technology resources is a privilege, not a right. Any users of these resources, including staff, must comply with the requirements outlined in the regulation. Any employee's failure to comply may lead to serious disciplinary action up to and including dismissal. Any use of social media during school hours must be directly and obviously related to the instructional program. Any fines or fees, including legal fees, associated with violations of law will be the responsibility of the violator.

Therefore, by signing this form, you acknowledge that you have read the terms and conditions of the acceptable use outlined in the Information Technology Resource Acceptable Use regulation and understand the inherent responsibilities.

 Signature

 Date

Policy Code: 3228/7323 Use of Personal Technology to Conduct School Business

The board recognizes that employees may use a variety of personal technology devices and accounts in their personal lives. At times, it may be convenient for employees to use their personal technology devices and accounts to conduct school business. Although such use of personal technology devices and accounts may be convenient, it is likely to produce a conflict between employees' interests and the school's obligations: employees ordinarily expect privacy in their personal technology devices and accounts, but the school is legally obligated to preserve certain school business-related electronically stored information ("ESI").

School business-related ESI (including text messages and e-mails) sent and/or received by an employee using a personal technology device or account may constitute public records or student education records, and as a result may require retention and disclosure by the school system. In the event of litigation, school business-related ESI located on a personal technology device or account may be subject to discovery and a litigation hold.

A. Limitations on Use

Unless otherwise authorized by a BYOT (Bring Your Own Technology) initiative, employees are expected to use school-controlled technology devices and accounts for conducting school business and storing school business-related ESI when such devices and accounts are readily available. Any use of personal technology devices and accounts is subject to this policy and all other relevant board policies, including but not limited to policy 3225/4312/7320, Technology Responsible Use, and policy 7335, Employee Use of Social Media.

1. Personal Technology Devices

For purposes of this policy, "personal technology device" means a technology device that is not under the control of the school system and which the school system does not have the ability to access without the employee's assistance. This definition includes, but is not limited to, computers, phones, tablets, and other technological devices that are owned or leased by an employee.

Use of personal technology devices to conduct school business or to store school business-related ESI is authorized only when (1) done in accordance with an official BYOT program; (2) the use is occasional and incidental to the regular use of school-controlled technology devices; or (3) the superintendent or designee has pre-approved in writing the employee's regular use of personal technology for conducting school business and/or storing school business-related ESI.

For purposes of this policy, "personal external storage device" means a device that has a primary purpose of storing data, is not under the control of the school system, and which the school system does not have the ability to access without the employee's assistance. Personal external storage devices constitute personal technology devices for purposes of this policy, but are subject to the following additional limitation: employees are prohibited from storing school business-related ESI on personal external storage devices, including, but not limited to, external hard drives, USB flash drives, flash memory cards, DVDs, compact discs, or magnetic tape, unless specifically authorized to do so by the superintendent or designee in writing.

2. Personal Accounts

For purposes of this policy, "personal account" means an account that is not under the control of the school system and which the school system does not have the ability to access without the employee's assistance. This definition includes, but is not limited to, personal email accounts, social media sites, and online file storage services (e.g., file hosting services, cloud storage services, or online file storage providers that host user files via the Internet).

Employees are prohibited from using personal accounts to conduct school business or to store school business-related ESI unless specifically authorized to do so by the superintendent or designee in writing.

B. School System Access to School Business-Related ESI on Employees' Personal Technology Devices and Accounts

Any school business-related ESI stored on an employee's personal technology devices or accounts is property of the school system. Employees shall transfer to an appropriate custodian all school business-related ESI upon request of the superintendent or designee and upon leaving employment. Employees shall cooperate with school officials in accessing any school business-related ESI stored on personal technology devices or accounts.

Employees are cautioned that using personal technology devices or accounts to conduct school business or to store school business-related ESI will significantly reduce their expectation of privacy in those devices or accounts. If an employee uses a personal technology device or account to conduct school business or to store school business-related ESI, an inspection of the employee's device or account may be necessary to ensure that all public records and education records are preserved.

By using personal technology devices or accounts to conduct school business or to store school business-related ESI, employees are deemed to consent to the school system accessing and inspecting such devices or accounts to gather

78 school business-related ESI and ensure that all public records and education
79 records are preserved. If school officials have a reasonable basis to conclude that
80 school business-related ESI is stored on an employee's personal technology
81 device or account, a reasonable inspection of the employee's device or account
82 may be performed in order to retain any public records or education records
83 required to be retained by law and/or board policy. Such an inspection shall be
84 made only after consultation with the board attorney.

85 C. Required Notices and Consent

86 All employees must be informed annually of the terms of this policy and the
87 methods by which they may obtain a copy of this policy. Employees must sign a
88 statement indicating that they understand and will comply with the requirements of
89 this policy.

90 Legal References: U.S. Const. amend IV; Stored Communications Act, 18 U.S.C. 2701,
91 et seq.; Computer Fraud and Abuse Act, 18 U.S.C. 1030; G.S. 14-454, -458

92 Cross References: Technology in the Educational Program (policy 3220), Technology
93 Responsible Use (policy 3225/4312/7320), Internet Safety (policy 3226/4205), Student
94 Records (policy 4700), Public Records – Retention, Release, and Disposition (policy
95 5070/7350), Electronically Stored Information Retention (policy 5071/7351), Employee
96 Use of Social Media (policy 7335)

97 Adopted: January , 2023

98
99 Dare County Board of Education
100

Policy Code: 3229 Digital Learning

Dare County Board of Education is committed to providing digital learning opportunities. The introduction of a student laptop initiative will greatly enhance the 21st Century learning environment of classrooms in Dare County Schools, providing teachers and students with access to a rich array of educational resources and opportunities.

The superintendent or designee shall promulgate regulations as necessary to govern the issuance and acceptable use of student laptops.

Adopted: December 16, 2014

Revised: June 11, 2019

Dare County Board of Education

1 Regulation Code: [32293225/4312/7320-R2](#) Student Laptop User Agreement

2 Issuance and Return of Laptop

3 • Students and their parent/guardian must sign and return the student laptop user
4 agreement and pay the home usage fee (if home use option is selected) before a
5 laptop will be issued.

6 • Students may be issued a laptop for school use only or for school and home use.
7 Students who do not sign up for home use of the computer will be responsible for
8 turning in the laptop for secure storage overnight at the school at the time and place
9 to be determined by the school principal.

10 • Laptops will be collected by school personnel on or before the last day of the
11 school year or upon student withdrawal from school. If the laptop is not returned as
12 required, a student's privileges may be restricted by the principal until such a time
13 as the student complies with this requirement. Seniors are required to return laptops
14 prior to being allowed to participate in graduation ceremonies. Additionally, if the
15 laptop is not returned, the student and the student's parent/guardian may be
16 assessed the full replacement cost of the laptop. If necessary, Dare County Schools
17 may institute legal actions against the student and/or the student's parent/guardian
18 for failing to return the computer or pay replacement costs.

19 Laptop Usage Fee

20 • Students who have been issued a laptop for home use must pay an annual laptop
21 usage fee of \$25.00.

22 • The laptop usage fee covers the device for the first accidental damage, including
23 but not limited to, cracked screens (within limits), damaged keyboards, or broken
24 internal components. All additional breaks may incur an additional charge. The
25 student may receive a loaner device until his/her device is fixed if he/she does not
26 owe for damages.

27 • Fees may be waived or reduced for students who demonstrated an economic
28 hardship, consistent with Policy 4600 Student Fees.

29 • The usage fee does not cover lost, stolen, or intentionally damaged laptops. If the
30 laptop is lost, stolen, intentionally damaged or destroyed during the time it is issued
31 to the student, the student and the student's parent/guardian will be responsible for
32 the actual cost of repair or replacement. The student will not be issued a
33 replacement laptop for home use until the costs have been paid in full.

34 • Dare County Schools officials will investigate all incidents of laptops reported as
35 lost, stolen, or intentionally damaged and may refer any such incidents to law
36 enforcement. Any theft, conspiracy to steal, or unauthorized sale of or conspiracy

to sell a Dare County Schools-owned laptop will be prosecuted to the fullest extent of the law.

- If the laptop malfunctions in any way or if the laptop is accidentally damaged, the student will immediately report the problem to a teacher or administrator.

If a student withdraws from the school system, the laptop usage fee may be prorated and refunded, based on condition of the laptop and time of year.

Student Responsibilities

- The student will make sure that the laptop is fully charged each day prior to arrival at school. (A fully charged computer is projected to operate for a period of 9 to 12 hours.)

- Laptops will include a power supply cord. Lost power cords are not covered by the usage fee. If a student loses the power cord, a fee equal to the replacement cost will be charged to the student for a replacement cord with approved specifications for proper charging capability. Replacement cords will be provided by Dare County Schools. The use of replacement cords other than those issued by the school system is prohibited.

- The student's possession and use of the laptop is a privilege, not a right. The student and the student's parent/guardian acknowledge that they have no right or entitlement to possession or use of the laptop and that neither this document nor any conversation, correspondence or understanding between themselves and any representative of Dare County Schools gives them any ownership or contractual rights of any kind to the laptop.

- Because the laptop is school property and is intended only for approved educational uses, the student's possession and use of the laptop will be subject at all times, both on and off campus, to the terms and conditions described in this document, as well as Policy 3225/4312/7320 (Technology Responsible Use Policy) found in the *Code of Student Conduct*. Additional policies, regulations, rules and restrictions may be imposed by Dare County Schools. All applicable state and federal laws and regulations govern appropriate use of the laptop. Dare County Schools may recall the laptop or place additional restrictions on the student's use or possession of the laptop, at any time and for any reason, with or without prior notice.

- The laptop may be inspected at any time by Dare County Schools officials, with or without prior notice, either in person or remotely via the Internet or network connections, for purposes of maintenance and/or to monitor the student's use of the laptop (including any email communications and internet activities) to determine whether the student is complying with the terms and conditions set forth or described in this document. The student and parent/guardian acknowledge that they

75 have no reasonable expectation of privacy to any data or information of any kind
76 contained on the laptop, which shall at all times remain the property of Dare County
77 Schools and is intended to be used only for school purposes. The student and the
78 student's parent/guardian further acknowledge that if any such inspection reveals
79 evidence that the student has violated the *Code of Student Conduct* or any criminal
80 law, such evidence may be used in support of disciplinary action against the student
81 and may be shared with law enforcement.

82 • The student will not attempt to bypass or disable any internet filtering software
83 installed on the laptop.

84 • A student will not install or permit to be installed on the laptop any hardware,
85 software, drivers, or other programs or devices without the advance written approval
86 of the School's Technology Facilitator. A student will not delete, uninstall, or attempt
87 to circumvent any hardware, software, drivers, filters, or other programs or devices
88 installed on the laptop by Dare County Schools. The exterior of the laptop will not
89 be altered in any way by the student or the student's parent/guardian, including but
90 not limited to attaching stickers or making any type of inscriptions or markings.

91 • The student may not use the laptop, or permit the laptop to be used, to access any
92 websites or online resources that have not been approved by a Dare County
93 Schools' teacher or school administrator.

94 • Should the student inadvertently gain access through the laptop to any confidential
95 information about other students or staff members of Dare County Schools,
96 including but not limited course work or grade information, the student will
97 immediately report the incident to a teacher or administrator and will not share the
98 information with any other person.

99 • The student and the student's parent/guardian accept responsibility for any
100 violation of the United States copyright laws and for any charges, fees, fines and/or
101 legal fees associated with a student's noncompliance with these regulations.

102 • The student and the student's parent/guardian acknowledge that they are solely
103 responsible for ensuring that the student's use of the laptop to access the Internet
104 while off campus will be safe and responsible and in compliance with all applicable
105 laws, policies, rules, and regulations. The student and student's parent/guardian will
106 hold Dare County Schools and its employees harmless for any harm that may come
107 to the student or any other person as a result of the student's off-campus Internet
108 activities.

109 • The student may not use the laptop or permit the laptop be used in furtherance of
110 any crime or unlawful or inappropriate activities of any kind, including but not limited
111 to, fraud; threat; defamation; plagiarism; copyright, patent, or trademark
112 infringement; illegal downloading; theft of intellectual property; gambling; accessing,
113 viewing, or transmission of pornographic or violent images or content; illegal or

114 unauthorized accessing or use of data; bullying or harassment; malicious Internet
115 activities (including "hacking" of other computers or websites); advertising or
116 commercial activities; abusive or insulting communications.

117 Adopted: December 16, 2014

118 Revised by the Superintendent: May 11, 2016

119 Revised by the Board of Education: January 10, 2017

120 Revised by the Board of Education: June 11, 2019

121 Revised by the Board of Education: June 8, 2021

122 [Revised by the Board of Education:](#)

123 **Dare County Board of Education**

Dare County Schools Student Laptop User Agreement

ANNUAL STUDENT AND PARENT/GUARDIAN AUTHORIZATION FORM

~~Dare County Schools Student Laptop User Agreement~~

PLEASE PRINT ALL INFORMATION

Student Name: _____
Last Name First Name Student ID #

Name of School _____ School Year _____

Parent/Guardian Name: _____
Last Name First Name

Parent Email Address: _____

Mailing Address: _____

Home Phone _____ Work Phone _____ Cell Phone _____

Please Select One of the Following Options for School/Home Use of Laptop:

- ☐ We request a laptop to be issued for at-school and off-campus use. My usage fee of \$25.00 accompanies this form.
- ☐ We request a laptop to be issued for at-school use only (does not require usage fee).

Signatures

By signing this form, the student and the student's parent/guardian certify we have read the revised Policy ~~3229~~3225/4312/7320-R2, accept its terms and conditions, and will comply with these regulations at all times. Any charges, fines, fees, or legal costs resulting from a student's noncompliance with these regulations, including but not limited to violations of the United States copyright laws, are the sole responsibility of the student and the student's parent/guardian.

Student Signature

Date

Parent/Guardian Signature

Date

(RETURN THIS FORM TO YOUR SCHOOL)

Policy Code: 7360/8225 Crowdfunding

A. General

Crowdfunding is the process of using online sites to solicit donations, whether monetary or in-kind, on behalf of the school system. A crowdfunding campaign is considered to be on behalf of the school system if it uses imagery or language that would lead a reasonable person to believe that (1) the school system is associated with the campaign or (2) the campaign has the purpose or effect of providing resources or a benefit to the school system.

The Board considers crowdfunding a method of fundraising, and as such any crowdfunding project created for the benefit of any Dare County School, classroom, or classroom activity must comply with Policy 5220, Collections and Solicitations, Policy 8220, Gifts and Bequests, and this policy.

B. Individuals Permitted to Fundraise

1. Employees

The Board permits, but does not require, its employees to crowdfund for the benefit of Dare County Schools and its students. Students are permitted to participate in publicizing an employee's approved crowdfunding campaign but are prohibited from otherwise engaging in crowdfunding on behalf of the school system. Employees or students who participate in crowdfunding on behalf of the school system are acting in their capacity as employees or students and are subject to all rules governing employee and student conduct.

An employee is limited to one (1) crowdfunding project per academic semester, and a maximum of two (2) crowdfunding projects per employee per academic year. Failure to comply with this policy will result in a one (1) year suspension from launching a crowdfunding project for the benefit of any Dare County School. Other disciplinary action may be imposed, depending on the employee's conduct or actions.

2. Non-Employees & Other Groups

Any non-employee of Dare County Schools seeking to launch a crowdfunding campaign for the benefit of any Dare County Schools is required to obtain a Dare County Schools employee to sponsor, oversee, and apply for approval for the crowdfunding campaign pursuant to this policy. Any non-employee crowdfunding campaign application that receives approval must comply with all Dare County Schools board policies, including this policy.

Parent organizations, such as PTAs or booster clubs, are subject to and must comply with Policy 5010, Parent Organizations, and are exempt from this policy.

C. Approval Process

Employees may only crowdfund using the platform, **DonorsChoose**, unless otherwise permitted in writing by the school principal and Director of Finance or Director of Finance's designee.

Any employee who wants to crowdfund a project on **DonorsChoose** for the benefit of any Dare County School must submit a proposal of the crowdfunding project to the school principal and the Chief Finance Officer. The employee must obtain prior written approval from both the school principal and Chief Finance Officer before launching the fundraising page, including posting on the platform. The school principal and Director of Finance or Director of Finance's designee have complete discretion in determining which crowdfunding project proposals are approved or denied.

1. Crowdfunding Proposal

A crowdfunding proposal must detail the following:

- i. Project Name;
- ii. Project Description & Purpose, including the classroom, program, or activity to be benefitted and the educational purpose to be served;
- iii. Nature and quantity or amount of donations being requested;
- iv. Terms & Conditions of the crowdfunding platform, (only if not using **DonorsChoose**)
- v. Process for Collecting Donations;
- vi. Project Timeline (start and end dates of the crowdfunding campaign);
- vii. All content to be posted on or used in the crowdfunding project campaign, including narrative, pictures, images, etc.; and
- viii. Statement of recognition by the requester that any proceeds of the campaign are school property.

2. Requirements for Approved Requests

Approval may be given only if all of the following conditions are satisfied:

i. Confidentiality of Student Information

All Board policies and procedures safeguarding the confidentiality of personnel and students (Policy 7315, Confidential Information and Policy

4705/7825, Confidentiality of Personal Identifying Information) must be followed when posting any narrative, pictures, videos, or images of any students or staff.

ii. Pictures and Images

Prior to posting any picture or image of a student or students on a crowdfunding project page, the employee and the school principal must provide students' parent(s) and/or legal guardian(s) with information about the crowdfunding project.

Parents and/or legal guardians must provide prior written consent to have their child's name, picture, image, or any other personally identifiable information used on the crowdfunding page or shared directly with donors.

iii. Crowdfunding projects must conform with Policy 3225/7320, Technology Responsible Use and Policy 7335, Employee Use of Social Media.

iv. Central office personnel and school principals must be granted access and administrator rights to the crowdfunding project page before the crowdfunding project page is launched.

v. Equipment

a) Technology: A crowdfunding project that involves technology equipment of any kind, including any hardware or software, must be reviewed and approved by the Director of Technology Services, prior to applying for project approval. All technology equipment received must be delivered directly to the Director of Technology Services for proper setup and installation.

b) Outdoor Equipment: A crowdfunding project that involves any outdoor equipment (such as playground equipment, gardening equipment, and facility improvements) must be reviewed and approved by Director of Facilities prior to applying for project approval.

vi. Any crowdfunding campaign must comply with all applicable laws and regulations and Board policies.

vii. All donations, monetary and in-kind, must be delivered directly to the school.

viii. No crowdfunding campaign may suggest that the donation sought is required for or integral to a student's special education program, a student's ability to achieve their IEP goals, or the participation of students with disabilities in any school program.

ix. No crowdfunding campaign may request food or beverage items inconsistent with Smart Snack Standards, or nutrition standards set by the United States Department of Agriculture regulations or school system or school policies.

D. Approval and Process for Allocating Donations

1. Approval must be in writing, signed by the school principal and Director of Finance or Director of Finance's designee.

2. Once written approval for a crowdfunding project is obtained from the school principal and Director of Finance or Director of Finance's designee, the crowdfunding project may be launched.

3. All monetary and non-monetary donations (supplies, equipment, etc.) obtained from a crowdfunding project are the property of the Dare County Board of Education, and all accounting and inventory procedures apply to those donations. Any non-monetary donations may be reallocated to any school in the district at the discretion of the school system. Furthermore, every crowdfunding project shall include a statement on the project's page stipulating that any non-monetary donations may be reallocated to any school in the district at the discretion of the superintendent or designee.

4. In the event an employee is transferred, dismissed, or resigns during a school year, any donations organized by that employee shall remain at the school where the employee was at the time the donations were received, unless otherwise reallocated by the Superintendent or designee.

5. The Board reserves the right to modify the use of the donation(s) obtained from a crowdfunding project, if the needs of the students or the school system change.

E. Recordkeeping

A file shall be maintained in the Dare County Schools Fiscal Services Department for any crowdfunding project. This file should include: (1) the crowdfunding project proposal and/or project, (2) the project's written approval, (3) a copy of all postings on the crowdfunding platform, (4) any photos or images posted with the project, and (4) a copy of all agreements and parental permission forms.

At the conclusion of the crowdfunding project, the employee must submit to the school principal and Director of Finance or Director of Finance's designee a written statement within thirty (30) calendar days that provides a description of the items purchased with donations to the campaign, the number of items purchased with donations to the campaign, and how the donations are being used to benefit the Dare County Schools.

137 Records will be stored and maintained in accordance with policy 5070, Public Records –
138 Retention, Release, and Disposition.

139 Cross-references: Technology Responsible Use (policy 3225/7320); Confidentiality of
140 Personal Identifying Information (policy 4705/7825); Parent Organizations (policy 5010);
141 Public Records - Retention, Release, and Disposition (policy 5070); Collections and
142 Solicitations (policy 5220); Confidential Information (policy 7315); Employee Use of
143 Social Media (policy 7335); Gifts and Bequests (policy 8220)

144 Adopted: December 12, 2022

145 [Revised: January __, 2023](#)

146 **Dare County Board of Education**

**DRUG AND ALCOHOL TESTING OF
COMMERCIAL MOTOR VEHICLE OPERATORS**

Policy Code:

7241

The purposes of this policy are to help ensure the safe operation of school vehicles and to comply with federal law and regulations by establishing a comprehensive program for the drug and alcohol testing of school bus drivers and all other commercial motor vehicle operators employed by the board of education.

