

# 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

January 10, 2022

5:30 P.M.

- |      |     |   |  |
|------|-----|---|--|
| 5:30 | 1.  | <b>CALL TO ORDER</b>  | Board Chair                            |
| 5:32 | 2.  | <b>CLOSED SESSION</b>                                       |  |
|      |     | A. Approval of Minutes                                      |  |
|      |     | B. Reportable Offenses – N.C.G.S.115C-288(g)                |  |
|      |     | C. Student Records - N.C.G.S.143-318.11(a)(1)               |  |
|      |     | D. Personnel – N.C.G.S.143-318.11(a)(6)                     |  |
|      |     | E. Attorney-Client - N.C.G.S 143-318.11(a)(3)               |  |
| 6:00 | 3.  | <b>OPEN SESSION CALL TO ORDER/WELCOME/MOMENT OF SILENCE</b> | Board Chair                            |
| 6:05 | 4.  | <b>ELECTION OF BOARD OFFICERS</b>                           | Board Chair                            |
| 6:10 | 5.  | <b>DISCUSSION AND ADJUSTMENT OF AGENDA</b>                  | Board Chair                            |
| 6:13 | 6.  | <b>SUPERINTENDENT’S REPORT</b>                              | Dr. Scott Elliott                      |
| 6:18 | 7.  | <b>STUDENTS’ REPORT</b>                                     | Ms. Isabella Sibaja<br>Ms. Mia Shanely |
| 6:23 | 8.  | <b>PUBLIC RECOGNITION</b>                                   |  |
|      |     | A. Servant’s Heart Award                                    | Dr. Scott Elliott<br>Dr. Laurie Gill   |
| 6:28 | 9.  | <b>CURRICULUM UPDATE</b>                                    | Ms. Tamara Stamey                      |
| 6:43 | 10. | <b>UPDATE ON VALLE CRUCIS SCHOOL PLANNING</b>               | Dr. Scott Elliott                      |
| 6:53 | 11. | <b>COVID UPDATE</b>   | Dr. Scott Elliott                      |
| 7:03 | 12. | <b>PUBLIC COMMENT</b>                                       | Board Chair                            |
| 7:13 | 13. | <b>MASK POLICY MONTHLY APPROVAL</b>                         | Board Chair                            |
| 7:23 | 14. | <b>CONSENT AGENDA</b>                                       |  |
|      |     | A. Approval of the Minutes for 12/13/2021                   | Dr. Scott Elliott                      |
|      |     | B. Declaration of Surplus                                   |  |
|      |     | C. Personnel Report   |  |

----BREAK----

- 7:40 15. ELEVATE WATAUGA UPDATE** Ms. Crystal Kelly
- 8:00. 16. SUBSTANTIVE POLICIES FOR FIRST READ** Dr. Wayne Eberle
- 4050 Children of Military Families
  - 4120 Domicile or Residence Requirements
  - 4150 Student Assignment
  - 4300 Student Behavior Policies
  - 4720 Student Surveys
  - 5022 Registered Sex Offenders
  - 7262 Communicable Diseases - Employees
- 8:20 17. SUBSTANTIVE POLICIES FOR SECOND READ** Dr. Wayne Eberle
- 3420 Student Promotion and Accountability
  - 3225/4312/7320 Technology Responsible Use
  - 8305 Federal Grant Administration
  - 8310 Annual Independent Audit
  - 9000 Planning to Address Facility Needs
- 8:30 18. BOARD OPERATIONS** Board Chair
- 8:40 19. BOARD COMMENTS** Board Chair
- 8:50 20. ADJOURNMENT** Board Chair
- 21. MISCELLANEOUS INFORMATION**



## WATAUGA COUNTY BOARD OF EDUCATION

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

On August 30, 2021 Governor Cooper signed Session Law 2021-130 (Senate Bill 654). The law, called “an Act to Provide Relief to Public Schools in Response to the Coronavirus Disease 2019 (COVID-19) Pandemic,” includes the following provision:

Effective immediately, all school boards must:

1. “Adopt a policy regarding the use of face coverings by employees and students.” And
2. “Vote at least once a month on whether the face covering policy should be modified.”

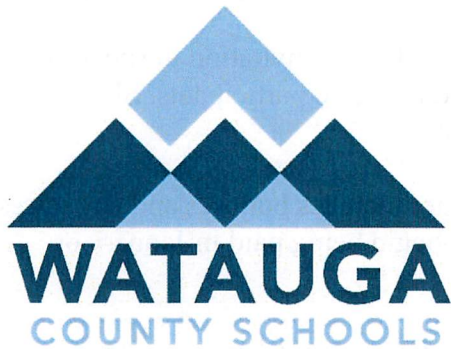
Pursuant to this requirement, the policy of the Watauga County Board of Education is to direct the Superintendent of Schools to implement and enforce the decision of the Board as adopted by unanimous vote on August 9, 2021.

The policy of the board is as follows:

The Board will require indoor masking for all teachers, staff, students, volunteers, and visitors when inside any school owned facilities and vehicles, regardless of vaccination status. Exceptions will be made for employees and students while eating and socially distanced; and, for employees who are in their offices, classrooms, or school owned vehicles while alone or only with members of their own households. Also, masks will be strongly recommended but optional at indoor after school athletic events for spectators, staff, coaches, and athletes. Face coverings will be strongly encouraged but optional for middle and high school athletes during practice and competition. The Superintendent may further restrict this flexibility for athletes if necessary to protect students.

This shall be the policy of the Watauga County Board of Education until amended or rescinded by a vote of the Board during an open session.

Last updated December 13, 2021



# WATAUGA COUNTY BOARD OF EDUCATION

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

## MINUTES OF THE BOARD OF EDUCATION MEETING

**DATE:** December 13, 2021

**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. Jason Cornett moved to enter closed session and Marshall Ashcraft seconded the motion. The vote to approve was unanimous.

A motion was made at 5:47 by Steve Combs and seconded by Jason Cornett to reenter open session. The vote to enter open session was unanimous.

### **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**

The agenda was reordered to accommodate special guests who would attend the finals of the middle school basketball tournament. The student report would be exchanged in the agenda order with Public Recognition and leading with the Servant's Heart Award.

### **SUPERINTENDENTS REPORT**

Dr. Elliott expressed his thanks to everyone who continued to be devoted to keeping schools open and education continuing for students.

He welcomed Dr. Childers and the board members, Ms. Sibaja, and Ms. Shanely. Ms. Klutz, Mr. Henries, and Watauga Sheriff's officers. He welcomed parents and family members of those recognized, and Watauga County Schools (WCS) supporters and friend, The Watauga Education Foundation (WEF).

He congratulated 2020 Watauga Teacher of the Year and Northwest NC Teacher of the Year, Erin Ellington on her recent appointment to the educator advisory committee for state superintendent, Catherine Truitt. He recognized student board representative, Ms. Mia Shanely who was recently appointed to the newly formed student advisory council to the Department of Public Instruction and Superintendent Truitt.

He commended Haleigh Lawson, former student board representative, for her invitation to speak and her performance, at the lunchtime presentation of the AIM conference to the 1200 participants. She spoke about the importance of the positive impact teachers have on students.

Dr. Elliott noted that the State budget was recently passed. The budget includes bonuses and pay raises for state employees and school employees, which he expects would begin being paid in January or February.

Dr. Elliott encouraged financial support of Watauga Education Foundation donations who were providing over \$20,000 towards teacher classroom grants this year. He noted that they represented WCS in the Boone Christmas parade by riding in a yellow bus.

### **PUBLIC RECOGNITION**

Dr. Elliott described the inception of the Servant's Heart Award and recognized Teacher's Assistant (TA), Alisa Watson from Cove Creek who had been nominated by Patty Hensley. Ms. Hensley shared the many ways that Ms. Watson had exhibited her dedication during the 12 years in which they had worked together. In addition to her position as a TA, she transports students on the bus each morning and evening. She is always the first to fill gaps and volunteer for anything that needed to be done, and other things that she sees which need to be done, as well. Everyone from Cove Creek congratulated her for her award and thanked her for her dedicated service.

Dr. Elliott recognized Christmas Card Contest winner, student Madisyn Greene from Ms. Trethewey's class, and additional artwork by Destiny Deiters from Ms. Bolick's class.

Dr. Elliott introduced the Watauga Education Foundation (WEF) Board of Directors. John Pearce, VP, noted that the Watauga Education Foundation provided more than \$20,000 for teacher grant requests to support teachers and fund inspiring projects in schools. He recognized the grant recipients who were: Amanda Storey of Hardin Park, Angela Alexander of Watauga High, Anna Volda of Watauga High, Ashley Tate of Green Valley, Brenda Blalock of Mabel, Brittany Gotherman of Hardin Park, Carol Critcher of Blowing Rock, Christina Welch of Mabel, Corey Freeman of Hardin Park, Candice Trexler for a County-wide grant, Eric Mortensen of Watauga High, Genal West of Watauga High, Heather Padilla Seaton of Hardin Park, Hope Combs of Cove Creek, Jennifer Brown of Green Valley, Laura Keys of Valle Crucis, LeAnne Hilderbran, of Bethel, Laura Miller of Bethel, Megan Kilby of Hardin Park, Megan Laws of Parkway, Michelle Nichols of Mabel, Sarah Miller of Watauga High, Suzanne Livesay of Valle Crucis. Several teachers shared information about the programs which would be funded by the WEF grant to enhance their students' opportunities.

Dr. Childers thanked the WEF for their continuing support of many teachers and programs.

Mr. David Jackson of the Boone Chamber of Commerce thanked the teachers for all of their work daily, and especially during this year. He was privileged to speak about leadership and the Watauga Community. He stated that Dr. Scott Elliott, who had agreed to Chair the Boone Chamber, and who led strongly throughout the year of COVID, exhibited excellent public service in Watauga County. He thanked Dr. Elliott for his positive influence and leadership and for helping to make the community strong by keeping the school system strong. He presented Dr. Elliott with the 2021 Kathy Crutchfield Citizen of the Year award, symbolizing model leadership in the community. Dr. Elliott thanked Mr. Jackson for his leadership in Boone and Watauga, and his partnership with and support of Watauga County Schools. The Board members all congratulated Dr. Elliott.

## **STUDENT REPORT**

Mia Shanely and Isabella Sibaja shared updates from Watauga High. Mr. WHS was held on December 4<sup>th</sup>, which raised over \$20,000 for three local families in need. The Holiday Kaleidoscope Concert, a collaboration of Band, Chorus and Orchestra, was held on December 7th and 9th. The Interact club volunteered with the Boone Firewood Ministry. Ms. Shanely helped with this mission, which supports two dozen families with winter heating. Mr. Calbreath had held a self-defense course for students, an example of how school staff and teachers serve students in many additional ways. On November 19th and 22<sup>nd</sup>, Pioneer Ambassadors hosted tours of Watauga High school for current eighth graders. Pioneer Playmakers received many awards at their State competition for excellence in several facets of theatre production. Exams are currently being held. The students highlighted Parkway activities – a decal fundraiser, participation in many academic competitions, achieving excellence in that evening's Middle School Basketball finals, and were preparing to produce the Willy Wonka theatre production. The students wished everyone Happy Holidays.

