

# WATAUGA BOARD OF EDUCATION

Margaret E. Gragg Educational Center  
175 Pioneer Trail Boone, NC 28607  
(828) 264-7190

## WATAUGA COUNTY BOARD OF EDUCATION MEETING

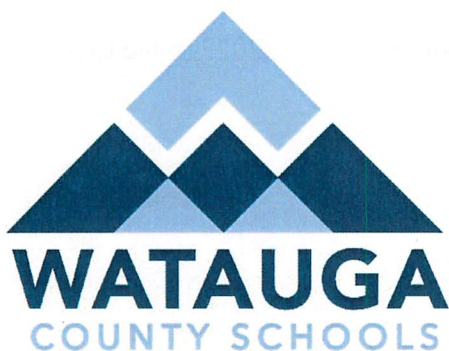
### AGENDA

August 8, 2022

5:30 P.M.

- |      |     |   |                   |
|------|-----|---|-------------------|
| 5:30 | 1.  | <b>CALL TO ORDER</b>  | Board Chair       |
| 5:32 | 2.  | <b>CLOSED SESSION</b><br>A. Approval of Minutes<br>B. Reportable Offenses – N.C.G.S.115C-288(g)<br>C. Student Records - N.C.G.S.143-318.11(a)(1)<br>D. Personnel – N.C.G.S.143-318.11(a)(6)<br>E. Attorney-Client - N.C.G.S 143-318.11(a)(3)  |                   |
| 6:00 | 3.  | <b>OPEN SESSION CALL TO ORDER/ MOMENT OF SILENCE</b>  | Board Chair       |
| 6:05 | 4.  | <b>DISCUSSION AND ADJUSTMENT OF AGENDA</b>  | Board Chair       |
| 6:08 | 5.  | <b>PUBLIC COMMENT</b>   | Board Chair       |
| 6:13 | 6.  | <b>SUPERINTENDENT'S REPORT</b>  | Dr. Scott Elliott |
| 6:18 | 7.  | <b>CONSENT AGENDA</b><br>A. Approval of the Minutes for 7/18/2022<br>B. Field Trip Requests<br>C. Declaration of Surplus<br>D. Personnel Report   | Dr. Scott Elliott |
| 6:23 | 8.  | <b>UPDATE ON WATAUGA RECREATION COMMISSION</b>  | Mr. Ron Henries   |
| 6:38 | 9.  | <b>WATAUGA COUNTY SCHOOLS ACCOUNTABILITY UPDATE</b>   | Dr. Wayne Eberle  |
| 6:58 | 10. | <b>POLICIES: SUBSTANTIVE FOR FIRST READ</b><br><br>7520 Family and Medical Leave<br>7540 Voluntary Shared Leave<br>7810 Evaluation of Licensed Employees<br>7815 Evaluation of Non-Licensed Employees<br>6560 Disposal of Surplus Property<br>7620 Payroll Deductions<br>8320 Depositories<br>9400 Sale, Disposal, and Lease of Board-Owned Real Property |                   |

- |             |            |                                    |                    |
|-------------|------------|------------------------------------|--------------------|
| <b>7:18</b> | <b>11.</b> | <b>BOARD OPERATIONS</b>            | <b>Board Chair</b> |
| <b>7:28</b> | <b>12.</b> | <b>BOARD COMMENTS</b>              | <b>Board Chair</b> |
| <b>7:38</b> | <b>13.</b> | <b>ADJOURNMENT</b>                 | <b>Board Chair</b> |
|             | <b>14.</b> | <b>MISCELLANEOUS INFORMATION</b>   |                    |
|             |            | A. Next Meeting September 12, 2022 |                    |



# WATAUGA COUNTY BOARD OF EDUCATION

Margaret E. Gragg Educational Center  
175 Pioneer Trail Boone, NC 28607  
(828) 264-7190

**DATE:** July 18, 2022

**TIME:** 5:30 PM

**PLACE:** Margaret E. Gragg Educational Center

**PRESENT:** Gary Childers, Jay Fenwick, Marshall Ashcraft, Steve Combs, Jason Cornett, Dr. Scott Elliott, Superintendent, Dr. Stephen Martin, Assistant Superintendent

## **CALL TO ORDER**

Dr. Gary Childers, Board Chair, called the meeting to order at 5:30 PM. He asked for a motion to go into closed session. Steve Combs moved to enter closed session and Jay Fenwick seconded the motion. The vote to approve was unanimous.

A motion was made by Jason Cornett and seconded by Steve Combs to reenter open session. The vote to enter open session was unanimous at 6:05PM.

## **WELCOME/MOMENT OF SILENCE**

Dr. Childers welcomed those attending the meeting. He began with a request to observe a moment of silence.

## **DISCUSSION AND ADJUSTMENT OF AGENDA**

There were no adjustments to the agenda for the July meeting.

## **PUBLIC COMMENT**

No one was present to speak during Public Comment at the July Board Meeting.

## **SUPERINTENDENTS REPORT**

Dr. Elliott welcomed Dr. Childers and the Board members, principals, administrative staff, and members of the public who were present that evening.

He thanked everyone for a productive meeting in June. He highlighted the thorough and constructive discussion about school safety. He thanked Sheriff Hagaman and his staff for being with there, and for all that local law enforcement does to support the school system.

He noted that the new state budget had passed in time to begin the schools' planning year. He noted that the budget included raises for teachers and all state employees. There were additional grant funds for School Resource Officers (SROs) and other school safety initiatives. He shared that students eligible for reduced price meals would be able to eat free meals at school in the coming year.

He thanked everyone for their hard work during the summer, especially human resources who had 16 teachers, and 35 additional staff remaining to be hired before school began.

## **CONSENT AGENDA**

- A. Approval of the Minutes for 6/30/2022
  - B. Field Trip Requests
  - C. Declaration of Surplus
  - D. Adoption of Interim Continuing Budget Resolution
  - E. Title I Budget Approval
  - F. Approval of Calendar Waiver Request for Weather Related Causes
  - G. Approval of After School Fees and Budget Summary for 2022-2023
  - H. Personnel Report
- Dr. Scott Elliott

Marshall Ashcraft moved to approve the consent agenda items A through H, with item H having an addendum and a revision to that addendum. Dr. Elliott announced that, included in the personnel report, was Ms. Farzana Stanley, who would be a new Assistant Principal split between Green Valley and Valle Crucis, and Ms. Martha Trimble, who would be the Assistant Principal at Parkway School. The motion was seconded by Jay Fenwick. The board members voted unanimously to approve.

## **BOARD OPERATIONS**

Mr. Ashcraft asked for direction from the board when he attended the legislative advisory committee of NCSBA during the coming week. He hoped to promote performance bonuses to be shared with other teachers in their schools if legally permissible. Dr. Elliott shared more history about bonuses. The Board agreed with this suggestion. Mr. Ashcraft felt that this should be more weighted to growth than proficiency. Dr. Fenwick suggested that a school, which met expected growth, not be labeled as low performing. Dr. Elliott suggested having a board work session or retreat in the fall to discuss the strategic plan, its implementation and a Curriculum update. Dr. Childers suggested waiting until after the election, but Dr. Elliott noted that at the August administrative retreat there could be changes made to the strategic plan and to the curriculum needs assessment, which should be implemented. He requested a date in September or October. Mr. Ashcraft suggested requesting funding for additional SROs from the County Commissioners. Dr. Elliott is directed to work with the county and may ask for a match of funds when they have ascertained which grants or additional funding was available for these positions. There are non-recurring funds available for school safety needs which encompass a broad range of items. Dr. Elliott noted that Watauga County Schools (WCS) has applied for every grant that is available.