A. APPLICABILITY

This policy applies to any driver, which for purposes of this policy is defined as any employee, volunteer, or independent contractor whose duties for the board of education require a commercial driver's license under federal law. This includes anyone who regularly or intermittently drives a school bus, an activity bus, a vehicle designed to transport 16 or more people (including the driver), or any other vehicle that meets the definition of commercial motor vehicle under 49 C.F.R. 382.107. Employees who operate vehicles for inspection, service, or maintenance purposes are included in this definition.

B. PROHIBITED ACTS

No driver may:

1. operate any school bus or school activity bus while consuming alcohol or while alcohol remains in the driver's body, in violation of G.S. 20-138.2B;
2. use alcohol while performing safety-sensitive functions;
3. perform safety-sensitive functions within four hours after using alcohol;
4. use alcohol within eight hours following an accident while operating a commercial motor vehicle or until undergoing a post-accident alcohol test, whichever occurs first;
5. report for or remain on duty requiring the performance of safety-sensitive functions when the driver uses any Schedule I drug or substance; or
6. report for or remain on duty requiring the performance of safety-sensitive functions when the driver uses any non-Schedule I drug or substance that is identified in the other federal schedules of controlled drugs, unless such use is pursuant to the instructions of a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that use of the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle.

Safety-sensitive functions include, but are not limited to, inspecting, servicing, or conditioning any commercial motor vehicle; operating any commercial motor vehicle;

participating in or supervising the loading or unloading of a commercial motor vehicle; and repairing, obtaining assistance for, or remaining in attendance upon a disabled vehicle.

In addition, drivers and anyone who supervises drivers must not commit any act prohibited by federal law, including the federal regulation entitled "Controlled Substances and Alcohol Use and Testing" (49 C.F.R. pt. 382, hereinafter referred to as Part 382), or by policy 7240, Drug-Free and Alcohol-Free Workplace.

C. TESTING

The human resources office will carry out pre-employment, post-accident, random, reasonable suspicion, return-to-duty, and follow-up testing for drugs and alcohol as required by Part 382.

Federal regulations prohibit a driver who is tested under the provisions of this section and found to have an alcohol concentration of at least .02 from performing safety-sensitive functions for at least 24 hours following administration of the test. Drivers who are tested under the provisions of this section and found to have any alcohol in their system are subject to additional discipline under this policy, including dismissal.

D. EMPLOYEE AND APPLICANT INQUIRIES

All employees subject to this policy, all employees who would become subject to this policy by virtue of a change or expansion of duties, and all applicants who would be subject to this policy if employed by the board ~~must consent in writing to the release of any information gathered pursuant to Part 382 by any previous employers and~~ must give written or electronic consent to any query by school officials of the federal Commercial Driver's License Drug and Alcohol Clearinghouse ("Clearinghouse") and, where applicable, must consent in writing to the release of any information that the school system is required to obtain from any previous employers under Part 382.

1. Pre-Employment Inquiry

Before employing any applicant subject to this policy, school officials shall ~~obtain, pursuant to the applicant's written consent, all records maintained by the applicant's previous employer regarding violations of Part 382 in the three years prior to the inquiry date. School officials shall also~~ conduct a query of the Clearinghouse, pursuant to the applicant's electronic consent submitted through the Clearinghouse, to obtain any information regarding the applicant's violations of Part 382. If the applicant was subject to an alcohol and controlled substance testing program under the requirements of a U.S. Department of Transportation (DOT) agency other than the Federal Motor Carrier Safety Administration within the previous three years, school officials shall also obtain, pursuant to the applicant's written consent, all records maintained by those DOT-regulated employers that the school system is required to obtain under Part 382.

If school officials obtain information from the applicant's previous employer or from the Clearinghouse that the applicant committed a violation of Part 382 and has not subsequently completed the return-to-duty process required under federal law, the applicant may be disqualified from employment. If the applicant is subject to follow-up testing, has not successfully completed all follow-up tests, and school officials would like to further consider the applicant, school officials shall request the applicant's follow-up testing plan directly from the previous employer.

2. Annual Query

School officials shall conduct a limited query of the Clearinghouse at least once per year for each employee subject to this policy, pursuant to the employee's written or electronic consent, to determine whether information exists about the employee regarding violations of Part 382. If information exists about the employee, school officials shall obtain the information in the Clearinghouse within 24 hours of conducting the limited query, subject to the employee's electronic consent submitted through the Clearinghouse.

E. TRAINING AND EDUCATION

Each driver and supervisory employee, including principals and assistant principals, must be provided with educational materials that inform the employees of drug testing procedures, prohibited acts, consequences, and other aspects of Part 382, this policy, and any accompanying administrative procedures. The information also will identify a school system employee who is responsible for providing information on substance abuse. Each employee must sign a statement certifying his or her receipt of these materials.

Each supervisor who is responsible for overseeing the performance of drivers, including principals and assistant principals, must undergo at least one hour of training concerning alcohol misuse and one additional hour of training concerning drug abuse.

F. REFERRALS

Each driver who commits acts prohibited by Part 382 or G.S. 20-138.2B, other than provisions governing pre-employment testing, will be provided with information concerning resources available for evaluating and resolving drug or alcohol misuse. This information will include the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs.

G. CONSEQUENCES

Employees who have committed a prohibited act; refused any test required by this policy; or otherwise violated this policy, G.S. 20-138.2B, or Part 382 will be subject to disciplinary action, up to and including dismissal.

Any employee who has committed a violation of Part 382 will not be allowed to perform any safety-sensitive functions until the employee has completed the return-to-duty process, including an evaluation by a substance abuse professional, completion of any appropriate treatment designated by the substance abuse professional, and achievement of a negative return-to-duty test. Moreover, if the employee's violation of Part 382 has been reported to the Clearinghouse, the employee may not resume safety-sensitive functions until a query of the Clearinghouse demonstrates that the employee completed the return-to-duty process.

H. PROCEDURES

All procedures for collection and testing provided in the Federal Highway Administration's "Procedures for Transportation Workplace Drug and Alcohol Testing Programs" (49 C.F.R. pt. 40) and all requirements in Part 382, including testing, reporting, record retention, training, and confidentiality, will be followed. Copies of these federal regulations will be readily available. The superintendent shall develop any other procedures necessary to carry out these regulations.

Legal References: 49 U.S.C. 31306; 49 C.F.R. pts. 40, 382; G.S. 20-138.2B

Cross References: Drug-Free and Alcohol-Free Workplace (policy 7240)

Adopted:

Draft B

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6. report for or remain on duty requiring the performance of safety-sensitive functions when the driver uses any non-Schedule I drug or substance that is identified in the other federal schedules of controlled drugs, unless such use is pursuant to the instructions of a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that use of the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle.

Safety-sensitive functions include, but are not limited to, inspecting, servicing, or conditioning any commercial motor vehicle; operating any commercial motor vehicle; participating in or supervising the loading or unloading of a commercial motor vehicle; and repairing, obtaining assistance for, or remaining in attendance upon a disabled vehicle.

In addition, drivers and anyone who supervises drivers must not commit any act prohibited by federal law, including the federal regulation entitled "Controlled Substances and Alcohol Use and Testing" (49 C.F.R. pt. 382, hereinafter referred to as Part 382), or by policy 7240, Drug-Free and Alcohol-Free Workplace.

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Federal regulations prohibit a driver who is tested under the provisions of this section and found to have an alcohol concentration of at least .02 from performing safety-sensitive functions for at least 24 hours following administration of the test. Drivers who are tested under the provisions of this section and found to have any alcohol in their system are subject to additional discipline under this policy, including dismissal.

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If school officials obtain information from the applicant's previous employer or from the Clearinghouse that the applicant committed a violation of Part 382 and has not subsequently completed the return-to-duty process required under federal law, the applicant may be disqualified from employment. Applicants subject to follow-up testing at the time of application shall be disqualified from employment.

2. Annual Query

School officials shall conduct a limited query of the Clearinghouse at least once per year for each employee subject to this policy, pursuant to the employee's written or electronic consent, to determine whether information exists about the employee regarding violations of Part 382. If information exists about the employee, school officials shall obtain the information in the Clearinghouse within 24 hours of conducting the limited query, subject to the employee's electronic consent submitted through the Clearinghouse.

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Legal References: 49 U.S.C. 31306; 49 C.F.R. pts. 40, 382; G.S. 20-138.2B

Cross References: Drug-Free and Alcohol-Free Workplace (policy 7240)

Adopted:

The superintendent shall ensure that all notification and other requirements of the Protection of Pupil Rights Amendment are met, including all legal requirements regarding the surveying of students.

A. SURVEYS INVOLVING PROTECTED TOPICS

1. Definition of Protected Topic

For purposes of this policy, the following are considered a “protected topic”:

- a. political affiliations or beliefs of the student or the student’s parent;
- b. mental or psychological problems of the student or the student’s family;
- c. sex behavior or attitudes;
- d. illegal, anti-social, self-incriminating, or demeaning behavior;
- e. critical appraisals of other individuals with whom respondents have close family relationships;
- f. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- g. religious practices, affiliations, or beliefs of the student or the student’s parent; or
- h. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

2. Rules Regarding Surveys Involving Protected Topics

a. Protection of Student Privacy

The school system will take measures to protect the identification and privacy of students participating in any survey concerning any of the protected topics. These measures may include limiting access to completed surveys and to survey results, as allowed by law.

b. Parental Notification

The school system will notify parents at the beginning of each school year of the specific or approximate dates of administration of surveys concerning the protected topics. Parents have the right to review any survey that

concerns one of the protected topics or any instructional materials used in any such survey.

c. **Parental Consent**

Before a student is required to participate in any Department of Education-funded survey, analysis, or evaluation that reveals information concerning a protected topic, the parent or eligible student must provide prior written consent.

If prior written consent is not mandated for a survey involving a protected topic (because the survey either is not required or is not funded in whole or part by the Department of Education), the parent or eligible student must be given an opportunity to opt out.

B. THIRD PARTY SURVEYS

Parents and eligible students have the right, upon request, to inspect any survey created by a third party before the survey is administered or distributed to a student.

C. COLLECTION OF STUDENT DATA FOR MARKETING PURPOSES

The school system generally will not collect, disclose, or use personal student information for the purpose of marketing or selling the information or otherwise providing the information to others for that purpose. However, in the event the board approves a collection, disclosure, or use of personal student information for one of those purposes, the school system will (1) notify parents at the beginning of each school year of the specific or approximate dates of such collection, disclosure, or use, (2) allow parents to inspect any instrument used to collect the information before the instrument is administered or distributed to a student, and (3) offer the parent the opportunity to opt out of the collection, disclosure, or use of the student's personal information.

The preceding rules for the collection, disclosure, and use of personal student information do not apply if the school system collects, discloses, or uses personal information from students for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students or educational institutions, such as the following:

1. college or other postsecondary education recruitment or military recruitment;
2. book clubs, magazines, and programs providing access to low-cost literary products;
3. curriculum and instructional material used by elementary schools and secondary schools;

4. tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
5. the sale by students of products or services to raise funds for school-related or education-related activities; and
6. student recognition programs.

D. OTHER RELEVANT POLICIES

In addition to this policy, the board, with parental and community input, has developed other policies concerning surveys and related matters as required by the Protection of Pupil Rights Amendment. These policies include: 1310/4002, Parental Involvement; 3210, Parental Inspection of and Objection to Instructional Materials; 4700, Student Records; and 5240, Advertising in the Schools.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, 34 C.F.R. pt. 99; Protection of Pupil Rights Amendment, 20 U.S.C. 1232h; G.S. 115C-36

Cross References: Parental Involvement (policy 1310/4002), Student and Parent Grievance Procedure (policy 1740/4010), Parental Inspection of and Objection to Instructional Materials (policy 3210), Student Discipline Records (policy 4345), Student Records (policy 4700), Advertising in the Schools (policy 5240)

Adopted:

New Business

DATE: February 13, 2023

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

AGENDA ITEM: First Reading of Proposed Policy Manual Updates

BACKGROUND INFORMATION:

The North Carolina School Boards Association and Poyner Spruill, LLC provide regular updates to policies which have undergone revision based on changes to legal requirements or cross references. The Board of Educations' Policy Team then meets monthly to review and make recommendations to update existing policies, as permitted, based on local implementation and feedback. The policies listed below are being presented to the entire Board for first reading and consideration.

- **Revised Policy 3101: Dual Enrollment**
 - Revised to allow for dual enrollment of home school students.
- **Revised Policy 3102: Online Instruction**
 - Revised to reflect that home school students must take at least one course on campus each semester to be eligible to participate in athletics.
 - The revision also adds a "remote learning" section allowing the superintendent to temporarily transition the schools to remote learning, which may be useful to have during hurricane season.
- **Revised Policy 3460: Graduation Requirements**
 - Revised to note that part time home school students will receive a diploma from their home school, not the Dare County School where they are only enrolled part time.
- **Revised Policy 4120: Domicile and Residence Requirements**
 - Revised to tighten up verification of domicile requirements to help ensure that students attend the assigned school where they are domiciled.
- **Revised Policy 4150: School Assignment**
 - Revised to align the Dare policy with PLS, to align Dare's appeal process with state law, and to permit administrative assignment, which could be used to administratively assign home school students to less crowded schools as part of "the effective administration of the schools."
- **Revised Policy 4400: Attendance**
 - Updated to include attendance requirements for part time home school students.
- **Revised Policy 4130: Discretionary Admission**
 - Revised at administration's request to provide for discretionary admission for the children of nurses and school resource officers working full-time in Dare County Schools
 - Revised to clarify that the school board has final approval of discretionary admissions decisions

- **Revised Regulation 4130-R: DCS Discretionary Admission Regulations**
 - Revised to correct typographical error
 - Revised to clarify that the school board has final approval of discretionary admissions decisions
- **Revised Policy 4135: Tuition for Discretionary Admissions**
 - Revised to waive tuition requirement for the children of nurses and school resource officers working full-time in Dare County Schools who have been admitted under Policy 4130
- **Revised Student Code of Conduct**
 - Revised at administration's request to separate the sale/distribution of tobacco from the sale/distribution of controlled substances violation

RECOMMENDATION

This is the first reading. No action is required at this time.

Policy Code: 3101 Dual Enrollment

In its effort to provide a rigorous expanded curriculum that will adequately prepare students for future educational and workplace endeavors, the board will support high school students who also wish to enroll in classes taught by a college, university, community college, or other approved entity in accordance with the requirements of this policy, state law, and State Board of Education policy.

A. Career and College Promise

The Career and College Promise program is designed to offer qualified high school students structured dual enrollment opportunities that provide both entry-level job skills as well as pathways leading to a certificate, diploma, or degree.

The board, in collaboration with local community colleges, may provide for dual enrollment of a qualified high school student in community college courses through (1) a Career and Technical Education Pathway leading to a job credential, certificate, or diploma aligned with one or more high school Career Clusters or (2) a College Transfer Pathway leading to college transfer credits.

The board may also partner with institutions of higher education to establish cooperative innovative high school programs that enable a student to concurrently obtain a high school diploma and (1) begin or complete an associate degree program, (2) master a certificate or vocational program, or (3) earn up to two years of college credit within five years. Students are eligible for these programs beginning in ninth grade.

The superintendent shall develop procedures consistent with this policy, state law, and State Board policies.

B. Other College Courses

The superintendent shall develop procedures and requirements for awarding high school credit toward graduation upon request to students who self-enroll in courses taught by a college, university, community college, or other approved entity. Credit toward graduation will be granted only for courses that are consistent with the policies and standards of the school system and State Board requirements, including the requirements of State Board of Education Policy [CCRE-001](#), which defines "Course for Credit."

The principal must approve the course in advance. Prior to granting approval, the principal shall determine whether the course is eligible for credit toward graduation in accordance with the procedures and requirements developed by the superintendent.

The parent or guardian of the student must give permission for the student to take the course, and the student must complete any forms required by the school system.

Enrollment of a student in a course is the responsibility of the student and the student's parent or guardian. Unless otherwise provided, all special fees and charges and any special transportation needs are the responsibility of the student and the student's parent or guardian.

For a student to receive credit toward high school graduation, the school at which the course is offered must provide such essential information as is generally included in official transcripts of school records. This information must include:

(1) a description of the content and subject matter covered by the course;

(2) the number of clock hours of instruction in the course; and

(3) the student's achievement or performance level in the course.

In addition, a syllabus that includes course goals, course objectives, course activities, and grade requirements must be provided.

The student also must meet any other requirements established by the superintendent.

C. Other Approved Entities

The superintendent shall develop procedures for reviewing requests for students wishing to enroll part-time with other approved entities. Requests for enrollment of students enrolled in approved home schools who wish to enroll in the Dare County Schools on a part-time basis shall be reviewed in accordance with policy 3105, Part-Time Admission of Home School Students.

Legal References: G.S. 115C art. 16 pt. 9; 115C-36, -47; 115D-5(b), -20(4); S.L. 2011-145 sec. 7.1A(a), 7.1A(b), 7.1A(c), 7.1A(k); State Board of Education Policies CCRE-001, GRAD-004

Cross References: Curriculum Development (policy 3100), Part-Time Admission of Home School Students (policy 3105).

Adopted: June 11, 2019, Revised: Jan. , 2023.

Policy Code: 3102 Online Instruction and Independent Studies

The board recognizes that online instruction is a valuable tool for affording students extended educational options. Likewise, independent studies can provide personalized learning for students. The board will provide opportunities for students to participate in online instruction to the extent that it is academically and financially prudent.

School guidance counselors shall advise students on North Carolina Virtual Public School courses and other online or independent studies courses which meet State board of Education Policy [CCRE-001](#) guidelines and are available for credit. Enrollment in an online for credit course will count toward satisfying board requirements related to minimum instructional days, seat time policies, student attendance, and athletic and/or extracurricular obligations, except that dually enrolled home school students must take at least one on-campus course per semester to be eligible to participate in athletics.

A student, with the principal's prior approval, may enroll in an online course or independent studies course with assistance from the school the school counselor. The principal shall designate a guidance counselor or other staff member at the school to serve as the online advisor, who will be responsible for coordinating the enrollment of students in online courses, monitoring students' progress in those courses, and supervising any required testing. In addition, the principal shall ensure that the online advisor implements a plan for supporting credit recovery students throughout the semester.

A current member of the faculty must be assigned to monitor the student enrolled in an independent study course.

The superintendent shall develop regulations consistent with State Board of Education requirements and this policy for students enrolling in online instruction.

B. Remote Learning

When warranted by exigent circumstances and approved by the superintendent, schools may temporarily transition to remote instruction if permitted by law. Board policies remain in effect during periods of remote learning, except that the board reserves the right to deviate from any policy when adherence is impossible or impractical under the circumstances and the deviation is not inconsistent with law. To the extent practicable or when required by law, affected employees, students, and parents or guardians will be notified of the change in advance.

Legal References: G.S. 115C-238.79 State Board of Education Policy [CCRE-001](#)

Cross References: Dual Enrollment (policy 3101)

36 Adopted: June 11, 2019

37 Revised: January 14, 2020

38 Revised: January __, 2023

39

Dare County Board of Education

Policy Code: 3460 Graduation Requirements

The board recognizes the importance of setting rigorous graduation requirements to help ensure that students are receiving an education that will prepare them to be career and college ready and productive members of society.

~~Beginning in 2020-2021, students entering ninth grade will be required to complete the following to meet graduation standards~~In order to graduate from high school, students must meet the following requirements:

- ~~1. Students entering ninth, tenth, and eleventh grade in 2022-2023 must successfully complete 26 [ACI] course credits. Students entering twelfth grade in 2022-23 Students entering tenth grade in 2020-2021 will be required to must successfully complete 25 course credits to graduate, and students entering eleventh or twelfth grade in 2020-2021 will be required to successfully complete 24 course credits to graduate.~~
2. Pass the required courses for the Future-Ready Core Course of Study or meet the requirements of the Future Ready Occupational Course of Study. (Section A)
3. Successfully complete cardiopulmonary resuscitation (CPR) instruction.

The principal shall ensure that students and parents are aware of all graduation requirements. Guidance program staff shall assist students in selecting their high school courses to ensure that students are taking all of the required units and selecting electives consistent with their post-graduation plans. For students who have transferred to the school system during high school or who, for other reasons, have completed course work outside of the school system, the principal shall determine what course work will be applied as credit toward graduation. The principal shall consider the requirements of the Interstate Compact on Educational Opportunity for Military Children (G.S. 115C-407.5), G.S. 115C-407.12, and the requirements of subsection C.3 of this policy in determining the graduation requirements for children of military families.