The Board took a break at 6:43 PM and reconvened at 6:53 PM

## **CURRICULUM AND INSTRUCTION UPDATE**

Ms. Tamara Stamey spoke about LETRS training, which would be instituted utilizing the “Science of Reading.” It is a two year DPI training required for all K-5 and other literacy teachers. The extensive training is a four-year study, consisting of 46-53 hours of professional development during the first year, and additional study in subsequent years. Training will involve 160 teachers, and days have been dedicated in the 2022-2023 calendar to accommodate the schedule. WCS teachers have already been using many of these concepts, which will include some marked differences from previous methods. Voyager Sopris will provide the LETRS training in North Carolina.

## **UPDATE ON VALLE CRUCIS PLANNING**

Dr. Elliott shared that planning continues with the development of the kitchen design. He noted the upcoming replacement of the bridge at Hwy 105 could affect traffic flow and construction, and that they were working closely with NC DOT to monitor the impact.

## **COVID UPDATE**

Dr. Elliott presented a packet of information to the board regarding updates to the state protocols, and community transmission. AppHealthCare had reported declining numbers, and the community transmission status maintained by Johns Hopkins had moved from “high” to “substantial” and back several times recently. He noted that there was often a lag in reporting between institutions. He discussed two testing programs: voluntary testing at Cove Creek to determine asymptomatic cases, and Test to Stay, which is a strategy to help reduce the number of students required to quarantine and keep students in school.

## **PUBLIC COMMENT**

One citizen spoke during Public Comment at the December Board Meeting. Mr. Michael Ackerman spoke about his feeling that the Board was not being responsive to parents' concerns, and not answering emails or questions. He felt that the Board was missing the opportunity to work with the public and be a model for other state and national districts.

## **MASK POLICY MONTHLY APPROVAL**

A motion was made by Jay Fenwick and seconded by Marshall Ashcraft to maintain the current Board Mask Policy. The Board discussed current conditions, with significant comments from Mr. Ashcraft who expressed his opinion that, while he looked toward the future when removing the mandate would be prudent, it was too early to remove the mask mandate with the consideration of the omicron variant, community transmission, younger students who had not had the opportunity to be fully vaccinated, and the approaching winter and holidays, which had historically caused increased community numbers. Dr. Fenwick expressed his focus on keeping students in school as a desire of parents and the community, and for the consistency that it provided students. He asked for clarification of some test to stay data. Dr. Childers expressed his position, which was largely in line with Mr. Ashcraft. Dr. Childers called for a vote, which was unanimous to maintain the current policy.

Following an introduction by Dr. Childers and Dr. Elliott, stating that WCS is the only school in the athletic conference, which requires masks at afterschool, indoor athletic events, Jason Cornett moved to make masks optional at afterschool and extra-curricular indoor athletic events. Steve Combs seconded the motion. The vote to adopt this change was unanimous.

## **CONSENT AGENDA**

The Consent Agenda was presented as follows:

- A. Approval of the Minutes for 11/8/2021
- B. Field Trip Requests
- C. Declaration of Surplus
- D. Technical Policies for Approval:
  - 4002 Parental Involvement
  - 3100 Curriculum Development
  - 3410 Testing and Assessment Program
  - 3460 Graduation Requirements
  - 4152 Unsafe School Choice Transfer
  - 4316 Student Dress code
  - 4700 Student Records
  - 5210 Distribution and Display of Non-School Material
- E. Personnel Report

Steve Combs moved to approve the consent agenda items A through E. Jay Fenwick seconded the motion. Following discussion, the vote to approve was unanimous.

The Board took a break at 8:34 PM and reconvened at 8:44 PM.

## **APPROVAL OF 2022-2023 CALENDAR**

Dr. Elliott presented the calendar for 2022-2023. He noted some highlights: first semester ends on January 13<sup>th</sup> and exams are in January due to calendar law required start dates. The calendar also allows for professional development days related to the LTERS training. High school students will attend school more days than the K-8 students. Following discussion, Marshall Ashcraft moved to approve the calendar, which was seconded by Steve Combs. The vote to approve was unanimous.

**SUBSTANTIVE POLICIES FOR FIRST READ**

3420	Student Promotion and Accountability
3225/4312/7320	Technology Responsible Use
8305	Federal Grant Administration
8310	Annual Independent Audit
9000	Planning to Address Facility Needs

Dr. Eberle presented the listed policies. The Board discussed the policies which would be presented for second read in January 2022.

**SUBSTANTIVE POLICIES FOR SECOND READ**

1325/7315	Confidential Information
1402	Remote Participation in Board Meetings
4400	Attendance
7130	Licensure
7340	Employee Dress and Appearance
7530	Military Leave
7820	Personnel Files

The Board discussed the policies listed above. Steve Combs moved to approve the policies as written, which was seconded by Marshall Ashcraft. Following discussion, the vote to approve was unanimous.

**BOARD OPERATIONS**

Dr. Childers had attended the NCSBA conference and was installed as a Board member on the state NCSBA Board. He is appointed to the Finance and Legislative Committees. He found Roy William's speech relevant for board members. Mr. Ashcraft found the conference a valuable experience.

**BOARD COMMENTS**

Mr. Ashcraft suggested that a study of demographics, community growth, school size and placement might be worthwhile for evaluation of future building and renovation considerations. Dr. Elliott and many Board members agreed. Dr. Childers wished everyone a safe holiday and expressed his respect for them all.

**ADJOURNMENT**

Steve Combs moved to adjourn, which was seconded by Jay Fenwick. The Board unanimously approved the motion at 9:47 PM.

---

Dr. Gary L. Childers, Board Chair

---

Dr. Scott Elliott, Superintendent

<b>Declaration of Surplus Items - December 2021</b>	
---	--

**Board Meeting: 12/13/21**

**Bethel**

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

**Blowing Rock**

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

**Cove Creek**

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

800119	1	SmartBoard 680		1
--------	---	----------------	--	---

800092	1	Projector		1
--------	---	-----------	--	---

800717	1	Floor Buffer		1
--------	---	--------------	--	---

3

0

3

**Green Valley**

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

**Hardin Park**

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

501109	1	Floor Machine- Holt		1
--------	---	---------------------	--	---

51815	1	Charger- Delta Volt	1	
-------	---	---------------------	---	--

2

1

1

**Mabel**

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

324-1661	1	Camcorder- Cannon		1
----------	---	-------------------	--	---

600237	1	Camcorder- Sony		1
--------	---	-----------------	--	---

601005	1	Camcorder- Nikon		1
--------	---	------------------	--	---

600421	1	Camcorder- Kodak		1
--------	---	------------------	--	---

600522	1	Camcorder- Kodak		1
--------	---	------------------	--	---

34665	1 Chromebook	1		
	6	0	6	

### Parkway

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
701001	1 Laptop- Asus	1		
	1	0	1	

### Valle Crucis

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
301289	1 Chromebook	1		
	1	0	1	

### Watauga High School

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

### Central Office

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

### Technology Department

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
28509	1 Chromebox-mini CPU	1		
28508	1 Chromebox-mini CPU	1		
700352	1 Tablet	1		
401123	1 Chromebook	1		
27879	1 Chromebox-mini CPU	1		
28854	1 Chromebox-mini CPU	1		
30793	1 Chromebook	1		
30242	1 Chromebook	1		
32254	1 Chromebook	1		

31328	1 Chromebook		1
30866	1 Chromebook		1
31053	1 Chromebook		1
34593	1 Chromebook		1
33252	1 Chromebook		1
28001	1 Tablet- iPad 2	1	
27988	1 Tablet- iPad 2	1	
27996	1 Tablet- iPad 2	1	
27993	1 Tablet- iPad 2	1	
29360	1 Laptop- Probook		1
31829	1 Chromebook		1

20

<input type="text"/>	<input type="text"/>
----------------------	----------------------

4

16

### Transportation Department

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

### Maintenance Department

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

50757	1	Vacuum- Mastercraft		1
-------	---	---------------------	--	---

1

<input type="text"/>	<input type="text"/>
----------------------	----------------------

0

1

### Child Nutrition

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

The Watauga County Board of Education (the “board”) recognizes the unique circumstances faced by children of military families who are often required to transfer to a new school system because their parents or guardians have a new military assignment. The board also recognizes that children whose immediate family members are deployed by the military may be at increased risk of emotional, psychological, or other harm. The board is committed to supporting these children in the school system and undertaking to serve their unique needs.

**A. IDENTIFICATION OF MILITARY-CONNECTED STUDENTS**

Each principal shall annually identify all military-connected students enrolled in the school and shall develop a means for serving their unique needs. For purposes of this section, a military-connected student is defined as a student who has a parent, step-parent, sibling, or any other person who resides in the same household serving in the active or reserve components of the Army, Navy, Air Force, Marine Corps, Coast Guard, or National Guard.

The identification of military-connected students is not a public record subject to public records law.

**B. COMPLIANCE WITH THE INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN**

In order to promote flexibility and cooperation among the school system, parents and guardians, and children of military families, to promote the children’s well-being, and to assist these children in achieving educational success in their new schools, the superintendent shall adopt procedures necessary to ensure compliance with the Interstate Compact on Educational Opportunity for Military Children (hereinafter “Compact”) and to educate employees about the unique needs of children of military families.

**1. Definitions**

The following definitions apply to all policies and procedures adopted in compliance with the Compact.

**a. Active Duty**

Active duty is full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. 12301 *et seq.* and 10 U.S.C. 12401 *et seq.*

**b. Children of Military Families**

---

Children of military families are school-aged children, enrolled in kindergarten through twelfth grade, in the household of an active duty member.

c. Deployment

Deployment is the period one month prior to the service members' departure from their home station on military orders through six months after their return to their home station.

d. Education Records

Education records are those official records, files and data directly related to a student and maintained by the school or school system, including but not limited to records encompassing all the material kept in the student's cumulative folder, such as general identifying data, records of attendance and of academic work completed, records of achievement and results of evaluative tests, health data, disciplinary status, test protocols, and individualized education programs.

e. Extracurricular Activities

Extracurricular activities are voluntary activities sponsored by the school or school system or an organization sanctioned by the school system. Extracurricular activities include, but are not limited to, preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays, and club activities.

f. Member State

A member state is a state that has enacted the Compact.

g. Non-Member State

A non-member state is a state that has not enacted the Compact.

h. Receiving State

The receiving state is the state to which a child of a military family is sent, brought, or caused to be sent or brought.

i. Rule

A rule is a written statement by the Interstate Commission promulgated pursuant to Article XII of the Compact that is of general applicability, implements, interprets or prescribes a policy or provision of the Compact,

or an organizational, procedural, or practice requirement of the Interstate Commission, and has the force and effect of rules promulgated under the Administrative Procedures Act as found in Chapter 150B of the North Carolina General Statutes, and includes the amendment, repeal, or suspension of an existing rule.

j. Sending State

The sending state is the state from which a child of a military family is sent, brought, or caused to be sent or brought.

k. Student

The student is the child of a military family for whom the school system receives public funding and who is formally enrolled in kindergarten through twelfth grade.

l. Transition

The transition is (1) the formal and physical process of transferring from school to school or (2) the period of time in which a student moves from one school in the sending state to another school in the receiving state.

m. Uniformed Services

The uniformed services are the Army, Navy, Air Force, Marine Corps, and Coast Guard, as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration and the Public Health Services.

n. Veteran

A veteran is a person who served in the uniformed services and who was discharged or released therefrom under conditions other than dishonorable.