Dr. Fenwick noted that Counselors and Social Workers played an important role in prevention of in-school issues, which may prevent the need for SRO intervention. Funding for student services personnel appeared to be inadequate.

Marshall Ashcraft suggested additional topics at the direction of Dr. Jay Fenwick that the legislators could address in legislative agendas. Dr. Elliott asked to continue advocating for calendar flexibility. Dr. Fenwick spoke reminded the Board about forfeiture funds that should be forwarded to schools to use for connectivity, which were owed to the schools from 2008 legislation.

Dr. Elliott noted that educator compensation is a worthwhile topic given the vacancies and difficulty in filling positions.

Dr. Fenwick requested that the Board direct Dr. Elliott to explore affordable housing on school owned property for teachers.

## **BOARD COMMENTS**

There were no Board comments at the June meeting.

**ADJOURNMENT**

Jason Cornett moved to adjourn, which was seconded by Steve Combs. The Board unanimously approved the motion at 7:12 PM.

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Dr. Gary L. Childers, Board Chair

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Dr. Scott Elliott, Superintendent

## WATAUGA COUNTY FIELD TRIP REQUEST FORM

This request is for a: \_\_\_ day trip \_\_\_ out of state day trip \_\_\_ overnight trip ☒ overnight & out of state trip

Day trips must be submitted to the principal 15 days before the trip. Overnight trip requests must be submitted to the superintendent by the first day of each month. Overnight field trips require the prior approval of the principal, transportation director, superintendent, and Board of Education. All trips utilizing rental or charter vehicles require the prior approval of the transportation director. No employee will transport students in a personal vehicle and no employee or volunteer driver will transport students in a 12-15 passenger van. No more than five students will be transported by a school system employee or volunteer in any one vehicle other than a school bus or activity bus.

Sponsoring teacher: (Print) Wes Yang & Chris Blanton School: Watauga County Schools

Cell phone number: 828-773-9925 Grade(s): 12<sup>th</sup> Number of students: 2

Departure date: 7/24/2022 Return date: 7/30/2022

Departure time: ~ 5:00 am Return time: ~ 7:00 pm

### Educational purpose:

Trip destination including city, state, and all places to be visited: (attach detailed itinerary as needed)

Region I SLC at Outdoor Odyssey - 450 Boy Scout Road Boswell PA, 15531

Purpose of trip and how it relates to the curriculum: This is a leadership training and development opportunity that is offered by the USMC to JROTC cadets. For detailed information see paragraph 2 - Leadership Reaction Course (built from USMC plans) on the core activities document (attached).

Blanton / Yang contacted Karen Fugate, mother of cadet Hodges on 7/20 at 11:45 and Jonathan Shore, uncle/guardian of Johnathan Miller on 7/20 at 11:50. Both agreed to the logistical changes regarding transportation.

### Supervision and Safety:

Names of all school staff chaperones: Chris Blanton will take the students on 7/24 and Wes Yang will pick them up on 7/30. An adult employee by WCS will not be present while students are at the training facility.

Names of all non-school chaperones: See above

1000-1100 hours of the day

1100-1200 hours of the day

1200-1300 hours of the day

1300-1400 hours of the day

1400-1500 hours of the day

1500-1600 hours of the day

1600-1700 hours of the day

1700-1800 hours of the day

1800-1900 hours of the day

All chaperones have a background check completed: Yes Sponsoring teacher initials: CB

Are all site(s) accessible to students with disabilities? ✓yes \_\_\_no How will students with disabilities be accommodated for site access and transportation? NA

Sponsoring Teacher Initials \_\_\_\_\_ (If applicable) A safety/supervision plan for high risk and/or water activities has been shared with the parents. Please attach a copy of the plan to this form if applicable.

**Transportation plan:**

Mode of transportation: \_\_\_\_\_ Yellow bus with wheelchair lift \_\_\_\_\_ Yellow bus without wheelchair lift WCS  
 \_\_\_\_\_ Activity bus with wheelchair lift \_\_\_\_\_ Activity bus without wheelchair lift ☒ Rental car/mini-van  
 \_\_\_\_\_ Charter bus Other (Please explain) \_\_\_\_\_

Name of charter bus company (if checked above) NA

(If applicable, bus request form must be attached)

Driver/s: Blanton / Young Round trip mileage: \_\_\_\_\_ # of buses needed: \_\_\_\_\_

Total cost per student \$ 0 Source of funds: Federal govt & WHS ROTC funds

The sponsoring teacher has reviewed Board policies 3320, 3320-R, and 6315: Teacher initials: CB

**Approval/Signatures:**

Sponsoring teacher signature: Cd32 Date: 7 / 20 / 2022

Principal approval: \_\_\_\_\_ Date: 7 / 20 / 2022

**Required signatures if applicable:**

Required signatures if applicable:

Transportation Director approval:  Date: 8 / 1 / 22

Superintendent approval:  Date: 7 / 20 / 22

Board of Education approval: \_\_\_\_\_ Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

## **Core Activities:**

### **Climbing, Rappelling, Zip-Lining**

Our 50-ft tower can accommodate a group of any size. The unique construction of our tower allows for all levels of expertise to take part. The smaller climbing wall was designed at a leaning angle with the young, old, and beginners in mind. The vertical wall contains many routes including overhangs and ledges. Our rappel deck allows our staff to provide rappelling instruction to any novice in a safe and controlled environment. A 50-ft cargo net and 50-ft ship ladder is available for climbing. Our tower also provides 3 zip lines. 10 cadets can be actively engaged on the tower at the same time.

### **Leadership Reaction Course (built from USMC plans)**

Outdoor Odyssey's uniquely-designed Leadership Reaction Course (LRC) consists of a wide variety of challenging elements, readily adaptable to your organization's specific mission. The LRC, low to moderate in impact, challenges participants to tackle uncertainty while incorporating and leveraging strengths and differences of team members. An unparalleled tool for development of leadership and team-building skills, the LRC enables organizations to embrace change and uncertainty through development of effective communications and problem-solving skills.

### **Low Ropes Course**

Rope challenge events that are only 3 feet or less off the ground and require no belay or safety ropes. This course is set more for team challenges.

### **High Ropes Course**

The High Ropes Course focuses on both the individual challenge and the team challenge. Overcoming fears and leaving individual comfort zones are all part of the high ropes experience. Conquering these handicaps helps individuals and groups to recognize and get rid of areas that block individual and group development. While expanding personal comfort zones, team members still rely on the support and trust of their coworkers throughout the course. The course is made up of twenty events averaging 25-35 feet off the ground.

### **Climbing Challenge Course**

Our Climbing/Challenge Course is designed for groups of all ages to work together as a team. While challenging, it is a safe and motivating challenge that can be adapted for different skill levels.

### **Team Based Obstacle Course**

Our O Course is low to the ground for safety. It is designed for cadets to have to work together to complete for success.

### **Caving**

Bear Cave is a privately-owned area located about 25 minutes away from camp. Team bonding and individual challenge and success make this event remarkable for platoon success.

Cadets will be separated into 4 platoons. Platoons will engage in friendly competitions and earn ribbons daily towards competition for honor platoon. This is why you need the \$20 to cover the cost of the t-shirts.