A. Course Units Required

All students must fulfill the course unit requirements of the Future-Ready Core Course of Study, unless they are approved for the Future-Ready Occupational Course of Study. The tables below list the course unit requirements for the Future-Ready Core Course of Study and the Future-Ready Occupational Course of Study based on the student's year of entry into ninth grade for the first time.

In accordance with policy 3101, Dual Enrollment, and State Board of Education requirements, students may earn high school credit for college courses completed. In addition, students may earn credit for certain high school courses in the Future-Ready Core Course of Study completed while in middle school, as authorized by the State Board of Education. Students also have the opportunity to

meet course unit requirements without completing the regular period of classroom instruction by demonstrating mastery of the course material in accordance with policy 3420, Student Promotion and Accountability, and State Board of Education requirements.

All awards of high school course credit must be consistent with State Board of Education requirements. Any inconsistency between board policy and State Board graduation requirements will be resolved by following the State Board requirements. While the board endeavors to keep its policy up to date with current State Board of Education graduation requirements, students should verify current requirements with their guidance counselors when planning course schedules or making other decisions based on graduation requirements.

1. Future-Ready Core Course of Study Credits Required for students entering ninth grade during the 2021-22 school year or thereafter

Courses Required*	State Requirements
English	4 sequential (English I, II, III, and IV)
Mathematics	4 (NC Math 1, 2, and 3 and a fourth math course aligned with the student's post-high school plans.)** (A principal may exempt a student from this math sequence. Exempt students will be required to pass NC Math 1 and 2 and two other application-based math courses or selected CTE courses, as identified on the NC DPI math options chart.)***
Science	3 (a physical science course, Biology, and earth/environmental science)
Social Studies	4 (including World History, Founding Principles of the United States of America and North Carolina: Civic Literacy, American History, and Economics and Personal Finance) †
Health/P.E.	1
Electives	6 (2 electives must be any combination of Career and Technical Education, Arts Education, or World Language; 4 must be from one of the following: Career and Technical Education, J.R.O.T.C., Arts Education, or any other subject area or cross-disciplinary course. A four-course concentration is recommended.)±
Total Credits	22

* Certain International Baccalaureate (IB), Advanced Placement (AP), and Cambridge International Examination (CIE) courses will satisfy specific graduation requirements. See SBE Policy [GRAD-008](#).

** Students who are learning disabled in math may have other options for meeting the four mathematics credits requirement. See DPI memo

of August 24, 2016 available at <http://bit.ly/DPIMemo>, and the math options chart linked below.

*** Students seeking to complete minimum course requirements for UNC universities must complete four mathematics courses, including a fourth math course with Math 3 as a prerequisite. The math options chart is available at <https://sites.google.com/dpi.nc.gov/k-12-mathematics/resources/hs-mathematics/math-options-charts?authuser=0>.

† The founding principles courses, American History: Founding Principles, Civics and Economics and Founding Principles of the United States of America and North Carolina: Civic Literacy, must follow the North Carolina Standard Course of Study (NCSCOS) in its entirety and may not be satisfied by any other courses, except as provided in SBE Policy GRAD-008.

± Students seeking to complete minimum course requirements for UNC universities must complete two credits of a single world language.

2. Future-Ready Core Course of Study Credits Required for Students Entering Ninth Grade for the First Time before 2020-2021

Courses Required*	State Requirements
English	4 sequential (English I, II, III, and IV)
Mathematics	4 (NC Math 1, 2, and 3 and a fourth math course aligned with the student's post-high school plans.)** (A principal may exempt a student from this math sequence. Exempt students will be required to pass NC Math 1 and 2 and two other application-based math courses or selected CTE courses, as identified on the NC DPI math options chart.)***
Science	3 (a physical science course, Biology, and earth/environmental science)
Social Studies	4 (including: (1) a founding principles course which shall be either American History: Founding Principles, Civics and Economics or Founding Principles of the United States of America and North Carolina: Civic Literacy;† (2) two American history courses which shall be either (a) American History I and II, (b) American History I or II and another Social Studies course, or (c) American History and another Social Studies course; and (3) World History)
Health/P.E.	1
Electives	6 (2 electives must be any combination of Career and Technical Education, Arts Education, or World Language; 4 must be from one of the following: Career and Technical Education, J.R.O.T.C., Arts

	Education, or any other subject area or cross-disciplinary course. A four-course concentration is recommended.) [±]
Total Credits	22

74 * Certain International Baccalaureate (IB), Advanced Placement (AP),
75 and Cambridge International Examination (CIE) courses will satisfy
76 specific graduation requirements. See SBE Policy [GRAD-008](#).

77 ** Students who are learning disabled in math may have other options
78 for meeting the four mathematics credits requirement. See DPI memo
79 of August 24, 2016 available at <http://bit.ly/DPIMemo>.

80 *** Students seeking to complete minimum course requirements for
81 UNC universities must complete four mathematics courses, including a
82 fourth math course with Math 3 as a prerequisite. The math options
83 chart is available at <https://sites.google.com/dpi.nc.gov/k-12-mathematics/resources/hs-mathematics/math-options-charts?authuser=0>.
84
85

86 † The founding principles courses, American History: Founding
87 Principles, Civics and Economics and Founding Principles of the
88 United States of America and North Carolina: Civic Literacy, must
89 follow the North Carolina Standard Course of Study (NCSCOS) in its
90 entirety and may not be satisfied by any other courses.

91 [±] Students seeking to complete minimum course requirements for UNC
92 universities must complete two credits of a single world language.

93 3. Future-Ready Core Course of Study Credits Required for Students Entering
94 Ninth Grade for the First Time in 2020-2021

Courses Required*	State Requirements
English	4 sequential (English I, II, III, and IV)
Mathematics	4 (NC Math 1, 2, and 3 and a fourth math course aligned with the student's post-high school plans.)** (A principal may exempt a student from this math sequence. Exempt students will be required to pass NC Math 1 and 2 and two other application-based math courses or selected CTE courses, as identified on the NC DPI math options chart.)***
Science	3 (a physical science course, Biology, and earth/environmental science)

Social Studies	4 ((including: (1) a founding principles course which shall be either American History: Founding Principles, Civics and Economics or Founding Principles of the United States of America and North Carolina: Civic Literacy; [†] (2) an American History course which shall be either (a) American History I, (b) American History II, or (c) American History; (3) World History; [±] and (4) Economics and Personal Finance [^])
Health/P.E.	1
Electives	6 (2 electives must be any combination of Career and Technical Education, Arts Education, or World Language; 4 must be from one of the following: Career and Technical Education, J.R.O.T.C., Arts Education, or any other subject area or cross-disciplinary course. A four-course concentration is recommended.) [‡]
Total Credits	22

* Certain International Baccalaureate (IB), Advanced Placement (AP), and Cambridge International Examination (CIE) courses will satisfy specific graduation requirements. See SBE Policy [GRAD-008](#).

** Students who are learning disabled in math may have other options for meeting the four mathematics credits requirement. See DPI memo of August 24, 2016 available at <http://bit.ly/DPIMemo>.

*** Students seeking to complete minimum course requirements for UNC universities must complete four mathematics courses, including a fourth math course with Math 3 as a prerequisite. The math options chart is available at <https://sites.google.com/dpi.nc.gov/k-12-mathematics/resources/hs-mathematics/math-options-charts?authuser=0>.

[†] The founding principles courses, American History: Founding Principles, Civics and Economics and Founding Principles of the United States of America and North Carolina: Civic Literacy must follow the North Carolina Standard Course of Study (NCSCOS) in its entirety and may not be satisfied by any other courses, except as provided in SBE Policy GRAD-008. See also SBE Policies [CCRE-001](#) and [GRAD-004](#).

[±] It is strongly recommended that students take World History in the first year of their high school Social Studies course sequence due to the nature of the adoption of the new Social Studies Standard Course of Study effective in 2021-2022.

[^] This course, at a minimum, must include the standards established by the second edition of the Voluntary National Content Standards in

120 Economics and the 2013 National Standards for Financial Literacy, as
 121 developed by the Council for Economic Education.

122 ‡ Students seeking to complete minimum course requirements for
 123 UNC universities must complete two credits of a single world language.

124 4. Future-Ready Occupational Course of Study Credits Required for
 125 Students Entering Ninth Grade prior to 2020-2021 (only available to certain
 126 students with disabilities who have an IEP)

Courses Required	State Requirements
English	4 (including English I, II, III, and IV)
Mathematics	3 (including Introduction to Math, NC Math I, and Financial Management)
Science	2 (including Applied Science and Biology)
Social Studies	2 (including American History I and American History II* OR (1) American History: Founding Principles, Civics and Economics or Founding Principles of the United States of America and North Carolina: Civic Literacy; and (2) American History I or American History II or American History)**
Health/P.E.	1
Career/Technical	4 (Career/Technical Education electives)
Occupational Preparation	6 (including Occupational Preparation I, II, III, and IV, which require 150 hours of school-based training, 225 hours of community-based training, and 225 hours of paid employment***)
Electives	0
Other Requirements	<ul style="list-style-type: none"> • Completion of IEP objectives • Career Portfolio
Total Credits	22

127 * Applicable only to students entering the ninth grade for the first time
 128 prior to 2017-18.

129 ** Applicable only to students entering the ninth grade for the first time
 130 between 2017-2018 and 2019-2020.

131 *** Paid employment is the expectation; however, when paid
 132 employment is not available, 225 hours of unpaid vocational training,
 133 unpaid internship experience, paid employment at community
 134 rehabilitation facilities, and volunteer and/or community service hours
 135 may substitute for 225 hours of paid employment.

5. Future-Ready Occupational Course of Study Credits Required for Students Entering Ninth Grade for the First Time in 2020-2021 (only available to certain students with disabilities who have an IEP)

Courses Required	State Requirements
English	4 (including English I, II, III, and IV)
Mathematics	3 (including Introduction to Math, NC Math I, and Financial Management)
Science	2 (including Applied Science and Biology)
Social Studies	2 (including Founding Principles of the United States of America and North Carolina: Civic Literacy and Economics and Personal Finance)
Health/P.E.	1
Career/Technical	4 (Career/Technical Education electives)
Occupational Preparation	6 (including Occupational Preparation ^[AC2] I, II, III, and IV, which require 150 hours of school-based training, 225 hours of community-based training, and 225 hours of paid employment*)
Electives	0
Other Requirements	<ul style="list-style-type: none"> • Completion of IEP objectives • Career Portfolio
Total Credits	22

* Paid employment is the expectation; however, when paid employment is not available, 225 hours of unpaid vocational training, unpaid internship experience, paid employment at community rehabilitation facilities, and volunteer and/or community service hours may substitute for 225 hours of paid employment.

B. High School End-of-Course and Other Testing

High school students must take all end-of-course (EOC) tests, Career and Technical Education (CTE) State Assessments required by the State Board of Education [and pursuant to policy 3410, Testing and Assessment Program](#).

C. Special Circumstances

The board adopts the following policies with regard to graduation.

1. Honor Graduates

Honor graduates may be designated by principals on the basis of criteria established by the superintendent. Recognition of honor graduates may be included in graduation programs.

2. Students with Disabilities

Graduation requirements must be applied to students with disabilities to the extent required by state and federal law and State Board policy.

3. Children of Military Families

In order to facilitate the on-time graduation of children of military families, as defined in policy 4050, Children of Military Families, the board adopts the following policy provisions for children of military families. ~~students to whom the Interstate Compact on Educational Opportunity for Military Children applies.~~

a. Waiver Requirements

Specific course work required for graduation will be waived if similar course work has been satisfactorily completed in another school system. If a waiver is not granted, school administrators shall provide the student with reasonable justification for the denial. If a waiver is not granted to a student who would qualify to graduate from the sending school, the superintendent or designee shall provide the student with an alternative means of acquiring the required course work so that the student may graduate on time.

b. Testing Requirements for Graduation

The superintendent shall accept the following in lieu of any local testing requirements for graduation: (1) the end-of-course exams required for graduation from the sending state; (2) national norm-referenced achievement tests; or (3) alternative testing. If these alternatives are not feasible for a student who has transferred in his or her senior year, subsection c below will apply.

c. Transfers During Senior Year

If a child of a military family who has transferred at the beginning of or during his or her senior year is ineligible to graduate from the school system after all of the alternatives listed above have been considered and the student meets the graduation requirements at his or her sending school, then school officials from the school system shall collaborate with the sending school system to ensure that the student will receive a diploma from the sending board of education.

4. Early Graduation

Graduation prior to that of one's class may be permitted on the basis of criteria approved by the board upon recommendation by the superintendent.

5. Graduation Certificates

Graduation certificates will be awarded to eligible students in accordance with the standards set forth in State Board policy [GRAD-010](#).

6. Diploma Endorsements

Students have the opportunity to earn one or more of the following diploma endorsements identifying a particular area of focused study: (1) Career Endorsement, (2) College Endorsement (two options), (3) North Carolina Academic Scholars Endorsement, and/or (4) a Global Languages Endorsement. No endorsement is required to receive a diploma.

7. Home School Students Enrolled on a Part-Time Basis

Students enrolled in the Dare County Schools on a part-time basis at the time of graduation shall receive a diploma from the active home school registered with the North Carolina Division of Non-Public Education in which they are enrolled.

Legal References: [G.S. 115C-12](#)(40), [-47](#), [-81.25](#)(c)(10)(c), [-81.45](#)(d), [-81.65](#), [-174.11](#), [-276](#), [-288](#), [-407.5](#); State Board of Education Policies [CCRE-001](#), [GRAD-004](#), [GRAD-007](#), [GRAD-008](#), [GRAD-010](#), [TEST-003](#)

Cross References: Goals and Objectives of the Educational Program (policy 3000), Dual Enrollment (policy 3101), [Part-Time Admission of Home School Students \(policy 3105\)](#), Testing and Assessment Program (policy 3410), Student Promotion and Accountability (policy 3420), Citizenship and Character Education (policy 3530), Children of Military Families (policy 4050)

Adopted: December 9, 1997

Revised: June 9, 2020

Revised: December 8, 2020

Revised: February 9, 2021

[Revised: Jan. ____, 2023](#)

Policy Code: 4120 Domicile or Residence Requirements

A student who is domiciled within the geographic area served by the school system, who is under age 21 (22 for students entitled to special education services), who has not completed the prescribed courses for high school graduation and who otherwise qualifies for admission, is entitled to be admitted without payment of tuition. Under certain circumstances specified by law, a student who resides in the area served by the school system and who otherwise qualifies for admission to its schools also is entitled to be admitted without payment of tuition. In addition, students who are homeless or in foster care may be entitled to continue attending their school of origin without payment of tuition regardless of a change in their domicile or residency status.

Children with disabilities are required to meet state domicile requirements to be entitled to admission to school without payment of tuition unless they are “grandfathered” into the system under subsection C.5, below, or unless they otherwise meet one of the circumstances that entitle them to admission without payment of tuition. (See Section C, below.)

A. Domicile and Residence Defined

Domicile requires the intent to abandon one’s prior home and remain in the new location as a permanent home for an indefinite period. In contrast, a residence need not be one’s exclusive home and does not require an intention that the residence be the permanent home.

B. Meeting Domicile Requirements

1. Domicile of Students Generally

The domicile of a student under 18 years of age is presumed to be the domicile of his or her parents, legal guardian, or legal custodian as defined by the General Statutes of North Carolina.

2. Domicile of Emancipated Students

If a student is at least 18 years of age, is married, or has been abandoned by his or her parents, or if the court declares a student to be emancipated, the student may establish a domicile independent from that of his or her parents, legal guardian, or legal custodian. A student who establishes domicile as a result of being emancipated is a domiciliary of the school system and is entitled to the same rights and privileges of other students domiciled in the school system.

3. Domicile of Students with Divorced or Separated Parents

Domicile for the purpose of school admission and assignment will be determined by the following criteria.

a. In the event that a student's parents are divorced or separated and physical custody has been given to only one parent, the student's domicile follows that of the parent who has been granted physical custody.

b. If physical custody has not been determined or has been granted jointly to both parents, or if the custodial parent wishes the student to attend school in the non-custodial parent's system of residence, then the parents must jointly agree on which residence will be used to determine the student's domicile. The selected residence must be submitted in writing to the superintendent.

c. The selection may not be changed during the school year unless the parents satisfy the board's policies on transfers and releases.

d. In the event that the parents cannot agree on which residence will be used to determine the student's domicile for school assignment purposes, school officials shall assign the student according to the residence of the parent with physical custody of the student at the beginning of each school year.

C. Meeting Residence Requirements

A student who resides in the system in any of the following circumstances will be admitted without payment of tuition.

1. The student is homeless as defined in state and federal law and policy 4125, Homeless Students. A student living with a friend or relative is not a homeless student unless he or she lives there due to conditions that constitute homelessness under state and federal statutes. A homeless student will be assigned in accordance with policy 4125, Homeless Students.

2. The parent, guardian, or legal custodian residing in the school system attendance area is a student, employee, or faculty member of a college or university or is a visiting scholar at the National Humanities Center.

3. The student resides in a group home, foster home, or other similar facility or institution.

4. The student resides in a pre-adoptive home following placement by a county department of social services or a licensed child-placing agency.

5. The parent, guardian, or legal custodian residing in the school system attendance area is on active military duty and is assigned by official military order to a military installation or reservation in North Carolina.

6. The student is considered a child with a disability by the General Statutes and the North Carolina *Policies Governing Services for Children with Disabilities* and the child was (a) enrolled in the school system on the last day of school for the 2006-07 school year or (b) enrolled in and attending a school in the school system on August 1, 2007, for the 2007-08 school year, so long as the child lives within and is continuously enrolled in the system.

7. The student resides with an adult who is a domiciliary of the school system as a result of any of the following.

a. The death, serious illness, or incarceration of the child's parent or legal guardian.

b. The abandonment by the child's parent or legal guardian of the complete control of the student as evidenced by the failure to provide substantial financial support and parental guidance.

c. Abuse or neglect by the parent or legal guardian.

d. The physical or mental condition of the parent or legal guardian is such that he or she cannot provide the student with adequate care and supervision.

e. The relinquishment of physical custody and control of the student by the student's parent or legal guardian upon the recommendation of the department of social services or the Division of Mental Health.

f. The loss or uninhabitability of the student's home as the result of a natural disaster.

g. The parent or legal guardian is one of the following: (1) a member or veteran of the uniformed services who is severely injured and medically discharged or retired (but only for a period of one year after the medical discharge or retirement of the parent or guardian); or (2) a member of the uniformed services who has died while on active duty or as a result of injuries sustained on active duty (but only for a period of one year after the death of the parent or guardian). Assignment under this subsection is only available if some evidence of the medical discharge, retirement, or death is tendered with the affidavits required under [G.S. 115C-366](#).

h. The parent or legal guardian is on active military duty, not including periods of active duty for training for less than 30 days, and the commanding officer of the parent or legal guardian provides in a signed letter that the parent or legal guardian's military orders prevent him or her from physically residing with the student. Assignment under this subsection is only available if the signed letter from the commanding officer is included with the affidavits required under [G.S. 115C-366](#), and the commanding officer indicates the time period that such military orders will be in effect.

In order to be admitted under this provision, the student may not be currently under a term of suspension or expulsion from a school for conduct that could have led to a suspension or an expulsion from the local school administrative unit, unless the student is identified as eligible for special education and related services under the Individuals with Disabilities Education Act, [20 U.S.C. 1400](#), *et seq.*, and evidence of such eligibility is tendered with the affidavits described below.

The adult with whom the student resides and the student's parent, guardian, or legal custodian, if available, must complete and sign separate affidavits available from the superintendent's office attesting to information required by [G.S. 115C-366](#)(a3). If it is found that a person willfully and knowingly provided false information in the affidavit, the maker of the affidavit will be guilty of a Class 1 misdemeanor and will pay to the board an amount equal to the cost of educating the student during the period of enrollment. Repayment will not include state funds.

D. Verification of Address and Residence

The address and residence of each student enrolled in a Dare County School shall be verified. The principal of each school or designee shall have responsibility for ascertaining and verifying the legal residence of each student attending the principal's school.

The parent or legal guardian must provide the school with a sworn affidavit stating the student's address and legal residence and accompany said affidavit with the following items as verification of their address. The parent or legal guardian's valid photo ID or driver's license is required.

Choose one of the following items if the photo ID or driver's license matches the street or road address. Choose two of the following items if the photo ID or driver's license does not match the street or road address.

1. Property tax records which indicate the street or road address location of the residence;

143 2. Copy of lease or copy of deed to property which indicates the street or
144 road address of the property;

145 3. Copy of current utility bill in the name of the parent showing residence
146 address (electric, gas, water, or cable);

147 4. Copy of voter registration form showing street or road residence address;
148 or

149 5. Copy of automobile registration showing street or road address.

150 If the parent or guardian cannot provide a valid photo ID, driver's license, or the
151 above listed items, the principal or designee may verify a student's address and
152 residence by obtaining both (1) a sworn affidavit stating the student's address and
153 legal residence, and (2) an affidavit by designated school district official setting
154 forth that the address and residence has been verified by such designated school
155 district official based on a personal visit by such school district official to the
156 residence.