2. Those to Whom Adopted Policies and Procedures Apply

Policies and procedures that are adopted to comply with the Compact apply to the children of:

- a. active duty members of the uniformed services as defined in sSection A of this policy, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. 12301 *et seq.* and 10 U.S.C. 12401 *et seq.*;

- b. members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one year after medical discharge or retirement; and
  - c. members of uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one year after death.
3. Those to Whom Adopted Policies and Procedures Do Not Apply

The policies and procedures adopted to comply with the Compact do not apply to the children of:

- a. inactive members of the National Guard and Military Reserves;
- b. members of the uniformed services now retired, except as provided in Section B of this policy; and
- c. veterans of the uniform services, except as provided in Section B of this policy, and other U.S. Department of Defense personnel and other federal agency civilians and contract employees not defined as active duty members of the uniformed services.

### **C. RESOLUTION OF ISSUES**

The grievance procedure provided in policy 4010, Student and Parent Grievance Procedure, may be utilized by parents or guardians who disagree with a decision pertaining to education records, enrollment or eligibility for enrollment, placement, attendance, extracurricular activities, or graduation of a child of a military family, or a rule, as defined in this policy. In addition, parents or guardians may seek informal resolution of such decisions at any time by contacting the office of the North Carolina Department of Public Instruction (NCDPI) Military Liaison or the North Carolina Commissioner of the North Carolina State Council for the Interstate Compact on Educational Opportunity for Military Children. Specific contact information may be found online at [www.dpi.nc.gov/students-families/student-support/nc-supports-military-children](http://www.dpi.nc.gov/students-families/student-support/nc-supports-military-children) or by calling NCDPI at (984) 236-2100.

Legal References: G.S. 115C-12(18)(f), -288(m), -407.5

Cross References: Student Promotion and Accountability (policy 3420), Graduation Requirements (policy 3460), Extracurricular Activities and Student Organizations (policy 3620), Student and Parent Grievance Procedure (policy 4010), Immunization and Health Requirements for School Admission (policy 4110), Domicile or Residence Requirements (policy 4120), Assignment to Classes (policy 4155), Attendance (policy 4400), Student Records (policy 4700)

Adopted: February 9, 2015

| Revised: June 28, 2021;

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 Watauga County Board of Education's (the "board") 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. Subject to the provisions set forth in policy 4125, a homeless student will be assigned to a school in the attendance area where he or she is physically located or wherever the interests of the child are best met.
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.

- 5.6. 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.
- 6.7. 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) ~~on active military duty, not including periods of active duty for training for less than 30 days, and is deployed out of the local school administrative unit in which the student resides;~~ (2) 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 (3) 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 ~~deployment,~~ 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. REMOTE ENROLLMENT OF CHILDREN OF MILITARY FAMILIES**

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

1. The student's parent or legal guardian is on active military duty and is transferred or pending transfer pursuant to an official military order to a military installation or reservation in North Carolina.
2. Upon request by the school system, the parent or legal guardian provides a copy of the official military order transferring to the military installation or reservation.
3. The parent or legal guardian completes and submits the school system's enrollment forms and documentation, except that proof of residency and documentation related to disciplinary actions required under policy 4115, Behavior Standards for Transfer Students, will not be required until the student transfers into the school system.

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

#### **D.E. 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.

**E.F. 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.

**F.G. 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 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 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)

Adopted: November 10, 2014

Replaces: Policy 5.02.50, Student Assignments (in part) and Policy 5.02.60 (in part)

Revised: September 11, 2017; October 5, 2020;

**A. ASSIGNMENT AREAS**

The superintendent shall recommend to the Watauga County Board of Education (the "board") school assignment areas for the schools in the system.

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 system; and the effective use of each school facility. Assignments must be made in a non-discriminatory manner.

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

**B. ASSIGNMENT OF STUDENTS**

The superintendent or designee shall assign students to particular schools in accordance with the following standards.~~based upon the established assignment areas.~~

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 that meets the best interest of the student and the orderly and efficient administration of the school system.

3. Homeless Students and Students in Foster Care

Notwithstanding ~~any other~~the 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. ~~The superintendent or designee(s) may also assign or reassign students needing exceptional children services to help balance student needs and school resources for these students.~~

~~Assignment of students to the pre-kindergarten program shall be determined by the pre-kindergarten coordinator consistent with applicable state laws and policies.~~

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 and policy 4250/5075/7316, North Carolina Address Confidentiality Program.

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. The superintendent or designee(s) may also assign or reassign students needing exceptional children services to help balance student needs and school resources for these students. Assignment of students to the pre-kindergarten program shall be determined by the pre-kindergarten coordinator consistent with applicable state laws and policies.

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 Learning Programs/Schools.

C. REQUESTS FOR REASSIGNMENT FOR THE FOLLOWING SCHOOLS YEAR

A parent or guardian who is dissatisfied with a school assignment may request reassignment to a different school as provided below. The superintendent or designee shall have the authority to approve or deny requests for reassignment for satisfactory reasons as established by the superintendent and communicated to students and parents and guardians. 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

Parents or guardians may request in writing the reassignment of the child to a different public school outside of their regular attendance area. The request for reassignment must be submitted to the Office of the superintendent in writing between April 1<sup>st</sup> and May 15<sup>th</sup>. An untimely request for reassignment will be treated as a transfer request.

The request must specify the reason why reassignment is sought. The superintendent or designee shall have the authority to approve or deny requests for reassignment for satisfactory reasons as established by the superintendent and communicated to students and parents and guardians. The superintendent may develop procedures for this process. If the application for reassignment is disapproved, the parent will be notified board will give notice to the applicant by registered or certified mail. 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.

2. Appeal to the Board When Reassignment Request Is Denied

Within five days of receiving the notice of the disapproval of the request for reassignment, the parent or guardian may request a hearing on the reassignment request. The board or a panel of the board will hear the appeal. If a panel hears the appeal, the panel's recommendation will be submitted to the full board for a final determination. At the hearing the board will consider 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 reassignment is requested, and the instruction, health and safety of the pupils there enrolled. The board will promptly render a decision, and notice of the decision will be given to the applicant by mail, telephone, telefax, e-mail or any other method reasonably designed to achieve notice.

**D. TRANSFER OF STUDENTS DURING THE SCHOOL YEAR**

1. Change of Residence

Students whose legal residence changes from one school assignment area to another within the school 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 State Board of Education policy will be made pursuant to policy 4152, Unsafe School Choice Transfer.

3. Transfer of Homeless Students

Students who become homeless between academic years or during 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 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. Other Transfers

The superintendent shall 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. See Administrative Regulation 4150-R.

**E. CONDITIONS FOR REASSIGNMENT OR TRANSFER**

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

1. The parent or guardian is responsible for transportation (except for reassignments or transfers of homeless student or transfers and transfers of 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. Any transfer request that is approved based upon false or misleading information will be declared void, and ~~the transfer~~ will be rescinded.
3. The standards provided by the superintendent must be met.

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

Cross References: Alternative Learning Programs/Schools (policy 3470/4305), Domicile or Residence Requirements (policy 4120), Homeless Students (policy 4125), Discretionary Admission (policy 4130), Unsafe School Choice Transfer (policy 4152), North Carolina Address Confidentiality Program (policy 4250/5075/7316)

Adopted: April 13, 2015

Revised: November 13, 2017;

Replaces: Policy 5.02.50, Student Assignments (in part)

All decisions related to student behavior are guided by the board's educational objective to teach responsibility and respect for cultural and ideological differences and by the Watauga County Board of Education's (the "board") commitment to creating safe, orderly, and inviting schools. Student behavior policies are provided in order to establish (1) expected standards of student behavior; (2) principles to be followed in managing student behavior; (3) consequences for prohibited behavior or drug/alcohol policy violations; and (4) required procedures for addressing misbehavior.

**A. PRINCIPLES**

The reasons for managing student behavior are to (1) create an orderly environment in which students can learn; (2) teach expected standards of behavior; (3) help students learn to accept the consequences of their behavior; and (4) provide students with the opportunity to develop self-control. The following principles apply in managing student behavior.

1. Student behavior management strategies will complement other efforts to create a safe, orderly, and inviting environment.
2. Positive behavioral interventions will be employed as appropriate to improve student behavior.
3. Responsibility, integrity, civility, and other standards of behavior will be integrated into the curriculum.
4. Disruptive behavior in the classroom will not be tolerated.
5. Consequences for unacceptable behavior will be designed to help a student learn to comply with rules, to be respectful, to accept responsibility for his or her behavior, and to develop self-control.
6. Strategies and consequences will be age and developmentally appropriate.

**B. COMMUNICATION OF POLICIES**

Board policies related to student behavior are codified mainly in the 4300 series. The superintendent shall incorporate information from such policies into a Code of Student Conduct (4300-R) that notifies students of the behavior expected of them, conduct that may subject them to discipline and the range of disciplinary measures that may be used by school officials. At the discretion of the superintendent, the Code of Student Conduct may include additional rules needed to implement the board's student behavior policies. ~~Each school shall create a student behavior management plan that will~~ To elaborate further on processes for addressing student misbehavior and the use of intervention

strategies and consequences, each school will create a student behavior management plan that is consistent with the law, board policies, and the Code of Student Conduct (see policy 4302, School Plan for Management of Student Behavior). The Code of Student Conduct must incorporate by reference any additional student behavior standards, prohibited conduct or disciplinary measures identified in ~~individual school~~ student behavior management plans developed by individual schools ~~in accordance with policy 4302, provided such measures are consistent with law and board policy.~~ The Code of Student Conduct must not impose mandatory long-term suspension or expulsion for specific violations unless otherwise provided in state or federal law.

At the beginning of each school year, principals shall make available to each student and parent all of the following: (1) the Code of Student Conduct; (2) any board policies related to behavior that are not part of the Code of Conduct; (3) any related administrative procedures; (4) any additional discipline-related information from the school's student behavior management plan, including behavior standards, prohibited conduct, or disciplinary measures; and (5) any other school rules. This information must be available at other times upon request and must be made available to students enrolling during the school year and their parents.

For the purpose of board policies related to student behavior, all references to "parent" include a parent, a legal guardian, a legal custodian, or another caregiver adult authorized to enroll a student under policy 4120, Domicile or Residence Requirements.

### C. APPLICABILITY

Students must comply with the Code of Student Conduct in the following circumstances:

1. while in any school building or on any school premises before, during, or after school hours;
2. while on any bus or other vehicle as part of any school activity;
3. while waiting at any school bus stop;
4. during any school-sponsored activity or extracurricular activity;
5. when subject to the authority of school employees; and
6. at any other place or time 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.

Notwithstanding the foregoing, students will not be disciplined for constitutionally protected behavior. School officials are encouraged to consult with senior administrators before regulating student expression that may be protected by the First Amendment to the U.S. Constitution.

## D. CONSEQUENCES FOR VIOLATIONS

Violations of the Code of Student Conduct must be dealt with in accordance with the guidelines established in the school's behavior management plan (see policy 4302, School Plan for Management of Student Behavior).

### 1. Minor Violations

Minor violations of the Code of Student Conduct are those less severe infractions involving a lower degree of dangerousness and harm. Examples of minor violations include the use of inappropriate or disrespectful language, noncompliance with a staff directive, dress code violations, and minor physical altercations that do not involve a weapon or an injury. Aggravating circumstances, however, may justify treating an otherwise minor violation as a serious violation.