## Declaration of Surplus Items - August 2022

Date Approved:

### Bethel

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
100344	1	AC - Window Unit		1
N/A	1	Office Chair	1	
N/A	2	Student chairs- small metal		2
	4		1	3

### Blowing Rock

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
	0		0	0

### Cove Creek

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
	0		0	0

### Green Valley

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
903191	1	iPad	1	
28593	1	iPad	1	
28589	1	iPad	1	
28817	1	Chromebook - N22	1	
28539	1	Chromebook - Dell	1	
28640	1	Chromebook- Samsung	1	
28638	1	Chromebook- Samsung	1	
28639	1	Chromebook- Samsung	1	
28553	1	Chromebook- Samsung	1	
28641	1	Chromebook- Samsung	1	
	10		10	0

### Hardin Park

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
N/A	1	Rug- Large		1
N/A	1	Piano- Hamilton	1	
N/A	1	Office Desk- Large	1	
32835	1	Access Point- Aerohive		1
	4		2	2

**Mabel**

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
	0		0	0

**Parkway**

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
	0		0	0

**Valle Crucis**

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
	0		0	0

**Watauga High School**

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
904007	1	Vacuum Cleaner- ProTeam		1
906191	1	Microwave- Amana		1
900559	1	File Cabinet- 4 drawer Lateral		1
	3		0	3

**Central Office**

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
80001	1	Workstation- HP all in one		1
	1		0	1

**Technology Department**

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
28404	1	HiveAP 350 Access Point		1
28402	1	HiveAP 350 Access Point		1
n/a	30	MISC Keyboards		30
n/a	1	Nokia Cell Phone (964-3710)		1
n/a	2	Palm Zire vm150		2
n/a	1	Palm Tungsten E2		1
n/a	9	Sabrent High Resolution TV Turner Box		9
n/a	1	Netgear Wireless G PC Card WG511		1
n/a	1	Netgear 24 Port 10/100 Switch JFS524		1
n/a	3	Netgear 16 Port Switch FS116		3
n/a	3	Netgear 8 Port Switch FS108		3
n/a	6	Netgear 5 Port Switch FS105		6
n/a	3	Netgear 5 Port Switch FS605		3

n/a	1 D-Link 5 Port Switch DDS-5+	1	
904895	1 TOA Integrated Amplifier	1	
904894	1 Sony DVD Player/VCR	1	
n/a	1 Kramer Tools XGA Line Driver	1	
n/a	4 MovieBox DV	4	
33875	1 Acer Chromebook Tab 10	1	
n/a	69 CoolPad Surf Hotspots	69	
n/a	16 Samsung Hotspots	16	
n/a	19 ATT Hotspots	19	
n/a	47 Analog security cameras	47	
n/a	1 Cisco 7821 phone	1	
30290	1 Lenovo N23 Chromebook	1	
30966	1 Lenovo N23 Chromebook	1	
30542	1 Lenovo N23 Chromebook	1	
30449	1 Chromebook N23	1	
30303	1 Chromebook	1	
30472	1 Chromebook N23	1	
905308	1 Projector- CP- X260	1	
	230	2	228

### Transportation Department

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
	0		0	0

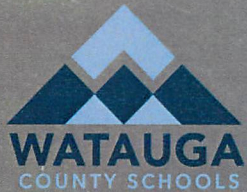
### Maintenance Department

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
	0		0	0

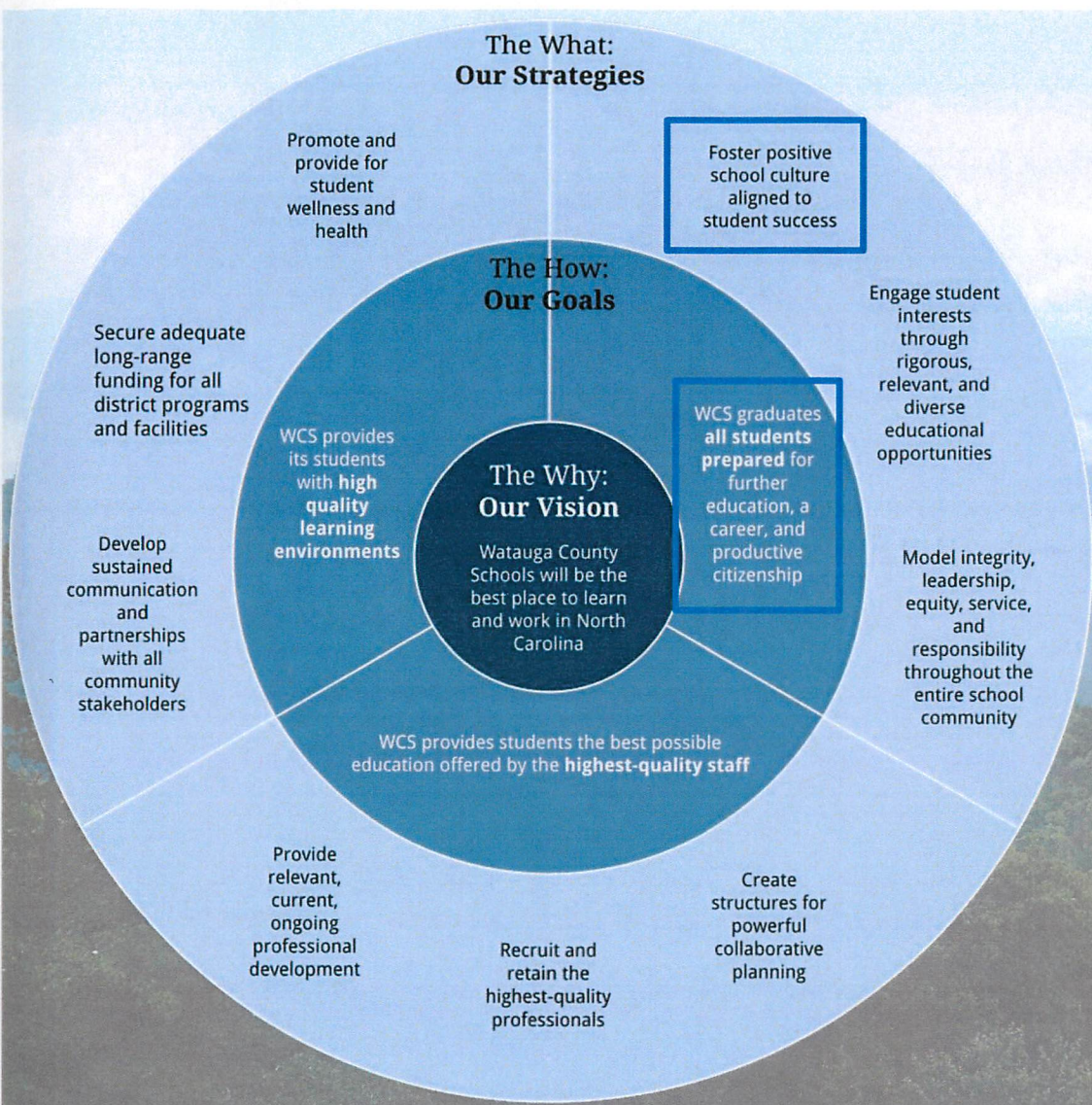
### Child Nutrition

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
	0		0	0

# **Watauga County Schools Board of Education Accountability Update**



**Dr. Wayne M. Eberle, II**  
**Director of Accountability & Federal Programs**  
**August 8, 2022**



# Watauga County Schools Strategic Plan Connection

## Goal 1 Strategy 1

# EOC Proficiency Comparison SY 19-20 to Present

## Pre-COVID Fall 2019 to Fall 2021

Using GLP Standards- at or above Level III

EOC Subject	WHS Fall '19 (Pre-COVID)	WHS Fall '20 (2x3 Flex)	WHS Fall '21
Bio	75.6%	59.7%	71.7%
Eng II	68.3%	76.3%	73.5%
Math I	80.4%	34.2%	80.0%
Math III	70.8%	62.8%	73.3%