157 **E. Remote Enrollment of Children of Military Families**

158 A student who is not domiciled in the school system attendance area is permitted
159 to enroll by remote means, including electronic means, prior to commencement of
160 the student's residency in the school system attendance area if all of the following
161 apply.

162 1. The student's parent or legal guardian is on active military duty and is
163 transferred or pending transfer pursuant to an official military order to a
164 military installation or reservation in North Carolina.

165 2. Upon request by the school system, the parent or legal guardian provides
166 a copy of the official military order transferring to the military installation or
167 reservation.

168 3. The parent or legal guardian completes and submits the school system's
169 enrollment forms and documentation, except that proof of residency and
170 documentation related to disciplinary actions required under policy 4115,
171 Behavior Standards for Transfer Students, will not be required until the
172 student transfers into the school system.

173 The school system will make available to a student who registers to enroll
174 pursuant to this section the same opportunities available to a domiciled student,
175 such as requesting or applying for school assignment, registering for courses, and
176 applying for any other programs that require additional request or application. A
177 student enrolled pursuant to this section may not attend school until proof of
178 residency is provided.

E.F. Participation in JROTC by Home School Students

A home school student who resides within the assignment area of a school that maintains a Junior Reserve Officers' Training Corps (JROTC) unit shall be permitted membership in the JROTC unit of the school without regard to domicile if the student is otherwise qualified for membership but for lack of enrollment in the school.

GF. Students Participating in the North Carolina Address Confidentiality Program

In determining whether a student meets the domicile or residence requirements of this policy, school personnel shall consider the actual address of a participant in the North Carolina Address Confidentiality Program established by [G.S. Chapter 15C](#), but such address will remain confidential in accordance with law and policy 4250/5075/7316, North Carolina Address Confidentiality Program.

HG. Appeal of Admission Decisions

Within 10 working days of receiving all of the information required under this policy, the superintendent or designee shall provide a written decision to the applicant for admission to the school system. The superintendent's decision regarding admission of the student may be appealed to the board in accordance with subsection E.5 in policy 1740/4010, Student and Parent Grievance Procedure.

Legal References: [10 U.S.C. 2031\(g\)](#); Elementary and Secondary Education Act, [20 U.S.C. 6303](#) *et seq.*; Individuals with Disabilities Education Act, [20 U.S.C. 1400](#) *et seq.*, [34 C.F.R. pt. 300](#); McKinney-Vento Homeless Assistance Act, [42 U.S.C. 11431](#) *et seq.*; *Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care*, U.S. Department of Education and U.S. Department of Health and Human Services (June 2016); *Non-Regulatory Guidance on Education for Homeless Children and Youths Program*, U.S. Department of Education (July 2016); [G.S. 7B art. 35](#); [35A art. 6](#); [15C-8\(i\)](#); [50-13.1 to -13.3](#); [115C-106.2](#), [-106.3](#), [-107.6](#), [-108.1\(a\)](#), [-366](#), [-407.5](#); *Policies Governing Services for Children with Disabilities*, State Board of Education Policy [EXCP-000](#), available at <http://ec.ncpublicschools.gov/policies/nc-policies-governing-services-for-children-with-disabilities>

Cross References: Student and Parent Grievance Procedure (policy 1740/4010), Children of Military Families (policy 4050), Behavior Standards for Transfer Students (policy 4115), Homeless Students (policy 4125), North Carolina Address Confidentiality Program (policy 4250/5075/7316)

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217 Revised: February 9, 2010

218 Revised: January 11, 2011

219 Revised: October 9, 2012

220 Replaced: February 8, 2022

221 [Revised: January ____, 2023](#)

222 **Dare County Board of Education**

Policy Code: 4150 School Assignment

A. Assignment Areas

The superintendent will recommend to the board school assignment areas for the schools in the district.

The assignment areas will be developed in accordance with ~~state requirements and court rulings~~applicable legal requirements; the need to serve all school-age children who live in the school district; and the effective use of each school. Assignments will be made in a non-discriminatory manner.

The superintendent will review periodically the ~~attendance~~assignment areas and submit recommendations for revisions to the board when necessary.

B. Assignment of Students

The superintendent or designee will assign students to particular schools ~~based upon the established assignment areas~~in accordance with the following standards. ~~Notwithstanding the provisions of this policy, the superintendent will assign homeless students in a manner consistent with state and federal law and policy 4125, Homeless Children.~~

~~Students who are participating in or whose parent is participating in the North Carolina Address Confidentiality Program established by G.S. Chapter 15C will be assigned on the basis of their actual address, but such address will remain confidential in accordance with law.~~

1. Students Admitted Based on Domicile

Except as otherwise provided in this policy, students admitted to the school system based on domicile will be assigned to the school of the appropriate grade span within the assignment area of the student's domicile (or residence location if the student is exempted from the domicile requirement, as described in policy 4120, Domicile or Residence Requirements).

2. Students Accepted for Discretionary Admission

Students who are accepted for discretionary admission under policy 4130, Discretionary Admission, will be assigned to a school by the superintendent or designee.

3. Homeless Students and Students in Foster Care

Notwithstanding any other provisions of this policy, the superintendent or designee shall (1) assign homeless students in a manner consistent with state and federal

law and policy 4125, Homeless Students; and (2) assign students in foster care to their school of origin unless contrary to their best interest, as required by federal law.

4. Students Participating in the Address Confidentiality Program

Students who are participating in or whose parent is participating in the North Carolina Address Confidentiality Program established by G.S. Chapter 15C will be assigned on the basis of their actual address, but such address will remain confidential in accordance with law.

5. Students with Disabilities

Students with disabilities receiving services under an Individualized Education Program (IEP) or Section 504 plan will be assigned to schools in accordance with this policy unless the superintendent or designee determines the student needs a different assignment to provide access to a program or service required under the IEP or Section 504 plan, as determined by the student's IEP or Section 504 team.

6. Administrative Assignment

The superintendent or designee may administratively assign a student to a school other than the one to which the student would otherwise be assigned under this policy when deemed in the best interest of the student and/or the effective administration of the schools, such as for reasons related to student safety, discipline, or programmatic issues, or when required by law.

7. Assignment to Alternative Program or School

Students will be assigned to an alternative education program or school in accordance with policy 3470/4305, Alternative Schools/Learning Programs.

C. Requests for Reassignment

Before Notice of Assignment

~~Before notice~~A parent or guardian who is given of dissatisfied with a school assignment for may request reassignment to a different school as provided below. The superintendent or designee shall have the following school year (at or about June 11 or earlier if attendance lines are being changed), authority to approve or deny requests for reassignment for satisfactory reasons as established by the superintendent and communicated to students and parents and or guardians. may request assignment to a school outside of their regular attendance area. Such a A reassignment request denied

by the superintendent or designee may be appealed to the board in accordance with subsection C.2, below.

1. Procedure for Requesting Reassignment

A request for reassignment must be submitted in writing to the superintendent or designee between March 1st and May 1st each year, or earlier if attendance lines are being changed within 10 days of receiving notice of the school assignment. The request must specify why reassignment is sought. An untimely request for reassignment will be treated as a transfer request under Section D.

The superintendent or designee will consider the request for reassignment and make a determination based upon the best interest of the child, the orderly and efficient administration of the public schools, the proper administration of the school to which assignment is requested, and the instruction, health and safety of the pupils there enrolled. A decision will be made and the parent will be notified by June 30 via registered or certified mail if the superintendent or designee denies the request. If the parent is dissatisfied with the superintendent's or designee's response, the parent may appeal the decision to the board as provided below.

After Notice of Assignment

~~Within ten (10) days of notice of the assignment, the parent may request in writing reassignment of the child to a different public school. The request must specify the reason why reassignment is sought. The superintendent or designee will make a decision and notify the parent in writing. If the request for reassignment is denied, the notice shall be sent by registered or certified mail. If the parent is dissatisfied with the superintendent's response, the parent may appeal to the board as provided below.~~

2. Appeal to the Board When Reassignment Request is Denied

Within five (5) days of receiving ~~the notice of the disapproval~~ that a request for reassignment was denied, the parent or guardian may request a hearing on the ~~reassignment~~ request. A panel of the board consisting of at least three (3) board members will hear the appeal on behalf of the board. The panel will be comprised of one (1) member from Roanoke Island, one (1) member from Hatteras Island and one (1) member from the beach area north of Oregon Inlet. At the hearing, the ~~parent will present reasons for the appeal~~. The board panel will consider and make a recommendation determination based upon the best interest of the child, the orderly and efficient administration of the public schools, the proper administration of the school to which reassignment is requested, and the instruction, health and safety of the pupils there enrolled. The panel's recommendation will be submitted to the full board for a final determination. Once a decision is made, the applicant will be notified by registered or certified mail. The board will promptly render a decision and notice of the decision will be given

to the applicant by mail, telephone, telefax, email, or any other method reasonably designed to achieve notice.

D. Transfer of Students During the School Year

1. Transfer Based on Change of Residence During School Year

Students whose legal residence ~~has changed~~ changes from one school assignment area to another within the school ~~district~~ system during the same school year, may choose to finish out that school year in the same school, or attend school in the area to which they have moved. If they elect to remain in the first school in order to complete that year, they will be assigned to the school according to the area in which they live at the beginning of the next school year. Students whose legal residence has changed but who choose to complete the school year at their first school will be responsible for their own transportation to school.

2. Unsafe School Choice Transfer under the Elementary and Secondary Education Act

Transfers for students who are victims of violent criminal offenses at school or for students attending persistently dangerous schools as defined by ~~the~~ State Board of Education policy will be made pursuant to the district's Safe School Plan.

3. Transfer of Homeless Students

Students who become homeless between ~~school~~ academic years or during ~~the~~ school an academic year may request to remain at the school of origin for the duration of their homelessness or may request to be enrolled in any public school that other students living in the same attendance area are eligible to attend. Any decision about the transfer or reassignment of a homeless student will be consistent with legal requirements and based on the student's best interest. (See policy 4125, Homeless Children Students.)

4. Transfer of Students in Foster Care

Students who are assigned to foster care between academic years or during an academic year will remain in their school of origin unless remaining in the school of origin is not in the best interest of the student. The best interest of the student will be decided based on all relevant factors, including consideration of the appropriateness of the educational setting and proximity to the school in which the child is enrolled at the time of placement in foster care.

5. Transfer for Other Reasons Transfers

The superintendent will consider student requests for transfer to another school during the school year based upon space availability, the needs of the child, the effect on the school to which transfer is requested, principal recommendations, and other criteria established by the superintendent.

E. Conditions for Reassignment or Transfer

The following conditions apply in regard to any reassignments or transfers made in accordance with ~~sub~~sections C and D of this policy.

1. The parent or guardian is responsible for transportation (except for ~~homeless student reassignments or~~ transfers of homeless students or students in foster care based on the student's best interest, for which the system will provide transportation in a manner consistent with legal requirements and policy 4125).

2. The transfer or reassignment is valid for no more than one (1) school year (except for (a) unsafe school choice transfers, for which the length of reassignment will be consistent with legal requirements and the district's Safe School Plan; and (b) homeless student transfers for which the length of reassignment will be consistent with legal requirements and policy 4125; and (c) transfers or reassignment of students in foster care, for which the length of assignment will be consistent with legal requirements).

3. Any transfer or reassignment request that is approved based upon false or misleading information will be declared void and ~~the transfer~~ will be rescinded.

F. Assignment to Alternative School

~~Students will be assigned to the alternative school in accordance with board policy 3470/4305, Alternative Schools.~~

Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 et seq.; Elementary and Secondary Education Act, 20 U.S.C. 6301 et seq.; *Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care*, U.S. Department of Education and U.S. Department of Health and Human Services (June 2016) and *Non-Regulatory Guidance on Education for Homeless Children and Youths Program*, U.S. Department of Education (July 2016), both available at <https://www2.ed.gov/policy/elsec/leg/essa/index.html>; *Unsafe School Choice Option Non-Regulatory Guidance*, U.S. Department of Education (May 2004), available at <https://www2.ed.gov/policy/elsec/guid/edpicks.jhtml?src=ln>; G.S. 15C-8; 115C-36, -366, -367, -369; State Board of Education Policy SSCH-006

174 Cross References: Alternative Learning Programs/Schools (policy 3470/4305),
175 Homeless Students (policy 4125), North Carolina Address Confidentiality Program
176 (policy 4250/5075/7316)

177 Adopted: November 11, 1997 Revised: February 10, 2004 Revised: September 14,
178 2004 Revised: May 14, 2013

179 Revised: June 13, 2017

180 Revised: April 21, 2020

181 [Revised: January __, 2023](#)

182 **Dare County Board of Education**

Policy Code: 4400 Attendance

School attendance and class participation are integral parts of academic achievement and the teaching-learning process. Through regular attendance, students develop patterns of behavior essential to professional and personal success in life. Regular attendance by every student is mandatory. The State of North Carolina requires that every child in the State between the ages of 7 (or younger if enrolled) and 16 attend school.

Parents and legal guardians are responsible for ensuring that students attend and remain at school daily. School administrators shall communicate attendance expectations to parents and guardians and work with students and their families to overcome barriers to attendance.

A. Attendance Records

School officials shall keep accurate records of attendance, including accurate attendance records in each class. Students will be considered in attendance if present at least half of the instructional day on-site in the school or at a place other than the school attending an authorized school-related activity.

To be in attendance during remote instruction days, students must: (1) complete their daily assignments, either online or offline; and/or (2) have a daily check-in through two-way communication with (a) the homeroom teacher for grades K-5 or (b) for all other grade levels, each course teacher as scheduled.

B. Late Arrivals and Early Departures

Students are expected to be at school on time and to remain at school until dismissed. During the school day, students are expected to be present at the scheduled starting time for each class and to remain until the class ends.

When a student must be late to school or leave school early, a written excuse signed by a parent or guardian should be presented upon the student's arrival at school. Tardies or early departures may be excused for any of the reasons listed below in Section C.

Any disciplinary consequences for unexcused tardiness or unexcused early departures from school or class will be consistent with Section D of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for such offenses. Consequences may not exceed a short-term suspension of two days.

C. Excused Absences

When a student must miss school, a written excuse signed by a parent or guardian must be presented to the student's teacher on the day the student returns after an absence. Absences due to extended illnesses may also require a statement from a health care practitioner. An absence may be excused for any of the following reasons:

1. personal illness or injury that makes the student physically unable to attend school;
2. isolation ordered by the local health officer or the State Board of Health or isolation or quarantine that is a required state or local control measure;
3. death in the immediate family;
4. medical or dental appointment;
5. attendance at the proceedings of a court or administrative tribunal if the student is party to the action or under subpoena as a witness;
6. a minimum of two days each academic year for observance of an event required or suggested by the religion of the student or the student's parent or legal guardian;
7. participation in a valid educational opportunity, such as travel or service as a legislative or Governor's page, with prior approval from the principal;
8. pregnancy and related conditions or parenting, when medically necessary; or
9. a minimum of two days each academic year for visitation with the student's parent or legal guardian if the student is not identified as at risk of academic failure because of unexcused absences and the student's parent or legal guardian (a) is an active or inactive duty member of the uniformed services as defined by policy 4050, Children of Military Families, and (b) has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting; or
10. any other reason as approved by the board in a board resolution.

D. School-Related Activities

While recognizing the importance of classroom learning, the board also acknowledges that out-of-classroom, school-related activities can provide students with valuable experiences not available in the classroom setting. The following school-related activities will not be counted as absences from either class or school:

1. field trips sponsored by the school;
2. job shadows and other work-based learning opportunities, as described in [G.S. 115C-47](#)(34a);
3. school-initiated and -scheduled activities;
4. athletic events that require early dismissal from school; and
5. Career and Technical Education student organization activities approved in advance by the principal.

In addition, students participating in disciplinary techniques categorized as in-school suspension will not be counted as absent.

E. Makeup Work

In the case of excused absences, short-term out-of-school suspensions, and absences under [G.S. 130A-440](#) (for failure to submit a school health assessment form within 30 days of entering school), the student will be permitted to make up his or her missed work. (See also policies 4110, Immunization and Health Requirements for School Admission, and 4351, Short-Term Suspension.) Assignments missed due to participation in school-related activities also are eligible for makeup by the student. ~~The teacher shall determine when work is to be made up.~~ The student is responsible for finding out what assignments are due and completing them within the specified time period. The Superintendent or designee shall develop procedures for determining the requirements for student makeup work due to absences.

F. Unexcused Absences

The principal shall notify parents and take all other steps required by [G.S. 115C-378](#) for excessive, unexcused absences.

Any school disciplinary consequences for unexcused absences will be consistent with Section D of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for such offenses. Consequences may not exceed a short-term suspension of two days.

G. Chronic Absenteeism

Because class attendance and participation are critical elements of the educational process, any absences, whether excused or unexcused, can have a negative impact on a student's academic achievement. Regular attendance must be prioritized within each school and encouraged throughout the

community. School administrators shall monitor and analyze attendance data to develop and implement strategies for reducing chronic absenteeism. Such strategies should involve engaging students and parents, recognizing good and improved attendance, providing early outreach to families of students missing school, and identifying and addressing barriers to attendance.

H. Special Circumstances

1. Students with Chronic Health Problems

No penalties will be imposed for absences due to documented chronic health problems.

2. Students Experiencing Homelessness

For students experiencing homelessness (see board policy 4125, Homeless Students), school officials must consider issues related to the student's homelessness, such as a change of caregivers or nighttime residence, before taking disciplinary action or imposing other barriers to school attendance based on excessive absences or tardies.

3. Attendance Requirements for Extracurricular Activities

Absences may impact eligibility for participation in extracurricular activities. The Superintendent or designee shall, in accordance with any applicable requirements set forth by the North Carolina Middle/Junior High School Athletic Manual (North Carolina Department of Public Instruction), the North Carolina High School Athletic Association, and the State Board of Education, develop procedures regarding eligibility for interscholastic athletics. Principals shall inform students and parents of the applicable attendance standards for the various types of extracurricular activities, including interscholastic athletics.- See also policy 3620, Extracurricular Activities and Student Organizations.

4. Home School Students Enrolled on a Part-Time Basis

Students enrolled in the Dare County Schools on a part-time basis are expected to adhere to the requirements contained herein for the portion of the day in which they are enrolled in classes. Students and families who fail to adhere to the requirements of this policy will be treated in accordance with other rules applicable to full-time enrolled students.

Additionally, homeschooled students are expected to maintain attendance in an active home school registered with the North Carolina Department of Non-Public Education at all times while enrolled part-time in the Dare County Schools.

Legal References: McKinney-Vento Homeless Assistance Act, [42 U.S.C. 11431](#), et seq.; [G.S. 115C-47](#), [-84.2](#), [-288\(a\)](#), [-375.5](#), [-378 to -383](#), [-390.2\(d\)](#), [-390.2\(l\)](#), [-390.5](#), [-407.5](#), [-407.12](#); [130A-440](#); [16 N.C.A.C. 6E .0102](#), [.0103](#), [.0106](#); State Board of Education Policies [ATND-000](#), [-003](#)

Cross References: Extracurricular Activities and Student Organizations (policy 3620), [Part-Time Admission of Home School Students \(policy 3105\)](#), Education for Pregnant and Parenting Students (policy 4023), Children of Military Families (policy 4050), Immunization and Health Requirements for School Admission (policy 4110), Homeless Students (policy 4125), Student Behavior Policies (policy 4300), Short-Term Suspension (policy 4351)

Other Resources: NC DPI Multi-Tiered System of Support Implementation Guide, available at <https://www.livebinders.com/play/play/2052295?tabid=180c26e7-0236-1ff0-3f53-291910458e28#anchor>

Adopted: December 9, 1997

Revised: July 9, 2002; July 26, 2011; June 13, 2017; December 10, 2019; June 8, 2021; November 9, 2022; [January](#), [2023](#)

Dare County Board of Education

Policy Code: 4130 Discretionary Admission

This policy applies when a student whose residence is outside Dare County seeks discretionary admission to the Dare County Schools. This policy does not apply to students who meet the residence requirements for admission under Policy 4120.

The superintendent or designee will have the discretion to approve or deny requests for admission to the school district for students who do not meet the residence requirements in Policy 4120. Administrative approvals of requests for admission shall be submitted to the board of education for final approval and entry in the official records of the board. Admission may be granted for up to one full school year. An application must be submitted each subsequent school year in which admission is desired.

For the purposes of this policy, the term "residence" shall have the same meaning as the term "domicile" as applied by the courts of North Carolina. In general, "residence" refers to one's permanent home rather than one's temporary home.

Admission Criteria for Non-Residents

At the discretion of the superintendent and upon final approval of the board, a non-resident student may be admitted and enrolled if the following conditions are met:

1. The parent or guardian submits a request in writing which explains why, in the opinion of the parent, or guardian, the student needs to attend school in the school district. The explanation should identify any:

- compelling, specific circumstances indicating that the student should continue his or her education in the school district (as, for example, when the student is in his or her senior year when the parent, legal guardian or legal custodian becomes a resident outside the school district); or
- extraordinary, compelling, specific family need (as, for example, when a parent, legal guardian, or legal custodian is clearly unable to care for the child); or
- other extraordinary, specific and compelling need or hardship.