Minor violations of the Code of Student Conduct may result in disciplinary measures or responses up to and including short-term suspension. Further information regarding the procedures for short-term suspensions is provided in policy 4351, Short-Term Suspension. Other disciplinary measures or responses may include, but are not limited to, the following:

- a. parental involvement, such as conferences;
- b. isolation or time-out for short periods of time;
- c. behavior improvement agreements;
- d. instruction in conflict resolution and anger management;
- e. peer mediation;
- f. individual or small group sessions with the school counselor;
- g. academic intervention;
- h. in-school suspension;
- i. detention before and/or after school or on Saturday;
- j. community service;
- k. exclusion from graduation ceremonies;

- l. exclusion from extracurricular activities;
- m. suspension from bus privileges; and
- n. placement in an alternative school.

The ~~student's parent or guardian~~ is responsible for transportation that may be required to carry out a consequence. With the exception of suspension from bus privileges, if a parent ~~or guardian~~ is unable to provide transportation, another consequence will be substituted.

## 2. Serious Violations

Serious violations of the Code of Student Conduct may result in any of the consequences that may be imposed for minor violations. In addition, serious violations that threaten to substantially disrupt the educational environment may result in long-term suspension, and serious violations that threaten the safety of students, school employees, or school visitors may result in long-term suspension or expulsion. Certain violations involving firearms or explosive devices may result in a 365-day suspension. Further information regarding the standards and procedures for long-term suspensions, 365-day suspensions, and expulsions is provided in policies 4351, Short-Term Suspension, and 4353, Long-Term Suspension, 365-Day Suspension, Expulsion. (See also policy 4333, Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety, for information regarding 365-day suspensions for certain violations involving firearms or explosive devices.)

## E. ENFORCEMENT

The superintendent is responsible for supervising the enforcement of the Code of Student Conduct to ensure that school disciplinary policies are uniformly and fairly applied throughout the school system and consistent with students' constitutional rights.

Legal References: U.S. Const. amend. I; *Mahanoy Area School Dist. v. B.L.*, 594 U.S. \_\_\_, 141 S. Ct. 2038 (2021); G.S. 115C-47, -276(r), -288, -307, -390.1, -390.2

Cross References: Goals and Objectives of the Educational Program (policy 3000), Counseling Program (policy 3610), Domicile or Residence Requirements (policy 4120), Student Behavior policies (4300 series)

Adopted: May 11, 2015

Revised:

The superintendent shall ensure that all notification and other requirements of the Protection of Pupil Rights Amendment are met, ~~along with any other~~ 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

~~The school system must obtain prior written consent of a parent or eligible student before the student is required to participate in any Department of Education-funded survey, analysis or evaluation that reveals information concerning the following "protected topics":~~

- 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 and 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**

~~Upon request, parents have the right to review any survey that concerns one of the protected topics or any instructional materials used in any such survey.~~

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 ~~that are not funded in whole or in part by the Department of Education~~. Parents have the right to review any survey that concerns one of the protected topics or any instructional materials used in any such survey. ~~Parents also will have the opportunity to opt their children out of participating in the survey(s).~~

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.

**B.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. However, the school system may collect, disclose, or use such personal information from students if the information is used 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.

~~If the school system collects such information from students for the purpose of marketing or selling the information to develop, evaluate, or provide educational products or services as described above, upon request, parents may inspect any instrument used to collect the information before it is administered or distributed to a student.~~

#### **C.D. PARENT INVOLVEMENT OTHER RELEVANT POLICIES**

In addition to this policy, the Watauga County Board of Education, 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: 4002, Parental Involvement; 3210, Parental Inspection of and Objection to Instructional Materials; 4700, Student Records; and 5240, Advertising in the Schools. The Watauga County Board of Education (the "board") and superintendent will work with parents to create policies and guidelines concerning: (1) the administration of surveys by third parties; (2) arrangements to protect student privacy in the administration of surveys containing a protected topic; (3) parental rights to review and inspect instructional materials or survey instruments; and (4) the collection, disclosure or use of personal information for marketing or selling purposes.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, h, 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 4002), Student and Parent Grievance Procedure (policy 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: January 12, 2015

Replaces: Policy 5.05.85, Protection of Pupil Rights

Revised:

The Watauga County Board of Education (the “board”) is committed to the safety of students and other persons on school property. In order to maintain a safe school environment, the superintendent and all school personnel shall enforce the provisions of this policy at all times.

**A. DEFINITIONS**

For purposes of this policy, the following definitions apply.

**1. Registered Sex Offender**

A registered sex offender is a person who (1) is required to register under the Sex Offender and Public Protection Registration Program and (2) has committed any of the following: an offense in G.S. 14, art. 7B; a federal offense or offense committed in another state, which if committed in this state, is substantially similar to an offense in G.S. 14, art. 7B; an offense in which the victim was under the age of 18 years at the time of the offense; or an offense in violation of G.S. 14-190.16, 14-190.17, or 14-190.17A or any federal offense or offense committed in another state, which if committed in this state, is substantially similar to an offense in violation of G.S. 14-190.16, 14-190.17, or 14-190.17A.

**2. School Property**

School property is defined as any school grounds or any property owned or operated by the school system where minors frequently congregate.

**A.B. REGISTERED SEX OFFENDERS BANNED FROM ALL SCHOOL PROPERTY**

In accordance with G.S. 14-208.18, registered sex offenders ~~all persons who (1) are required to register under the Sex Offender and Public Protection Program AND (2) have been convicted of (a) any offense in Article 7B of Chapter 14 of the General Statutes, (b) any federal offense or offense committed in another state, which if committed in this state, is substantially similar to an offense in Article 7B, or (c) any offense in which the victim was under the age of 18 years at the time of the offense are expressly forbidden to knowingly be present on any school property owned or operated by the school system, including school buildings, athletic fields, playgrounds, parking lots, school buses, activity buses, or other property of any kind for any reason, including attendance at sporting events or other school-related functions, whether before, during, or after school hours. In addition, registered sex offenders subject to G.S. 14-208.18 may not attend or be present at any student function or field trip on or off school property that is (1) school-sponsored or (2) otherwise under the official supervision or control of school personnel. This policy applies to all ~~registered~~ decovered sex offenders regardless of their relationship to or affiliation with a student in the school system. (Refer to the North Carolina~~

~~Attorney General's publication *The North Carolina Sex Offender & Public Protection Registration Program*, p.13, for a description of which offenders are subject to G.S. 14-208.18 and thus, this policy.)~~

#### **B.C. ENFORCEMENT**

All school personnel must immediately report to a school administrator the presence or suspected presence of a known or suspected registered sex offender on school property. School administrators and other supervisory personnel shall report to the superintendent and law enforcement when they reasonably believe that a registered sex offender is or has been on school property or at a school event.

School administrators also shall notify the superintendent or designee of any known student or parent or guardian of a student at their school who is suspected to be a registered sex offender.

#### **C.D. EXCEPTIONS**

There—shall be no 'special permission' given by the board of education, the superintendent, or any principal in the school system for a person subject to G.S. 14-208.18 to be on school grounds or attend events or activities in violation of this policy. A person who is banned from school property under G.S. 14-208.18 may be on school property only under the following circumstances.

1. Students

Students who are ~~subject to G.S. 14-208.18~~registered sex offenders may be on school property only in accordance with policy 4260, Student Sex Offenders.

2. Voters

~~Voters who are subject to G.S. 14-208.18 and~~Registered sex offenders who are eligible to vote may be present on school property for the sole purpose of voting if the school property is being used as a voting place. The voter must not be outside the voting enclosure other than for the purpose of entering and exiting the voting place. If the voting place is a school, the voter must notify the principal of the school that he or she is registered under the Sex Offender and Public Protection Registration Program and the voter must remain at all times in the portion of the school being used as the polling place. In addition, the individual must be under the direct supervision of school personnel at all times. The voter must leave school grounds~~property~~ immediately after voting.

3. Parents or Guardians

- a. ~~An individual who is subject to this policy and~~A registered sex offender who is the parent or guardian of a student enrolled in school may be on

school property only for the following reasons:

- 1) to attend a scheduled conference with school personnel to discuss the ~~child~~student's academic or social progress; or
  - 2) at the request of the principal or designee, for any reason relating to the welfare or transportation of ~~his or her child~~the student.
- b. ~~For each visit authorized by the principal in accordance with subsection (a) above,~~In order to visit school property for one of the reasons authorized by subsection (a) above, the parent or guardian must ~~provide~~notify the principal with ~~prior written notice~~ of his or her registration ~~on~~under the Sex Offender and Public Protection Registration Program~~Registry~~ and ~~notice~~ of his or her presence at school. Notice of his or her presence at school includes the nature and specific times of the visit.
  - c. For each visit authorized by subsection (a) above, the parent or guardian must arrange to meet a staff member at the edge of school property, check in at the principal's office upon arrival and departure, and remain under the direct supervision of school personnel at all times. If school personnel are not available to supervise the parent or guardian during any visit, then the parent or guardian will not be permitted to enter or remain on school property.
  - d. For each visit authorized by subsection (a) above, the parent or guardian must comply with all reasonable rules and restrictions placed upon him or her by the principal, including restrictions on the date, time, location, and length of meeting.

#### **D.E. CONTRACTUAL PERSONNEL**

~~In order to ensure compliance with this policy, each contract executed by the board must include a provision that requires the other party to the contract to conduct an annual check of the State Sex Offender and Public Protection Program and the State Sexually Violent Predator Registration Program on all employees who may be sent to perform tasks on or deliver products to school property. Persons who are subject to Section A of this policy may not be sent onto school property for any reason.~~

~~In addition, each time the board enters into any contract or agreement for contracted services that involve direct interaction with children, the contract must include a provision that requires~~Each contract executed by the board must include a provision requiring the other party to the contract to conduct an annual check of the State Sex Offender and Public Protection Registration Program, the State Sexually Violent Predator Registration Program, and the National Sex Offender Registry on~~for all contracted employees who may have direct contact with children whose contractual job with the board requires or may result in direct interaction with students, including but not~~

limited to any employee whose contractual job duties include: (1) delivering services directly to students; or (2) performing tasks on or delivering products to school property.

The contract must specify that No contractor or employee of a contractor registered with the State Sex Offender and Public Protection Registration Program, the State Sexually Violent Predator Registration Program, or the National Sex Offender Registry may have direct interaction with children. This provision applies to contracts with a single individual.

Legal References: G.S. ch. 14, art. 7B, 14-190.16, -190.17, -190.17A, -208.18, -208.19; 115C-332, -332.1

Cross References: School Safety (policy 4200/7270), Student Sex Offenders (policy 4260), Visitors to the Schools (policy 5020), Recruitment and Selection of Personnel (policy 7100)

~~Other References: The North Carolina Sex Offender & Public Protection Registration Programs, North Carolina Department of Justice (September 2014), available at <http://ncdoj.gov/Protect-Yourself/Find-Sex-Offenders/SexOffenderRegPrograms.aspx>~~

Adopted: February 8, 2016

Revised: November 13, 2017;

Replaces: Policy 2.04.71, Registered Sex Offenders

It is the policy of the Watauga County Board of Education (the “board”) to attempt to provide a safe and secure environment for all students and employees. In an effort to maintain a balance between the need to protect the rights of students and employees and the need to control the spread of serious communicable diseases and conditions, the superintendent shall make decisions regarding the employment status of employees with communicable diseases or conditions on a case-by-case basis, in accordance with this policy. An employee suffering from a communicable disease or condition is encouraged to inform his or her supervisor so that appropriate accommodations may be made and appropriate precautions may be taken. This policy applies to all legally reportable communicable diseases, ~~including HIV and AIDS~~, as set forth in 10A N.C.A.C. 41A .0101. This policy must be shared with school employees annually and with new employees as part of any initial orientation.