EOC Subject	WIA Fall '19 (Pre-COVID)	WIA Fall '20 (2X3 Flex)	WIA Fall '21
Bio	57.1%	58.3%	69.2%
Eng II	53.3%	60.0%	69.2%
Math I	76.2%	41.7%	64.7%
Math III	55.6%	51.4%	60.0%

EOC Subject	Combined Fall '19 (Pre-COVID)	Combined Fall '20 (2X3 Flex)	Combined Fall '21
Bio	72.9%	59.5%	71.2%
Eng II	65.1%	73.6%	72.6%
Math I	79.7%	35.6%	78.2%
Math III	68.2%	60.1%	70.5%

# EOC Proficiency Comparison SY 19-20 to Present

## Pre-COVID Spring 2020 to Spring 2022

Using GLP Standards- at or above Level III

EOC Subject	WHS Spring '20 (COVID-19)	WHS Spring '21 (2X3 Flex)	WHS Spring '22
Bio	No Data	65.0%	70.2%
Eng II	No Data	69.4%	72.5%
Math I	No Data	48.8%	41.7%
Math III	No Data	69.7%	74.2%

EOC Subject	WIA Spring '20 (COVID-19)	WIA Spring '21 (2x3 Flex)	WIA Spring '22
Bio	No Data	54.2%	60.6%
Eng II	No Data	55.9%	64.7%
Math I	No Data	48.3%	48.7%
Math III	No Data	50.0%	63.3%

EOC Subject	Combined Spring '20 (COVID-19)	Combined Spring '21 (2X3 Flex)	Combined Spring '22
Bio	No Data	62.7%	68.2%
Eng II	No Data	66.7%	71.1%
Math I	No Data	48.7%	43.4%
Math III	No Data	66.5%	72.4%

# EOG ELA Proficiency Comparison Pre-COVID Spring 2019 to Spring 2021

Using GLP Standards- at or above Level III

District ELA EOG	Spring '19 (Pre-COVID) First Administration	Spring '19 (Pre-COVID) Second Administration	Spring '20 (COVID-19)	Spring '21 (2x3 Flex) *No 2nd Admin/ Standard Setting Yr	Spring '22 First Administration	Spring '22 Second Administration
G3	67.1%		No Data	57.1%	57.1%	
G4	66.8%	70.3%	No Data	60.8%	61.9%	62.5%
G5	64.0%	66.8%	No Data	50.6%	60.3%	61.8%
G6	67.3%	68.7%	No Data	55.8%	58.3%	60.1%
G7	74.7%	75.9%	No Data	58.3%	61.4%	62.4%
G8	70.8%	71.4%	No Data	57.8%	63.5%	64.5%

# EOG Math Proficiency Comparison Pre-COVID Spring 2019 to Spring 2021

Using GLP Standards- at or above Level III

District Math EOG	Spring '19 (Pre-COVID)* No 2nd Admin/ Standard Setting Yr	Spring '20 (COVID-19)	Spring '21 (2x3 Flex) First Administration	Spring '21 (2x3 Flex) Second Administration	Spring '22 First Administration	Spring '22 Second Administration
G3	72.8%	No Data	52.3%	52.9%	69.0%	69.6%
G4	72.4%	No Data	49.4%	51.0%	67.1%	67.3%
G5	69.2%	No Data	43.1%	44.6%	60.3%	61.2%
G6	70.4%	No Data	51.5%	51.8%	63.3%	65.6%
G7	70.2%	No Data	50.4%	50.7%	58.8%	59.8%
G8	55.0%	No Data	32.3%	33.1%	47.9%	48.3%

# EOG Science Proficiency Comparison Pre-COVID Spring 2019 to Spring 2021

Using GLP Standards- at or above Level III

District Science EOG	Spring '19 (Pre-COVID) First Administration	Spring '19 (Pre-COVID) Second Administration	Spring '20 (COVID-19)	Spring '21 (2x3 Flex) First Administration	Spring '21 (2x3 Flex) Second Administration	Spring '22 First Administration	Spring '22 Second Administration
G5	75.0%	76.6%	No Data	64.7%		74.7%	
G8	89.5%	90.3%	No Data	83.8%	84.1%	85.5%	85.8%

A scenic landscape photograph of a mountain valley. In the foreground, there is a dense forest of green trees. The middle ground shows a valley with a winding road or path. In the background, there are more mountains under a blue sky with white clouds. The text "QUESTIONS?" is overlaid on the image in a large, bold, black font.

# QUESTIONS?

All eligible employees will be provided leave as required by the federal Family and Medical Leave Act of 1993 (FMLA), as amended, and applicable state laws and State Board of Education policies. The FMLA allows eligible employees to take job-protected, unpaid leave, or to substitute appropriate paid leave if the employee has earned or accrued it, for up to a total of 12 workweeks (or 26 workweeks in certain cases) in any 12-month period for certain qualifying conditions or events. The employee may continue to participate in the school system's group insurance plan while on FMLA leave.

This policy is intended for guidance only and is not intended to alter or expand the school system's responsibilities beyond the requirements of law. If any provision of this policy is inconsistent with federal law or regulation, the federal rule must take precedence. The superintendent is authorized to develop additional regulations for FMLA leave consistent with the requirements of the law and this policy. Employees can find more information about FMLA leave in the North Carolina Public Schools *Benefits and Employment Policy Manual*.

The Watauga County Board of Education (the "board") strictly prohibits interfering with, restraining, or denying the ability of any employee to exercise any right provided by the FMLA. The board also strictly prohibits any type of discrimination against or discharge of an employee who has filed a complaint in regard to the FMLA. A copy of this policy will be provided to each employee upon hiring.

#### **A. DEFINITIONS**

##### **1. Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities.

##### **2. Continuing Treatment**

Subject to certain conditions, the continuing treatment requirement in the above definition of "serious health condition" may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment or incapacity due to pregnancy or a chronic condition. Other conditions may meet the definition of continuing treatment.

##### **3. Other Terms**

Unless otherwise noted, all terms in this policy must be defined in accordance with 29 C.F.R. pt. 825.

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**B. ELIGIBILITY**

Generally, employees are eligible for unpaid FMLA leave if they have:

1. been employed by the school system for at least 12 months (not necessarily consecutively); and
2. worked at least 1,250 hours during the previous 12 months.

Further information about these requirements can be found in the Code of Federal Regulations at 29 C.F.R. 825.110.

**C. QUALIFYING CONDITIONS**

Except in cases of leave to care for a covered servicemember with a serious illness or injury, an eligible employee is entitled to a total of 12 workweeks of FMLA leave during any 12-month period for any one or more of the following reasons:

1. the birth and first-year care of the employee's child;
2. adoption or foster placement of a child with the employee;
3. a serious health condition of the employee or the employee's spouse, child, or parent;
4. a qualifying exigency (see Section F) arising out of the fact that the spouse or a son, daughter, or parent of the employee has been deployed, or is on notice of an impending deployment to a foreign country as a member of the regular Armed Forces on active duty or as a member of the Reserve components of the Armed Forces under a federal call or order to active duty in support of a contingency operation; or
5. to care for a covered servicemember with a serious illness or injury ("covered servicemember" and "serious injury or illness" are defined in federal regulation 29 C.F.R. 825.127). An employee who is a spouse, son, daughter, parent, or next of kin of the servicemember may take leave for a period of up to 26 workweeks under this provision.

**D. DETERMINING THE 12-MONTH LEAVE PERIOD**

The 12-month period during which an employee is eligible for FMLA leave will be from July 1 to June 30, except that the period for leave to care for a covered servicemember with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later.

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**E. ENTITLEMENT TO LEAVE**

Eligible employees may take leave as follows:

1. **Medical leave for serious health conditions:** A combined total of 12 workweeks during a 12-month period. The leave may be taken intermittently or on a reduced leave schedule as is medically necessary.
2. **Family leave for pregnancy, birth of a child, or placement of a child for foster care or adoption:** A combined total of 12 consecutive workweeks during a 12-month period. Eligibility for FMLA leave expires 12 months from the birth, foster care placement, or adoption of the child. Leave must be used in a single block of time unless the board agrees to another arrangement.
3. **Military service exigency:** A combined total of 12 workweeks during a 12-month period. The leave may be taken intermittently or on a reduced leave schedule.
4. **Leave to care for injured servicemember:** A combined total of no more than 26 workweeks during a single 12-month period. The leave may be taken intermittently or on a reduced leave schedule. If combined with other types of FMLA leave, the total leave taken in a single 12-month period still may not exceed 26 weeks.
5. **Spouses employed by the school system:** Spouses who are both employed by the school system and eligible for FMLA leave are limited in the amount of family leave they may take for the birth and care of a newborn child, for the placement of a child for adoption or foster care, or to care for a parent who has a serious health condition to a combined total of 12 weeks (or 26 weeks if leave to care for a covered servicemember with a serious injury or illness is also used).

**F. QUALIFIED MILITARY SERVICE EXIGENCIES**

A military service exigency that qualifies for FMLA leave must be defined in accordance with federal regulations. Qualified exigencies may include:

1. short-notice deployment;
2. military events and related activities;
3. school and childcare activities;
4. financial and legal arrangements;
5. counseling;
6. rest and recuperation leave;

7. post-deployment activities;
8. parental care; and
9. additional activities agreed upon by the board and employee.

#### **G. INTERMITTENT OR REDUCED WORK SCHEDULE**

1. An employee may take FMLA leave on an intermittent or reduced leave schedule as required for the health of the employee or family member, due to a qualifying exigency, or as otherwise approved by the superintendent. The employee must make a reasonable effort to schedule treatment so as not to disrupt unduly the operations of the school. Whenever possible, the employee should discuss scheduling with his or her immediate supervisor prior to scheduling any medical treatment in order to accommodate the work schedule.
2. An employee who requests intermittent or reduced leave time for medical treatment of a serious health condition may be required to give the reasons for the intermittent or reduced leave schedule and the schedule for treatment.
3. To better accommodate an employee's need for intermittent or reduced leave for a serious health condition, the school system may require an employee to take an alternative position during the period of leave. The alternative position must have equal pay and benefits, but it does not have to have equivalent duties.
4. Employees may take intermittent leave in increments of one hour.
5. Instructional personnel are subject to special rules for taking intermittent or reduced leave. (See Section H.)

#### **H. INSTRUCTIONAL PERSONNEL**

The following special rules apply to instructional personnel only. For the purposes of this policy, instructional personnel are teachers, athletic coaches, driving instructors, special education assistants, teacher assistants, and any other employees whose principal function is to teach and instruct students.

1. Use of Intermittent or Reduced Schedule Leave
  - a. Instructional employees may use intermittent or reduced schedule leave only when the employee and the school system have reached an agreement on how the leave will be used.
  - b. If an instructional employee requests intermittent or reduced schedule leave for more than 20 percent of the workdays of the duration of a leave due to medical treatment, the school system may require the employee to take

continuous leave for up to the entire duration of the scheduled leave or to transfer to an alternative position with equivalent pay and benefits for the period of leave.

- c. Instructional employees who take intermittent or reduced schedule leave that constitutes 20 percent or less of the workdays during the leave period are not subject to transfer to an alternative position.

## 2. Extension of FMLA Leave at School System Discretion

The school system may require instructional personnel to continue leave through the end of the school semester if any of the following conditions exist:

- a. the leave will begin more than five weeks before the end of the term; the leave will last at least three weeks; and the employee would return to work in the last three weeks of the academic term;
- b. the leave is for a purpose other than the employee's own serious health condition or for a military exigency; the leave will begin in the last five weeks of the term; the leave will last more than two weeks; and the employee would return to work during the last two weeks of the academic term; or
- c. the leave is for a purpose other than the employee's own serious health condition or for a military exigency; the leave will begin in the last three weeks of the term; and the leave will last at least five days.

If the school system requires an instructional employee to take leave until the end of the academic term, only the period of leave until the employee is ready and able to return to work will be charged against the employee's FMLA entitlement.

## I. EMPLOYEE'S RESPONSIBILITY WHEN REQUESTING LEAVE

To ensure that employees receive proper notification of their rights and responsibilities and that leave is properly designated, all employees requesting any type of leave must make the request to the assistant superintendent of human resources or designee.

- 1. Employee's Responsibilities When Leave is Foreseeable
  - a. The employee must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. If this amount of notice is not possible, then notice must be given as soon as practicable, taking into account all of the facts and circumstances.
  - b. The employee must provide sufficient information for the school system reasonably to determine (1) whether the FMLA may apply to the leave

request and (2) the anticipated timing and duration of the leave. This information would include, for example, notice that the employee is unable to perform job functions, notice that the family member is unable to perform daily activities, notice of the need for hospitalization or continuing treatment by a health care provider, or notice of circumstances supporting the need for military family leave.

- c. If the employee does not provide 30 days' notice and there is no reasonable justification for the delay, the school system may delay the FMLA leave until at least 30 days after the employee provides notice of the need for FMLA leave.
- d. If an instructional employee fails to give the required notice of foreseeable leave for an intermittent or reduced leave schedule, the school system may require the employee to take continuous leave for the duration of his or her treatment or may temporarily transfer the employee to an alternative position for which the employee is qualified and that has the same benefits. (See Section H.)

2. Employee's Responsibilities When Leave is Not Foreseeable

- a. When leave is not foreseeable, the employee must comply with the usual school system procedures for notifying his or her supervisor of the absence and requesting leave, including any applicable requirements established by policy 7510, Leave. If the employee fails to do so, the leave may be delayed or denied.
- b. When giving notice of an absence, the employee must inform the supervisor if the requested leave is for a reason for which FMLA leave was previously taken or certified.
- c. The employee also must notify the assistant superintendent of human resources or designee of the need for FMLA leave as soon as practicable.
- d. All employee responsibilities in the FMLA for notice, medical certification, fitness for duty certification, and notice of intent to return to work apply as specified in this policy and policy 7510.

**J. SCHOOL SYSTEM'S DESIGNATION AND NOTICE TO EMPLOYEE**

- 1. Whether or not the employee specifically requests FMLA leave, the assistant superintendent of human resources or designee is responsible for asking any questions of the employee necessary to make a determination of whether the leave is FMLA-eligible, unless the employee has already requested and received FMLA leave or certification for the same condition or event. The assistant superintendent may require the employee to provide notice of the need and the reason for leave.

2. The human resources director or designee shall provide all legally-required notices to the employee within five days of receiving this information or otherwise learning that an employee's leave may be for an FMLA-qualifying reason, unless there is a justifiable delay, such as a delay for documentation.

The required notices must indicate whether the employee is eligible under the FMLA. If the employee is eligible, the notice must specify any additional information required from the employee and must explain the employee's rights and responsibilities under the FMLA. If the employee is not eligible, the notice must provide a reason for the ineligibility. The required notices also must state whether the leave will be designated as FMLA-protected and, if so, the amount of leave that will be counted against the employee's leave entitlement.

3. Leave may be designated as both FMLA-eligible and as leave under the school system's paid leave policy if paid leave has been substituted. Such leave would be counted toward the employee's 12-week FMLA entitlement. In addition, the assistant superintendent of human resources may designate an absence (taken as paid or unpaid leave) that meets the criteria for an FMLA-qualifying absence as part of the employee's total FMLA entitlement, whether or not the employee has requested FMLA leave. (See Section M.)
4. Leave that has been taken for an FMLA-qualifying reason may be retroactively designated as FMLA leave with appropriate notice to the employee, provided that such designation does not cause harm or injury to the employee.

#### **K. CERTIFICATION**

The school system reserves the right to require employees to provide certification of any FMLA-qualifying event or condition of the employee or the employee's spouse, child, parent, or next of kin, including certification for military exigency leave. The school system will not request more medical certification information than that allowed by the FMLA and the Americans with Disabilities Act. The assistant superintendent may request a second or third opinion at the school system's expense if reason to doubt the validity of a medical certification exists. The school system may require periodic recertification to support the leave, as permitted by law.

#### **L. RETURN TO WORK**

The school system may require an employee to periodically report on his or her status and intent to return to work. Any employee who is taking leave through the end of an academic semester must report on his or her intent to return to work no later than four weeks before the end of the academic semester. In addition, the school system may require the employee to report on his or her intent to return to work on a regular basis while on FMLA leave.

Before an employee returns to work from FMLA leave taken for the employee's own serious health condition, the employee must present a "fitness-for-duty" certification that states that the employee is able to return to work. This requirement does not apply to an employee taking intermittent leave unless the employee's condition presents a reasonable safety concern.

**M. SUBSTITUTION OF PAID LEAVE**

1. The school system will substitute appropriate paid leave, including sick leave, personal leave, and vacation time for unpaid, FMLA leave to the extent allowed by law and policy, giving proper notice to the employee that the leave is designated as FMLA. If an employee has exhausted his or her accrued paid leave but an FMLA-qualifying reason for absence continues, the school system will designate resulting absences as protected FMLA leave until the employee has used all allowable FMLA leave. Such absences will be unpaid.
2. When an employee has an absence (taken as paid or unpaid leave) that meets the criteria for an FMLA-qualified absence, the school system may, with proper notice to the employee, designate the absence as part of the employee's total annual FMLA entitlement. If the absence continues for more than 10 days, all employee responsibilities in the FMLA to provide notice for foreseeable and unforeseeable leave, medical certification, fitness for duty certification, and notice of intent to return to work apply as specified in this policy and policy 7510.
3. An employee must not be permitted to ~~exhaust~~ use paid leave before beginning FMLA leave if it has been determined that the employee's reason for using paid leave meets the FMLA eligibility requirements.

**N. RESTORATION TO EQUIVALENT POSITION**

1. Generally

Employees, except "key" employees, will be restored to the same or an equivalent position upon return from FMLA leave.

The equivalent position will have virtually identical pay, benefits and working conditions, including privileges, perquisites, and status, as the position the employee held prior to the leave. The position also must involve substantially similar duties and responsibilities, which must entail substantially equivalent skill, effort, responsibility, and authority. All positions within the same job classification are considered "equivalent positions" for the purposes of this policy, so long as these conditions are met. For licensed employees, all positions with the same salary and licensure requirements also will be considered equivalent positions, so long as these conditions are met.

2. Key Employees

Key employees do not have the right to be restored to the same or an equivalent position upon their return from FMLA leave. Key employees are salaried FMLA-eligible employees who are among the highest paid 10 percent of all employees. If restoring a key employee would result in substantial and grievous economic injury to the school system, then the school system has no obligation to restore the employee to the same or an equivalent position.

An employee will be informed at the time leave is taken if he or she is considered a key employee and will be informed once a determination is made that the employee will not be restored to the same or an equivalent position upon return from FMLA leave. A key employee who has been informed that he or she will not be restored still has the right to health benefits for the full period in which he or she is eligible for FMLA leave.

**O. CONTINUATION OF HEALTH BENEFITS**

Health care coverage and benefits will be continued for the duration of an employee's FMLA leave on the same conditions as would have been provided if the employee had continued working. Employees do not have the right to the accrual of earned benefits during FMLA leave. If an employee takes intermittent or reduced leave, he or she has the right to maintain the same health care benefits, but earned benefits may be reduced in proportion to hours worked when such a reduction is normally based upon hours worked.

The school system may recover from the employee the cost of health insurance premiums paid on behalf of the employee while the employee was on unpaid FMLA leave if the employee does not return to work after the leave, so long as the reason for not returning does not relate to a serious health condition or to circumstances beyond his or her control.

**P. POSTING REQUIREMENT**

The superintendent or designee shall ensure that notices of FMLA provisions and information on procedures for filing complaints are posted in places that are readily accessible to employees and applicants.

**Q. RECORDKEEPING REQUIREMENT**

The human resources office shall maintain records of the following information for at least three years: basic payroll and identifying employee data, the dates (or hours) of FMLA leave taken by each employee, and premium payments of employee benefits. Medical information, such as that relating to medical certifications, also will be maintained in the human resources office in confidential medical records.

The assistant superintendent will maintain for at least three years copies of employee notices, including general and specific notices, any other documents describing employee

benefits or policies, and records of disputes between the school system and any employee regarding designation of FMLA leave.

**R. ENFORCEMENT**

An employee may file a complaint with the U.S. Department of Labor or bring a private lawsuit against the school system for violations of the FMLA.

FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law that provides greater family or medical leave rights.

**S. OUTSIDE EMPLOYMENT/FALSIFICATION OF RECORDS**

The school system may deny FMLA benefits to an employee who engages in self-employment or employment for any employer while on continuous leave if the employee fraudulently obtained FMLA leave. Falsification of records and failure to correct records known to be false are violations of this policy and will result in discipline, which may include termination from employment.

Legal References: Americans ~~W~~with Disabilities Act, 42 U.S.C. 12101 *et seq.*; Family and Medical Leave Act of 1993, as amended, 29 U.S.C. 2601 *et seq.*; 29 C.F.R. pt. 825; National Defense Authorization Act for 2008, Pub. L. 110-181 sec. 585; *North Carolina Public Schools Benefits and Employment Policy Manual*, N.C. Department of Public Instruction (current version)

Cross References: Leave (policy 7510)

Adopted: January 11, 2016

Revised: November 8, 2021;

## VOLUNTARY SHARED LEAVE

Policy Code:

7540

The purpose of voluntary shared leave is to enable employees and other authorized individuals to donate earned leave to a fellow employee or other authorized individual who has exhausted all earned leave and continues to be absent due to serious medical conditions.

Donations made pursuant to this policy are voluntary. No employee should feel pressured or coerced to participate. The donating employee may not receive compensation in any form for the donation of leave. Any employee found guilty of giving or receiving compensation may be subject to dismissal as outlined in applicable state law.

Administrative procedures in conformance with State Board of Education policies will be developed and made available in the human resources office.