Any reason having to do with athletics or participation in athletics is not a valid or sufficient explanation of need.

2. The board has determined that space is available in the school district and in the particular school or program in which the student seeks to enroll.

3. The student must demonstrate that he or she was in good standing in the previous school attended by that student, in terms of academics, discipline, and other measures of standing and progress in the school district. Admission of students under suspension/expulsion in another school district or students convicted of a felony will be determined in accordance with policy 4115, Behavior Standards for Transfer Students.

37 4. With the initial application, the student must furnish a transcript and other
38 student record data, including evidence of compliance with the North Carolina
39 immunization requirements.

40 5. If the student resides in another school district in North Carolina, the student
41 must submit a release approved by the board of education of the other school
42 district in which the student resides.

43 6. The student's parent, guardian, or custodian must provide a statement made
44 under oath or affirmation indicating whether the student is under suspension or
45 expulsion from any private or public school.

46 7. If the student resides with an adult who is not the student's parent, legal
47 guardian, or legal custodian, the student must furnish the school district with a
48 notarized written document showing that the parent, legal guardian or legal
49 custodian consents to the student attending school in the school district and
50 authorizes the adult with whom the student lives to make all decisions relating to
51 the student's education, including, but not limited to, any decisions relating to
52 placement, services, field trips, medical treatment, grading and reporting,
53 discipline, participation in extracurricular activities and participation in athletics.

54 8. The parent or legal guardian assumes full and complete responsibility for the
55 transportation of their children to and from the assigned school.

56 9. Discretionary admission to the Dare County Schools will generally be approved
57 only for the following six reasons:

58 A. Child Care. The needs of a family to use private or commercial childcare
59 providers will be considered. A parent may apply to have a child attend the
60 school in the zone served by the child-care provider. Use of this rationale is
61 restricted to elementary and middle grades.

62 B. Medical and Psychological Needs. The special health needs of a student
63 will be considered. An assessment from qualified professional personnel
64 shall be required.

65 C. Change of Residence During the School Year. A request to remain in a
66 school after a family's move into another school district within the year will
67 be considered. If approved, such approval would be for the remainder of that
68 school year only.

69 D. Grade Level of Student. When residence changes, a student who will be
70 or is in the exit grade of a school, i.e. grade 5, 8, or 12, may apply to
71 complete the school year in his/her current school as long as parents
72 provide transportation.

E. Employee Status. Full-time employees of Dare County Schools and school nurses and resource officers working full-time in Dare County Schools may apply for a transfer of their children.

F. Building Capacity. Students may request a transfer for the subsequent school year to a school which is utilizing 85 percent or less of its building capacity (as determined by the greater of the current school year's October and February membership reports).

10. Discretionary admission may be conditioned on terms and conditions specified in writing.

Rescindment of Discretionary Admission

Admission for up to one full school year may be granted based upon the information contained in the application and supporting documentation. Students who are admitted based upon false or misleading information on their application will have their application voided and acceptance rescinded. Students accepted to attend the Dare County Schools may be disenrolled by the superintendent or designee because of poor attendance, inappropriate behavior, or other school related problems.

Renewal of Discretionary Admission

Admission for subsequent school years is discretionary. To be renewed for subsequent school years, all admission criteria must continue to be met and the student must be in good standing in terms of academics, discipline, attendance, school rules and other measures of standing and progress in the school district. If tuition is a requirement for discretionary admission, payment of tuition must be paid in full by the end of May in the approved school year in order to be considered for renewal. Administrative approval of requests for renewal shall be submitted to the board for final approval and entry in the official records of the board.

Tuition

Tuition shall be charged in accordance with Policy 4135 if a student is admitted under this discretionary admission policy.

Administrative Procedure

The superintendent or his or her designee will develop and administer a procedure to implement this policy.

Legal Reference: [115C-231](#), [-364 to -366.2](#)

105 Cross Reference: Enrollment of Student After Kindergarten (policy 4020); Behavior
106 Standards for Transfer Students (policy 4115); Residence Requirements (policy 4120);
107 Tuition for Discretionary Admissions (policy 4135)

108 Adopted: November 11, 1997

109 Revised: February 10, 2004

110 Revised: May 20, 2004

111 Revised: July 21, 2005

112 Revised: January 10, 2006

113 Revised: October 9, 2012

114 Revised: June 24, 2020

115 [Revised: February __, 2023](#)

116 **Dare County Board of Education**

Regulation Code: 4130-R Dare County Schools Discretionary Admission Regulations

The superintendent or designee will approve or deny requests for discretionary admission to the school district from students who do not meet the domicile or residence requirements in Board Policy 4120, [subject to final approval of the school board](#). Discretionary admission will generally be approved only if one of the ~~four~~ reasons specified in Policy 4130 is met. Admission may be granted for up to one (1) year only; an approval for one (1) year should not be interpreted as constituting an automatic approval for future requests.

These regulations are applicable to students who are non-domiciled in Dare County and are requesting to attend the Dare County Schools as day students.

These guidelines are used when considering admittance and enrollment of non-domiciled students:

1. Requests must be submitted in writing on the appropriate form to the superintendent, Dare County Schools, PO Box 1508, Nags Head, NC 27959, no later than March 1 of each year. The parent, legal guardian, or legal custodian must submit a request in writing that explains why, in the opinion of the parent, legal guardian, or legal custodian, the student needs to attend school in the school district.

2. The tuition charge will equal the average Dare County locally funded per pupil expenditures for the past five years for current expense and capital outlay combined, based on the most recent information available from the State Department of Public Instruction's Statistical Profile. The per pupil current expense shall be determined from the table entitled Per Pupil Expenditure Ranking, Child Nutrition Included. The per pupil expenditure for capital outlay shall be determined from the table entitled Ranking of ADM, Per Pupil Expenditures, and Capital Outlay. The cost for educating a special education student in excess of state and/or federal allocations and the local per pupil funding expenditures shall be reimbursed to the Dare County Schools by the parent, legal guardian, or legal custodian.

3. Tuition payments may be made in full prior to enrollment or equal installments as specified in a written payment agreement. If installment payments are selected, the first installment towards full tuition must be received prior to the end of the first month of school and full tuition payment must be received by the end of May in the school year for which the discretionary admission with tuition was approved. Failure to pay full tuition by the end of May will be grounds for denying request for renewal.

4. Students who reside out of county shall be assigned to particular schools by the superintendent or designee.

5. Students who are admitted based on false or misleading information on their discretionary admission request will have their request voided and acceptance rescinded.

Issued by Superintendent: July 10, 2002

Revised by Superintendent: February 10, 2004

Revised by Superintendent: May 20, 2004

Revised by Superintendent: August 15, 2005

Revised by Superintendent: December 14, 2005

Revised by Superintendent: January 10, 2006

Revised by Superintendent: February 22, 2011

Revised by Superintendent: June 24, 2020

Revised by Superintendent: February __, 2023

Dare County Board of Education

Policy Code: 4135 Tuition for Discretionary Admissions

Tuition will be charged to students whose permanent residence is outside Dare County and who are accepted for discretionary admission admitted under board policy 4130, Tuition may be waived if the student meets one of the following exceptions:

- A student who is admitted to the school district pursuant to an agreement between this board and another board of education, where the agreement specifies that the payment of tuition by the individual will not be required.
- A student who resides on a military base within North Carolina, where federal funds designed to compensate for the impact on public schools of military dependent students are provided to the school district in an amount not less than fifty percent of the total per capita cost for education, exclusive of capital outlay and debt service.
- A nonresident student whose parents moved or plan to move into the school district on or before December 1, may be assigned at the beginning of the school year to the school serving the pupil's new residence without payment of tuition.
- A student whose residence was within the school district and who during the school year moves into another school district will be eligible for continued enrollment during the school year without the payment of tuition.
- A student whose parent is employed by the school district or whose parent is a school nurse or school resource officer working full-time in Dare County Schools.
- A student whose temporary residence is in Dare County but whose permanent residence is elsewhere in North Carolina. Admission of such a student is discretionary under Policy 4130. Tuition may not be charged to the individual, but the board of education may enter into an agreement for tuition to be paid by the board of education of the student's permanent residence.

The tuition charge will equal the average per pupil expenditures of the Dare County Schools for the past five years for current expense and capital outlay combined, based on the most recent information available from the State Department of Public Instruction's Statistical Profile. The per pupil expenditure for current expense shall be determined from the table entitled Per Pupil Expenditure Ranking, Child Nutrition Included. The per pupil expenditure for capital outlay shall be determined from the table entitled Ranking of ADM, Per Pupil Expenditures, and Capital Outlay.

Tuition will not be charged to students who are domiciliaries of the State and who reside in the school district. However, the board may enter an agreement with the board of education of the student's domicile for payment of tuition by that board.

36 For the purposes of this policy, the term "residence" has the same meaning as the term
37 "domicile" as applied by the courts of North Carolina. In general, "residence" refers to
38 one's permanent home rather than one's temporary home.

39 Legal Reference: [G.S. 115C-366 to -366.2](#)

40 Adopted: November 11, 1997, Revised July 9, 2002

41 Revised: July 23, 2004

42 Adopted: September 14, 2004

43 Revised: January 10, 2006

44 Effective: July 1, 2006

45 [Revised: February __, 2023](#)

46 **Dare County Board of Education**

Basic Rights and Responsibilities

The maintenance of a positive school climate conducive to the individual pursuit of learning, working and living is shared by parent/guardians, students and all school personnel. Each is expected to work positively toward this goal and to respect the individuality and the rights of every person. Parent(s)/Guardian(s), students and school personnel are also expected to deal effectively with behavioral concerns.

All students shall comply with the Code of Student Conduct of the Dare County Schools, state and federal laws, Board of Education policies, and local school rules governing student behavior and conduct. This Code and other board and school behavior policies apply to any student while in any school building or on any school premises before, during or after hours; while on any bus or other vehicle as part of any school activity; while waiting at any bus stop; during any school function, extracurricular activity or event; while subject to the authority of school personnel; and at any time or place when the student's behavior has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment (including, but not limited to, use of electronic communications or social media on or off school grounds).

The regulations below are written in accordance with N.C. General Statutes 115C-390.1–390.12. These guidelines are subject to the provisions of the Individuals with Disabilities Education Act.

RESPONSIBILITIES

A. Board of Education Responsibilities

1. To adopt a fair and consistent discipline policy which establishes clear standards of student behavior.
2. To ensure, through the Superintendent of Schools, that there is fair and consistent application of the discipline policy by school employees.

B. Parent(s)/Guardian(s) Responsibilities

1. To assume legal responsibility for the behavior of the child as determined by law community practice and to ensure that the child is familiar with the discipline policy and regulations.
2. To teach the child self-discipline, respect for authority and for the rights of others.
3. To make sure that the child attends school regularly and that the school receives notification of the reason for absences when the child cannot attend.
4. To work to the best of his/her ability to provide the necessary materials and a positive home learning environment for the child to succeed in school.
5. To maintain communication with the school and provide the school with a current, accessible telephone number through which he/she may be reached during the school day.
6. To respond quickly to school to pick up the child when called upon.
7. To be available for conferences when requested.
8. To cooperate with the school staff to develop strategies to benefit the child.

C. Student Responsibilities

1. To be aware of and to abide by system wide policies, regulations and school guidelines regarding acceptable behavior.
2. To be responsible for one's own behavior.
3. To conduct oneself in a manner which is conducive to learning and does not interfere with the teacher's right to teach or the student's right to learn.
4. To respect the personal, civil and property rights of all members of the school community.
5. To refrain from the use of physical force, verbal abuse or harassment, blackmail, stealing, vandalism, and other illegal activities.
6. To seek clarification from school personnel concerning the appropriateness of any action or behavior.
7. To attend school and classes regularly, on-time and to be prepared with the necessary learning materials.
8. To know and to follow the policies and regulations for every event considered part of the school program regardless of the time or place.
9. To immediately comply with any staff member's reasonable request to carry out school rules.

D. Teacher Responsibilities

1. To provide opportunities for all students to develop self-discipline and respect for the rights of others.
2. To accept shared responsibility for control and discipline of students throughout the school building and property.
3. To consider the physical, social, intellectual and emotional development of the students.
4. To establish and inform students of individual classroom behavior expectations, and to maintain discipline within the classroom.
5. To provide appropriate learning opportunities for all students.
6. To be aware of and to abide by system wide policies, regulations and school guidelines for discipline.
7. To confer with support personnel for possible solutions to inappropriate student behavior and to attend conferences upon request.
8. To use positive reinforcement, whenever possible, and not ridicule or use negative comparison when correcting a student.
9. To report to the parent/guardian at regular reporting periods and at other times, when appropriate, regarding the acceptability of a student's behavior.
10. To utilize all reasonable classroom strategies in addressing disruptive behavior prior to referring a student for out of class disciplinary action.
11. To refer, in writing, a disruptive student to the principal or his/her designee when appropriate teacher-initiated strategies have been unsuccessful or the severity of the offense makes it necessary.

E. Principal Responsibilities

1. To apply consistently the Code of Student Conduct guaranteeing clear standards and consequences for student behavior.
2. The principal of each school has primary responsibility for maintaining order on the campus.
3. To discipline students and to assign duties to teachers with regard to discipline. The principal shall have authority to exercise discipline over the pupils of the school pursuant to the policies adopted by the local board of education.
4. To report certain acts to law enforcement. When the principal has personal knowledge, a reasonable belief, or actual notice from school personnel that an act has occurred on school property involving: assault resulting in serious personal injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a weapon in violation of the law, or possession of a controlled substance in violation of the law, the principal shall immediately report the act to the appropriate local law enforcement agency.
5. To assign duties and responsibilities to an assistant principal designated by the local board or to an acting principal designated by the principal.
6. To assume the overall responsibility for the implementation of procedures and rules that are necessary to establish standards of acceptable student behavior in the school.
7. To be readily available to handle disruptive behavior, discipline and emergency situations.
8. To communicate effectively to parents the expectations of the school discipline program and the role of the parent/family in supporting the efforts of the school in providing a safe school environment.
9. To develop a strategic plan that will mobilize community resources/agencies that can provide additional services and support to the school discipline program.
10. To provide in-service training to teachers and parents on the issues related to a sound disciplinary program, i.e. intervention strategies, establishing effective rules and consequences, legal issues, etc.
11. To develop a viable communication network that informs the community, parents, and staff of the status and modification of the school's discipline policies and procedures.
12. To continuously monitor and assess current data in order to make modifications to the program and provide alternative disciplinary strategies to fit the needs of the school.

The Dare County Schools Student Code of Conduct can be found on the district's website at www.daretolearn.org.

Hard copies of this document will be made available upon request.

Revised: June 10, 2008

Revised: July 26, 2011

Revised: September 13, 2011

Revised: June 9, 2015

Revised: March 8, 2016

Revised: April 10, 2018

Revised by Superintendent: August 20, 2020

NONDISCRIMINATION STATEMENT

In compliance with Federal Law, Dare County Schools administers all education programs, employment activities and admissions without discrimination against any person on the basis of gender, race, color, religion, national origin, age or disability.

The following persons have been designated to handle inquiries regarding the nondiscrimination policies:

Reida Roberts, Section 504
Caitlin Spruill, Title II
Steve Blackstock, Title IX

Each may be contacted c/o Dare County Schools,
PO Box 1508, Nags Head, NC 27959 (252) 480-8888

- All students shall comply with the Code of Student Conduct of the Dare County Schools, state and federal laws, Board of Education policies, and local school rules governing student behavior and conduct. This Code and other board and school behavior policies apply to any student while in any school building or on any school premises before, during or after hours; while on any bus or other vehicle as part of any school activity; while waiting at any bus stop; during any school function, extracurricular activity or event; while subject to the authority of school personnel; and at any time, place, in cyberspace, on or off campus, when the student's behavior has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment).
- This list of infractions is not all-inclusive. The school administration reserves the right to assign consequences for misconduct not listed that a student would or should have known would be disruptive to the academic process or would endanger self or others, or that is in violation of state or federal law or regulations.
- The minimum and maximum levels of disciplinary action specified in this list are guidelines to be followed in most cases. The school administration reserves the right to assign consequences that are more or less severe than the guidelines, when called for by the circumstances of any particular case, up to the limits allowed by law. Level 2 interventions may include but are not limited to those identified in Policy 4300, Student Behavior Policies.
- Any student who has violated one or more sections of the Code may be subject to more severe disciplinary action than is recommended in the Code for violations of a single Code section.
- The Code applies to behavior that has or is reasonably expected to have a direct and immediate impact on the schools or other students and is conducted through the use of electronic communications or social media, on or off school grounds. Such use is particularly relevant, but is not limited to, Rules 9 (Disrespect), 10 (Insubordination), 11 (Profanity/Obscenity), 12 (Disruption), 13 (Threatening), 21 (Sexual Offenses), 26 (False Alarm), 31 (Serious Threat, Assault and/or Intimidation), 37 (Use of the Internet), 38 (Possession or Distribution of Pornographic and/or Profane Material), 39 (Bomb Threat), and 40 (Terrorist Acts and Threats).
- A Principal has the authority to suspend student privileges. As students do not have a right to participate in activities that are privileges, a student's ability to participate in privileged activities may be restricted or curtailed for good cause as determined by the principal, apart from any violation of the Code of Student Conduct.

*Levels of Disciplinary Action

ATTENDANCE VIOLATIONS

			Min.	Grade	Max.
Rule 1:		Attendance: A student is to attend school (including all classes) each day of the school year. In addition, a student is to report to school and all classes on time. A student of compulsory school age who does not attend school is in violation of the law and the student and his/her parent(s)/guardians are subject to its penalties. Efforts will be made to communicate with parents of absent and truant students. Including but not limited to:	1 1	(pk-3) (4-12)	2 3*
		Tardiness: Failure to be in a place of instruction at the assigned time without a valid excuse. Excessive tardies may result in progressive suspension. Note: Interventions must be in place before a suspension is levied, i.e., parent conference, time-out, lunch detention, after-school detention, in-school suspension. 064-Excessive Tardiness	1 1	(pk-3) (4-12)	2 3*
		Leaving Class Without Permission: Failure to obtain authorization to leave class. 066-Leaving Class Without Permission	1 1	(pk-3) (4-12)	2 3*
		Leaving School Without Permission: Failure to provide required parent authorization prior to leaving school before the end of the scheduled day. 067-Leaving School Without Permission	1 1	(pk-3) (4-12)	2 3*
		Class Cutting: Failure to report to class without proper permission, knowledge, or excuse by the school or teacher. 074-Cutting Class	1 1	(pk-3) (4-12)	2 3*
		School Cutting: Failure to report to school without prior permission, knowledge, or excuse by the school or the parent. 075-Skipping School	1 1	(pk-3) (4-12)	2 3*
		Excessive Absences (Truancy): Excused or unexcused absences which are felt to adversely affect the student's education. 030-Truancy	1 1	(pk-3) (4-12)	2 2
		*Suspensions under this rule shall not exceed two days, as dictated by N.C.G.S. 115C-390.2			

*School Initiated Consequences: Level 1 Conference Level 2 Intervention Level 3 Suspension (1-5 days) Level 4 Suspension (6-10 days) Level 5 Suspension (10 days) Superintendent Initiated Consequences: Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School Level 7 365 day suspension Level 8 Exclusion/Expulsion

DISCIPLINE VIOLATIONS			*Levels of Disciplinary Action		
			Min.	Grade	Max.
Rule 2.		Food/Beverages: A student will not eat/drink in unauthorized areas of the school. 058-Other School Defined Offense	1 1	(pk-3) (4-12)	2 3
Rule 3A.		Medication: Each school has established rules on administering non-prescription and prescription drugs. Students are to adhere to the rules of the school, as confirmed in policy code #6125. 086-Possession of Student's Own Prescription Drug 087-Possession of Another Person's Prescription Drug 088-Distribution of a Prescription Drug	1 1	(pk-3) (4-12)	2 3
Rule 3B.		Medication: A student may not give, sell, or distribute non-prescription, over the counter, or prescription drugs to any other students. 088-Distribution of a Prescription Drug	1 1	(pk-3) (4-12)	2 5
Rule 4.		Student Dress: Any type of dress which is disruptive, lewd or sexually suggestive, glorifies or depicts alcohol, tobacco or illegal drugs, or endangers the safety, education, and/or health of another person will not be permitted. For specific information, refer to student handbook. 031-Dress Code Violation	1 1	(pk-3) (4-12)	3 3
Rule 5.		Personal Property: A student will not bring or possess any object that has no educational purpose that may distract from teaching and learning or would cause disruption within the school environment. (Items may include: toys, hoverboards, laser pointers, cigarette lighters, matches, juul or other vaping paraphernalia etc.) Note: Pagers, headphones, portable CD/tape players, etc. are not permitted in the school buildings without administrative approval. Cell phones shall not be used at any time during the instructional day unless directed by a teacher as part of an approved instructional activity. Otherwise, all cell phones must be kept in student vehicles or lockers from student arrival through dismissal time and must be powered off (except as indicated above). Any student in possession of a cell phone in violation of this policy will have the phone confiscated and placed in the school office until the end of the day. If school officials have reasonable cause to suspect the phone has been used inappropriately, e.g. for cheating or taking unauthorized photos or the like, school officials may search the phone's memory for text messages and pictures. Repeated offenders of cell phone rules may lose cell phone privileges. 040-Inappropriate Items on School Property	1 1	(pk-3) (4-12)	4 5
Rule 6:		Significant Amount of Money: Students need only enough money to meet school obligations (lunch, fees, special purchases). 058-Other School Defined Offense	1 1	(pk-3) (4-12)	4 5

***School Initiated Consequences:** Level 1 Conference Level 2 Intervention Level 3 Suspension (1-5 days) Level 4 Suspension (6-10 days) Level 5 Suspension (10 days)

Superintendent Initiated Consequences: Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School
Level 7 365 day suspension Level 8 Exclusion/Expulsion

DISCIPLINE VIOLATIONS (CONTINUED)			*Levels of Disciplinary Action		
			Min.	Grade	Max.
Rule 7:		Selling Items on Campus* : Students are not to sell any objects on campus that are not authorized through the school as an organized, approved school activity. 058-Other School Defined Offense	1 1	(pk-3) (4-12)	3 3
Rule 8:		Misrepresentation: A student will not lie or cheat. 035-Falsification of Information	1 1	(pk-3) (4-12)	3 3
		Including but not limited to:			
		Altering Report Cards or Notes: Tampering with report cards, official passes, notes or other school documents in any manner, including changing grades or forging names to excuses.	1 1	(pk-3) (4-12)	3 3
		False Information: Making false statements, written or oral, to anyone in authority.	1 1	(pk-3) (4-12)	3 3
		Cheating: Violating rules of honesty, such as plagiarism, copying another student's test, assignment, etc. 028-Honor Code Violation	1 1	(pk-3) (4-12)	3 3
Rule 9:		Disrespect: A student will behave in a respectful manner. Examples of disrespectful behavior are: Walking away, talking back, etc. 061-Disrespect of Faculty and Staff	1 1	(pk-3) (4-12)	3 3
Rule 10:		Insubordination: A student will obey the lawful direction of any authorized staff member during the time the student is in school, participating in a school activity, or on school property. 033-Insubordination	1 1	(pk-3) (4-12)	3 4

* The first violation will result in confiscation with the item returned at the discretion of the principal. The second and succeeding violation(s) will result in confiscation and the item will not be returned to the student until the end of the year. Parents may pick up item prior to the end of the year.