**A. COMMUNICABLE DISEASE DEFINED**

A “communicable disease” is defined as an illness due to an infectious agent (usually a virus or bacterium), or its toxic products, that is transmitted directly or indirectly to a person from an infected person or animal.

A “communicable condition” exists if a person is infected with a communicable agent but does not have symptoms.

A “reportable disease or condition” is defined as a communicable disease or condition declared to be dangerous to the public health and required by the N.C. Department of Health and Human Services to be reported after the disease or condition is reasonably suspected to exist.

**B. REPORTING AND CONFIDENTIALITY REQUIREMENTS**

1. Principal’s Report to Health Department

In accordance with G.S. 130A-136, principals are required to report suspected cases of reportable communicable diseases or conditions to the county health director for investigation, along with any information forming the basis for the suspicion. Confidentiality of such reports is protected by law. Principals are immune from liability under state law for making such reports in good faith.

2. Confidentiality

Employees who become aware of another employee’s reportable disease or condition may not share that information with anyone, including other school personnel, unless specifically permitted to do so by the health director, by written consent of the affected employee, or by other applicable state or federal laws or regulations. The release of confidential information or records relating to an employee’s reportable disease or condition, except as permitted by law, is a misdemeanor and may subject

the employee to discipline up to and including dismissal.

### **B.C. SAFETY CONTROL MEASURES**

#### **1. Handling Bodily Fluids**

In order to prevent the spread of communicable disease and conditions, universal health and safety precautions, including precautions regarding the handling and cleanup of blood and other bodily fluids, must be distributed by the human resources office and followed by all school system employees. Employees are also required to follow the school system's bloodborne pathogens exposure control plan that contains universal precautions and specific work practice controls relating to the handling, disposal, and cleanup of blood and other potentially infectious materials. The bloodborne pathogens exposure control plan will be made available at each school or department. All employees are required to review and be familiar with the plan within a reasonable time, not exceeding 30 days, after assuming employment. Faculty should not allow students to be involved in the handling, disposal, ~~and~~ cleanup of potentially infectious materials unless the students have been specifically trained in the handling of such materials and are qualified to perform first aid services.

Failure to follow universal health and safety precautions or applicable provisions of the bloodborne pathogens exposure control plan may result in disciplinary action against the offending employee. All employees have a duty to report to the school principal or the ~~director of the personnel office~~ assistant superintendent of human resources any failure by a staff member or a student to follow the universal precautions, including their own.

#### **~~2.~~ Reporting Communicable Diseases**

~~In accordance with G.S. 130A-136, school principals are required to report suspected cases of reportable communicable diseases or conditions to the county health director for investigation. Principals must provide the health director with available factual information to substantiate the report. Such reports are to remain strictly confidential and may be shared only with other employees as necessary to prepare and file a report. All information must be kept strictly confidential.~~

#### **3.2. Following Health Control Measures for Communicable Diseases**

Employees shall follow all measures to control the spread of communicable disease as directed by the state or local health department. If neither the state nor local health departments have provided direction to contain the spread of a particular communicable disease, such as in the case of an emerging illness, employees shall implement control measures recommended by the CDC, the school nurse, or other relevant medical authority to the extent such measures are not inconsistent with this policy or another board policy addressing control measures. Any employee suffering

from a communicable disease or condition is required to follow all control measures given to him or her by the health director ~~and take all necessary precautions to prevent the transmission of the disease or condition.~~ Any school system employee who has reason to believe that a fellow employee is not following safe practices, including the universal precautions, must report this failure to his or her principal or supervisor. Supervisory personnel shall report unsafe conduct to the health department when they have a reasonable concern that such conduct may cause or may have caused the spread of a communicable disease.

#### 4.3. Cooperating with Health Officials

If the county health director notifies the superintendent or any other school system personnel that a school system employee with a communicable disease or condition may be posing a threat to the public health, these employees shall cooperate with the health director in eliminating the threat.

### **C.D. EMPLOYMENT STATUS OF EMPLOYEE**

The board will follow all applicable state and federal laws and regulations and this policy in determining when an employee with a communicable disease or condition will be required to take leave from his or her position or otherwise be restricted from continuing his or her employment.

#### 1. Requests to Alter Duties

Any employee may request that the superintendent or designee consider altering the employee's duties or other conditions of his or her employment if the employee:

- a. believes that he or she is unable to continue to perform the regular duties of the position due to a communicable disease or condition; or
- b. believes that he or she may risk transmitting the communicable disease to others by continuing to perform assigned duties.

The employee seeking alteration in the conditions of employment must apprise the superintendent or designee of his or her condition, submit medical documentation regarding such condition, suggest possible accommodations known to him or her, and cooperate in any ensuing discussion and evaluation regarding whether there are possible reasonable accommodations.

#### 2. Interdisciplinary Committee

If the superintendent so requests, the employee must give the superintendent written permission either to consult with appropriate medical personnel or to convene an interdisciplinary committee to receive medical information regarding the employee to the extent necessary to assist the superintendent in determining whether alternative

employment opportunities reasonably can be provided to the affected employee. The committee may include appropriate school system personnel, appropriate medical personnel, including the employee's personal physician when possible, the health director or designee, and the employee.

### 3. Reasonable Accommodation Review

When addressing the issue of whether reasonable accommodation is possible, the superintendent shall determine:

- a. to what degree the employee's presence in his or her current job exposes students or other employees to possible transmission of the disease; and/or
- b. whether the employee is able to continue in his or her current position with reasonable modifications.

The superintendent shall consult with the health director if there is any question as to the employee's risk of transmission on the job. If the superintendent determines that a significant risk of transmission exists in the employee's current position or that the employee is no longer able to continue in his or her current position for health reasons, the superintendent shall decide whether alternative employment opportunities are reasonably available within the school system and follow appropriate board policies for implementing or recommending a transfer.

If the employee requesting accommodation refuses to consent to the release of information to medical personnel or an interdisciplinary committee appointed by the superintendent, his or her request for an accommodation may be denied until the employee agrees to allow the superintendent to consult with the necessary parties.

### 4. Confidentiality of Information

Information shared with the superintendent, medical personnel, or interdisciplinary committee personnel must be kept confidential and separate from other personnel file information and may be shared with other school employees only with the written permission of the employee as necessary to explore, design, or implement possible accommodations or as otherwise allowed by law.

Nothing in this policy is intended to grant or confer any employment rights beyond those existing by law or contract.

Legal References: Americans with Disabilities Act of 1990, 42 U.S.C. 12101 *et seq.*, 29 C.F.R. pt. 1630; G.S. 130A, art. 6; 10A N.C.A.C. 41A .0101 *et seq.*

Cross References: Communicable Diseases – Students (policy 4230); Occupational Exposure to Bloodborne Pathogens (policy 7260)

Adopted: February 9, 2015

Replaces: "Employees" Sections of Policies 3.08.10, Communicable Diseases and policy 5.03.20, Communicable Diseases

Revised:

**A. PURPOSE**

The Watauga County Board of Education (the “board”) maintains high academic expectations for all students and believes that all students are capable of academic growth. Students should be afforded as many opportunities as possible to demonstrate academic achievement prior to progressing to the next level of study. Students will be promoted to the next level of study as described in this policy.

**B. STUDENT PROMOTION STANDARDS**

The superintendent shall develop (1) proposed promotion standards and (2) a process to be used in determining a student’s readiness to progress to the next level of study and shall submit the standards and process to the board for approval. The standards will be based, in part, upon proficiency in reading. The standards and process must provide multiple criteria for assessing a student’s readiness to progress to the next level of study, such as standardized test scores, formative and diagnostic assessments, grades, a portfolio or anthology of the student’s work, research-based standards for assessing developmental growth and, when appropriate, any other factors deemed relevant. The standards and process will incorporate all state law and State Board of Education policy requirements, including those for the assessment and promotion of third grade students as described in G.S. 115C-83.6 *et seq.* and State Board of Education Policies KNEC-002 and -003.

Principals shall ensure that the promotion standards are used by teachers and school administrators in assessing each student’s readiness to progress to the next level of study. Principals have the authority to promote or retain students based upon the standards approved by the board and any applicable standards set by the State Board of Education.

To reduce the number of students who do not meet promotion standards, the board directs school administrators and teachers to address the needs of students who are not making adequate academic progress as required by policy 3405, Students at Risk of Academic Failure.

**C. DIPLOMA STANDARDS**

To receive a North Carolina high school diploma, a student must complete the requirements set forth in policy 3460, Graduation Requirements.

**D. APPEALS OF PROMOTION DECISIONS****1. Appeal to the Superintendent**

Within five workdays of receiving the principal’s written decision to promote or retain a student, the student’s parents may appeal the decision to the superintendent. The superintendent may overturn the principal’s decision only upon a finding that

the principal's decision was arbitrary and capricious (i.e., without a rational basis) or was otherwise an abuse of discretion.

The superintendent must render a decision within 10 workdays of receiving the appeal. The superintendent may support the principal's decision, remand it back to the principal for consideration of additional issues, or reverse the decision.

The superintendent's findings must be in writing and must be provided to the parents.

2. Appeal to the Board of Education

The superintendent's decision to promote or retain a student may be appealed to the board in accordance with the procedures set forth in subsection E.5 of policy 4010, Student and Parent Grievance Procedure.

E. READING CAMPSLITERACY INTERVENTIONS

1. Reading Camps

The board will provide reading camp opportunities as required by law at no fee for students who are entitled to this intervention under state law. ~~have not yet demonstrated reading proficiency on a third grade level at the end of third grade and for first and second grade students whose demonstrated reading comprehension is below grade level.~~ The superintendent or designee shall encourage parents of eligible students to enroll their students in a reading camp. To the extent resources permit, the board will offer fee-based reading camp opportunities for students in eligible grades who are not entitled to attend at no cost. ~~have successfully demonstrated reading proficiency appropriate for a third grade student and to first and second grade students who have demonstrated appropriate developmental abilities in reading comprehension.~~ Annually, the board will establish criteria for priority enrollment in its fee-based reading camps and will set the attendance fee at an amount not to exceed the statutory limit. The superintendent or designee shall notify interested parents of the application procedure for the fee-based reading camps.

2. Individual Reading Plans

Beginning in the 2022-2023 school year, an Individual Reading Plan (IRP) will be developed in accordance with state law for any student in kindergarten through third grade demonstrating difficulty with reading development based on the results of either (1) the first diagnostic or formative assessment of the school year or (2) the first diagnostic or formative assessment of the second semester of the school year. The student's teacher shall notify the parent or guardian that the student has demonstrated difficulty with reading development and that an IRP has been developed for the student. The notice provided must include all other information

required under G.S. 115C-83.6B(b) and should be in the parents' native language when appropriate foreign language resources are readily available.