Legal References: G.S. 115C-12.2, -47, -325 (applicable to career status teachers), -325.1 *et seq.* (applicable to non-career status teachers), -336; 16 N.C.A.C. 6C .0402; *North Carolina Public Schools Benefits and Employment Policy Manual* (N.C. Dept. of Public Instruction, current version), available at <https://www.dpi.nc.gov/districts-schools/districts-schools-support/district-human-capital/employee-policy>

**Error! Hyperlink reference not valid.**

Cross References:

Adopted: December 14, 2015

Replaces: Policy 3.04.50, Voluntary Shared Leave

Revised: September 14, 2020 (Legal references only);

The Watauga County Board of Education (the “board”) recognizes that an effective staff is critical to the smooth operation of the school system and to creating a learning environment in which students can succeed. The board further believes that students will not excel in performance unless those who most directly affect students, including school administrators, teachers, and other licensed professionals, excel in their performance. It is the intent of the board to employ only those licensed employees who continuously exhibit a pattern of behavior that exemplifies excellent performance.

The board places a high priority on securing the most competent personnel available and, once they are employed, in assisting them in their professional growth and development throughout their careers. An effective evaluation program that clearly describes an employee’s performance is a critical aspect of professional growth and assistance. Further, performance evaluation data is an important factor for consideration in decisions regarding continued employment. The superintendent must be able to substantiate any recommendation for continued employment with evaluation data, among other factors.

The superintendent is directed to develop and implement an effective evaluation system for licensed personnel that is consistent with State Board of Education policies. School administrators who are responsible for conducting evaluations shall comply with all state requirements with regard to the type and frequency of evaluation, including as applicable, the processes for evaluating licensed employees in schools designated as low performing. The principal, or an assistant principal in the limited circumstances authorized by law, shall evaluate teachers and may incorporate any guidelines or strategies developed by the State Board to assist in the evaluations. The principal shall provide teachers’ access to EVAAS data as required by law and shall notify teachers at least annually when the data is updated to reflect teacher performance from the previous school year. The superintendent or designee shall evaluate principals and assistant principals.

All licensed personnel must be evaluated at least annually using state-approved evaluation instruments in conformance with the processes established by the State Board in the North Carolina Educator Evaluation System for that class of personnel. Teachers with fewer than three consecutive years of experience will be evaluated annually in accordance with state law and the comprehensive evaluation cycle established in State Board Policy EVAL-004. For teachers with three or more years of experience, the abbreviated evaluation process established in State Board Policy EVAL-004 satisfies the annual evaluation requirement; however, a teacher receiving an abbreviated evaluation may request that the evaluator conduct a formal observation. In addition, in any given year, the principal may elect to use the comprehensive or standard evaluation processes set forth in State Board Policy EVAL-004 or require additional formal or informal observations to evaluate a teacher with three or more years of experience. The principal also may supplement the State Board evaluation processes for other categories of licensed personnel by requiring additional observations or other evaluation measures. The annual evaluation of principals and assistant principals must include a mid-year review.

The evaluation system must incorporate the following directives.

1. Evaluators must clearly identify exemplary performance as well as deficiencies in performance.
2. Evaluators are encouraged to use supplementary means of assessing and documenting performance in addition to the state performance standards, assessment rubrics, and evaluation instruments, including, but not limited to, additional formal observations, informal observations, conferences, reviews of lesson plans and grade books, interactions with the employee, plans of growth or improvement, and any other accurate indicators of performance.
3. Student performance and growth data will be considered as a part of the evaluation of licensed personnel, as provided in the assessment rubric for the class of employees under evaluation. For teachers, such data shall include student performance as measured by the statewide growth model for educator effectiveness or as otherwise authorized by the State Board of Education and approved by the local board.
4. Peer observations of teachers with fewer than three consecutive years of experience must be conducted as required by law using the evaluation instrument and process established by the State Board and must be considered by the school administrator in evaluating teacher performance.
5. Supervisors and principals should facilitate open communication with employees about performance expectations.
6. An employee who is unclear about how performance is being assessed or who desires additional evaluation opportunities should address these issues with his or her immediate supervisor.
7. Evaluators will be held accountable for following the evaluation system and all applicable state guidelines on the evaluation of employees.
8. Evaluation data will be submitted to the central office personnel file in accordance with state law and policy 7820, Personnel Files.
9. Evaluation data ~~will~~ may be used in making employment decisions, including decisions related to contract renewal (see policy 7410, Teacher Contracts, policy 7425, School Administrator Contracts, and policy 7950, Non-Career Status Teachers: Nonrenewal), reassignments or transfers (see policy 7440, Assignments/Reassignments/Transfers), professional and staff development (see policy 7800, Professional and Staff Development), and suspension, demotion, and or dismissal of employees (see policy 7930, Professional Employees: Demotion and Dismissal, and policy 7940, Classified Personnel: Suspension and Dismissal), and reduction in force (see policy 7920, Reduction in Force: Teachers and School Administrators). Employment decisions may be made by the board and administrators regardless of whether evaluators have followed the evaluation system, so long as there is a legally sufficient basis for the decisions.

10. The superintendent and all evaluators are encouraged to develop ways to recognize distinguished performance and to capitalize on the abilities of such exemplary employees in helping other employees. The superintendent and evaluators are encouraged to involve employees in developing these processes.

The superintendent shall develop any other necessary procedures and shall provide training, as necessary, to carry out the board's directives and to meet state requirements.

Legal References: G.S. 115C-47(18), -286.1, -325, -333, -333.1 -333.2; State Board of Education Policies EVAL-004 through -006, EVAL-022, EVAL-025 through-031

Cross References: Professional and Staff Development (policy 7800), Teacher Contracts (policy 7410), School Administrator Contracts (policy 7425), Assignments/Reassignments/Transfers (policy 7440), Plans for Growth and Improvement of Licensed Employees (policy 7811), Personnel Files (policy 7820), Reduction in Force: Teachers and School Administrators (policy 7920), Professional Employees: Demotion and Dismissal (policy 7930), Classified Personnel: Suspension and Dismissal (policy 7940), Non-Career Status Teachers: Nonrenewal (policy 7950)

Adopted: February 8, 2016

Revised: June 13, 2016; August 14, 2017; April 9, 2018;

Replaces: Policy 3.05.20, Evaluation of Licensed Employees

## EVALUATION OF NON-LICENSED EMPLOYEES

Policy Code:

7815

The Watauga County Board of Education (the “board”) attaches a high priority to securing the most competent personnel available and, once they are employed, in assisting them in their growth and development throughout their careers. Evaluations of non-licensed employees’ performance must conform to the following board directives.

1. Exemplary performance as well as deficiencies in performance should be clearly identified.
2. Supervisors and principals should facilitate open communication with employees about performance expectations.
3. An employee who is unclear about how performance is being assessed or desires additional evaluation opportunities should address these issues with his or her immediate supervisor.
4. Evaluation data will be submitted to the central office personnel file in accordance with state law and policy 7820, Personnel Files.
5. Evaluation data may be used in making employment decisions, including decisions related to promotions, reassignments, or transfers (see policy 7440, Assignments/Reassignments/Transfers), promotions and suspensions or dismissals and demotion of employees (see policy 7940, Classified Personnel: Suspension and Dismissal), and reductions in force (see policy 7921, Classified Personnel Reduction). Employment decisions may be made by the board and administrators regardless of whether evaluators have followed the evaluation system, so long as there is a legally sufficient basis for the decisions.
6. The superintendent and all evaluators are encouraged to develop ways to recognize exemplary employees and to capitalize on the abilities of exemplary employees in helping other employees.

The superintendent shall develop any other necessary procedures and shall provide training, as necessary, to carry out these board directives. Each supervisor and/or principal shall annually complete a written evaluation on all non-licensed/classified employees under his/her supervision. The evaluation shall be used to increase job proficiency and also to determine continuing employment status. All evaluations shall be made using the prescribed process and documentation for each category of classified employee. Supervisors and/or principals may use other forms of evaluation and documentation in addition to the annual evaluation, including informal observations and conferences.

Legal References: G.S. 115C-47(18), -333.1

Cross References: Assignments/Reassignments/Transfers (policy 7440), Personnel Files (policy

7820), Classified Personnel Reduction (policy 7921), Classified Personnel: Suspension and Dismissal (policy 7940)

Adopted: January 11, 2016

Replaces: Policy 3.05.30, Evaluation of Non-Licensed and Classified Employees

## DISPOSAL OF SURPLUS PROPERTY

Policy Code:

6560

When personal property becomes unnecessary and undesirable for public school purposes, the school system will sell or dispose of the property in order to provide additional revenue for educational purposes, in accordance with the requirements of Article IX, Section 7 of the North Carolina Constitution, G.S. 115C-518 and G.S. 160A, article 12.

Equipment and supplies acquired under a federal award will be disposed of in accordance with the terms and conditions of the federal award, all applicable requirements of federal law and regulation, and the provisions of this policy not inconsistent with such requirements.

Contracts for the sale or disposal of surplus property must be consistent with G.S. 147, art. 6E and 6G. Prior to disposition, the superintendent or designee must make a finding that the property is no longer necessary or desirable for school use. Before any property may be sold or disposed of, it must be removed from the appropriate fixed asset inventory.

The superintendent or designee shall ensure that any confidential, proprietary, or other identifying information is removed from surplus property prior to disposition. In addition, the disposal of any equipment or other property through waste management services must be done in a manner consistent with environmental or other relevant rules and regulations.

The board will approve the disposal of surplus property pursuant to the requirements of G.S. 160A, article 12.

Legal References: 2 C.F.R. 200.313-200.314; N.C. Const. art. IX, § 7; G.S. 115C-518; 147 art. 6E, art. 6G; 160A, art. 12; Boney v. Board of Trustees, 229 N.C. 136 (1948)

Cross References: Fixed Assets Inventory (policy 8350), Fixed Assets (8350-R)

Adopted: April 11, 2016

Revised: May 9, 2016; February 12, 2018; March 11, 2019;

## PAYROLL DEDUCTIONS

Policy Code:

7620

The finance officer is authorized to make the following types of salary deductions in accordance with all applicable state and federal requirements:

1. federal income taxes (federal requirement);
2. state income taxes (state requirement);
3. federal social security taxes (state requirement);
4. North Carolina State Retirement System contributions (required by G.S. 135-8);
5. ~~court-ordered~~ child support or other court-ordered payments;
6. federal, state, and local government garnishments;
7. ~~health insurance premiums authorized by state law (authorized by G.S. 115C-340);~~
8. ~~7.~~ tax sheltered (deferred) annuities, 403(b) option offered by the Watauga County Board of Education (the "board") (authorized by G.S. 115C-341), and/or 403(b) option offered through the North Carolina Public School Teachers' and Professional Educators' Investment Plan (authorized by G.S. 115C-341.2);
8. Supplemental Retirement Income Plan of North Carolina, 401(k) (authorized by G.S. 135-93);
9. North Carolina 457 Plan (authorized by G.S. 143B-426.24);
10. flexible benefits plan (authorized by G.S. 115C-341.1);
11. North Carolina State Employees Credit Union deductions (authorized by G.S. 115C-342);
12. group ~~life~~-insurance premiums (authorized by G.S. 115C-340, -342);
13. ~~group dental insurance premiums (authorized by G.S. 115C-340, -342);~~
13. a 12-month pay option for 10- and 11-month employees (authorized by G.S. 115C-302.1(b) and -316(a)(2));
14. dues or contributions to employees' associations that meet the minimum membership requirements as described in G.S. 143B-426.40A(g);
14. ~~15.~~ other deductions as may be required by law or approved by the board (additional possible deductions include dues for employees' associations not meeting the minimum membership requirements described in statute or donations to ~~or~~ charities); and

| ~~15.16. deductions to recoupment of~~ advancement or overpayment of wages.

The superintendent or designee shall make information available to all employees regarding possible payroll deductions and any procedures or requirements for particular types of deductions. Any employee who would like the board to consider additional salary deductions should contact the superintendent, who shall review such requests and make recommendations to the board.

| Legal References: G.S. 115C-302.1(b), -316(a)(2), -339 to -342; 135-8, -93; 143B-426.24, -426.40A(g), (i)

Cross References:

Adopted: January 11, 2016

| Revised: July 13, 2020;

Replaces: 3.08.50, Salary Deductions

## DEPOSITORIES

*Policy Code:*

**8320**

Every five years or as directed by the board, the school system will solicit bids from, and will designate as official depositories of the school system, one or more banks, savings and loan associations, or trust companies in North Carolina. The school system will comply with all legal requirements applicable to the deposit of funds into the school system's official depository(ies). No money will be deposited in any place other than an official depository, except as permitted by G.S. 115C-443(b), which exception relates only to certificates of deposits or such other forms of time deposits approved by the Local Government Commission.

Legal References: G.S. 115C-443, -444; 147-86.11, -86.12

Adopted: February 8, 2016

Replaces: Policy 6.04, Management of Funds (in part)

Revised:

## SALE, DISPOSAL, AND LEASE OF BOARD-OWNED REAL PROPERTY

Policy Code:

9400

The Watauga County Board of Education (the “board”) will consider the sale and disposal of board-owned real property, including land and buildings, as authorized by law. The board is guided in its decisions by its commitment to help students succeed by providing appropriate facilities and to use its resources in a fiscally and environmentally sound manner.

Any sale or disposal of real property, including school buildings, will be conducted in accordance with constitutional and statutory requirements. The superintendent should secure the services of consultants as necessary to conduct feasibility assessments and determine the fair market value. No building or land will be sold below the fair market value or exchanged for less than full and fair consideration, except as permitted by law. ~~that~~ The board will afford the board of county commissioners the first opportunity to obtain any real property at the fair market price or a price negotiated between the two boards.

~~The board may~~ When the board decides to lease board-owned real property to another entity, the lease will be at the fair market value, except that the board may negotiate a lesser amount with another governmental unit in accordance with constitutional and statutory requirements. The board will lease available board-owned buildings and land to charter schools when required by law.

All contracts for the sale, disposal, or lease of real property must be consistent with G.S. 147, art. 6E and art. 6G.

Legal References: N.C. Const. art. IX, § 7; G.S. 115C-72, -218.35, -518, -521; 147 art. 6E, art. 6G; 160A art. 12; 147 art. 6E, art. 6G Boney v. Board of Trustees, 229 N.C. 136 (1948)

Cross References: Community Use of Facilities (5030), Guidelines for Community Use of Facilities (5030-R), Planning to Address Facility Needs (policy 9000), Site Selection (policy 9010), Use and Selection of Architects, Engineers, Surveyors, and Construction Managers ~~a~~At Risk (policy 9110)

Adopted: April 11, 2016

Revised: May 9, 2016; December 12, 2016; February 12, 2018;