***School Initiated Consequences:** Level 1 Conference Level 2 Intervention Level 3 Suspension (1-5 days) Level 4 Suspension (6-10 days) Level 5 Suspension (10 days)

Superintendent Initiated Consequences: Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School Level 7 365 day suspension Level 8 Exclusion/Expulsion

DISCIPLINE VIOLATIONS (CONTINUED)			*Levels of Disciplinary Action		
			Min.	Grade	Max.
Rule 11:		Profanity/Obscenity: A student will not use profane or obscene language or make obscene gestures. 032-Inappropriate Language/Disrespect 114-Inappropriate Behavior	1	(pk-3)	3 or 4
			1	(4-12)	3-6
		Including but not limited to:			
		Offensive Language: Cursing, or saying anything that conveys a lewd, vulgar, obscene or sexually suggestive message.	1	(pk-3)	3
			1	(4-12)	3
		Obscene/Offensive Gestures: Making any sign or gesture that conveys a lewd, vulgar, obscene or sexually suggestive message.	1	(pk-3)	3
			1	(4-12)	3
		Derogatory Written Materials: Having any written material or pictures that convey a lewd, vulgar, obscene or sexually suggestive message.	1	(pk-3)	3
			1	(4-12)	5
		Directed at Staff Member: Writing, saying, or making gestures that convey a lewd, vulgar, obscene, or sexually suggestive message to or about a staff member.	1	(pk-3)	4
			1	(4-12)	6
Rule 12:		Disruption: No student may disrupt the class, school, or bus activity. 042-Disruptive Behavior	1	(pk-3)	3 or 4
			1	(4-12)	4 or 5
		Including but not limited to:			
		Verbal Harassment: Name-calling, teasing or bullying. 025-Harassment-Verbal	1	(pk-3)	3
			1	(4-12)	4
		Throwing Objects at Someone: Willfully throwing anything that could serve to harass or harm another, including from school buses.	1	(pk-3)	4
			1	(4-12)	4
		Hitting, Biting, Spitting, Which Causes Harassment on Another Student or Adult: Hitting, biting, spitting at a student or adult for the purpose of harassment or which could cause harm.	1	(pk-3)	3
			1	(4-12)	5
		Horseplay: Excessive pushing, shoving, aggressive behavior, etc. 027-Aggressive Behavior	1	(pk-3)	3
			1	(4-12)	4
		Other: Any other action that disrupts or interferes with educational activities or the school environment.	1	(pk-3)	3
			1	(4-12)	4

***School Initiated Consequences:** Level 1 Conference Level 2 Intervention Level 3 Suspension (1-5 days) Level 4 Suspension (6-10 days) Level 5 Suspension (10 days)








Superintendent Initiated Consequences: Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School
Level 7 365 day suspension Level 8 Exclusion/Expulsion

LAW VIOLATIONS Parents and Law Enforcement Notified			*Levels of Disciplinary Action		
			Min.	Grade	Max.
Rule 13:	Threatening: A student will not threaten another student or staff member or the school community. Any threatening statement or conduct that leads a member of the school community to reasonably have concern that the threat might be carried out is prohibited, regardless of the intent of the person communicating the threat. Students who threaten another student or adult, whether orally, in writing, or by any other means, may be charged with a criminal violation. In a case where charges are not filed with the police for communicating threats and the threat of violence is minimal, the appropriate Code of Student Conduct violation would be Rule 12. 019-Communicating Threats		1 2	(pk-5) (6-12)	4 6
Rule 14:	Fighting: The exchange of mutual physical contact between students by pushing, shoving, or hitting with or without injury is prohibited. 021-Affray—The exchange of mutual physical contact between students by pushing, shoving or hitting which causes fear for their safety or others present at the scene 024 Fighting		1 1	(pk-5) (6-12)	4 6
Rule 15:	Blatant Disregard for School Rules: Continuous violation of the Dare County Schools Code of Student Conduct. 058-Other School Defined Offense		2 3	(pk-5) (6-12)	5 6
Rule 16:	Trespassing: A student will not enter any school property or school facility without proper authority (includes entering any Dare County school during a period of suspension or exclusion). 059-Being in an Unauthorized Area		1 1	(pk-3) (4-12)	4 4
Rule 17:	Reckless Vehicle Use: A student will not operate any motorized or self-propelled vehicle on school grounds in a manner that is a threat to health, safety, or a disruption to the educational process. <i>The use of a motor vehicle in driving to school is considered a privilege which may be limited or revoked at any time by the principal of the school.</i> 058-Other School Defined Offense		3 4	(pk-3) (4-12)	4 8
Rule 18:	Vandalism: A student will not willfully or maliciously damage or destroy property belonging to another, or participate in a plan with others to damage or destroy property, i.e. school property, at a school sponsored or school-related activity on or off school property, or property belonging to a school employee. A student or parent/guardian will be held financially responsible, as allowed by North Carolina Law, for willful or malicious destruction of property. 039-Property Damage		1 2	(pk-5) (6-12)	4 6
Rule 19:	Gambling: A student will not play games of skill or chance for money or property. 034-Gambling		1 2	(pk-5) (6-12)	4 6
Rule 20:	Theft: A student will not steal or possess stolen property, or participate in a plan with others to do so. 036-Theft		2 2	(pk-5) (6-12)	4 6

*Time frame for financial restitution to be set by the principal or the court.






***School Initiated Consequences:** Level 1 Conference Level 2 Intervention Level 3 Suspension (1-5 days) Level 4 Suspension (6-10 days) Level 5 Suspension (10 days)



Superintendent Initiated Consequences: Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School
Level 7 365 day suspension Level 8 Exclusion/Expulsion

LAW VIOLATIONS Parents and Law Enforcement Notified			*Levels of Disciplinary Action		
Rule 21:			Min.	Grade	Max.
		Sexual Behaviors/Assault-(not involving rape or sexual offense): A student will not engage in sexual misconduct or sexual harassment.	2	(pk-5)	4
			2	(6-12)	6
		Including but not limited to:			
		Deliberate, unwelcome touching			
		Suggestions or demands for sexual involvement accompanied by implied or overt promises or preferential treatment or threats.			
		Pressure for sexual activity			
		Continued or repeated offensive sexual flirtations, advances or propositions.			
		Sexually degrading words used toward an individual or to describe an individual.			
		The display in the work place of sexually suggestive objects or pictures.			
		Sexual harassment does not include personal compliments welcomed by the recipient, or social interactions or relations freely entered into. Students engaging in this type of behavior are subject to disciplinary procedures that will be determined by the nature and severity of the offense. Any student who feels he or she has been sexually harassed by a fellow student or adult school personnel is encouraged to report the act in confidence to a school counselor or administrator. All complaints of sexual harassment will be promptly and thoroughly investigated in accordance with board policy #1758. 014-Sexual Assault not Involving Rape or Sexual Offense 015-Taking Indecent Liberties With a Minor 038-Harrassment – Sexual 122-Sexual Activity/Pretext Medical Treatment			
Rule 22:		Sexual Offense/Rape or Attempted Rape: Committing or attempting to commit a sexual assault or unlawful sexual intercourse.	2	(pk-5)	6
		012-Rape	6	(6-12)	8
Rule 23:		Breaking and Entering: A student will not break into school board property.	2	(pk-5)	4
		039-Property Damage	3	(6-12)	8
Rule 24:		Robbery: A student will not take another person's property by force or violence.	2	(pk-5)	4
		010-Robbery With a Dangerous Weapon	3	(6-12)	8
		093-Robbery Without a Weapon			
		103-Robbery With a Firearm or Explosive Device			
Rule 25:		Extortion: A student will not take or threaten to take the property of others through intimidation.	2	(pk-5)	4
		023-Extortion	3	(6-12)	8
Rule 26:		False Alarm: Calling 911, signaling or setting off an automatic signal falsely indicating the presence of a fire or an emergency is prohibited. This includes making statements/phone calls that such an emergency exists in the school.	2	(pk-5)	4
		029-False Fire Alarm	5	(6-12)	6
Rule 27:		Arson: A student will neither set fire nor attempt to set fire to anything on school property, or participate in a plan with others to damage or destroy school property through the use of fire.	2	(pk-5)	4
		018-Unlawfully Setting a Fire	6	(6-12)	8
		053-Burning of a School Building			
Rule 28:		Tobacco: A student may not have or use tobacco products, to include e-cigarettes or e-cigarette products, on school premises, on school bus, at any school function or event.	1	(pk-5)	3
		041-Possession of Tobacco	2	(6-12)	3
		070-Use of Tobacco			
Rule 29:		<u>Sale/Distribution (Attempt or Actual) of Tobacco: Distributing or selling any tobacco product, to include e-cigarettes or e-cigarette products, attempting to sell or distribute any tobacco product, to include e-cigarettes or e-cigarette products, or any action that contributes to the sale or distribution of any tobacco product, to include e-cigarettes or e-cigarette products, or the giving or offering to give any tobacco product, to include e-cigarettes or e-cigarette products, to another individual.</u>	<u>2</u>	<u>(pk-5)</u>	<u>5</u>
		<u>### - Sale/Distribution of Tobacco</u>	<u>2</u>	<u>(6-12)</u>	<u>6</u>

***School Initiated Consequences: Level 1** Conference **Level 2** Intervention **Level 3** Suspension (1-5 days) **Level 4** Suspension (6-10 days) **Level 5** Suspension (10 days)

Superintendent Initiated Consequences: Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School
Level 7 365 day suspension **Level 8** Exclusion/Expulsion

LAW VIOLATIONS		*Levels of Disciplinary Action		
Parents and Law Enforcement Notified		Min.	Grade	Max.
Rule 3029:	Substance Abuse Policy and Procedure: Students are prohibited from possessing, using, transmitting, selling or being under the influence of any of the following substances: narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana or any other controlled substance, any alcoholic beverage, malt beverage or fortified wine or intoxicating liquor, or any chemicals or products with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student's mood or behavior. 116- Possession of Vaping (Non-Tobacco) Device 117- Use of Vaping (Non Tobacco) Device	2 5 or 6	(pk-5) (6-12)	4 or 5 8
	Students are also prohibited from possessing, using, transmitting, or selling drug paraphernalia or counterfeit (fake) drugs. In all circumstances in which students must comply with board policies, students may not in any way participate in the selling or transmitting of prohibited substances, regardless of whether the sale or transmission ultimately occurs on school property. For offenses related to a student's personal and proper use of prescription or over the counter drugs, see Rule 3A.			
	Including but not limited to:			
	005-Possession of Controlled Substance in Violation of Law-Cocaine 006-Possession of Controlled Substance in Violation of Law-Marijuana 007-Possession of Controlled Substance in Violation of Law-Ritalin 017-Possession Controlled Substance in Violation of Law-Other 020-Alcohol Possession 48- Use of Alcohol 49- Use of Controlled Substance 50- Use of Narcotics 51- Possession of Chemical or Drug Paraphernalia 095-Under the Influence of Alcohol 096-Under the Influence of Controlled Substances 118-Possession of Controlled Substance Violation of Law-Opioid			
	 Possession/Attempt: Possessing or attempting to possess any alcoholic beverage or any illegal or controlled substance, or any action that contributes to the possession of any alcoholic beverage or any illegal or controlled substance. Under N.C.G.S. §20-11 (n1) this violation can result in the loss of a driver's license. Possession of quantities large enough to indicate use by more than one individual may be considered a violation of "Sale/Distribution" listed below.	2 5	(pk-5) (6-12)	4 8
	 Possession in Vehicle: Students who drive a vehicle onto Dare County Schools property shall be responsible for the contents of the vehicle. The presence of a prohibited substance or drug paraphernalia in a vehicle owned or operated by a student shall be considered possession by the student, unless the student establishes that he or she was not aware of the presence of the prohibited substance or paraphernalia and had taken reasonable steps to ensure that the vehicle contains no prohibited substances or drug paraphernalia.	2 5	(pk-5) (6-12)	4 8
	 Paraphernalia: Possessing, distributing or using any drug related paraphernalia.	2 5	(pk-5) (6-12)	4 8
	 Inhalants: Possessing, distributing or inhaling any substance/product (off-the-shelf, controlled, or illegal) that is intended to bring about a temporary change in the student's mind, mood or behavior.	2 5	(pk-5) (6-12)	4 8
	 Sale/Distribution (Attempt or Actual): Distributing or selling any illegal or controlled substance attempting to sell or distribute any illegal or controlled substance or any action that contributes to the sale or distribution of any illegal or controlled substance or the giving or offering to give any illegal or controlled substance to another individual. This prohibition will include sale/distribution of tobacco products to underage student(s). Under N.C.G.S. 20-11 (n1) this violation can result in the loss of a driver's license. 054-Sale of Controlled Substance in Violation of Law-Cocaine 055-Sale of Controlled Substance in Violation of Law-Marijuana 056-Sale of Controlled Substance in Violation of Law-Ritalin 057-Sale of Controlled Substance in Violation of Law-Other 119-Sale of Controlled Substance in Violation of Law-Opioid	2 6	(pk-5) (6-12)	5 8
*School Initiated Consequences: Level 1 Conference Level 2 Intervention Level 3 Suspension (1-5 days) Level 4 Suspension (6-10 days) Level 5 Suspension (10 days)				
Superintendent Initiated Consequences: Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School Level 7 365 day suspension Level 8 Exclusion/Expulsion				

LAW VIOLATIONS		Parents and Law Enforcement Notified	*Levels of Disciplinary Action		
			Min.	Grade	Max.
Rule 3029 Continued		Use/Under the Influence: Using any alcoholic beverage, narcotic, illegal or controlled drug, anabolic steroid or any illegal substance, on school grounds, to and from school, on school bus, field trips, or at any school function, or coming to school or school activities after consumption.	2 5	(pk-5) (6-12)	4 8
Rule 310		Disorderly Conduct: A student will not disrupt, disturb or interfere with any school activity or engage in conduct which disturbs the peace, order, or discipline at any school or grounds adjacent thereto. 022-Disorderly Conduct	2 6	(pk-5) (6-12)	5 8
Rule 324 :		Serious Threat, Assault and/or Intimidation: A student will not assault, seriously threaten or intimidate another individual.	2 5	(pk-5) (6-12)	4 8
		Including but not limited to:			
		Against Student: Unlawful threatening or any physical force or violence, to include tearing clothes, striking, or threatening to seize or strike another student, either alone or in combination with another student(s), or making one fearful by intimidation.	2 5	(pk-5) (6-12)	4 8
		Against staff or other adult who is not a student: Unlawful threatening or any physical force or violence, to include tearing clothes, striking, or threatening to seize or strike any adult, either alone or in combination with another student(s), or making one fearful by intimidation. Under N.C.G.S. § 20-11 (n1) this violation can result in the loss of a driver's license. 01 - Assault Resulting in Serious Injury 02 - Assault Involving the Use of a Weapon 03 - Assault on School Personnel Not Resulting in a Serious Injury 044 - Assault on Student 045 - Assault -Other 071 - Assault on Non -Student w/o Weapon & Not Resulting in Serious Injury 072 - Assault on Student w/o Weapon & Not Resulting in Serious Injury 090 - Violent Assault Not Resulting in Serious Injury 104 - Physical Attack With a Firearm or Explosive Device 105 - Threat of Physical Attack With a Firearm 106 - Threat of Physical Attack With a Weapon 107 - Threat of Physical Attack Without a Weapon	2 5	(pk-5) (6-12)	4 8

Students should be cautioned that all verbal or written statements threatening racial violence, the health and/or safety of students, school personnel, and/or school facilities will be considered serious. Such statements will not be tolerated or dismissed as idle comments or jokes. Any threatening statement or conduct that leads a member of the school community to reasonably have concern that the threat might be carried out is prohibited, regardless of the intent of the person communicating the threat. This standard will be applied to all threats that are prohibited by the Code of Student Conduct.

***School Initiated Consequences:** Level 1 Conference Level 2 Intervention Level 3 Suspension (1-5 days) Level 4 Suspension (6-10 days) Level 5 Suspension (10 days)

Superintendent Initiated Consequences: Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School Level 7 365 day suspension Level 8 Exclusion/Expulsion

LAW VIOLATIONS Parents and Law Enforcement Notified			*Levels of Disciplinary Action		
			Min.	Grade	Max.
Rule 332:		Weapons and Dangerous Instruments/Objects: A student will not possess, handle, transport, or use any weapon, dangerous object, object that can be reasonably considered a weapon, or substance that could cause harm or irritation to another individual. Under N.C.G.S. § 20-11(n1) this violation can result in the loss of a driver's license.	2 2-6	(pk-5) (6-12)	4 or 7 6 or 8
		Including but not limited to:			
		1. Firearms and destructive devices , as described Rule 33	2 6	(pk-5) (6-12)	7 8
		Knife*: Simple Possession - Blade 2 ½ inches or smaller: A knife brought accidentally, without intent, will result in the knife being confiscated and a suspension may be imposed. Any subsequent incident will result in confiscation and progressive suspension.	2 3	(pk-5) (6-12)	4 6
		Knife*: Simple Possession - Blade greater than 2 ½ inches: Possession of any knife longer than 2 ½ inches, regardless of intent.	2 4	(pk-5) (6-12)	4 8
		Camouflaged Weapon *: i.e., knife blades, or other sharp devices, camouflaged as tubes of lipstick, ink pens, hair combs, etc.	2 4	(pk-5) (6-12)	4 8
		Anti-personnel Spray*: Possession of chemical such as Mace, or pepper sprays, tear gas, etc.	2 4	(pk-5) (6-12)	4 8
		Possession of an instrument or device that resembles or looks like a knife, pistol, revolver or any type of weapon or explosive not capable of propelling a missile*: May include, but not be limited to, a cap pistol, water pistol, inoperable antique firearm, or any look-alike gun.	2 3	(pk-5) (6-12)	4 8
		Other: Possession of any object or substance that could cause injury including, but not limited to, slungshots, slingshots, ice picks, multi-fingered rings, metal knuckles, nunchucks, bowie knife, dirk, dagger, leaded cane, switchblade knife, razors and razor blades, any sharp-pointed or sharp-edged instrument, clubs, stun guns, and/or the use of any object or any substance that will potentially cause harm, irritation, or bodily injury to students or any other persons.	2 2	(pk-5) (6-12)	4 8
		Possession in Vehicle: Possession in Vehicle: Students who drive a vehicle onto Dare County Schools property shall be responsible for the contents of the vehicle. The presence of a weapon or dangerous object in a vehicle owned or operated by a student shall be considered possession by the student, unless the student establishes that he or she was not aware of the presence of the prohibited weapon or dangerous object and had taken reasonable steps to ensure that the vehicle contains no weapon or dangerous object. 008-Possession of Weapon (Excluding Firearms and Powerful Explosives)	2 5/6	(pk-5) (6-12)	4 or 5 8

*All items will be confiscated and turned over to law enforcement.