3. Digital Children's Reading Initiative

The school system will provide access through the school system website to available resources from the Department of Public Instruction's Digital Children's Reading Initiative as required by law. Printable activities from those resources will be provided in hard copy to students who do not have digital access at home.

4. Approval of Literacy Intervention Plan

By the established deadline each year, the superintendent or designee shall submit to the Department of Public Instruction for approval a plan for the literacy interventions the school system will offer in the following school year, as required by G.S. 115C-83.6A.

**F. PROMOTION STANDARDS FOR STUDENTS WITH DISABILITIES**

To the extent possible, students with disabilities must be held to the same promotion standards as all other students. However, for students who take alternative assessments in lieu of the end-of-grade (EOG) or end-of-course (EOC) tests, promotion decisions must be based on criteria recommended by the IEP team. The IEP Team shall make a recommendation to the principal for special placement. The principal shall determine the student's placement. The superintendent/designee shall review the recommendation before special placement is made. The school principal has the ultimate responsibility for placement and grading of students in accordance with federal, state, and local regulations.

All intervention strategies and other opportunities, benefits, and resources that are made available to students without disabilities must be made available to those students with disabilities who are subject to the student promotion standards. Such opportunities must be in addition to the special education services provided to the student.

**G. CREDIT BY DEMONSTRATED MASTERY**

The superintendent shall provide opportunities for students in grades 9 through 12 to earn course credit by demonstrating mastery of course material without first completing the regular period of classroom instruction in the course. Students in grades 6 through 8 may earn credit by demonstrated mastery for high school courses offered in middle school. To earn credit by demonstrated mastery, students must demonstrate a deep understanding of the content standards and application of knowledge through a multi-phase assessment, in accordance with standards established by the State Board of Education and any additional standards established by the superintendent.

**H. CREDIT RECOVERY**

Students who fail a high school course may retake parts of the course through credit recovery to earn credit for the course. Credit recovery delivers a subset of the blueprint of the original course in order to specifically address deficiencies in a student's mastery of the course and target specific components of a course necessary for completion. A pre-assessment of the student's understanding of the course material will be administered at the beginning of the course and the credit recovery will be tailored to meet the needs of the individual student. The length of a credit recovery course is dictated by the skills and knowledge the student needs to recover and not a fixed length of seat time.

Any EOC exam associated with the credit recovery course will be administered no later than 30 days upon completion of the credit recovery course. The credit recovery will be graded as pass or fail and will not impact the student's grade point average. The original grade for the course will remain on the student's transcript.

The superintendent shall develop procedures addressing the implementation of credit recovery opportunities across the school system.

## **I. REPEATING A COURSE FOR CREDIT**

### **1. Repeating a Previously Failed Course**

As provided in State Board of Education policy CCRE-001, high school students who fail a course for credit may repeat that course. To take advantage of this option, the student must repeat the entire course. When a student initially fails a high school course or college level course taken for high school credit and successfully repeats the course for credit, the new course grade will replace the original failing grade for the course on the student's transcript and in calculations of the student's GPA, class rank, and honor roll eligibility. The superintendent may develop procedures for students to indicate their intent to repeat a course for credit under this paragraph and may establish any other rules as necessary and consistent with State Board policy.

### **2. Repeating a Course for which Credit was Earned (Grade Replacement)**

The board recognizes that high school students may need to repeat a course for which they have earned credit in order to increase their understanding of the course content, to improve skill mastery, or to meet postsecondary goals. Students may repeat a course for which they have previously earned credit, subject to the following preconditions and any other reasonable rules established by the superintendent:

- a. the student must have earned a letter grade of C or lower in the course on the first attempt;
- b. the student must make a written request to repeat the course;

- c. the principal or designee must approve the request;
- d. there must be space available after seats have been assigned to students who are taking the course for the first time or repeating a previously failed course;
- e. the course to be repeated must be a duplicate of the original class and must be taken during the regular school day;
- f. upon completion of the repeated course, the new course grade will replace the student's original grade on the student's transcript and in calculations of the student's GPA, class rank, and honor roll eligibility, regardless of whether the later grade is higher or lower than the student's original mark;
- g. credit towards graduation for the same course will be given only once;
- h. a course may be repeated only one time; and
- i. students may repeat a maximum of four previously passed courses during their high school careers.

The superintendent shall require notice to students and parents of these preconditions and of any other relevant information deemed advisable by the superintendent.

#### **J. ACCELERATION**

Some students may need less time to learn the curriculum. Teachers are encouraged to challenge these students by expanding the curriculum, providing opportunities to explore subjects in greater detail or providing different types of educational experiences. To challenge a student sufficiently, the principal may reassign the student to a different class or level of study and/or may identify concurrent enrollment or other curriculum expansion options (see policy 3101, Dual Enrollment).

The principal, after consulting with the professional staff and the student's parents, may determine that skipping a grade level is appropriate.

#### **K. REPORTING REQUIREMENTS**

##### **1. Superintendent's Report to the Board**

At least on an annual basis, the superintendent shall provide the board with the following information for each school:

- a. aggregate student performance scores on state-mandated tests and any other standardized tests used by a school or the school system;

- b. the number and percentage of students retained and/or not meeting the standards for their grade level;
  - c. the number and percentage of third grade students exempt from mandatory third grade retention by category of exemption as listed in state law; and
  - d. remedial or additional educational opportunities provided by the school system and the success of these efforts in helping students meet promotion standards.
2. Report to the North Carolina State Board of Education and Department of Public Instruction

Pursuant to statutory requirements and standards established by the Department of Public Instruction, all required information regarding student performance will be provided annually to the State Board of Education and the Department of Public Instruction.

3. Publication on the School System Website

Information about the reading performance of first, second, and third grade students will be posted on the school system website in accordance with state law.

#### **L. RESOURCES**

Consistent with the objective of improving student performance, the board will provide schools with maximum flexibility in the allocation of state funds. School personnel are expected to budget financial resources in a manner that will meet the standards established in this policy. The board will consider requests to transfer funds from other funding allotment categories to intervention strategies as part of the school improvement plan submitted by school officials. All funds will be used in a fiscally sound manner in accordance with policy 8300, Fiscal Management Standards.

#### **M. NOTIFICATION TO PARENTS**

The superintendent or designee shall provide information regarding promotion standards to all students and parents. In addition, if a kindergarten, first grade, second grade, or third grade student (1) is demonstrating difficulty with reading development or (2) is not reading at grade level, the student's teacher shall provide the student's parents timely written notice advising that if the student is not demonstrating reading proficiency by the end of third grade, the student will be retained, unless exempt from mandatory retention for good cause. Parents are encouraged to help their children meet the promotion standards and will have opportunities to discuss the promotion standards and procedures with teachers and the principal. Information provided to parents should be in the parents' native language when appropriate foreign language resources are readily available.

The teacher of a student who does not meet promotion standards must notify the student's

parents that the student has failed to meet the standards for progression to the next level of study and must provide the parents with information concerning retesting, intervention, review, and appeal opportunities. When a student is to be retained, the principal shall provide the student's parents written notice of the retention and, if the student will be retained in accordance with G.S. 115C-83.7(a) for failure to demonstrate reading proficiency, (1) written notice of the reason the student is not eligible for a good cause exemption as provided in G.S. 115C-83.7(b) and (2) a description of proposed reading literacy interventions that will be provided to the student to remediate ~~identified areas where the student has not demonstrated~~ of reading deficiency ~~proficiency~~. Teachers shall provide parents of students retained under G.S. 115C-83.7(a) at least monthly written reports on student progress toward reading proficiency. The evaluation of a student's progress will be based upon the student's classroom work, observations, tests, assessments, and other relevant information.

#### **N. CHILDREN OF MILITARY FAMILIES**

As required by the Interstate Compact on Educational Opportunity for Military Children (G.S. 115C-407.5) and policy 4155, Assignment to Classes, school administrators have the authority to exercise flexibility in waiving course or program prerequisites or other preconditions for the placement of children of military families in courses or programs offered by the school system.

Legal References: G.S. 115C-36, -45(c), -47, -81.5, -83.2, -83.3, -83.6, -83.6A, -83.6B, -83.7, -83.7A, -83.8, -83.9, -83.10, -83.11, -105.21, -174.11, -288(a), -407.5; S.L. 2021-8; State Board of Education Policies CCRE-001, KNEC-002, KNEC-003

Cross References: Student and Parent Grievance Procedure (policy 4010), Goals and Objectives of the Educational Program (policy 3000), Dual Enrollment (policy 3101), Students at Risk of Academic Failure (policy 3405), School Improvement Plan (policy 3430), Graduation Requirements (policy 3460), Extracurricular Activities and Student Organizations (policy 3620), Children of Military Families (policy 4050), Assignment to Classes (policy 4155), Fiscal Management Standards (policy 8300)

Other Resources: *Guidelines for Testing Students Identified as English Learners*, (N.C. Department of Public Instruction), available at <https://www.dpi.nc.gov/districts-schools/testing-and-school-accountability/testing-policy-and-operations/testing-students-identified-english-learners>; *Read to Achieve Implementation Guide Repository*, available at <https://www.dpi.nc.gov/districts-schools/classroom-resources/early-learning-read-achieve/k-3-literacy>

Adopted: July 11, 2016

Revised: July 10, 2017; March 15, 2018 (Legal references only); February 11, 2019; August 12, 2020 (Legal references only); July 26, 2021;

The board intends that students and employees benefit from technology 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 expected to be exercised in an appropriate and responsible manner~~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, including access to the Internet.~~

In addition, anyone who uses school system computers or electronic devices, ~~or who accesses the school's electronic storage or network, or connects to the Internet using school system-provided resources~~ access 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.

All students must be trained about 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 Responsible Use Contract indicating that they understand and will strictly comply with these requirements. Failure to adhere to these requirements of this policy 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, disciplinary action for students, and/or adverse personnel action for employees.~~

**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 the educational objectives of the Watauga County Schools. Use of school system technological resources for any non-educational purposes is prohibited, including but not limited to use for commercial gain or profit, for charitable purposes other than school fund-raising, or for amusement or entertainment. Student personal use of school system technological resources for amusement or entertainment is also prohibited unless approved for special situations by the teacher or school administrator. Because some incidental and occasional personal use by employees is inevitable, the board permits infrequent and brief personal use by employees so long as it does not interfere with school system business and is not otherwise prohibited by board policy or procedure.
2. Unless authorized by law to do so, users may not make copies of software purchased by the school system. Software purchased by the school system may be copied for personal use only when expressly permitted by the terms of a specific software licensing agreement.
3. ~~Students and employees~~ Users must comply with all applicable laws, board policies, administrative regulations, and school standards and rules, 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. Users must follow any software, application, or subscription services terms and conditions of use.
- 4.5. 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, threatening, harassing, abusive, or considered to be harmful to minors. Also see policy 4021/7230 Prohibition against Discrimination, Harassment, and Bullying.
- 5.6. Users must not circumvent fire walls. The use of anonymous proxies to circumvent content filtering is prohibited.
- 6.7. Users may not install or use any Internet-based file sharing program designed to facilitate sharing of copyrighted material.
- 7.8. Users of technological resources may not send electronic communications fraudulently (i.e., by misrepresenting the identity of the sender).