Special Note: Any student who inadvertently possesses or finds a weapon or substance that may subject a student to a suspension or expulsion may or may not be recommended for this sanction if the student voluntarily surrenders the property to a school staff person. This should be done as soon as the student realizes that he/she is in possession of the weapon or substance.

Under N.C.G.S. § 20-11 (n1) possession of a weapon on school property or at a school-related activity can result in the loss of a student's driver's license/permit. Any student found in possession of a weapon on school grounds or at school related activities who is expelled, or who is suspended for more than 10 days or is assigned to an alternative educational setting for more than 10 consecutive days will lose his/her driver's license.

*School Initiated Consequences: Level 1 Conference Level 2 Intervention Level 3 Suspension (1-5 days) Level 4 Suspension (6-10 days) Level 5 Suspension (10 days)

Superintendent Initiated Consequences: Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School Level 7 365 day suspension Level 8 Exclusion/Expulsion

LAW VIOLATIONS Parents and Law Enforcement Notified			*Levels of Disciplinary Action		
Rule 343:			Min.	Grade	Max.
		Firearms and destructive devices: A student will not possess, handle, or transport any firearm. A firearm includes any of the following: <ol style="list-style-type: none"> 1. A weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive. 2. The frame or receiver of any such weapon. 3. Any firearm muffler or firearm silencer. 4. Any destructive device, meaning any explosive, incendiary, or poison gas. This includes any bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, similar device, or other device meeting the federal definition under 18 U.S.C. §921. A firearm shall not include an inoperable antique firearm, a BB gun, stun gun, air rifle, or air pistol. Under N.C.G.S. § 20-11(n1) this violation can result in the loss of a driver's license.	2 6	(pk-5) (6-12)	6/7 8
		Including but not limited to:			
		Possession of a firearm*. NOTE: N.C.G.S. 115C-390.10 requires a principal to recommend to the superintendent the 365-day suspension of any student believed to have possessed, handled, or transmitted a firearm or destructive device on educational property or at a school-sponsored event off educational property. The superintendent may impose the suspension or make modification. However, the superintendent shall not impose a 365 day suspension if the superintendent determines that the student: <ol style="list-style-type: none"> 1. took or received the destructive device from another person on educational property or at a school-sponsored event off educational property or found the destructive device on educational property or at a school-sponsored event off educational property; 2. delivered or reported the destructive device as soon as practicable to a law enforcement officer or a school employee; and 3. had no intent to use the destructive device in a harmful or threatening way. 	2 6	(pk-5) (6-12)	7 8
		Destructive devices, including an explosive, incendiary, or poison gas: bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device. N.C.G.S. 115C-390.10 requires a principal to recommend to the superintendent the 365-day suspension of any student believed to have possessed, handled, or transmitted a firearm or destructive device on educational property or at a school-sponsored event off educational property. The superintendent may impose the suspension or make modification. However, the superintendent shall not impose a 365 day suspension if the superintendent determines that the student: <ol style="list-style-type: none"> 1. took or received the destructive device from another person on educational property or at a school-sponsored event off educational property or found the destructive device on educational property or at a school-sponsored event off educational property; 2. delivered or reported the destructive device as soon as practicable to a law enforcement officer or a school employee; and 3. had no intent to use the destructive device in a harmful or threatening way. 	2 6	(pk-5) (6-12)	7 8
		Possession of any other weapon or device other than a firearm*. Examples may include but are not limited to BB gun, air rifle, air pistol or stun gun. 009-Possession of a Firearm or Powerful Explosive	2 6	(pk-5) (6-12)	6 8

***School Initiated Consequences: Level 1** Conference **Level 2** Intervention **Level 3** Suspension (1-5 days) **Level 4** Suspension (6-10 days) **Level 5** Suspension (10 days)

Superintendent Initiated Consequences: Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School
Level 7 365 day suspension **Level 8** Exclusion/Expulsion

LAW VIOLATIONS Parents and Law Enforcement Notified			*Levels of Disciplinary Action		
			Min.	Grade	Max.
Rule 354:		Gang Activity: Participation in any gang related activity. A gang is any ongoing organization, association or group of three or more persons having as a primary activity the commission of criminal acts and having a common name or common identifying sign, color or symbol. Prohibited gang-related activity includes wearing, possessing, using, distributing, displaying or selling any clothing, jewelry, emblems, badges, symbols, signs or other items with the intent to convey membership or affiliation in a gang; communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.) with the intent to convey membership or affiliation in a gang; tagging, or otherwise defacing school or personal property with symbols or slogans intended to convey membership or affiliation in a gang; requiring payment of protection, insurance or otherwise intimidating or threatening any person related to gang activity; inciting others to intimidate or to act with physical violence upon any other person related to gang activity; soliciting others for gang membership; and committing any other illegal act or other violation of school system policies in connection with gang-related activity. 079-Gang Activity	2	(pk-5)	4
			3	(6-12)	8
Rule 355:		Refusal to Comply With A Reasonable Individual Search: In an effort to address the Safe Schools Mandate, the school administration has the right to conduct a search reasonable in scope of a student or his/her possessions if the administration has a reasonable suspicion that the student may be in possession of a weapon, illegal substance, or other items prohibited by law or the Code of Student Conduct.	2	(pk-5)	4
			2	(6-12)	6
		Including but not limited to:			
	B	Search of an Individual or his/her Possessions: A student must cooperate with and may not obstruct or interfere with a reasonable search of the student, his/her bookbag, purse or other possessions which are present on school property or at a school activity.	2	(pk-5)	4
			2	(6-12)	6
	B	Search of a Vehicle: A student must cooperate with and may not obstruct or interfere with a reasonable search of the student's vehicle and its contents when it is present on school property or at a school activity. Violation of this rule may result in the student losing his/her parking privilege in addition to other applicable disciplinary action.	2	(pk-5)	4
			2	(6-12)	6
	B	Metal Detector Scans: With prior approval of the superintendent, a metal detector can be used to search a student's person and/or personal effects whenever a school official has reasonable suspicion to believe that a student is in possession of a weapon. Board Policy #4342(c) 058-Other School Defined Offense	2	(pk-5)	4
			2	(6-12)	6
Rule 376:		Refusal To Comply With Other Reasonable Searches:	2	(pk-5)	4
			2	(6-12)	6
		Including but not limited to:			
		Student Lockers and Desks: Student lockers and desks are the property of the school and are assigned to the student with the understanding that he/she is responsible for all property placed in the locker or desk. Lockers and desks shall be used only for storage of those items which are reasonably necessary for the student's school activities such as books, gym clothes, coats, school assignments, etc. A student must cooperate with and may not obstruct or interfere with any inspection or search of his/her desk or locker and the items therein.	2	(pk-5)	4
			2	(6-12)	6
		Canine Searches: With prior approval of the superintendent, school officials may use trained dogs in inspections for illegal, unauthorized or contraband materials in school facilities, grounds, and school parking lots. Board Policy #4342(f) 058-Other School Defined Offense	2	(pk-5)	4
			2	(6-12)	6

Under N.C.G.S. § 20-11 (n1) possession of a weapon on school property or at a school-related activity can result in the loss of a student's driver's license/permit. Any student found in possession of a weapon on school grounds or at school related activities, who is suspended for more than 10 days or is assigned to an alternative educational setting for more than 10 consecutive days will lose his/her driver's license.

***School Initiated Consequences:** Level 1 Conference Level 2 Intervention Level 3 Suspension (1-5 days) Level 4 Suspension (6-10 days) Level 5 Suspension (10 days)

Superintendent Initiated Consequences: Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School Level 7 365 day suspension Level 8 Exclusion/Expulsion

LAW VIOLATIONS Parents and Law Enforcement Notified			*Levels of Disciplinary Action		
			Min.	Grade	Max.
Rule 387:	Inappropriate Use of The Internet: Students must refrain from accessing the Internet without proper authority. This would include unauthorized use of logins, communication of threats or implied threats and/or unauthorized communication to or from any computer station, including, but not limited to, hacking or intentional creation or transmission of viruses. This encompasses any inappropriate behavior, regarding use of Internet as set forth in Board Policy #3225/7320 and their accompanying regulations. 091-Misuse of School Technology		2 2	(pk-5) (6-12)	4 6
Rule 398:	Possession Or Distribution Of Pornographic And/or Profane Material: A student must refrain from having any pornographic or profane material in his/her possession. This includes pictures, magazines, CDs, etc. 040-Inappropriate Items on School Property		2 2	(pk-5) (6-12)	4 6
Rule 4039:	Bomb Threat: Any false notification (verbal or written), indicating the presence of a bomb or explosive on school grounds, school bus or at any school activity. 043-Bomb Threat		2 6	(pk-5) (6-12)	6 8
Rule 410:	Terrorists Acts and Threats: Includes (1) making a false report that there is any device, substance or material on school property or at a school-sponsored activity that is designed to cause harmful or life-threatening illness or injury to another person; (2) placing or displaying such a device, substance or material on school property or at a school-sponsored activity, with intent to perpetrate a hoax; (3) threatening to commit on school property or at a school-sponsored activity an act of terror that is likely to cause serious injury or death, when that threat is intended to cause or does cause significant disruption to the instructional day or school-sponsored activity; (4) making a false report that such an act of terror is occurring or about to occur on school property or at a school-sponsored activity; (5) or conspiring to commit any of these acts. 105- Threat of Physical Attack With a Firearm 106- Threat of Physical Attack With a Weapon 107- Threat of Physical Attack Without a Weapon		2 6	(pk-5) (6-12)	6 8

Students should be cautioned that all verbal or written statements threatening racial violence, the health and/or safety of students, school personnel, and/or school facilities will be considered serious. Such statements will not be tolerated or dismissed as idle comments or jokes. Any threatening statement or conduct that leads a member of the school community to reasonably have concern that the threat might be carried out is prohibited, regardless of the intent of the person communicating the threat. This standard will be applied to all threats that are prohibited by the Code of Student Conduct.

Any law violation or criminal activity committed on school property or at a school sponsored activity which is not otherwise specifically set forth in this Code of Student Conduct shall be considered a violation of the Code and will be handled accordingly.

***School Initiated Consequences:** Level 1 Conference Level 2 Intervention Level 3 Suspension (1-5 days) Level 4 Suspension (6-10 days) Level 5 Suspension (10 days)

Superintendent Initiated Consequences: Level 6 Long-term Suspension, assigned community service, or assignment to an Alternative School Level 7 365 day suspension Level 8 Exclusion/Expulsion

LAW VIOLATIONS Parents and Law Enforcement Notified		Min.	Grade	Max.
Rule 421:	Harassment and Bullying Definition of Harassment and Bullying: As used in this policy, harassing or bullying behavior refers to any pattern of gestures or written, electronic or verbal communications, or any physical act or threatening communications, that: <ol style="list-style-type: none"> Places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his/her property; or Creates or is certain to create a hostile learning environment. A "hostile environment" means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that is bullying or harassing behavior. Harassing or bullying behavior includes verbal or physical conduct that is intended to intimidate, injure, degrade, or disgrace another student or person, or that has such an effect. It may include a pattern of abuse over time and may involve a student's being "picked on." It can include a variety of behaviors, such as but not limited to the following: <ul style="list-style-type: none"> Physical intimidation or assault Derogatory verbal comments (e.g., name-calling, hostile teasing, cruel rumors, taunts, put-downs, epithets, false accusations, harassment or discriminatory acts, slurs and mean-spirited jokes) Threatening gestures or actions; oral, cyber, or written threats Extortion or stealing money and possessions Shunning and exclusion from peer group Hazing Harassing or bullying behavior includes, but is not limited to, behavior described above that is reasonably perceived as being motivated by an 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, development, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. Board Policy #1760 – Harassment and Bullying 026-Hazing 080-Discrimination 101-Harassment – Racial 102-Harassment – Disability 109-Harassment – Sexual Orientation 110-Harassment – Religious Affiliation	2	(pk-5)	4
		2	(6-12)	6

Students should be cautioned that all verbal or written statements threatening racial violence, the health and/or safety of students, school personnel, and/or school facilities will be considered serious. Such statements will not be tolerated or dismissed as idle comments or jokes. Any threatening statement or conduct that leads a member of the school community to reasonably have concern that the threat might be carried out is prohibited, regardless of the intent of the person communicating the threat. This standard will be applied to all threats that are prohibited by the Code of Student Conduct.

Revised: June 10, 2008

Revised: July 26, 2011

Revised: September 13, 2011

Revised: March 8, 2016

Revised: June 9, 2015

Revised: April 10, 2018

Revised: February __, 2023

Memorandum of Understanding

This Memorandum of Understanding (MOU) made and entered the date of last execution by the parties, by and between The County of Dare (County), Dare County Board of Education (BOE), and Outer Banks Babe Ruth Baseball (OBXB).

WITNESSETH:

Whereas, there are two baseball fields located at Kitty Hawk Elementary School (KHES) with the front field being designated as Field #1 and the back field being designated as Field #2; and

Whereas, the fields are currently used by KHES, OBXB and County through its Recreation Department; and

Whereas, the parties desire to enter a MOU setting for the responsibilities of each.

Now therefore, as a condition of using the fields, the parties desire to set forth the rights and responsibilities of the parties as follows:

1. KHES shall have to first priority in the use of the fields, parking areas, batting cages, concession stands etc. OBXB and County shall schedule their uses of the fields and the supporting facilities around the scheduled uses by KHES.
2. At the beginning of each school year and prior to the start of school, KHES shall provide County with a schedule of events to allow OBXB and County to schedule their activities at times that are not in conflict with KHES activities. Once scheduled, no changes may be made without the approval of the County Parks and Recreation Director and the Principal of the respective school impacted by the change. The parties will work together in good faith to accommodate the needs of each.
3. DC will coordinate with OBXB to schedule baseball activities. All contact concerning the use or maintenance of the fields shall be between County and BOE and County and OBXB.
4. County will keep and maintain: (a) fields #1 and #2 inside the fenced area, including all of the playing areas, dugouts, and irrigation; (b) the fences and fence lines, scoreboards, lighting, press boxes, restrooms, fence cap, bleachers, dugouts and concession stands; (c) the grass outside of the fenced areas from the home plate area down to the foul pole areas.

5. The BOE will be responsible for cutting the grass area outside of the outfield fence on both fields, the grass area on the first base side on field 1, and all other KHES property not maintained by County.
6. OBXB shall: (a) after each game, practice or other use remove all trash and debris from the dugouts, bleacher area and areas adjacent to fences such that these areas are clear of all trash and debris; (b) after each game or practice sweep all dugouts and remove all equipment from dugouts; (c) insure that when not in use, all equipment shall be placed in it proper storage area and not left outside, in a dugout, bathroom or concession stand; (d) maintain all batting cages, which includes all supporting poles, ground cover, netting, and lighting (e) turn off the field lights after the completion of games, practices or other OBXB activities.
7. OBXB SHALL NOT: (a) put fertilizer, grass seed or chemicals on any of the fields; (b) put lime or any other markings on any of the grassed base lines (c) open the sprinkler control box or otherwise adjust, turn on or turn off, or otherwise change the programming of the irrigation system; (d) apply "Turfus" or any other materials to the infields; (e) perform any maintenance on the fields.
8. This agreement sets forth all of the understandings of the parties and supersedes all other agreements or understandings, written or oral. This agreement may only be amended in writing with the consent of all parties.
9. This agreement may be terminated by any party, for any reason or no reason, upon 180 days written notice to the other parties.

In witness whereof, the parties have executed this agreement the date set forth below.

Dare County Board of Education

Dare County

Superintendent

Date: _____

County Manager

Date: _____

Outer Banks Babe Ruth Baseball

President

Date: _____

DATE: February 13, 2023

KEY ADMINISTRATORS: Ian Adams, Director of Facilities

AGENDA ITEM: Approval to Sign Lease Agreement for Facilities Use

BACKGROUND INFORMATION:

The Tidewater Summer League team known as The Outer Banks Daredevils has submitted a Facilities Use request to utilize the Manteo High School baseball stadium this summer, with dates of usage from approximately June 1, 2023 until July 31, 2023. A Facilities Lease Agreement has been prepared by the BOE attorney, modeled after a previous lease agreement for the Daredevils' use of the First Flight High School baseball field.

RECOMMENDATION

The Superintendent recommends the Board give permission to the Superintendent to sign the Lease Agreement in substantially the form presented, with revisions acceptable to the Superintendent and BOE Attorney. The owner of the team has indicated an intention to establish a legal entity to sign the Lease Agreement, and the Superintendent's signature will be contingent on satisfactory verification of an appropriate legal entity, signatures by the legal entity and the owner personally, and corresponding revisions to the proposed Lease Agreement.

**DARE COUNTY BOARD OF EDUCATION
&
OUTER BANKS DAREDEVILS [need corporate name]
2023 SEASON**

**FACILITIES LEASE AGREEMENT
MANTEO HIGH SCHOOL**

This lease is made and entered into as of this ___ day of ___, 2023, by and between **Outer Banks Daredevils [need corporate name]** (hereinafter "OBDD" or "Lessee"), and the **DARE COUNTY BOARD OF EDUCATION** (hereinafter "Lessor").

WHEREAS, OBDD owns a baseball team franchise in the Tidewater Summer League known as the **Outer Banks Daredevils**; and

WHEREAS, OBDD desires to lease certain property and facilities, specifically, the first class baseball field located at Manteo High School, Dare County, N.C.; together with the existing dugouts, operating field maintenance equipment, operating PA system, patrons seating, operating scoreboards, press box, concession stands and equipment, public rest rooms, dressing rooms for home and visiting clubs, requisite parking, operating lighting for the exhibition of night games, and such other things existing on the date of this lease and typically used in the exhibition of baseball games and typically used by a home baseball club (hereinafter collectively known as the "Facility"); and

WHEREAS, the Lessor is willing to lease the facility to OBDD for the purposes and pursuant to the provisions set forth in this Lease;

NOW, THEREFORE, for and in consideration of the foregoing terms and conditions in the Lease and the mutual benefits to be derived, the Lessor and OBDD mutually agree as follows:

- 1.1 **TERM.** This Lease shall become effective upon execution by all parties hereto and receipt of all fees identified in paragraph 2.3 below. The term shall begin on approximately June 1, 2023 (immediately following the needed use by the Manteo High School team) and expire on July 31, 2023. More specifically, OBDD's use of facilities shall include dates included on the 2023 game schedule (Attachment 1).
- 1.2 **RENEWAL.** The Lease may be renewed under terms and conditions mutually satisfactory to the Lessor and OBDD. Any renewal shall be reflected by a new Lease or Addendum to Lease which shall be executed by both parties each year. If OBDD desires to renew this Lease, OBDD should submit a Facility Use Request form each year of renewal, no later than January 1. It is recognized that Lessor may approve or not approve a renewal in Lessor's sole discretion, and that OBDD

shall have no right or expectation of renewal any year unless and until a new Lease or Addendum to Lease is signed for that year.

2.1 USE OF FACILITIES. OBDD will use and provide for the use of the facility for baseball activities. OBDD will also operate, maintain and clean the concessions and concession areas during the term of the Lease. Subject to OBDD's practice and game schedule of the Tidewater Summer League, OBDD will work with third parties in the scheduling of such third parties' playing dates. OBDD shall obtain the prior approval of the Superintendent of the Dare County Schools for use of the facility by third parties or any sublease of the facility. OBDD shall not use or allow the facility to be used for any purpose other than baseball activities without the prior approval of the Superintendent. OBDD shall comply with all applicable statutes, ordinances, regulations and Board of Education policies, specifically Board Policy 5035 Use of School Facilities and Town of Manteo ordinances, and herewith certifies that a copy of same has been made available for review.

- CONDITION OF FACILITY. During the term of this Lease, OBDD will keep and maintain the facility in good order and condition, normal wear and tear excepted. OBDD shall be responsible for cleanup of all baseball, concession, changing, storage facilities, and the surrounding grounds, after each game or other use of the facilities. At the expiration of the Lease Term, OBDD will return the facility to the Lessor in the same condition, normal wear and tear excepted, as it was at the beginning of the lease term. Specific conditions of use are further defined in paragraph 3.1 herein, the Manteo High School Baseball Field Maintenance Requirements (Attachment 2), the Facilities Use Request (Attachment 4), and the Building Use Rider (Attachment 5).
- INSPECTION OF FACILITY. The parties hereto agree that the facilities and equipment referenced herein shall be jointly inspected using the attached written checklist (Attachment 3), prior to the intended use and again at the end of the lease term to determine condition and to identify any specific areas of concern or damage. Should any damage be identified at the end of the lease term that did not exist before the use began, Lessee will be held responsible for all costs to restore or to correct the damage.

2.2 FINANCIAL COMMITMENTS. During the term of the Lease, OBDD will assume the financial responsibility for normal field maintenance, operation and repair. OBDD shall provide at its sole expense all cleaning supplies, paper products and other materials needed for normal operation of the facility including concessions and bathrooms. It is the intent of this agreement that Lessor shall not be responsible for the expenses of operating and maintaining the facility during the term of the Lease.

- 2.3 PAYMENTS. Costs to be paid by OBDD for use of the facilities identified herein will be \$13,175. Payment of fees to the Lessor will be made as follows: full payment of \$13,175 is to be made prior to the beginning of the term of this Lease and prior to any use of the facilities.
- 3.1 FIELD MAINTENANCE During the period of this lease, OBDD will maintain the facility and equipment in accordance with Board Policy 5035 and Attachment 2.
- 3.2 ALTERATIONS. No alterations, additions or improvements to the facility shall be made by OBDD without the prior written consent of the Lessor. The Lessor reserves the right to make any alterations, additions, repairs or improvements to the facility during the term of the Lease, provided they do not unreasonably interfere with OBDD's use of the facility for baseball activities.
- 3.3 INSURANCE. OBDD will present to the Lessor a certificate in form acceptable to the Superintendent or designee, demonstrating proof of liability insurance coverage and naming Lessor as an additional insured, of at least \$1,000,000.00.
- 3.4 INDEMNIFICATION AND HOLD HARMLESS. OBDD will indemnify and hold harmless the Dare County Board of Education, its members, officers, employees and agents, from any and all claims, damages or liabilities arising out of the Lease or the use of the facility and associated equipment during the term of the Lease.
- 4.1 NONSCHOOL PURPOSES. It is understood that this Lease is entered into pursuant to G.S. 115C-524(b) for other than school purposes.
- 5.1 ENTIRE AGREEMENT. This Lease, together with the Attachments which are hereby incorporated into the Lease, constitutes the entire agreement between the parties. In the event of any discrepancy between the 5-page Facilities Lease Agreement and the Attachments, the Facilities Lease Agreement shall govern.

IN WITNESS WHEREOF, the Lessor and OBDD have caused this Lease to be executed in their respective names by their respective names by their respective officials, all duly authorized, as of the day and year first above written.

DARE COUNTY BOARD OF EDUCATION

BY: _____
Steve Basnight, Superintendent

Outer Banks DareDevils [need corporate name]



BY: _____
Signature

Typed/Printed Name

Title

Attachments:

- 1) 2023 OBDD Game Schedule
- 2) Baseball Field Maintenance Requirements
- 3) Baseball Field Inspection Checklist
- 4) Dare County Schools Facility Use Request for 2023
- 5) Building Use Rider, Sound and Lighting Systems

<div>  2023 DAREDEVILS SCHEDULE  </div>						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
MAY 28	29	30	31	JUNE 1 Steamers @ Daredevils 7pm	2	3 Daredevils @ River Bandits 7pm
4	5 River Bandits @ Daredevils 7pm	6 Redbirds @ Daredevils 7pm	7 Daredevils @ Steamers 7pm	8 Sea Dogs @ Daredevils 7pm	9 Daredevils @ River Bandits 7pm	10
11	12 Knights @ Daredevils 7pm	13 Steamers @ Daredevils 7pm	14 Sea Dogs @ Daredevils 7pm	15 Redbirds @ Daredevils 7pm	16	17 Daredevils @ River Bandits 7pm
18	19 River Bandits @ Daredevils 7pm	20 Sea Dogs @ Daredevils 7pm	21 Knights @ Daredevils 7pm	22 Redbirds @ Daredevils 7pm	23 Daredevils @ River Bandits 7pm	24 Daredevils @ Steamers 7pm
25	26 Knights @ Daredevils 7pm	27 Steamers @ Daredevils 7pm	28 River Bandits @ Daredevils 7pm	29 Sea Dogs @ Daredevils 7pm	30	JULY 1 Daredevils @ Steamers 7pm
2	3 Knights @ Daredevils 7pm	4 INDEPENDENCE DAY	5 Redbirds @ Daredevils 7pm	6 ALL STAR GAME & Home Run Derby <i>Outer Banks, NC</i>	7	8
9	10 River Bandits @ Daredevils 7pm	11 Knights @ Daredevils 7pm	12 Steamers @ Daredevils 7pm	13 Redbirds @ Daredevils 7pm	14 Daredevils @ Steamers 7pm	15
16	17 Sea Dogs @ Daredevils 7pm	18 Steamers @ Daredevils 7pm	19 River Bandits @ Daredevils 7pm	20 Redbirds @ Daredevils 7pm	21 Daredevils @ Steamers 7pm	22 Daredevils @ River Bandits 7pm
23	24 Sea Dogs @ Daredevils 7pm	25 Knights @ Daredevils 7pm	26 Steamers @ Daredevils 7pm	27 River Bandits @ Daredevils 7pm	28 Daredevils @ Steamers 7pm	29 Daredevils @ River Bandits 7pm
30	31 POSTOVE CUP TOURNAMENT Play Off Series Gm 1	1 POSTOVE CUP TOURNAMENT Play Off Series Gm 2	2 POSTOVE CUP TOURNAMENT Play Off Series Gm 3 (IF)	3 POSTOVE CUP TOURNAMENT Championship Series Gm 1	4 POSTOVE CUP TOURNAMENT Championship Series Gm 2	5 POSTOVE CUP TOURNAMENT Championship Series Gm 3 (IF)
6	7	8	9	10	11	12

PREMIER COLLEGIATE LEAGUE
2023 OUTER BANKS DAREDEVILS SCHEDULE
Gates Open at 6:00pm - Games Start at 7:00pm
Tickets Available at the Gate

TEAM NAME	HOME FIELD	ADDRESS
Edenton Steamers	- Historic Hicks Field	111 E. Freemason St. Edenton, NC 27932
Tarboro River Bandits	- Tarboro Municipal Stadium	1300 Panola St. Tarboro, NC 27886
Outer Banks Daredevils	- Coy Tillet Field @ MHS	829 Wingina Ave. Manteo, NC 27954
Greenbrier Knights	- Lakewood Park	1612 Willow Wood Dr. Norfolk, VA 23509
Norfolk Redbirds	- Lakewood Park	1612 Willow Wood Dr. Norfolk, VA 23509
Virginia Beach Sea Dogs	- Lakewood Park	1612 Willow Wood Dr. Norfolk, VA 23509

ATTACHMENT 2
FACILITIES LEASE AGREEMENT
Manteo HIGH SCHOOL
Baseball Field Maintenance Requirements

Only authorized persons are allowed to perform athletic field maintenance activities. Each school has an Athletic Director who is knowledgeable and trained in the field maintenance operations identified below. Persons who will be involved in these operations on behalf of the Lessee must be approved, in advance, by the Athletic Director or other Dare County Schools appointee.

Mowing: The playing surface will be mowed by Lessor two times per week, weather permitting. Lessee will be responsible to mow all areas outside the field fence line at least once per week. These areas include but are not limited to: parking areas, concessions areas, areas around and adjacent to seating and batting cages.

Grass trimming: Lessee shall trim grass around all buildings, dugouts and other structures a minimum of once every two weeks. Fence lines shall be sprayed with a weed killer (RoundUp) at the conclusion of the lease term.

Turf edging: Lessee shall edge all infield grass and warning track grass cleanly and all debris shall be removed and properly disposed of at the conclusion of the lease term.

Irrigation: Field irrigation will be controlled only by the Lessor. The Lessee shall contact the school representative as necessary to coordinate irrigation operation times or to report issues.

Infield maintenance: Lessee shall drag infield soil surfaces at the completion of each day. Should conditions prevent Lessee from dragging the infield at the end of the day, the infield must be drug prior to the next day's activity. Bases shall be removed prior to dragging the infield. All materials for field maintenance (line paint, clay, and other material) shall be provided by Lessee.

Scoreboard: The scoreboard will only be operated by individuals who have prior experience with this or similar equipment. Power shall be turned off at the conclusion of each use.

PA System: The Public Address system will only be operated by individuals who have prior experience with this or similar equipment. Power shall be turned off at the conclusion of each use.

Grounds Equipment: The Lessor will allow Lessee to use certain Lessor owned field maintenance equipment specifically identified prior to the beginning of this lease for routine field maintenance. OBDD will maintain all equipment in good working order during the period of use and shall immediately report any equipment problems to

the Lessor. All equipment will be returned to the Lessor in the same condition, normal wear and tear excluded, at the end of the lease term.

The Lessee is authorized to use the following equipment during the approved period of field use:

- John Deere 3-Wheel Field & Groom Rake
- Foul line striping machine
- Batter's box marker
- Water hoses
- Field rakes
- TV and benches located in dressing room

Other: Lessee shall turn off all electrical appliances, including exterior lighting, and water, when not in use. All equipment shall be returned to its storage location when not in use. All facilities shall be locked at the completion of each use.

Pre-season / Post-season Checklist Athletic Fields

School _____

Date _____

Facility Inspected _____

Grounds	Yes	NO	Comments
Grounds are clean and free of trash			
Surfaces do not present trip hazards			
Loose equipment is properly stored and secured			
No open trenches, holes or exposed underground utilities			
Field has been inspected and determined to be in playable condition			
Padding is in place and in serviceable condition			
Areas are roped off to separate spectators from landing areas			
Track surface is in good condition, free of debris, no loose or broken areas			
Location, condition and lighting of parking areas is adequate			
No harmful substances are accessible to athletes or the public			
Sufficient number of trash receptacles are available			
Bleachers & Benches			
Hardware and bracing are in good condition with no visible safety concerns			
Seating surface is free of protrusions. No catch points or sharp edges.			
Nails, bolts, and screws are flush with surfaces. No tripping hazards			
Handrails are in place and fastened securely, surfaces are smooth and free of protrusions and sharp edges			
Stairways, steps and other access points do not present trip hazards			
Handicap access points are in good working order			
Seating is positioned far enough away from event to preclude accidents			
Field Accessories			
Irrigation system is operational, no heads sticking up or broken			
Irrigation valve box covers are in good condition			
No materials are sticking out of the ground (anchors, pins, hooks, etc.)			
Electricity has been disconnected / connected from scoreboards			
Scoreboard control equipment has been properly stored			
Scoreboards are operational and electrical connections in good condition			
Public address systems are in proper working order			
Goals, tackling sleds, pitching screens, etc. are in good repair with no known safety hazards present.			
Field equipment has been properly stored			
Emergency communications equipment is in working order			
Fences / Netting / Screens			
Fence fabric properly secured, post caps are in place			
nets are free of undesirable holes, tears.			
No loose / unsecured or hanging fence, netting or gates			
Fence posts are secure in the ground, straight upright			
Fence is not bent in from weight of wind screens			
Fence crossbars are tied to the uprights			
Backstops are in good condition and properly secured			
Hazardous areas are fenced to prevent entry			
Fencing has no gaps, missing parts, is not loose, sharp, or unsafe			
Dugouts			
Structure is sound, no leaks evident			
Seating is free of protrusions, sharp edges and "catch points"			
Surfaces painted, no graffiti present			

Electrical equipment is secure, covers on outlets, no wires exposed			
Handicap access points are in good working order			
Elevated observation areas are in good condition			
Lights			
Sufficient lighting is available to conduct activities in a safe manner			
All light fixtures are operational			
All light poles are in good visible condition			
All electrical equipment is in good visible condition			
Signage / Accessways			
Signs are properly posted, readable, not faded or broken			
Emergency egress routes are not blocked			
Comments			
Please provide specific information and comments on a separate sheet or on the back of this form.			
Inspection Performed by: _____		Date: _____	
Copies provided to: _____		Date: _____	

Pre-season / Post-season Checklist **Fieldhouse / Pressbox / Concessions**

School _____

Date _____

Facility Inspected

Entrance Areas and Exterior of Building

Yes

No

Comments

Entryways clean, swept, and free of trash

Mats (inside / outside) clean

Litter near / around building exterior

Cobwebs / buildup of insects present

Doors and glass clean

Stairs clean and in good repair

All trash cans (inside / outside) empty

Door locks, panic bars operational

Offices, Concessions and Common Areas

Floors (clean; carpet vacuumed)

Seating in good condition

Walls clean of smudges and graffiti

Buildup of dust on horizontal surfaces

Fire extinguisher tags initialed & dated monthly

HVAC ceiling vents clean

Corners and edges clean, baseboards clean

Concession Kitchen/Serving areas clean and free of debris

Laundry Room / Equipment (clean & empty)

Uniforms and equipment put away

Medical / Athletic trainer room clean & secure

No electrical devices left plugged in / no extension cords

Emergency lighting fixtures are operable and in good condition

Windows operable, no broken glass

No evidence of unwanted pests

Office areas clean & secure

Lockers / Restrooms / Showers

Fixtures clean (no buildup or rings)

Dispensers clean (none damaged)

Walls, floors, ceiling vents, toilet partitions clean

Lockers clean, undamaged

Toilets operational

Showers / drains operational

Bad odors

Air vents clean

Water Fountains

Clean and disinfected

Hard water deposits

Leaks / damage

Storage Areas

Flammable materials

Equipment stored neatly

Debris / trash / discarded materials or equipment

Access to electrical / fire equipment is unrestricted

Comments

Please provide specific information and comments on a separate sheet or on the back of this form.

Inspection Performed by: _____

Date: _____

Copies provided to: _____

Date: _____

DARE COUNTY SCHOOLS
APPLICATION FOR USE OF SCHOOL FACILITIES
Please read front and back of this form. Fill out the form completely.

Today's date: November 21 2022

Name of Organization: Outer Banks Daredevils

Requestor Name: (Print) Michael Dooley

Address: 1009 W. Durham St. Phone: 252.619.8317

City: Kill Devil Hills State: NC Zip Code: 27948

E-mail address: daredevilsobx@gmail.com Is this a For-Profit Organization? Yes ☒ No ☐

Facility requested (Name of school): Manteo High School

Specific area requested (please list all) ☐ Auditorium ☐ Gymnasium ☐ Cafeteria ☐ Parking area only

☒ Baseball field ☐ Football field ☐ Softball field ☐ Soccer field Ball field lights: Yes ☒ No ☐

Other areas / rooms desired: Press Box, Restrooms, Locker room, Concession Stand

Requested Start Date: 6/1/23 Day: Su M T W ☒ F S End Date: 8/5/23 Day: Su M T W T F ☒ S

From: 7:00pm AM / PM To: 10:00pm AM / PM

Total Number of Days: 30 Total Number of Hours Per Day: 6

Will additional time be needed for set-up/take-down of equipment or cleanup? Yes ☒ No ☐ How long 1 hour

Special Equipment Requested: ☒ Sound system ☒ Lighting system ☒ Other (list below)
Scoreboard

Describe the event that will take place: Collegiate Summer League Baseball Games

Number of people anticipated for the event: 500

Are you charging a fee for this event? Yes ☒ No ☐ If so, how much? \$8.00 Gen. Admission

STATEMENT OF FINANCIAL LIABILITY: The Authorized Agent / User hereby agrees to be responsible for payment of all fees assessed for the use of, and fees for damages assessed as a result of, the requested facility use. Proof of liability insurance, if required, shall be provided with this application.

☒ Michael Dooley
 Signature of Authorized Agent or User

11/21/2022
 Date

Requestors must read and sign the Agreement on the back of this page.

NOTICE:
NO ALCOHOLIC BEVERAGES OR TOBACCO PRODUCTS ALLOWED ON PREMISES

DARE COUNTY SCHOOLS
APPLICATION FOR USE OF SCHOOL FACILITIES

Today's date: November 21, 2022

Please read front and back of this form. Fill out the form completely.

AGREEMENT

Section 115C-524 of the General Statutes of North Carolina, provides, in pertinent part, that no liability shall attach to any Board of Education individually or collectively for personal injury suffered by reason of the use of school property under a facilities use agreement. It is understood and agreed by and between the parties of this contract that under the doctrine of governmental immunity and said statute, the Dare County Board of Education is exempt from any and all liability for any damage or injury to person or property caused by or resulting from any cause or happening whatsoever. It is further understood and agreed by and between the parties of this contract that the user of school facilities shall have full and complete responsibility for the proper care and use of such facilities and shall be liable to the Dare County Board of Education for any damages to such school facilities resulting from any action of the user or the user's agent, employees, members or invitees during the period of use of such school facilities by the users as approved by the Dare County Board of Education. The user of school facilities under and pursuant to the terms of this contract hereby agrees to indemnify and hold the Dare County Board of Education harmless on account of any property damage or personal injury resulting from the use of said school facilities by user except to the extent otherwise provided by law. It is understood that upon the signing of this contract, all parties involved in stated organization have read, understood and agreed to adhere to the policy entitled "Use of School Facilities." It is further understood and agreed that the organization or individual is responsible for the fees and charges as stated and will be responsible to pay for any damages that may occur during use of the facility.

A damage deposit and /or a certificate of insurance sufficient to protect the board's property and interest may be required prior to use of the facility in accordance with policy #5035. Should such a deposit or insurance certificate be required, the undersigned agrees to provide the full deposit amount or proof of insurance with the completed application for use, prior to use of the facility.

Users of all Dare County Board of Education facilities are prohibited from advertising an event to be held on school property prior to receipt of written approval by Dare County Schools.

I have read, understand and agree to the information provided above:

Name: (Print) Michael Dooley

Signature: Michael Dooley Date: 11/21/2022

For School Use Only

The use of this facility / equipment at the time and date requested (WILL) (WILL NOT)
interfere with any school program or prior commitment. I do hereby (DISAPPROVE) (APPROVE)
this application. A signed copy of the Use Rider for Sound and Lighting Systems (IS) (IS NOT) attached.

School Principal or other authorized agent
Please print and Sign

Date

FEES: Supervision: _____

Facility: _____

Other: _____

TOTAL: _____

NOTICE:

NO ALCOHOLIC BEVERAGES OR TOBACCO PRODUCTS ALLOWED ON PREMISES

Use of Sound and Lighting Systems

Only authorized persons are allowed to operate the sound and lighting equipment in the auditoriums of Dare County Schools. Each school has appointed a supervisor who is knowledgeable and trained in the use of sound and lighting systems. This supervisor must be present to oversee the use of this equipment. He/She must also approve use by all persons using the equipment. Only authorized persons are allowed in the control booth.

When use of this equipment is authorized, the following steps must be followed and a copy of this signed form must accompany approved facility use request forms.

- 1.) Inspect the equipment for existing damage.
- 2.) Report the condition to the administration or staff prior to your use.
- 3.) You may not use the equipment before you and the staff member agree on the existing condition.
- 4.) Any and all persons who enter the control booth and/or use the equipment must have approval from the administration at the school.
- 5.) The user / organization shall assume all responsibility, financial and otherwise, for returning the equipment to the specific settings that existed prior to their use.
- 6.) If any user-supplied equipment is connected to school system(s) which results in damage to the school's system(s), the user shall be responsible for all costs to service, replace, or repair the school's system(s) to their original condition.
- 7.) Damage caused by volume control shall be the financial responsibility of the user listed on the facilities use form.

I have read, understand, and agree to comply with the above stated procedures and expectations. Further, I agree to be responsible for payment of all charges which may be assessed as a result of misuse or unauthorized use of the equipment described above. I understand that all conditions of the Dare County Schools policy #5035 "Use of School Facilities" apply to this request.

Sound / Lighting Supervisor: Zach Alexander
(at this facility only)

User name: Michael Dooley
Typed/Printed

User signature: Michael Dooley

Date 11/21/2022

Regulation 5035 –R1
Revised 04/29/16

Dare County Schools Building Use Rider

Sound and Lighting Systems

Revised February 12, 2013

The auditorium and other spaces, at all Dare County Schools is equipped with a state of the art sound and light system. Extreme care must be used with this equipment. Therefore, only authorized persons are allowed to operate the equipment.

Each school has appointed a supervisor who is knowledgeable and trained in the use of sound and lighting systems. This supervisor must be employed to oversee the use of this equipment. He/She must also approve and assign any person to use the equipment.
Only authorized persons are allowed in the control booth.

When use of this equipment is authorized the following steps must be followed and a copy of this signed form must accompany approved facility use request forms.

- 1.) Inspect the equipment for existing damage.
- 2.) Report the condition to the administration or staff prior to your use.
- 3.) You may not use the equipment before you and the staff member agree on the existing condition.
- 4.) Any and all persons who enter the control booth and/or use the equipment must have approval from the administration at the school.
- 5.) The user / organization shall assume all responsibility, financial and otherwise, for returning the equipment to the specific settings that existed prior to their use.
- 6.) If any user supplied equipment is connected to school system(s) which results in damage to the school system(s) the user shall be responsible for all costs to service, replace, or repair the school system(s) to their original condition.
- 7.) Damage caused by volume control shall be the financial responsibility of the user listed on the facilities use form.

I have read, understand, and agree to comply with the above stated procedures and expectations. Further, I agree to be responsible for payment of all charges which may be assessed as a result of misuse or unauthorized use of the equipment described above.

Sound / Lighting Supervisor: Zach Alexander
(at this facility only)

User name: Michael Dooley
Typed/Printed

User signature: Michael Dooley

Date 11.21.2022