9. Users must respect the privacy of others.

- a. Students must not reveal any personally identifying, private, or confidential information about themselves or fellow students ~~When using e-mail, chat rooms, blogs, or other forms of electronic communication, students must not reveal personal identifying information or information that is private or confidential, such as~~ Such information includes, for example, a person's the home address or telephone number, credit or checking account information, or social security number, of themselves or fellow students. For further information regarding what constitutes personal identifying information, see policy 4705/7825, Confidentiality of Personal Identifying Information.
- b. In addition, ~~s~~School employees must not disclose on school system websites or web pages or elsewhere on the Internet any personally identifiable, private, or confidential information concerning students (including names, addresses, or pictures) without the written permission of a parent or guardian or an eligible student, except as otherwise permitted by the Family Educational Rights and Privacy Act (FERPA) or policy 4700, Student Records. Users also may not forward or post personal communications without the author's prior consent.
- b. School employees may disclose student directory information (such as name, photograph, or digital image) on school system websites and web pages unless parents/guardians/eligible students have opted out of the release of directory information pursuant to the Family Educational Rights and Privacy Act (FERPA) and in accordance with Policy 4700, Student Records.
- c. Users may not forward or post personal communications without the author's prior consent.
- d. Students may not use school system technological resources to capture audio, video, or still pictures of other students and/or employees in which such individuals can be personally identified, nor share such media in any way, without consent of the students and/or employees and the principal or designee. An exception will be made for settings where students and staff cannot be identified beyond the context of a sports performance or other public event or when otherwise approved by the principal.

8.10. Users may not intentionally or negligently damage computers, computer systems, electronic devices, software, computer networks, or data of any user connected to school system technological resources. Users may not knowingly or negligently transmit computer viruses or self-replicating messages or deliberately try to degrade or disrupt system performance, including by streaming audio or video for

non-instructional purposes. Users must scan any downloaded files for viruses. Users may not disable antivirus programs installed on school system-owned or issued devices.

- 9.11. Users may not create or introduce games, network communications programs, or any foreign program, executable program, or software onto any school system computer, electronic device, or network without the express written permission of the technology director or designee. All school purchases of games and other software addressed by this provision, regardless of the funding source, must be approved in advance by the technology director or designee.
- 10.12. Users are prohibited from engaging in unauthorized or unlawful activities, such as “hacking” or using the computer network to gain or attempt to gain unauthorized or unlawful access to other computers, computer systems, or accounts.
- 11.13. Users are prohibited from using another individual’s ID or password for any technological resource or account without permission from the individual, and from the teacher or other school official. Sharing of an individual’s ID or password is strongly discouraged.
- 12.14. Users may not read, alter, change, block, execute, or delete files or communications belonging to another user without the owner’s express prior permission.
- 13.15. Employees shall not use passwords or user IDs for any data system (e.g., the state student information and instructional improvement system applications, time-keeping software, etc.) for an unauthorized or improper purpose.
- 14.16. If a user identifies or encounters an instance of unauthorized access or another a security problem concern on a technological resource, he or she must immediately notify a teacher, school system administrator, or the technology director or designee. Users must not sharedemonstrate the problem withto other users. Any user identified as a security risk will be denied access.
17. It is the user’s responsibility to back up data and other important files.
- 15.18. ~~Teachers~~ Employees shall make reasonable efforts to supervise students’ use of the Internet during instructional time.
- 16.19. Views may be expressed on the Internet or other technological resources as representing the view of the school system or part of the school system only with prior approval by the superintendent or designee.
20. Use of social media during instructional hours, and at any time using school technology, is prohibited except when approved and monitored by a teacher or other school official. All school personnel will comply with policy 7335 Employee Use of Social Media.

21. Users who are issued school system-owned and -maintained devices for home use (such as laptops, Chromebooks, etc.) must adhere to any other reasonable rules or guidelines issued by the superintendent or technology director for the use of such devices.

#### **C. RESTRICTED MATERIAL ON THE INTERNET**

The Internet and electronic communications offer fluid environments in which students may access or be exposed to materials and information from diverse and rapidly changing sources, including some that may be harmful to students. The board recognizes that it is impossible to predict with certainty what information on the Internet students may access or obtain. Nevertheless school system personnel shall take reasonable precautions to prevent students from accessing material and information that is obscene, pornographic, or otherwise harmful to minors, including violence, nudity, or graphic language that does not serve a legitimate pedagogical purpose. The superintendent shall ensure that technology protection measures are used as provided in policy 3226/4205, Internet Safety, and are disabled or minimized only when permitted by law and board policy. The board is not responsible for the content accessed by using a cellular network to connect a personal device to the Internet~~users who connect to the Internet via their personal technology or personal internet connection.~~

#### **~~D. Parental Consent~~**

~~The board recognizes that parents of minors are responsible for setting and conveying the standards their children should follow when using media and information sources. Accordingly, before a student may independently access the Internet, the student's parent must be made aware of the possibility that the student could obtain access to inappropriate material while engaged in independent use of the Internet despite reasonable efforts at filtering such material. The parent and student must consent to the student's independent access to the Internet and to monitoring of the student's e-mail communication by school personnel.~~

~~In addition, in accordance with the board's goals and visions for technology, students may require accounts in third party systems for school related projects designed to meet educational goals. Parental permission will be obtained when necessary to create and manage such third party accounts.~~

#### **E.D. PRIVACY**

Students, employees, visitors, and other users have no expectation or right 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, ~~or transmitted, or displayed~~ using school system technological resources or stored on ~~serviceers or hard drives~~ the storage mediums of individual ~~computers~~ devices, or on school managed cloud services will be private. Under certain circumstances, school officials may be required to disclose such electronic information to law enforcement or other third parties, for example, as a response to a document production request in a lawsuit against the board, in response to a public records request, or as evidence of illegal activity in a criminal investigation.

School system personnel shall monitor online activities of individuals who access the Internet via a school-owned device. The school system may, without notice, (1) monitor, track, and/or log network access, communications, and use; (2) monitor and allocate fileserver space; and (3) access, review, copy, store, delete, or disclose the content of all user files, regardless of medium, the content of electronic mailboxes issued by the school system, and system outputs, such as printouts, at any time 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.

By using the school system's network, Internet access, electronic devices, 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.E. USE OF PERSONAL TECHNOLOGY ON SCHOOL SYSTEM PROPERTY**

Users may not use private WiFi hotspots or other personal technology on campus to access the Internet outside the school system's wireless network. Personal technology devices (including, but not limited to smart phones, tablets, laptops, etc.) may be used on campus only in accordance with written guidelines approved by the superintendent or designee. Students shall not use such devices to take and/or send pictures of other students, faculty or staff by email or other electronic means unless instructed to do so by a Watauga County Schools employee. Personal technology devices may be used in classrooms only for instructional purposes under the direction of Watauga County Schools faculty. If these devices are used for cheating, the responsible student(s) will be dealt with in accordance to Board policies on student behavior (4300 series). Students' personal devices are also governed by policy 4318, Use of Wireless Communication Devices. Use of personal technology devices is also subject to any rules established by the superintendent under a bring your own device plan authorized by Section C of policy 3220, Technology in the Educational Program, and for employees, policy 3228/7323, Use of Personal Technology to Conduct School Business. The school system assumes no responsibility for personal technology devices brought to school.

#### **G.F. 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 disciplined in accordance with board policy to the extent consistent with law (see the student behavior policies in the 4300 series and policy 4021/7230).

### 1.2. Employees

Employees' personal websites are subject to policy 7335, Employee Use of Social Media. Employees may not use their personal websites to communicate with students, as prohibited by policy 7335 and policy 4040/7310, Staff-Student Relations.

### 2.3. Volunteers

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

## G. USE AGREEMENTS

All students, parents, and employees will be informed annually of the information in this policy. Prior to using school system technological resources, students and employees must agree to comply with the requirements of this policy and consent to the school system's use of monitoring systems to monitor and detect inappropriate use of technological resources. In addition, the student's parent must consent to the student accessing the Internet and to the school system monitoring the student's Internet activity and electronic mailbox issued by the school system.

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

Cross References: Curriculum and Instructional Guides (policy 3115), Technology in the Educational Program (policy 3220), Internet Safety (policy 3226/4205), Web Page Development (policy 3227/7322), Use of Personal Technology to Conduct School Business (policy 3228/7323), Copyright Compliance (policy 3230/7330), Student Behavior Policies (all policies in the 4300 series), Student Records (policy 4700), Confidentiality of Personal Identifying Information (policy

4705/7825), Public Records – Retention, Release, and Disposition (policy 5070/7350), Use of Equipment, Materials, and Supplies (policy 6520), Network Security (policy 6524), Staff Responsibilities (policy 7300), Employee Use of Social Media (policy 7335)

Adopted: June 8, 2015

Revised: November 14, 2016; January 13, 2020;

Replaces: Policy 4.02.50, Responsible Use for Access to Networked Information Resources

The Watauga County Board of Education (the “board”) intends to administer federal grant awards efficiently, effectively, and in compliance with all requirements imposed by law, the awarding agency, and the North Carolina Department of Public Instruction or other applicable pass-through entity.

**A. FINANCIAL MANAGEMENT SYSTEMS AND INTERNAL CONTROLS**

The finance officer shall be responsible to the superintendent to develop, monitor, and enforce effective financial management systems and other internal controls over federal awards that provide reasonable assurance that the school system is managing the awards in compliance with all requirements for federal grants and awards. Systems and controls must meet all terms and conditions of the awards as well as all requirements of the U.S. Constitution and federal law and regulation, including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (“Uniform Guidance”) issued by the U.S. Office of Management and Budget and Management(except to the extent that an exception to the Uniform Guidance has been authorized by the relevant federal agency), and any applicable state requirements, and shall be based on best practices.

The financial management and internal controls must provide for (1) identification of all federal funds received and expended and their program source; (2) accurate, current, and complete disclosure of financial data in accordance with federal requirements; (3) records sufficient to track the receipt and use of funds; (4) effective control and accountability over assets to assure they are used only for authorized purposes; and (5) comparison of expenditures against budget. In addition, written procedures must be established for cash management and for determining the allowability of costs, as required by the Uniform Guidance.

At a minimum, the systems and controls shall address the following areas.

**1. Allowability**

Costs charged by the school system to a federal grant must be allowed under the individual program and be in accordance with the cost principles established in the Uniform Guidance, including how charges made to the grant for personnel are to be determined. Costs will be charged to a federal grant only when the cost is incurred during the approved budget period and is (1) reasonable and necessary for the program; (2) in compliance with applicable laws, regulations, and grant terms; (3) allocable to the grant; (4) adequately documented; and (5) consistent with school system policies and administrative regulations that apply to both federally-funded and non-federally funded activities. Internal controls shall be sufficient to provide reasonable assurance that charges to federal awards for personnel expenses are accurate, allowable, and properly allocated and documented. Prior written

---

approval for certain cost charges must be obtained as required by the awarding agency in order to avoid subsequent disallowances.

2. Cash Management and Fund Control

Payment methods must be established in writing that minimize the time elapsed between the draw of federal funds and the disbursement of those funds. Standards for funds control and accountability must be met as required by the Uniform Guidance for advance payments.

3. Procurement

All purchases for property and services made using federal funds must be conducted in a manner providing full and open competition and in accordance with the Uniform Guidance, all other applicable federal, state, and local laws and regulations, the Uniform Guidance, and the school system's written policies and procedures. The district shall avoid situations that unnecessarily restrict competition, as defined in 2 C.F.R. 200.319, and shall avoid acquisition of unnecessary or duplicative items. Noncompetitive procurement will be used only in the circumstances allowed by 2 C.F.R. 200.320(c). School officials are encouraged to maximize the purchase and use of goods, products, and materials produced in the United States to the extent consistent with law.

Individuals or organizations that develop or draft specifications, requirements, statements of work, and/or invitations for bids, requests for proposals, or invitations to negotiate, must be excluded from competing for such purchases.

Contracts are to be awarded only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. No contract shall be awarded to a contractor who is suspended or debarred from eligibility for participation in federal assistance programs or activities. Contracts shall contain all provisions required by 2 C.F.R. Part 200.

Purchasing records must be sufficiently maintained to detail the history of all procurements and must include at least the rationale for the method of procurement, selection of contract type, and contractor selection or rejection; the basis for the contract price; and when applicable, verification that the contractor is not suspended or debarred.

The requirements for conflicts of interest established below in subsection A.4 are applicable to all procurements.

4. Conflict of Interest

---

In addition to the prohibitions against self-benefitting from a public contract under G.S. 14-234 and accepting gifts and favors from vendors under G.S. 133-32 (see policies 2121, Board Member Conflict of Interest; 6401/9100, Ethics and the Purchasing Function; and 7730, Employee Conflict of Interest), the following standards of conduct apply when an employee, board member, or agent of the school system engages in the procurement of goods, services, or construction or repair projects funded in whole or part with federal financial assistance.

- a. No employee, board member, or agent of the school system may participate directly or indirectly in the selection, award, or administration of a contract supported by a federal grant or award if he or she has a real or apparent conflict of interest.

A real or apparent conflict of interest exists when (1) the employee, board member, or agent of the school system, (2) any member of his or her immediate family, (3) his or her partner, or (4) an organization which employs or is about to employ any of those parties has a financial or other interest in or receives a tangible personal benefit from a firm considered for a contract. For purposes of this paragraph, "financial interest" means a financial interest which comprises more than five percent of the equity of the firm or business or more than five percent of the assets of the economic interest in indebtedness. "Financial interest" does not include an ownership interest held through a fiduciary, such as a mutual fund or blind trust, where the individual or individual's employer has no control over the selection of holdings.

Any employee, board member, or agent of the school system who has a potential conflict of interest shall disclose that conflict in writing to the superintendent. The superintendent shall disclose in writing the potential conflict of interest to the federal awarding agency in accordance with 2 C.F.R. 200.112.

- b. No employee, board member, or agent of the school system may solicit or accept any trips, meals, gratuities, favors, gifts, or other items of monetary value from a contractor, supplier, or a party to a subcontract except that (1) a single unsolicited item with a nominal value (\$50 or less) or (2) multiple unsolicited items from a single contractor or subcontractor having an aggregate monetary value of \$100 or less in a 12-month period may be accepted. Violations of this rule are subject to disciplinary action.

## 5. Mandatory Disclosures

The superintendent shall disclose in writing to the federal awarding agency in a timely manner all violations of federal criminal law involving fraud, bribery, or

---

gratuities potentially affecting any federal award. The superintendent shall fully address any such violations promptly and shall notify the board accordingly. The board may request the superintendent to develop a plan of correction for board approval in appropriate situations as determined by the board.

6. Equipment and Supplies Purchased with Federal Funds

Equipment and supplies acquired with federal funds will be used, managed, and disposed of in accordance with applicable state and federal requirements. Property records and inventory systems shall be sufficiently maintained to account for and track equipment that has been acquired with federal funds.

7. Accountability and Certifications

All fiscal transactions must be approved by the finance officer and by the program manager or other person who can attest that the expenditure is allowable and approved under the federal program.

The finance officer shall submit all required certifications and is authorized to sign them on behalf of the board.

8. Monitoring and Reporting Performance

The superintendent shall establish sufficient oversight of the operations of federally supported activities to assure compliance with applicable federal requirements and to ensure that program objectives established by the awarding agency are being achieved. Financial and Performance reports, including reports of significant developments that arise between scheduled performance reporting dates, and final closeout reports, must be submitted as required by federal or state authorities.

**B. AUDITS AND CORRECTIVE ACTION**

1. An annual independent audit will be conducted as provided in policy 8310, Annual Independent Audit. The finance officer will prepare all financial statements, schedules of expenditures, and other documents required for the audit.
2. At the completion of the audit, the superintendent or designee shall prepare a summary schedule of prior audit findings and a corrective action plan to address prior any audit findings. The corrective action plan must identify the responsible party and the anticipated completion date for each corrective action to be taken. The superintendent shall present the plan to the board for approval.
3. Compliance deficiencies discovered internally through administrative supervision must be addressed promptly with the goal of improving processes to encourage future compliance and reduce audit findings.

---

**C. TRAINING**

All individuals responsible for the administration of a federal grant or award shall be provided sufficient training to carry out their duties in accordance with all applicable requirements for the federal grant or award.

**D. OTHER APPLICABLE BOARD POLICIES**

Other board policies provide additional controls over the administration of federal grants. These include, but are not necessarily limited to:

1. Educational programs policies (policies in the 3000 series)
2. School nutrition services policies (policies in the 6200 series)
3. Purchasing policies (policies in the 6400 series)
4. Equipment, materials, and supplies policies (policies in the 6500 series)
5. Personnel policies (policies in the 7000 series)
6. Fiscal management policies (policies in the 8000 series)
7. Policies protecting the confidentiality of personally identifiable information and other sensitive information (policies in the 4000, 6000, and 7000 series)

The board intends to comply with all requirements applicable to the use of federal funds. To the extent that any provision of a board policy is contrary to a federal law, regulation, term, or condition applicable to a federal award, employees must follow the applicable federal requirement.

**E. REPORTING MISMANAGEMENT OF FEDERAL FUNDS**

Any employee who reasonably believes that federal funds have been misused or that the school system is otherwise in violation of any requirement applicable to the receipt and use of federal funds should report the matter as provided in policy 7280, Prohibition Against Retaliation.

Legal References: 2 C.F.R. Part 180; 2. C.F.R. Part 200; G.S. 14-234; 133-32

Cross References: Prohibition Against Retaliation (policy 7280), Board Member Conflict of Interest (policy 2121), Ethics and the Purchasing Function (policy 6401/9100), Employee Conflict of Interest (policy 7730), Fiscal Management Standards (policy 8300)

Other ResourcesReferences: *Standards for Internal Control in the Federal Government* ("The Green Book") (GAO)U.S. Government Accountability Office), available at

---

<http://www.gao.gov/greenbook/overview>; *Internal Control Framework* (Committee of Sponsoring Organizations of the Treadway Commission (COSO)), executive summary, available at ~~<http://www.coso.org/ic.htm>~~; <https://www.coso.org/pages/ic.aspx>; *Compliance Supplement, Part 6, Internal Control* (Office of Management and Budget), available at [https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/circulars/A133/2017/Compliance\\_Supplement\\_2017.pdf](https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/circulars/A133/2017/Compliance_Supplement_2017.pdf) <https://www.whitehouse.gov/omb/office-federal-financial-management/>

Adopted: July 11, 2016

Revised: February 11, 2019;

The accounts of the school system and the individual schools will be audited as soon as possible after the close of each fiscal year by an independent, qualified auditor. The auditor will be selected by the Watauga County Board of Education (the "board"), and the terms and conditions will be specified in a written contract that complies with the requirements of 20 N.C.A.C. 03.0502(c). The auditor will report directly to the board.

The superintendent shall assist the board in providing for an annual independent audit that meets all requirements as provided by G.S. 115C-447 and any other relevant statute. All employees and agents of the school system having custody of public money or responsibility for keeping records of public financial or fiscal affairs shall produce all books and records requested by the auditor and provide any information relating to fiscal affairs requested by the auditor. Any employee who fails to cooperate may be subject to disciplinary action, up to and including dismissal, and also may be found guilty of criminal conduct.

The board will receive the report and opinion of the auditor and will arrange for the auditor to present to the board the audited financial statements, compliance reports, if any, and other information as specified in the audit contract. The presentation must be in an official meeting in open session, held as soon as the audited financial statements are available but not later than 45 days after the submission of the audit report to the Secretary of the Local Government Commission.

If required by 20 N.C.A.C. 03.0508, the board will submit a "Response to the Auditor's Findings, Recommendations, and Fiscal Matters" to the Secretary of the Local Government Commission pursuant to that rule within 60 days of the auditor's presentation to the board.

Legal References: G.S. 115C-447; 20 N.C.A.C. 03.0502, 03.0508

Cross References: Professional Employees: Demotion and Dismissal (policy 7930), Classified Personnel: Suspension and Dismissal (policy 7940)

Adopted: February 8, 2016

Replaces: Policy 6.01, Audits

Revised: July 26, 2021;

**A. PRINCIPLES**

The Watauga County Board of Education (the “board”) strives to provide safe, orderly, and inviting schools for students and staff. The board also strives to provide other facilities needed to support the educational program. Long-range planning by the board and superintendent is essential for providing an educational environment that offers students the opportunity to receive a sound basic education and that supports student success.

**B. LONG-RANGE PLAN**

The board will adopt a long-range plan that identifies the facility needs of the school system and sets forth a plan for how to meet these needs. The plan will address the issue of whether to renovate existing facilities or build new facilities. The plan also will incorporate, where appropriate, creative options for meeting the needs of the educational program, such as expansion or reduction through modular construction, future alternative uses of space, the availability of community facilities, the use of temporary facilities or leasing arrangements, opportunities for capital lease financing of facilities through public/private partnerships, and sharing facilities with other school systems.’

**C. PROCESS**

The following sources of information will be considered in developing and adopting a long-range plan:

1. data that reflect the possibility of enrollment declines or increases as well as other demographic changes in the population of students that is or may be served;
2. a facilities inventory that includes the size of sites, building capacities, age of buildings, energy consumption, ability to utilize technology, the suitability of the space for its current or future purpose, and accessibility by the community; and
3. the availability or anticipated availability of innovations in construction or design that would allow existing buildings to be renovated or new facilities to be constructed at a lower cost, in a more energy-efficient manner, or in a way that would better meet the needs of the educational program.
4. School personnel, students, and parents should be involved in considering the needs for new and renovated facilities.

**D. ROLE OF THE BOARD AND SUPERINTENDENT**

The superintendent will provide regular updates to the Board of Education regarding the long range facility plan and any facility needs.

The superintendent may utilize the services of consultants to obtain information necessary for the long-range planning process. ~~All professional contracts must be approved by the board.~~

The board will work with the board of county commissioners when possible in developing a capital outlay plan. The board and superintendent will endeavor to communicate with other governmental bodies and the public in a positive and persuasive manner about the need for school construction and, consequently, the need for necessary funding.

Legal References: G.S. 115C-47, -204, -276, -426.2, -521, -524, -530, -531, -532; 143-128.1C(l), -129; 153A-164; *Leandro v. State*, 346 N.C. 336 (1997)

Cross References: Board Authority and Duties (policy 1010)

Adopted: May 9, 2016

Replaces: Board policy 2.05.00, Facilities Committee Policy

Revised: