



WATAUGA BOARD OF EDUCATION

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

WATAUGA COUNTY BOARD OF EDUCATION MEETING AGENDA August 9, 2021 5:30 P.M.

- | | | | |
|------|----|---|-------------------|
| 5:30 | 1. | CALL TO ORDER | Board Chair |
| 5:32 | 2. | CLOSED SESSION | |
| | | 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. | OPEN SESSION CALL TO ORDER/WELCOME/MOMENT OF SILENCE | Board Chair |
| 6:05 | 4. | DISCUSSION AND ADJUSTMENT OF AGENDA | Board Chair |
| 6:08 | 5. | SUPERINTENDENT’S REPORT | Dr. Scott Elliott |
| 6:13 | 6. | CONSENT AGENDA | Dr. Scott Elliott |
| | | A. Approval of the Minutes for 7/26/2021 | |
| | | B. Policies: Technical Changes | |
| | | 1500 Board Policies | |
| | | 3620 Extracurricular Activities and Student Organizations | |
| | | 4200/7270 School Safety | |
| | | 4240/7312 Child Abuse and Related Threats to Child Safety | |
| | | 5000 Schools and the Community | |
| | | C. Personnel Report | |
| 6:23 | 7. | STRATEGIC PLAN UPDATE AND PRIORITIES FOR 2021-2022 | Dr. Scott Elliott |
| 6:53 | 8. | UPDATE ON VALLE CRUCIS SCHOOL PLANNING | Dr. Scott Elliott |
| 7:10 | 9. | COVID UPDATE | Dr. Scott Elliott |

----BREAK----

8:00 10. POLICIES: SUBSTANTIVE FOR FIRST READ

Dr. Wayne Eberle

3610 Counseling Program
4125 Homeless Students
4400 Attendance
6120 Student Health Services
6125 Administering Medicines to Students
7800 Professional and Staff Development

8:15 11. PUBLIC COMMENT

Board Chair

8:30 12. BOARD OPERATIONS

Board Chair

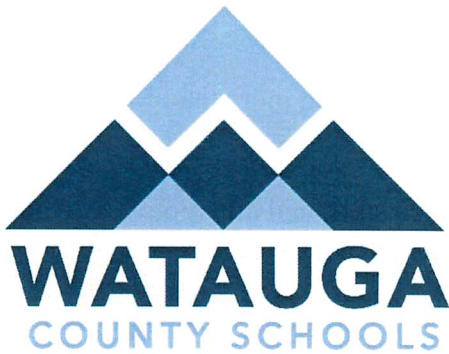
8:40 13. BOARD COMMENTS

Board Chair

8:50 14. ADJOURNMENT

Board Chair

15. MISCELLANEOUS INFORMATION



WATAUGA COUNTY BOARD OF EDUCATION

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MINUTES OF THE BOARD OF EDUCATION MEETING

DATE: July 26, 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, Mr. Chris Campbell, Board Attorney

CALL TO ORDER

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

A motion was made at 6:03 by Marshall Ashcraft 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

Dr. Elliott asked to reverse items 7 and 8, and noted changes to the Interim Continuing Budget Resolution, and an adjustment to the After School Fee Schedule.

SUPERINTENDENTS REPORT

Dr. Elliott welcomed Dr. Childers and the board members. He welcomed Chris Campbell, Lead Nurse Shelly Klutz, Jen Greene, from AppHealthCare, staff members, and parents and members of the public who were in attendance. He encouraged public attendance at board meetings.

He shared a letter from Sheriff Len Hagaman expressing his gratitude for the support of Watauga County Schools (WCS) to the law enforcement community during and after the recent tragic loss of two deputies in the community. He read excerpts from the letter. Dr. Elliott expressed his gratitude for the work of the school resource officers and all of the law enforcement partners.

He stated WCS's pride in Watauga High School (WHS) Automotive Technology teacher, Mr. Eric Mortenson who was recently selected as one of 61 finalists for the 2021 Harbor Freight Tools for Schools Prize for Teaching Excellence, which honors excellent teaching in skilled trades education in U.S. public

high schools. Mr. Mortensen is now in the running for one of 18 prizes totaling more than \$1 million, which will be awarded in October 2021.

He expressed his thanks to all staff, principals, custodians, maintenance staff, and all employees who do all the really important behind the scenes work to make the start of school such a success.

CONSENT AGENDA

The Consent agenda was presented as follows:

- A. Approval of the Minutes for 6/28/2021
- B. Surplus Report Approval
- C. Request for Adoption of Interim Continuing Budget Resolution
- D. Calendar Waiver Request
- E. Proposed Title I Budget
- F. WHS Grounds Maintenance Proposal
- G. After School Fees and Budget Summary
- H. Field Trip Request
- I. Policies: Technical Changes
 - 6140 Student Wellness
 - 6210 Organization of School Nutrition Services
 - 6220 Operation of School Nutrition Services
 - 6230 School Meal and Competitive Food Standards
 - 6305 Safety and Student Transportation Services
 - 6315 Drivers and Vehicles
 - 6321 Bus Routes
 - 6450 Purchase of Services
 - 7100 Recruitment and Selection of Personnel
 - 7130 Licensure
 - 7430 Substitute Teachers
 - 9020 Facility Design
 - 4020/7230 Discrimination and Harassment Prohibited by Federal Law
 - 4040/7310 Student-Staff Relations
 - 4335 Criminal Behavior
 - 7232 Discrimination and Harassment in the Workplace
- J. Personnel Report

Marshall Ashcraft moved to approve the Personnel Report, item J. Steve Combs recused himself from the vote due to a family member's presence on the report. Jason Cornett seconded the motion. The vote to approve was unanimous by the remaining members.

Steve Combs moved to approve the consent agenda items A through I. Marshall Ashcraft seconded the motion. Following discussion, the vote to approve was unanimous.

VALLE CRUCIS PROJECT UPDATE

Dr. Elliott stated that recent progress toward the planning of the future Valle Crucis School had been related to evaluating mechanical systems, and the possibility of expanding the pre-K space. Preliminary floor plans had been presented and revisions were being made. Proposals for exterior elevations, along with a palette of exterior finishes had been presented with additional revisions to occur. Dr. Elliott noted that there were three driving considerations of: traffic mitigation, student and staff health and safety, and community connectedness. Dr. Elliott said that construction could be impacted by current limits of the supply chain and increased the cost of construction. He noted that the building group met with architects approximately every two weeks.

STUDENT SERVICES UPDATE

Dr. Paul Holden stated that the mission was to support students and the classroom teacher to support mental health in schools. He noted the departments within Student Services were comprised of: A) Health-nine nurses in the nine schools who provided treatment and prevention (diabetic and other treatments). He thanked Jen Greene for the partnership of AppHealthCare. B) Eight School Social Workers. C) Eleven School Counselors who supported Social and Emotional Learning and other supports for citizenship. D) Four School Psychologists who are supervised by Dr. Marcela who help support mental health and testing. E) Yolanda Adams, School Resource Liasion supporting Hispanic families and students, in school and their future lives F) Candis Walker, Abuse Prevention Counselor. G) GEAR UP Program-Laura Turner which encourages post-secondary opportunities of certification, community college, college and university, and military service. H) FOCUS and other programs utilizing school based therapists at Blowing Rock and Cove Creek. I) ASC Center – University support for students’ mental health.

He presented the School mental Health plan (S/E Learning) and Social Emotional Training of six hours for certified employees plus trafficking and abuse recognition provided through“Vector Services Modules”. In addition, he noted his participation in community and school programs: A) Faith Partners, who meet quarterly B) Mountain Alliance – Schools Out program funded by GEAR UP C) Western Youth Network, which had several programs D) The Children’s Council who assists in Pre-School student placement, E) Health and Hunger Coalition who supply food support for students, F) College Access support through ACT and post-secondary support, G) Caldwell Community college where many students were completing college credits and achieving Associates degrees, H) School Health Advisory Council (SHAC) which meets several times throughout the year, I) Juvenile Crime Prevention Council participation, and J) support of School Resource Officers.

He noted recent and ongoing activities important to the school system: Say Something Anonymous Reporting App and the Gaggle program, which had both been life-saving in allowing intervention in suicidal ideation. He noted that the School Nurses had been busy during the previous year completing 2500 student contact investigations. Additional nursing staff had been hired and would be funded for the next three years.

Steve Combs moved to approve the School Mental Health Plan. Marshall Ashcraft seconded the motion. The vote to approve was unanimous.

COVID UPDATE

Dr. Elliott shared several documents, which included: the School Attorney’s “Advisor”, the Nurses assessment of Contact tracing and investigation, the Situation Report (AppHealth Care) Case Trends since the beginning of COVID, and the Strong Schools Toolkit. He noted that the priority was keeping WCS students and staff safe, and WCS schools open.

He encouraged vaccinations and noted the fairly high vaccination rate in the Watauga community.

He extended thanks to Boone Drug and Samaritan's Purse who had facilitated clinics.

He noted the extensive data collection, which identified 256 students and 115 infected staff members during the previous year, and discussed the difference in plans A, B, and C. He stated that vaccinations had made a big difference in cases. He shared that there had been one cluster, and a few preschool quarantines. So far this year, a few cases had been identified during the summer. One vaccinated teacher and one unvaccinated teacher had contracted the virus, and two athletic teams had quarantined. He noted the acquisition of funding for additional nursing staff. Nurse Klutz spoke about the layered mitigation strategy and screening.

Dr. Elliott presented the highlights of the "Toolkit". Mask requirements are now strongly recommended in the toolkit, and DHHS no longer has the authority of the Governor's order. The American Association of Pediatrics recommends masking, and quarantine guidance had been modified regarding vaccination and masking. Some strategies were no longer recommended such as directional traffic, cohorting, outdoor masking, keeping personal items separate, daily symptom screening, temperature screening, transportation, and remote instruction was no longer required, though electronic support of quarantined students will likely continue. It is a goal to share positive and accurate regarding mitigations, such as increased ventilation, and distancing to the extent possible. Nurse Klutz interjected that the ABC Collaborative noted that different distancing was not significant if masks were worn, and that there were new instructions for handling cases and quarantining.

Ms. Jen Greene thanked the nurses and school system and noted the nurses value to public health. She stated that vaccinations were and are the best tool to reduce the infection rate. The "Delta variant" is of concern. She noted that 80% of cases in the southeastern US are Delta variant. She recommends the information in the toolkit. Screening, especially for athletics, is recommended.

Mr. Chris Campbell presented the changes in the toolkit and the attorney's recommendations. As of the next Friday, July 30th, there would be no Federal or State mask mandates, barring further legislation or executive orders. No decisions must be made at the present time. Masks must be worn on buses, but no distancing requirements. He outlined several options for the board to consider, all masked, optional masks, and discussed enforcement and determination of vaccine status. He stated that quarantines are possibilities if masks and distancing are not required.

The board discussed various scenarios for different age groups regarding masks, quarantining, vaccinations, and balancing safety for children and the continuation of education.

Steve Combs moved for K-12 students to return to school with masks optional, and that the Superintendent and public health officials should indicate when more stringent precautions be taken. The motion was not seconded.

Mr. Campbell recommended that an education component should be established to help parents understand the relationship to masking and vaccination, and quarantining.

Gary Childers moved to make mask wearing optional in Watauga County Schools for students beginning July 31. The board would reserve the right to change the decision based on community conditions. Steve Combs seconded. Following discussion, Gary Childers, Steve Combs and Jason Cornett voted in favor. Marshall Ashcraft and Jay Fenwick were opposed. The motion carried.

Marshall Ashcraft moved that, "School employees are expected to wear face coverings in school facilities and vehicles. Employees who are fully vaccinated may be exempted from this requirement by voluntarily providing proof of vaccination or otherwise qualifying for a legal or medical exemption." Jason Cornett seconded. The vote was unanimous in favor of the motion.

The Board discussed that visitors and volunteers would be expected to abide by employee requirements.

POLICIES: SUBSTANTIVE FOR FIRST READ

3420 Student Promotion and Accountability

Dr. Eberle presented the above policy, which allowed more inclusivity to students who retake a college class and allowed the replacement of a failing grade. Marshall Ashcraft proposed passing this policy on first read. Steve Combs seconded the motion. The vote was unanimous...

POLICIES: SUBSTANTIVE FOR SECOND READ

3460 Graduation Requirements
6320 Use of Student Transportation Services
8310 Annual Independent Audit
8341 Limited Claim Settlement
7720 Employee Political Activity

Steve Combs moved to approve the above listed policies as written with no changes from first read. Marshall Ashcraft seconded. The vote was unanimous.

PUBLIC COMMENT

There were no public comments at the July 2021 meeting.

BOARD OPERATIONS

There were no items for Board Operations

BOARD COMMENTS

There were no Board Comments.

ADJOURNMENT

Jason Cornett moved to adjourn, which was seconded by Jay Fenwick. The Board unanimously approved the motion at 10:48 PM.

The Watauga County Board of Education (the “board”) reserves to itself the functions of developing and revising policies for the school system. The formation and adoption of policies will constitute the primary method through which the board exercises its leadership in the operation of the school system. All policy decisions will be made while keeping in mind the board’s objective to provide students with the opportunity to receive a sound basic education.

Board policy is applicable to all schools and programs within the school system unless the board directs otherwise in an individual policy. However, unless otherwise directed by the board, the superintendent may exempt any school designated as a restart model authorized by G.S. 115C-105.37B(a)(2) from any board policy requirements that correspond to a state statute or rule from which restart schools are exempted by law.

A. POLICY DEVELOPMENT

Any Watauga County Board of Education (the “board”) member, individual, group of citizens, student, or employee may initiate proposals for new policies or changes to existing policies. The initiator must refer the suggestions to the superintendent for study prior to public discussion of the proposal and board action.

As appropriate in the development of proposed policies, the superintendent shall seek input from the board attorney, other professionals, school system personnel, parents, students, and citizens.

B. ADOPTION OF POLICIES

Policies may be proposed for adoption, amendment, or repeal at any Watauga County Board of Education (the “board”) meeting by any member of the board or by the superintendent. A request to place the proposed policy on the agenda must be made in accordance with board policy.

New and revised policies will normally go through separate readings at two consecutive board meetings before approval. However, the board may waive second reading and approve a policy at first reading when the board determines this action is warranted by exceptional circumstances or when policy revisions are technical or otherwise non-substantive.

Temporary approval to follow a new or revised policy may be granted by the board in lieu of formal policy approval when necessary due to emergency conditions or special events that will take place before formal action can be taken.

During discussion of a policy proposal, the views of the public, parents, students, and staff will be considered. Board members may propose amendments. An amendment will not require that the policy go through an additional reading except as the board determines that the amendment needs further study and that an additional reading would be desirable. The board must adopt by majority vote, and the superintendent must record the policy in the minutes of the board meeting in order for the policy to be considered official board policy.

Unless otherwise specified by the board, a policy is effective as of the date it is adopted by the board.

No policy formally adopted by the board of education may be revised or rescinded except by majority vote in accordance with policy 1442, Voting Methods.

C. DISSEMINATION AND PRESERVATION OF POLICIES

The superintendent shall establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Watauga County Board of Education (the “board”) and any accompanying administrative procedures or memoranda.

All policies adopted by the board of education will be maintained in both electronic and physical form. The electronic form shall be accessible through the school system website. The physical form shall be kept in a policy manual that will constitute a public record that will be open for inspection at the board of education offices during regular office hours. The board will endeavor to keep both the electronic policies on the website and the physical policy manual updated with the most recent policies adopted by the board. Any discrepancies between the policies on the website and in the physical manual shall be resolved in accordance with the board’s most recent action on the policy.

The superintendent shall ensure that all board members and employees have convenient access to copies of the board’s policies.

All physical policy manuals distributed remain the property of the board, will be deemed to be “on loan” to any person or organization, and are subject to recall at any time deemed necessary for purpose of amendment, rescission, or recodification.

D. REVIEW AND EVALUATION OF POLICIES

The Watauga County Board of Education (the “board”) assigns to the superintendent the responsibility of continued review and evaluation of the policies adopted by the board and of bringing to the board's attention the need for adopting, amending, updating, or rescinding any particular policies.

The superintendent has the authority to make to any existing policies technical and conforming changes necessitated by changes in state and federal law and minor changes to correct typographical, grammatical, or clerical errors. Such changes are effective immediately subject to ratification by the board at its next regular meeting.

The superintendent is responsible for the dissemination of updated, revised and newly adopted policies to all holders of policy manuals.

E. SUSPENSION OF POLICIES

The operation of any section or sections of Watauga County Board of Education (the “board”) policies not established by law or contract may be suspended temporarily by a majority vote of board members present at a board meeting held in compliance with law and board policy.

Legal References: G.S. 115C-36, -47, -105.37B(a)(2); *Leandro v. State*, 346 N.C. 336 (1997)

Cross References: Board Meetings Agenda (policy 1430), Voting Methods (policy 1442)

Adopted: November 9, 2015

Replaces: Board policy 1.05, Development and Administration of Board Policy

Revised: January 28, 2016; July 10, 2017; March 15, 2018;

EXTRACURRICULAR ACTIVITIES AND STUDENT ORGANIZATIONS

Policy Code:

3620

The Watauga County Board of Education (the “board”) recognizes the value of interscholastic athletics and extracurricular activities in promoting leadership and team skills, practicing democratic principles, and encouraging the lifelong learning process. Students are encouraged to participate in opportunities available at the school, including interscholastic athletics and student organizations. All activities are open to all students attending that school unless a restriction is justified and has been approved by the principal. The principal shall ensure that students and parents are notified of the various opportunities for participation in extracurricular activities and shall establish rules, as necessary, to govern such activities.

A. REQUIREMENTS FOR PARTICIPATION IN EXTRACURRICULAR ACTIVITIES

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

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

B. ADDITIONAL RULES FOR SPECIFIC ACTIVITIES

1. Interscholastic Athletics

In addition to meeting the general requirements listed above, to be eligible for interscholastic athletics participation, students must have been in daily attendance 85 percent of the previous semester and must meet all applicable eligibility standards of the North Carolina High School Athletic Association, the North Carolina Department of Public Instruction, and any locally established requirements for interscholastic athletics participation.

Students in the sixth grade are eligible to participate in all interscholastic athletics except football.

A student participating in high school interscholastic athletics may participate only on the team consistent with the gender on the student’s birth certificate unless otherwise permitted under North Carolina High School Athletic Association rules and regulations.

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

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

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

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

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

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

C. SPECIAL CIRCUMSTANCES

1. Students with Disabilities

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

2. ~~Transitioning-Military Children~~ Students

School administrators shall facilitate the inclusion and participation in extracurricular activities of ~~transitioning~~ military children transferring into the

~~school in extracurricular activities~~, to the extent they are otherwise qualified, by:

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

3. Athletic Participation by Home School Students

Home school students who are dually enrolled in accordance with the school system's enrollment and assignment policies and procedures are eligible to participate in high school interscholastic athletics if they comply with all of the following.

- a. The student must present a home school card from the Division of Non-Public Education for the previous and current years, as well as a transcript, attendance record, and record immunizations.
- b. The student must submit proof that the student has been enrolled in a registered home school for 365 days prior to participation in athletics.
- c. Prior to the first date of practice, the student must provide the results of a nationally standardized achievement test, taken within the last year, that indicates the student was on grade level at the time the test was taken.
- d. The student must participate in a class schedule that is at least one half of the assigned school's instructional day. At least one class must be taken on campus each semester.
- e. The student must pass all classes in which the student is enrolled at the assigned school in order to maintain athletic eligibility.
- f. Once dually enrolled and deemed eligible to participate in athletics, the student must maintain continuous dual enrollment. Failure to maintain continuous dual enrollment would render the student ineligible for athletic participation for 365 days.
- g. The student must notify the principal of the assigned school in writing of the student's intent to try out for an athletic team at least 10 days prior to the first practice date of each sport season in which the student wishes to participate. Failure to comply with this requirement renders the student ineligible for that sport season.
- h. The student must comply with all other applicable North Carolina High School Athletic Association rules and regulations regarding eligibility for athletic participation.

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

D. APPEALS PROCESS

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

Legal References: Americans with Disabilities Act, 42 U.S.C. 12132, 28 C.F.R. pt. 35; Equal Access Act, 20 U.S.C. 4071-4074; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 115C art. 9, 115C-47(4), -390.2, -407.5; 16 N.C.A.C. 6E .0204; State Board of Education Policy ATHL-001; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000; State Board of Education Policy HRS-D-001; N.C. High School Athletic Association Handbook available at <https://www.nchsaa.org/students-and-parents/rules-and-regulations>; Middle/Junior High School Athletic Manual (NCDPI), available at <https://sites.google.com/dpi.nc.gov/nchealthyschools/athletics>

Cross References: Parental Involvement (policy 4002), Student and Parent Grievance Procedure (policy 4010), Evaluation of Student Progress (policy 3400), Student Promotion and Accountability (policy 3420), School Improvement Plan (policy 3430), Children of Military Families (policy 4050), Domicile or Residence Requirements (policy 4120), Homeless Students (policy 4125), School Assignment (policy 4150), North Carolina Address Confidentiality Program (policy 4250/5075/7316), Student Clubs (4060), Student Behavior Policies (4300 series), Attendance (policy 4400), Community Use of Facilities (policy 5030)

Adopted: March 21, 2016

Revised: June 13, 2016; September 11, 2017; November 9, 2020; March 8, 2021;

Safe schools are critical to creating a learning environment in which students can succeed. Staff and students share the responsibility for taking reasonable precautions and following established safety measures to create and maintain safe schools. The following safety measures must be implemented at each school.

A. SUPERVISION OF STUDENTS

Students must be reasonably supervised while in the care and custody of the school system. This supervision must occur throughout school hours, including during class, between classes, on the playground, and during recess or lunch periods; during authorized school field trips; and on school buses. Reasonable precautions should be taken to protect the safety of students on school grounds and on buses before, during and after school.

Students who are subject to policy 4260, Student Sex Offenders, and are receiving educational services on school property must be supervised by school personnel at all times.

B. SUPERVISION OF VISITORS

School administrators shall strictly enforce policies 5015, School Volunteers, and 5020, Visitors to the Schools.

C. SAFETY OF SCHOOL BUILDINGS AND GROUNDS

The board recognizes its duty to provide each of its employees with a workplace free from recognized hazards that are causing or are likely to cause death or serious physical harm.

The superintendent and each building principal shall comply with all duties set out for their respective positions in G.S. 115C-288(d) and G.S. 115C-525 to minimize fire hazards. The principal is required to inspect school buildings, playgrounds, and equipment for health, fire, and safety hazards on a regular basis, as required by law, and to notify the superintendent immediately of unsanitary conditions or repairs needed to meet safety standards.

Any employee who observes any potential hazards must notify the principal or the employee's supervisor immediately.

All warning systems must meet building and equipment codes required by law and must be properly maintained. When necessary, proper signs indicating potential hazards or recommended safety precautions must be posted.

D. ESTABLISHING PROCESSES TO ADDRESS POTENTIAL SAFETY CONCERNS AND EMERGENCIES

1. Responding to Student Altercations and Other Threats to Safety

All school system employees have a duty to be alert at all times to situations that may pose a threat to the safety of students, employees, or visitors on school property, at school events, or in other situations in which the students are under the authority of school employees. Even an employee who does not have responsibility for supervising students is expected to make an immediate report if the employee observes or has reason to suspect that a situation poses a threat to safety and no administrator, teacher, or other supervisory employee is present and aware of the potential threat.

Teachers, teacher assistants, coaches, and other employees with responsibility for supervising students will use appropriate student behavior management techniques to maintain order and discipline on school property, at school events, and anywhere that students are under the employees' authority. Such employees must enforce the Code of Student Conduct and address student behavior in accordance with the school plan for management of student behavior (see policy 4302, School Plan for Management of Student Behavior).

When employees with responsibility for supervising students have personal knowledge or actual notice of a student altercation or other situation that poses an immediate threat to safety, they shall use their professional judgment to determine how best to address the situation to protect the safety of everyone in the vicinity. Emergency procedures identified in a student's Behavior Intervention Plan shall be followed to the maximum extent possible under the circumstances. For minor threats or altercations or altercations involving young children, the employee shall intervene directly to end the fight or address the safety threat if the employee can do so safely. An employee who encounters a situation that cannot be managed safely and effectively by that employee immediately shall request assistance from other employees or administrative staff and shall take steps to remove bystanders from the area. Only the degree of force or physical control reasonably necessary shall be used to re-establish a safe environment.

Employees should take further action as appropriate in accordance with any response protocols established by the principal or superintendent. All employees are responsible for knowing and following such protocols to the fullest extent reasonable under the circumstances at the time.

2. School Rules

The principal or designee shall develop rules to help prevent accidents in school buildings, on school buses, and on school grounds.

3. Training for Staff and Students

Staff training must include detailed instruction on how to respond to a variety of

emergency situations. Staff should also be able to recognize and respond to behavior, information, and related indicators that warn of impending problems. In addition, middle and high school employees must receive adequate training on the operation of the school's anonymous safety tip line. School personnel must teach and review with students (1) safety procedures, including fire safety procedures; (2) precautions for handling chemicals or potentially dangerous equipment; and (3) appropriate responses to threats to school safety. Middle and high school students must also be informed of the anonymous safety tip line and its purpose and function.

4. Safety Equipment

School employees shall provide students and visitors with safety equipment as required by law and shall enforce school rules pertaining to wearing safety equipment. School employees shall wear and use appropriate safety equipment as required for the safe performance of their specific job assignments.

5. Planning for Emergencies and Conducting Fire Drills and Other Emergency Drills

The board, in coordination with local law enforcement and emergency management agencies, will adopt a school risk management plan relating to incidents of school violence for each school in the school system. The superintendent must provide the Department of Public Safety's Division of Emergency Management (Division) with emergency response information it requests for the school risk management plan and updated emergency response information when such updates are made. The superintendent must also provide the Division and local law enforcement with schematic diagrams, including digital schematic diagrams, of all school facilities and updates of the schematic diagrams when the school system makes substantial facility modifications, such as the addition of new facilities or modifications to doors or windows. Schematic diagrams must meet any standards established by the Department of Public Instruction for the preparation and content of the diagrams. In addition, the superintendent shall provide local law enforcement with (1) either keys to the main entrance of all school buildings or emergency access to key storage devices for all school buildings and (2) updated access to school buildings when changes are made to the locks of the main entrances or to the key storage devices.

At least one school-wide tabletop exercise and drill that meets the requirements of state law and is based on the procedures documented in the school risk management plan will be held annually at each school. Principals shall also conduct fire drills as required by law.

6. Reporting Risks to the School Population

Students should notify any staff member of any acts of violence, harassment, or bullying or any other unusual or suspicious behavior that may endanger safety. Middle and high school students may also use the anonymous safety tip line to

report any risks to the school population or buildings. Ongoing student education efforts will aim at minimizing any fear, peer pressure, embarrassment, or other impediments to students reporting potential problems.

Maintaining a safe school environment that is conducive to learning requires staff to be proactive in dealing with violence, harassment, and bullying. Staff members must report immediately to the principal any information regarding unusual or suspicious behavior or acts of violence, harassment, or bullying.

~~Every principal is required to~~ School officials shall investigate and act upon any report of such behavior, including, when appropriate, reporting criminal activities to law enforcement, the State Board, the State Superintendent of Public Instruction, and the superintendent or designee (see policies 4021/7230, Prohibition Against Discrimination, Harassment, and Bullying, 4015/7225, Discrimination, Harassment, and Bullying Complaint Procedure, 4020/7230, Discrimination and Harassment Prohibited by Federal Law, 4035/7236, Title IX Sexual Harassment – Prohibited Conduct and Reporting Process, 4036/7237, Title IX Sexual Harassment Grievance Process, 4040/7310, Staff-Student Relations, 4040/7310, Bullying and Harassing Behavior Prohibited, –and 4335, Criminal Behavior, and 7232, Discrimination and Harassment in the Workplace).

7. Potential Threats of Registered Sex Offenders

The principal of each school shall register with the North Carolina Sex Offender and Public Protection Registry to receive e-mail notification when a registered sex offender moves within a one-mile radius of the school.

8. Student Behavior Standards

Students are expected to meet behavior standards set forth in Watauga County Board of Education policies.

Legal References: 29 C.F.R. part 1904; G.S. 14-208.18; 95-129(1); 115C-36, -47, -105.49, -105.51, -105.53, -105.54, -166, -167, -288, -289.1, -307, -390.3, -391.1, -521, -524, -525; ; 13 N.C.A.C. 7A .0301; 16 N.C.A.C. 6E .0107; State Board of Education Policyies SSCH-000, SCFC-005

Cross References: ~~Prohibition Against Discrimination, Harassment, and Bullying (policy 4021/7230), Discrimination, Harassment, and Bullying Complaint Procedure (policy 4015/7225), Discrimination and Harassment Prohibited by Federal Law (policy 4020/7230), Title IX Sexual Harassment – Prohibited Conduct and Reporting Process (policy 4035/7236), Title IX Sexual Harassment Grievance Process (policy 4036/7237), School Improvement Plan (policy 3430), Staff -Student Relations (policy 4040/7310), Student Sex Offenders (policy 4260), Student Behavior pPolicies (4300 series), School Volunteers (policy 5015), Visitors to the Schools (policy 5020), Registered Sex Offenders (policy 5022), Weapons and Explosives Prohibited (policy 5027/7275), Public Records – Retention, Release, and Disposition (policy 5070/7350), Relationship with Law~~

Enforcement (policy 5120), Discrimination and Harassment in the Workplace (policy 7232), Occupational Exposure to Hazardous Chemicals in Science Laboratories (policy 7265), Staff Responsibilities (policy 7300), Security of Facilities (policy 9220)

Other Resources:

Practical Information on Crisis Planning: A Guide for Schools and Communities, U.S. Department of Education Office of Safe and Drug-Free Schools (January 2007), available at <http://www2.ed.gov/admins/lead/safety/crisisplanning.html>

Adopted: February 9, 2015

Replaces: Policy 5.05.60, Fire Drills and 5.07.80, Threat Against the General Population

Revised: January 28, 2016; August 14, 2017 (Legal references only); February 12, 2018; April 8, 2019

CHILD ABUSE AND RELATED THREATS TO CHILD SAFETY

Policy Code: **4240/7312**

The Watauga County Board of Education (the “board”) is concerned with the health, safety, and welfare of all children and recognizes the legal and ethical obligations that school employees, contractors, and volunteers have to report known or suspected maltreatment of children. North Carolina has two separate systems that mandate reports to state authorities of suspected child abuse, neglect, dependency, or maltreatment and a third system for mandated reporting of certain crimes against juveniles to local law enforcement.

When a parent or other caretaker is suspected to have caused a child to be abused, neglected, or dependent, this information must be reported to the county child welfare agency. Suspected human trafficking, involuntary servitude, and sexual servitude of a child and death of a child as a result of maltreatment are special forms of child abuse under law and must be reported to the county child welfare agency, regardless of the relationship between the victim and the perpetrator. By contrast, suspected child maltreatment by a caregiver in a childcare facility, including in a licensed preschool classroom or other licensed classroom or program operated by the school system, must be reported to the Department of Health and Human Services, Division of Child Development and Early Education. When the source of the harm or threat of harm to the child is uncertain, a report should be made to both the county child welfare agency and the Department of Health and Human Services, Division of Child Development and Early Education.

In addition, state law mandates reports to local law enforcement when a child is a victim of certain violent offenses, sexual offenses, or misdemeanor child abuse. An adult who knows or reasonably should have known of any of these offenses inflicted upon a child must report that information immediately.

The board supports all employees who in good faith make a report under North Carolina’s mandated reporting laws.

A. DUTY TO REPORT CERTAIN CRIMES AGAINST CHILDREN TO LOCAL LAW ENFORCEMENT

A school employee, contractor, or volunteer is legally required to report to local law enforcement when the employee or volunteer knows or reasonably should know that a child has been a victim of any of the following crimes:

1. a sexual offense (which for purposes of this policy, the board interprets to mean any offense that relates to inappropriate sexual contact with a child);
2. an offense that inflicts serious bodily injury or serious physical injury upon the child by nonaccidental means;
3. an attempt, solicitation, or conspiracy to commit either offense described above,

or aiding and abetting either offense; or

4. misdemeanor child abuse, which occurs when a parent or any other person providing care or supervision to a child who is under the age of sixteen (1) inflicts or allows to be inflicted physical injury to the child by nonaccidental means or (2) creates or allows a substantial risk of physical injury to the child by nonaccidental means.

Compliance with this reporting requirement does not relieve the employee or volunteer from his or her duty to report pursuant to Sections B and C of this policy. The employee, contractor, or volunteer also shall immediately report the case to the principal.

A school employee, contractor, or volunteer is immune by statute from any state civil and/or criminal liability when making a report in good faith under this Section. An employee who fails to report or who prevents another person from making a report is subject to disciplinary action by the school system and civil and criminal action under the law. A volunteer or contractor who fails to report or prevents another person from making a report may be restricted from school property or lose the privilege of volunteering for or contracting with the school system and is subject to civil and criminal action under the law.

B. DUTY TO REPORT CHILD ABUSE, NEGLECT, DEPENDENCY, OR DEATH AS A RESULT OF MALTREATMENT TO THE COUNTY CHILD WELFARE AGENCY

A school employee, contractor, or volunteer who knows or has cause to suspect that (1) a parent, guardian, custodian, or caretaker of a child has caused the child to be abused, neglected, or dependent or (2) that a child has died as a result of maltreatment or been a victim of human trafficking, involuntary servitude, or sexual servitude by any person is legally required to report the case to the director of social services. The employee, contractor, or volunteer also shall immediately report the case to the principal. Any doubt about reporting a suspected situation must be resolved in favor of reporting, and the report must be made immediately.

A school employee, contractor, or volunteer is immune by statute from any civil and/or criminal liability when making a report in good faith under this Section. An employee who fails to report or who prevents another person from making a report is subject to disciplinary action by the school system and civil and criminal action under the law. A volunteer or contractor who fails to report or prevents another person from making a report may be restricted from school property or lose the privilege of volunteering for or contracting with the school system and is subject to civil and criminal action under the law.

C. DUTY TO REPORT CHILD MALTREATMENT IN A CHILD CARE FACILITY TO THE DIVISION OF CHILD DEVELOPMENT AND EARLY EDUCATION

A school employee, contractor, or volunteer who has cause to suspect that a child in a

child care facility has been maltreated by a caregiver or has died as a result of maltreatment occurring in a child care facility is legally required to report the case to the Department of Health and Human Services (DHHS), Division of Child Development and Early Education (DCDEE).

A “childcare facility” includes any DHHS-licensed classroom or program operated by the school system, including for example, licensed pre-school or Title I classrooms, licensed afterschool programs, and licensed developmental day programs.

Any doubt about reporting a suspected situation or uncertainty whether the child’s care is being provided in a childcare facility must be resolved in favor of reporting, and the report should be made immediately.

An employee making a report to DCDEE also shall immediately report the case to the principal. If the suspected maltreatment occurred in a licensed preschool classroom or other licensed classroom or program operated by board, the principal shall immediately notify the superintendent of the suspected maltreatment. No reprisals of any kind may be taken against an employee who makes a good faith report of child maltreatment occurring in any licensed preschool classroom or other licensed classroom or program operated by the board.

An employee who fails to make a report as required by law and this policy may be subject to disciplinary action by the school system. In addition, if the employee works in a licensed preschool classroom or other licensed classroom or program operated by the board, failure to report maltreatment of a child in the program or classroom may itself constitute child maltreatment and result in the employee being placed on the state child maltreatment registry. A volunteer or contractor who fails to report or prevents another person from making a report may be restricted from school property or lose the privilege of volunteering for or contracting with the school system.

D. COOPERATION WITH STATE AND LOCAL AGENCIES

1. The principal may establish a contact person in the school to act as a liaison with state and local agencies charged with investigating reports made pursuant to this policy.
2. Employees shall cooperate fully with agency personnel conducting an investigation.
3. In a case under the jurisdiction of local law enforcement in which the child’s parent, guardian, or custodian is suspected of wrongdoing, employees shall permit the child to be interviewed by local law enforcement on school campuses during school hours. Otherwise, permission from the parent, guardian, or custodian must be obtained before the child may be interviewed by local law enforcement on school campuses during school hours.

4. In a case under the jurisdiction of social services, employees shall permit the child to be interviewed by social services on school campuses during school hours.
5. In a case under the jurisdiction of DCDEE concerning suspected child maltreatment by a caregiver in a childcare facility, permission from the parent must be obtained before the child may be interviewed on school campus during school hours.
6. Employees shall provide confidential information to agency personnel, so long as the disclosure does not violate state or federal law.
7. Any confidential information disclosed by the investigating agency to employees must remain confidential and may be redisclosed only for purposes directly connected with carrying out the responsibilities of the school system or the employee.

E. SHARING INFORMATION WITH OTHER AGENCIES

Upon request and to the extent permitted by law, school system officials shall share with other agencies designated in G.S. 7B-3100(a) information that is relevant to (1) any assessment by the department of social services of a report of child abuse, neglect, dependency or death as a result of maltreatment; (2) the provision or arrangement of protective services in a child abuse, neglect or dependency case by the department of social services; or (3) any case in which a petition is filed alleging that a juvenile is abused, neglected, dependent, undisciplined, or delinquent. School system officials and the designated agencies must continue to share such information until the protective services case is closed by the department of social services or, if a petition is filed, until the juvenile is no longer subject to the jurisdiction of juvenile court.

F. CHILD SEXUAL ABUSE AND SEX TRAFFICKING TRAINING PROGRAM

In even numbered years, the school system will provide a child sexual abuse and sex trafficking education and awareness training program for teachers, instructional support personnel, principals, and assistant principals. The program will include at least two hours of training related to best practices from the field of prevention, the grooming process of sexual predators, the warning signs of sexual abuse and sex trafficking, how to intervene when sexual abuse or sex trafficking is suspected or disclosed, legal responsibilities for reporting sexual abuse or sex trafficking, and available resources for assistance. Designated school personnel shall participate in such training as required by law and board policy.

The superintendent shall develop any necessary procedures for making a report pursuant to this policy, for sharing information with designated agencies, and for cooperating with agency investigations.

In addition to the requirements of this policy, any administrator who knows or has reason to

believe that a licensed employee has engaged in conduct that would justify automatic revocation of the employee's license pursuant to G.S. 115C-270.35(b) or which involves physical or sexual abuse of a child shall report that information to the State Superintendent of Public Instruction in accordance with subsection C.4 of policy 4040/7310, Staff-Student Relations.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 7B-101, -301, -302, -309, -3100; 8-53.4; 14-208.6, -318.2, -318.4, -318.6; 110-90.2, -105.3, -105.4, -105.5; 115C-270.35(b), -375.20, -400, -402; 126-5; 16 N.C.A.C. ~~6C-0312.0373~~; State Board of Education Policies ~~LICN-007 and NCAC-039~~ SHLT-003

Cross References: Professional and Staff Development (policy 7800), Staff-Student Relations (policy 4040/7310), Student Records (policy 4700)

Adopted: July 14, 2014

Revised: July 9, 2018; September 9, 2019; January 13, 2020; March 12, 2020;

The Watauga County Board of Education (the “board”) recognizes that the public schools are an integral part of the community and that the public has a vested interest in having students develop into productive members of the workforce and of society. The board encourages the community to be involved in the school system and to assist the school system in the goal of providing every student with the opportunity to receive a sound basic education.

Each year the school system will publish on its website all information required by law, including assessment and performance information and information on how state funds have been used to address local educational priorities.

A. POLICIES

In making policy decisions, the board will keep in mind its commitment to providing all students in our community the opportunity to obtain a sound basic education.

The board’s commitment to the wider community is expressed in various policies that address the relationship between the school system and the community, such as:

1. Parental Involvement (policy 4002);
2. Title I Parent and Family Engagement (policy 3560);
3. Responding to Complaints (policy 1742/5060);
4. Public Participation at Board Meetings (policy 2310);
5. Compliance with the Open Meetings Law (policy 2320);
6. School Volunteers (policy 5015);
7. Visitors to the Schools (policy 5020);
8. Registered Sex Offenders (policy 5022);
9. Community Use of Facilities (policy 5030);
10. Public Records – Retention, Release, and Disposition (policy 5070/7350); and
11. Distribution and Display of Non-School Material (policy 5210).

~~3. Public Records – Retention, Release, and Disposition (policy 5070/7350); 4. School Volunteers (policy 5015); 5. Compliance with the Open Meetings Law (policy 2320); 6. Registered Sex Offenders (policy 5022); 7. Distribution and Display of Non-School Material (policy 5210); 8. Community Use of Facilities~~

(policy 5030); and 9. Visitors to the Schools (policy 5020).

B. SCHOOL ADMINISTRATORS

School administrators shall:

1. demonstrate a commitment to working with the community;
2. identify appropriate opportunities for community input;
- 2.3. communicate to the public the goals and objectives of the school system and the progress of the school system in meeting those goals and objectives; and
- 3.4. provide the public with school progress and performance reports as required by state and federal law.

Legal References: Elementary and Secondary Education Act, 20 U.S.C. 6301; G.S. 115C-12(9)c3, -36, -47, -83.10, -105.25; *Leandro v. State*, 346 N.C. 336 (1997)

Cross References: Board Authority and Duties (policy 1010), Compliance with the Open Meetings Law (policy 1420), Title I Parent and Family Engagement (policy 3560), Responding to Complaints (policy 5060), Public Participation at Board Meetings (policy 1410), Parental Involvement (4002), School Volunteers (policy 5015), Visitors to the Schools (policy 5020), Registered Sex Offenders (policy 5022), Community Use of Facilities (policy 5030), Public Records – Retention, Release, and Disposition (policy 5070/7350), Distribution and Display of Non-School Material (policy 5210)

Adopted: February 8, 2016

Revised: November 13, 2017; April 9, 2018 (Legal references only);

Guidance and counseling programs are provided by the school system with the ultimate aim of improving student performance by implementing strategies and activities that support and maximize student learning; helping students to grow in their personal and social development; and providing a foundation for acquiring the skills that enable students to graduate career and college ready and prepared to be lifelong learners. ~~make a successful transition from school to the world of work.~~ The principal of each school, in consultation with the student services director, shall develop a counseling program that is data-driven and meets the objectives of the State Board of Education's comprehensive school counseling program curriculum and the academic, career, and social/emotional developmental needs of the student population at that school. The program will include individual and group counseling, classroom presentations, academic advising, career development services, consultation, parent education, and other responsive services.

In addition, the counseling program will incorporate the following specific elements.

~~School counselors and other guiding adults in middle and high schools shall provide guidance and information to students about high school course selections and requirements prior to ninth grade in order to inform them about the requirements for college entry, including accelerated preparation for college entry. School counselors shall encourage ninth grade students to complete these requirements in less than four years if feasible and appropriate.~~

A. INVOLVEMENT OF PARENTS AND OTHERS

The counseling program is the shared responsibility of teachers, counselors, parents and community members, and should operate with the collaboration of all individuals involved in educating students, including those who assist children with special needs or students who are at risk of dropping out of school or not meeting performance expectations. Input from parents and students should be sought in accordance with the school's parental involvement plan for involvement of the community in school programs. ~~(See policy 4002, Parental Involvement.)~~

Each year, the principal or designee shall inform parents of the guidance and counseling services available to students. Parents will be notified of the right to opt their students out of participation in certain group academic or career guidance or personal or social counseling services of a generic nature. ~~All school personnel must follow the Parental Involvement Plan (see policy 4002), in regard to parental notification and permission for counseling programs. In addition, school personnel shall annually provide all students in Grades 9 through 12 with information on the manner in which a parent may lawfully abandon a newborn baby with a responsible person, in accordance with G.S. 7B-500.~~

B. PROVISION OF COUNSELING SERVICES

Counseling services may be provided on an individual basis or in small or large groups. ~~School counselors may refer students who have extensive needs or needs that go beyond~~

~~the purpose of the counseling program to community resources.~~

~~Students may seek counseling or be referred by staff or parents. School officials and teachers may recommend a counseling program to help a student meet standards of conduct and academic performance established by the board and school system administrators. If students have extensive needs or needs that go beyond the purpose of the counseling program, school counselors may refer them to community resources. Any staff member who is aware that a student is contemplating suicide or is otherwise suffering from an emotional or psychological crisis must immediately notify the counseling program in accordance with any rules established by the superintendent or principal. Any counselor or other staff member who knows or has cause to suspect child abuse, neglect, dependency or death as a result of maltreatment must report the information as provided in policy 4240/7312, Child Abuse and Related Threats to Child Safety, and as required by law.~~

Counseling programs are most effective when voluntarily entered into by a student. ~~School officials and teachers may recommend a counseling program to help a student meet standards of conduct and academic performance established by the Watauga County Board of Education (the "board") and school system. However, s~~ Students will not be required to attend individual or small group counseling sessions to address identified significant personal issues unless agreement has been reached with the parent and student in a behavior contract, an intervention plan or, for special education students, an individualized education plan. (See student behavior policies (4300 series), policy 3420, Student Promotion and Accountability, and policy 3520, Special Education Programs/Rights of Students with Disabilities.)

C. ACADEMIC ADVISING

School counselors and other guiding adults in middle and high schools shall support equitable access to opportunities and rigorous and relevant curricula for all students. Prior to the ninth grade, students will be informed about the course requirements for regular and accelerated college entry. School counselors shall encourage ninth grade students to complete the requirements for college entry in less than four years, if feasible and appropriate.

D. NOTIFICATION OF SAFE SURRENDER LAW

School personnel shall annually provide all students in grades 9 through 12 with information on the manner in which a parent may lawfully abandon a newborn baby with a responsible person, in accordance with G.S. 7B-500.

E. EMPLOYEE MANDATORY REPORTING

Any staff member who is aware that a student is contemplating suicide or is otherwise suffering from an emotional or psychological crisis must immediately notify the counseling program in accordance with any rules established by the superintendent or

principal.

Any counselor or other staff member who knows or has cause to suspect maltreatment of a child must report the information as provided in policy 4240/7312, Child Abuse and Related Threats to Child Safety, and as required by law.

F. CONFIDENTIALITY

Information obtained in a session with a counselor may be privileged and protected from disclosure as provided by law. A counselor cannot be required to testify concerning privileged information unless, as provided by G.S. 8-53.4, the student waives the privilege or the court compels testimony as necessary to the proper administration of justice. The school counselor privilege does not, however, exempt the counselor from reporting child abuse as required by law and policy 4240/7312~~G.S. 7B-301~~.

Any notation made by a counselor for his or her own use is a confidential document and is neither a public record nor a part of the student's record. Such confidential documents do not have to be shared with parents or others except as required by law. Any document prepared by a counselor that is shared or intended to be shared with other staff is considered an educational record of the student and is available to the parent or eligible student in accordance with policy 4700, Student Records.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 7B-301, -500; 8-53.4; 110-105.4; 115C-12, -47, -400, -401; State Board of Education Policies GRAD-006, SCOS-011

Cross References: Parental Involvement (policy 4002), Goals and Objectives of the Educational Program (policy 3000), Student Promotion and Accountability (policy 3420), Special Education Programs/Rights of Students with Disabilities (policy 3520), Child Abuse and Related Threats to Child Safety (policy 4240/7312), Student Behavior Policies (4300 series), Student Records (policy 4700)

Adopted: August 3, 2015

Replaces: Board policy 5.05.56, Safe Surrender of a Newborn

Revised: August 14, 2017 (Legal references only); August 12, 2020 (Legal references only);

As required by the North Carolina Constitution and North Carolina law, the Watauga County Board of Education (the “board”) is committed to providing a free public school education to all children who are legally entitled to enroll in the school system. In accordance with the McKinney-Vento Homeless Assistance Act and the North Carolina State Plan for Educating Homeless Children, the board will make reasonable efforts to identify homeless children and youth of school age located within the area served by the school system, encourage their enrollment, and eliminate barriers to their receiving an education that may exist in school system policies or practices. Based on individual need, homeless students will be provided services available to all students, such as preschool, free or reduced price school meals, services for English learners, special education, career and technical education (CTE), academically or intellectually gifted (AIG) services, and before- and after-school care.

The provisions of this policy will supersede any and all conflicting provisions in board policies that address the areas discussed in this policy.

A. DEFINITION OF HOMELESS STUDENTS

Homeless students are children and youth who lack a fixed, regular, and adequate nighttime residence. The term “homeless student” will also be deemed to include the term “unaccompanied youth,” which includes a youth who is not in the physical custody of a parent or guardian. Homeless children and youth include those students who are as follows:

1. sharing the house of other persons due to loss of housing, economic hardship or a similar reason;
2. living in motels, hotels, transient trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
3. living in emergency or transitional shelters;
4. abandoned in hospitals;
5. living in a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings;
6. living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or
7. living in a migratory situation that qualifies as homeless because the child lacks a fixed, regular and adequate nighttime residence.

B. ENROLLMENT, ASSIGNMENT, AND TRANSPORTATION OF HOMELESS STUDENTS**1. Enrollment****a. Eligibility**

Notwithstanding the enrollment eligibility requirements established by the board elsewhere in policy, school personnel shall immediately enroll homeless students even if they do not have proof of residency, school and immunization records, birth certificates, or other documents; have missed application or enrollment deadlines during a period of homelessness; have outstanding fees; or are not accompanied by an adult. The homeless liaison shall assist the students and parents or guardians in securing appropriate records or otherwise meeting enrollment requirements.

b. Records

Homeless students transferring into the school system may provide cumulative and other records directly to school system personnel. The superintendent or designee shall not require that such records be forwarded from another school system before the student may enroll. However, school personnel shall immediately request the official records from the previous school.

Information regarding a child or youth's homeless situation must be treated as a student record and protected accordingly. See policy 4700, Student Records.

2. Assignment

A homeless student (or the student's parent or guardian) may request to attend (1) his or her school of origin or (2) any public school that other students living in the same attendance area are eligible to attend. The school of origin is defined as the school the student attended before losing permanent housing or the school in which the student was last enrolled, including a preschool. When a student completes the final grade level served by the school of origin, the school of origin includes the designated receiving school at the next grade level for all feeder schools. Unless, not in the student's best interest, a homeless student who continues attending the school of origin will remain enrolled in the school of origin for the entire time the student is homeless and until the end of any academic year in which the student moves into permanent housing.

The superintendent shall designate the Director of Student Assignment or other appropriate personnel to decide, in consultation with the homeless liaison, which school a homeless student will attend. The decision must be based upon consideration of student-centered factors related to the student's best interest, including factors concerning the impact of mobility on achievement, education, health, and safety of homeless students, giving priority to the request of the student's parent or guardian or the unaccompanied youth. The superintendent's designee must presume that keeping the student in the school of origin is in the student's best interest unless contradicted by the student's parent or guardian or the unaccompanied youth.

If the superintendent's designee determines that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian or unaccompanied youth, he or she must provide a written explanation of the reasons for the determination to the parent or guardian or unaccompanied youth, along with information regarding the right to appeal the placement decision as described in Section D, below.

3. Transportation

The board of education will provide homeless students with transportation services comparable to those of other students. In addition, at the parent or guardian's request (or at the request of the homeless liaison for unaccompanied youth), the board will provide transportation services to/from the school of origin. The superintendent or designee and the homeless liaison shall coordinate homeless students' transportation needs, based on the child's best interest. In situations in which a student attends school in this system but his or her temporary housing is in another system (or vice versa), the superintendent or designee shall work with the other system to share the cost and/or responsibility for transportation. If an agreement cannot be reached between the systems, the cost of such transportation will be divided evenly.

If a homeless student becomes permanently housed and chooses to remain in his or her school of origin, the board will provide transportation to the student for the remainder of the school year.

C. ELIGIBILITY FOR TITLE I SERVICES

Homeless students are automatically eligible for Title I services. The homeless liaison and the Title I director shall collaborate to identify the needs of homeless students.

D. DISPUTE RESOLUTION PROCESS

A parent, guardian, or unaccompanied youth who disagrees with a decision of school officials with regard to eligibility, school selection, or enrollment of a student who is homeless (hereinafter, referred to as a "complainant") may appeal the decision to the

school system's homeless liaison in accordance with this section upon registering or attempting to register the child or youth at the school in which enrollment is sought.

Any employee who is aware that an unaccompanied youth or a parent or guardian of a homeless student is dissatisfied with a decision of school officials with regard to eligibility, school selection, or enrollment should immediately refer that individual to the school system's liaison for homeless students.

As used in this section, "school days" means days when students are scheduled to be in attendance.

1. Notice, Stay Put, and Informal Resolution

Upon learning of a complainant's disagreement with a decision of school officials, the homeless liaison shall take the following actions.

- a. The homeless liaison shall arrange to have the student immediately admitted to the school in which enrollment is sought (either the school of origin or the school located in the attendance zone of the student's temporary residence) if enrollment is at issue. Once enrolled, the student must receive all services for which he or she is eligible and must be allowed to participate fully in school activities, pending resolution of the dispute.
- b. ~~Immediately, but not later than~~ Within one school day ~~after~~ of learning of the complainant's disagreement, the homeless liaison shall provide the complainant a copy of the school system's uniform statement of rights and procedures that is written in a language, manner, and form the complainant can understand, to the extent the school system deems practicable, to the extent practicable, in a language that the complainant can understand. The written statement must include all of the following:
 - 1) contact information, including telephone number, e-mail address, and physical address of the homeless liaison and of the State Coordinator for homeless education, with a brief description of their roles;
 - 2) notice that, within two school days of the school's decision, the complainant has the right to notify the homeless liaison that the complainant intends to appeal the decision;
 - 3) an explanation of the appeal procedure, including the timeline and process for making the initial appeal and for pursuing a subsequent appeal to the superintendent and board, as provided by this policy;

- 4) a ~~simple~~ complaint form that a complainant can understand, complete, and submit to the homeless liaison to initiate the dispute resolution process and to pursue any subsequent appeals to the superintendent and board;
 - 5) notice that the board of education or a designated panel of the board will make the final decision on behalf of the school system;
 - 6) notice of the right to appeal, or request an extension of time to appeal, the final decision of the school system to the State Coordinator within three school days of receipt of the final decision and ~~the option to request an extension from the State Coordinator, along with a step-by-step description of how to file the appeal;~~
 - 7) notice of the right to enroll immediately in the school located in the assignment area of the student's temporary residence or remain in the school of origin with transportation provided by the school system pending resolution of the dispute, if such transportation is requested by the parent, guardian, or homeless liaison on behalf of the youth;
 - 8) notice that ~~immediate~~ the right to enrollment includes the right to fully participate in all school activities;
 - 9) notice of the right to obtain assistance of advocates or attorneys; and
 - 10) notice of the right to provide supporting written or oral documentation during the appeals process.
- c. The homeless liaison shall attempt to informally resolve the matter. Complainants are encouraged to attempt informal resolution through discussion with the homeless liaison when possible.
 - d. If informal resolution is unsuccessful, the homeless liaison shall inform the complainant of the right to appeal the matter by initiating the dispute resolution process provided in subsection D.2, below.
 - e. If the complaint initiates the dispute resolution process, the homeless liaison shall expedite the process so that a final decision in the dispute is reached within 15 school days or 30 calendar days, whichever is less.

2. Steps in the Dispute Resolution Process and Related Timelines

a. Homeless Liaison Review

- i. If informal resolution of a complaint is unsuccessful, the complainant may initiate the dispute resolution process by making a formal appeal to the homeless liaison, either directly or through the principal of the school in which enrollment is sought. The appeal must be presented within five school days of the decision giving rise to the complaint unless the homeless liaison agrees to an extension of up to five additional school days for good cause.
- ii. The appeal may be made orally or in writing on the designated complaint form. If the complainant makes an oral appeal, the homeless liaison shall complete the written complaint form on the complainant's behalf without delay.
- iii. The complaint should include the date of the filing, a description of the disputed action pertaining to eligibility, school selection, or enrollment, the name of the person(s) involved and a description of the relief requested. The complainant must be informed of the right to provide supporting written or oral documentation and to seek the assistance of an advocate or attorney.
- iv. No more than two school days after the complainant initiates the dispute resolution process, the local liaison shall (1) inform the superintendent, other appropriate school officials participating in the dispute resolution process, and the State Coordinator of the dispute immediately after the parent, guardian, or unaccompanied youth has initiated the dispute resolution process and (2) provide a written decision, including the reasons for the decision, to the complainant and the superintendent.
- ~~v. Within two school days after receiving the formal complaint, the homeless liaison shall provide a written decision, including the reasons for the decision, to the complainant and the superintendent.~~

b. Appeal to the Superintendent of the Liaison's Decision

- i. Within two school days of receiving the liaison's decision, the complainant may appeal the decision to the superintendent orally or in writing using the form designated for this purpose. Oral appeals must be made to the homeless liaison, who shall commit the appeal to writing on the designated form. The homeless liaison shall ensure that the superintendent receives copies of the written complaint and the response of the liaison.

- ii. The superintendent or designee shall schedule a conference with the complainant to discuss the complaint.
 - iii. Within four school days of receiving the appeal, the superintendent or designee shall provide a written decision to the complainant including a statement of the reasons for the decision.
- c. Appeal to the Board of the Superintendent's Decision
- i. If the complainant is dissatisfied with the superintendent's decision, he or she may file an appeal with the board of education within two days.
 - ii. The appeal may be filed orally or in writing using the form designated for this purpose. Oral appeals must be made to the homeless liaison, who shall commit the appeal to writing on the designated form.
 - iii. The board or a panel of at least two board members acting on behalf of the board will ~~hear~~render a decision on the appeal. The board or board panel will provide the complainant with a written decision within five school days of receiving the appeal. In unusual circumstances the board or board panel may extend this time but will avoid exceeding the lesser of (1) 15 school days from when the complaint was received or (2) 30 calendar days from when the complaint was received
 - iv. The board or board panel's decision will constitute the final decision of the school system for purposes of the complaint's right to appeal to the State Coordinator.
 - v. If the matter under appeal is a school assignment, a board panel decision will be a recommendation that must be submitted to the full board for a final determination as required by state law and policy 4150, School Assignment. However, in order to ensure an expedited appeals process for students who are homeless, the recommendation of the board panel shall be considered the final decision of the board for purposes of appeal to the State Coordinator if a final determination by the full board reasonably cannot be accomplished by the deadline described in the previous paragraph.
 - vi. The written statement of the final decision will include the name and contact information of the State Coordinator for homeless education and will describe the appeal rights to the State Coordinator. If the matter under appeal is a school assignment and

the appeal was not heard by the full board, the written decision will also note that review of the matter by the full board as required by state law is pending.

d. Appeal to the State Coordinator of the Board's Decision

If the complainant is dissatisfied with the decision of the board or board panel, he or she may file an oral or written appeal with the State Coordinator for homeless education within three school days of receiving the board or panel's decision or within the period of any extension granted. The State Coordinator will issue a final decision on the complaint. The appeal must include:

- i. the name of the complainant and, physical address if available, his or her physical address, e-mail address, and telephone number ~~of the complainant~~;
- ii. the relationship or connection of the person to the child in question;
- iii. the name of the school system and the ~~specific~~ school in question;
- iv. the federal requirement alleged to have been violated;
- v. how the requirement is alleged to have been violated; and
- vi. the relief the person is seeking.

Within three school days following a request from the State Coordinator, the homeless liaison shall provide the record of complaint, a copy of the board or panel's decision, and any other ~~supporting~~ documents necessary to complete the record.

E. HOMELESS LIAISON

The superintendent or designee shall appoint and train a school employee to serve as the homeless liaison. In addition to the duties specifically assigned elsewhere in this policy, the homeless liaison's duties shall include, but not be limited to, the following:

1. ensuring that school personnel identify homeless children and youth;
2. ensuring school/preschool enrollment of and opportunities for academic success for homeless children and youth;
3. ensuring that homeless families and children have access to and receive educational services for which they are eligible;

4. ensuring that homeless families and children receive referrals to healthcare, dental, mental health and substance abuse, housing, and other appropriate services;
5. informing parents or guardians and any unaccompanied youth of available transportation services and helping to coordinate such services;
6. ensuring that public notice of the educational rights of homeless students is disseminated in locations frequented by parents or guardians and unaccompanied youth;
7. informing parents or guardians of educational and related opportunities available to their children and ensuring that parents or guardians have meaningful opportunities to participate in their children's educations;
8. communicating the dispute resolution process to parents, guardians, and unaccompanied youth experiencing homelessness;
9. helping to mediate enrollment disputes, including ensuring that a homeless child or youth is enrolled immediately pending final resolution of the dispute;
10. developing a uniform written notice that explains to parents, guardians, and unaccompanied youth their rights and the process for appealing a decision of school officials, as required by subsection D.1.b of this policy. The notice must be written in a simple and understandable format and translated to other languages as needed and practicable;
11. ensuring that when parents, students, and unaccompanied youth initiate the dispute resolution process, all parties comply with the dispute resolution policy and that parents, students, and unaccompanied youth are provided with the information listed in subsection D.1.b of this policy;
12. informing unaccompanied youth of their status as independent students and assisting in verifying such status for the purposes of the Free Application for Federal Student Aid;
13. ensuring that school personnel providing services to homeless students receive professional development and other support;
14. working with school personnel, the student, parents or guardians, and/or other agencies to obtain critical enrollment records, including immunization and medical records, in a timely manner; and
15. working with the superintendent or designee to identify board policies or procedures that might serve as a barrier to enrollment of homeless students,

including those related to immunization records, medical records, uniforms or dress codes, school fees, and school admission.

Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, *et seq.*; *Non-Regulatory Guidance on Education for Homeless Children and Youths Program*, U.S. Department of Education (July 2016); G.S. 115C-366(a2), -369; 16 N.C.A.C. 6H .01124, .0115, .0116; State Board of Education Policies SBOP-020, SPLN-000

Cross References: Immunization and Health Requirements for School Admission (policy 4110), Domicile or Residence Requirements (policy 4120), Discretionary Admission (policy 4130), School Assignment (policy 4150), Student Records (policy 4700)

Adopted: July 14, 2014

Revised: November 13, 2017; April 8, 2019;

Replaces: Policy 5.02.70, Homeless Students

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

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

A. ATTENDANCE RECORDS

School officials shall keep accurate records of attendance, including accurate attendance records in each class. Students will be considered in attendance if present at least half of the instructional day on-site in the school or at a place other than the school attending an authorized school-related activity. To be in attendance during remote instruction days, students must: (1) complete their daily assignments, either online or offline; and/or (2) have a daily check-in through two-way communication with (a) the homeroom teacher for grades K-5 or (b) for all other grade levels, each course teacher as scheduled. ~~Attendance records will be used to enforce the Compulsory Attendance Law of North Carolina.~~

B. LATE ARRIVALS AND EARLY DEPARTURES

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

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

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

B.C. LAWFULLY EXCUSED ABSENCES

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

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

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

C.D. SCHOOL-RELATED ACTIVITIES

While recognizing the importance of classroom learning, the board also acknowledges that out-of-classroom, school-related activities can provide students with valuable experiences not available in the classroom setting. All classroom activities are important and difficult, if not impossible, to replace if missed. Principals shall ensure that classes missed by students due to school-related activities are kept to an absolute minimum. The following school-related activities will not be counted as absences from either class or school:

1. field trips sponsored by the school;
2. job shadows and other work-based learning opportunities, as described in G.S. 115C-47(34a);
3. school-initiated and -scheduled activities;
4. athletic events that require early dismissal from school; and
5. Career and Technical Education student organization activities approved in advance by the principal; and
6. In addition, students participating in disciplinary techniques categorized as in-school suspensions will not be counted as absent.

~~Assignments missed for these reasons are eligible for makeup by the student. The teacher will determine when work is to be made up. The student is responsible for finding out what assignments are due and completing them within the specified time period.~~

E. MAKEUP WORK

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

D.F. EXCESSIVE UNEXCUSED ABSENCES

~~Class attendance and participation are critical elements of the educational process and may be taken into account in assessing academic achievement. Students are expected to be at school on time and to be present at the scheduled starting time for each class. Students who are excessively tardy to school or class may be subjected to additional disciplinary actions.~~

The principal shall notify parents and take all other steps required by G.S. 115C-378 for excessive, unexcused absences. ~~Students may be suspended for up to two days for truancy.~~

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

G. CHRONIC ABSENTEEISM

Because class attendance and participation are critical elements of the educational process, any absences, whether excused or unexcused, can have a negative impact on a student's academic achievement. Regular attendance must be prioritized within each school and encouraged throughout the community. School administrators shall monitor and analyze attendance data to develop and implement strategies for reducing chronic absenteeism. Such strategies should involve engaging students and parents, recognizing good and improved attendance, providing early outreach to families of students missing school, and identifying and addressing barriers to attendance.

~~The principal or committee shall review other measures of academic achievement, the circumstances of the absences, the number of absences, and the extent to which the student completed missed work. A committee may recommend to the principal and the principal may make any of the following determinations:~~

- ~~1. the student will not receive a passing grade for the semester;~~
- ~~2. the student's grade will be reduced;~~
- ~~3. the student will receive the grade otherwise earned; or~~
- ~~4. the student will be given additional time to complete the missed work before a determination of the appropriate grade is made.~~

H. SPECIAL CIRCUMSTANCES

1. Students with Chronic Health Problems

No penalties will be imposed for

~~Students with excused absences due to documented chronic health problems, are exempt from this policy.~~

2. Students Experiencing Homelessness

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

3. Attendance Requirements for Extracurricular Activities

Absences may impact eligibility for participation in extracurricular activities. Principals shall inform students and parents of the applicable attendance standards for the various types of extracurricular activities, including interscholastic athletics. See also policy 3620, Extracurricular Activities and Student Organizations.

Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, *et seq.*; G.S. 115C-47, -84.2, -288(a), -375.5, -378 to -383, -390.2(d), -390.2(l), -390.5, -407.5; 130A-440; 16 N.C.A.C. 6E .0102, .0103, .0106; State Board of Education Policies ATND-000, -003, ~~NCAC-007~~

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

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

Adopted: February 9, 2015

Revised: March 14, 2016; August 14, 2017 (Legal references only); August 13, 2018; June 8, 2020;

Replaces: Policy 5.02.20, Attendance Requirements

A. STUDENT HEALTH SERVICES GENERALLY

The Watauga County Board of Education (the “board”) will provide health services to students as required by law. School employees may administer ~~drugs or~~ medication prescribed by a ~~doctor~~ health care practitioner only upon the written request of the parents; give emergency health care when reasonably apparent circumstances indicate that any delay would seriously worsen the physical condition or endanger the life of the student; and perform any other first aid or lifesaving technique in which training has been provided to school employees.

A registered nurse will be available to provide assessment, care planning, and ongoing evaluation of students with special health care service needs in the school setting.

The superintendent may develop procedures or delegate the development of procedures to each ~~school~~ principal for providing these health services and meeting the board requirements listed below.

1. The principal shall determine at the beginning of each school year prior to the beginning of classes, and thereafter as circumstances require, which employees will be selected to participate in the health services program. The principal shall inform his or her staff about which health services duties are delegated to which employees.
2. A school nurse, with the assistance of other personnel as appropriate, will prepare an individual health plan for each student with special health care needs. This plan will identify the student’s medical needs, the person responsible for monitoring the child’s medical needs during the school day, and other information necessary to ensure the child’s medical needs are appropriately addressed during all school-related activities.
3. When a student’s special health care needs include an increased risk of a medical emergency, a school nurse, with the assistance of other personnel as appropriate, will prepare an emergency health care plan to address this risk. This plan will identify the type of risk involved, the symptoms that indicate a potential medical emergency, and the important actions that should be taken and avoided by school personnel in the event of a medical emergency.
4. Any employee designated to provide health care services must receive appropriate training.
5. Health manuals prepared by the governing state agencies must be followed in developing appropriate procedures and for determining which tasks must be performed by registered nurses.
6. Procedures must be consistent with all related board policies, including policy 4230, Communicable Diseases – Students, and policy 6125, Administering Medicines to Students.

7. Procedures must be consistent with state and federal law for students with disabilities, including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act. The *Policies Governing Services for Children with Disabilities* will be followed, as applicable.
8. Procedures must be consistent with guidelines adopted by the State Board of Education under G.S. 115C-12(31) to serve students with diabetes, including developing and implementing individual diabetes care plans for such students and providing information and training to school personnel to appropriately support and assist such students, in accordance with their individual diabetes care plans.
9. Written information maintained by the school or school personnel regarding a student's medicinal and health needs is confidential. Parents and students must be accorded all rights provided by the Family Educational Rights and Privacy Act (FERPA) and state confidentiality laws. Any employee who violates the confidentiality of the records may be subject to disciplinary action.
10. School personnel must obtain parental consent for medical services as required by law. Parents will be notified of their rights in accordance with policy 4002, Parental Involvement.
11. Health professionals will be consulted in the development of health services. Opportunities also will be provided for input from staff, parents, and students on the health services provided.

B. SCHOOL SYSTEM MENTAL HEALTH PLAN

The superintendent shall develop a school-based mental health plan that includes a mental health training program and suicide risk referral protocol that satisfies the requirements of State Board of Education Policy SHLT-003. The superintendent shall submit the plan to the board for approval and direct implementation of the plan within all applicable deadlines.

By September 15 of each year, the superintendent shall report to the Department of Public Instruction on (1) the content of the school system's mental health plan, including the mental health training program and suicide risk referral protocol, and (2) the school system's prior school year compliance with the requirements of State Board of Education Policy SHLT-003. The board will review the components of the school system's mental health plan at least every five years, starting August 1, 2025, and will update the mental health plan in accordance with any updated requirements provided by the State Board of Education.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12134, 28 C.F.R. pt. 35; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), -794, 34 C.F.R. pt. 104; G.S. 115C-12(12), -12(31), -36, -307(c), -375.1, -375.3, -376.5; 16 N.C.A.C. 6D.0402; 21 N.C.A.C. 36-.0221, .0224; *Policies Governing Services for Children with Disabilities*, State Board of Education Policies ~~NCAC-015~~, EXCP-000, SHLT-003

Cross References: Parental Involvement (policy 4002), Communicable Diseases – Students (policy 4230), Student Records (policy 4700), Administering Medicines to Students (policy 6125)

Adopted: April 11, 2016

Revised: August 14, 2017 and April 9, 2018 and January 13, 2020 (Legal references only);

Replaces: Board policy 5.03.30, Student Health Services

The Watauga County Board of Education (the “board”) recognizes that students may need to take medication during school hours. This may enable students to attend school, improve or maintain their health status, and/or improve their potential for learning. School personnel may administer medication prescribed by a health care practitioner upon the written request of a student’s parent. In limited circumstances, as outlined in Section C, a student may be authorized to self-administer medications. To minimize disruptions to the school day, students should take medications at home rather than at school whenever feasible. School officials may deny a request to administer any medication that could be taken at home or when, in the opinion of the superintendent or designee in consultation with school nursing personnel, other treatment options exist and the administration of the medication by school personnel would pose a substantial risk of harm to the student or others.

For purposes of this policy, all references to “parent” include parents, legal guardians, and legal custodians. In addition, for purposes of this policy, the term “health care practitioner” is limited to licensed medical professionals who are legally authorized to prescribe medications under North Carolina law, such as doctors of medicine, doctors of osteopathic medicine, physician assistants, and nurse practitioners.

Unless otherwise indicated, the terms “medication” and “medicine” include any substance intended for use in the diagnosis, cure, mitigation, treatment, or prevention of any disease. The term includes all prescription medications and all such substances available over-the-counter without a prescription, such as drugs, herbs, alternative medicines, and supplements (hereinafter “over-the-counter drugs”). The administration of any prescription or over-the-counter drug to students by school employees is prohibited except when performed in accordance with Section A.

The self-administration of any prescription or over-the-counter drug by students at school is prohibited and constitutes a violation of policy 4325, Drugs and Alcohol, except in the limited circumstances described in Section C.

The administration, including by parents, school employees, or self-administration, of any substance containing cannabidiol (CBD) or tetrahydrocannabinol (THC) at school is prohibited unless (1) authorized by and administered by a caregiver in accordance with G.S. 90-94.1 and G.S. 90-113.101 for the treatment of intractable epilepsy, or (2) the CBD or THC product is available by prescription only and has been approved by the U.S. Food & Drug Administration (FDA); and all requirements of this policy are met.

A. MEDICATION ADMINISTRATION BY SCHOOL EMPLOYEES

1. Conditions for Administering Medication

Authorized school employees may administer medication to students when all of the following conditions are met. These conditions apply to all medications, including those available over-the-counter without a prescription.

- a. Parental Consent: The student’s parent must make a signed, written request

that authorizes school personnel to administer the medication to the student.

- b. Medication Authorization/Order: A health care practitioner must prescribe the medication for use by the student and provide explicit written instructions for administering the medication.
- c. Certification of Necessity: The student's health care practitioner must certify that administration of the medication to the student during the school day is necessary to maintain and support the student's continued presence in school.
- d. Proper Container/Labeling: If the medication to be administered is available by prescription only, the parent must provide the medication in a pharmacy-labeled container with the child's name, the name of the medication, the exact dose to be given, the time/frequency the medication is to be given, the route of administration, the number of doses in the container, and the expiration date of the medication. ~~directions for how and when the medicine is to be given.~~ If the medication is available over-the-counter, it must be provided in the original container or packaging, labeled with the student's name.
- e. Proper Administration: A trained school employee must administer the medication pursuant to the health care practitioner's written instructions provided to the school by the student's parent, and in accordance with professional standards.

The board of education and its employees assume no liability for complications or side effects of medication when administered in accordance with the instructions provided by the parent and health care practitioner.

2. Procedures for Administering Medications

The superintendent shall develop procedures for the implementation of this policy. These procedures and a copy of this policy must be made available to all students and parents each school year and will be posted on the Watauga County School System website. The superintendent's procedures should be developed according to the guidelines listed below.

- a. The health and welfare of the student must be of paramount concern in all decisions regarding the administration of medication.
- b. Procedures for medication administration must be consistent with recommendations of the School Health Unit of the Children & Youth Branch of the N.C. Division of Public Health, as described in the *North Carolina School Health Program Manual*.
- c. Students with special needs are to be afforded all rights provided by federal

and state law as enumerated in the *Policies Governing Services for Children with Disabilities*. Students with disabilities also are to be afforded all rights provided by anti-discrimination laws, including Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

- d. Except as permitted by this policy, no student may possess, use, sell, deliver, or manufacture any drug or counterfeit drug prohibited by policy 4325, Drugs and Alcohol, nor be under the influence of any drug in violation of that policy.
 - e. The board generally encourages school personnel to administer medication from a centralized location. However, in all instances, whether administered from a centralized location or multiple locations, any medications kept at school for a student must be kept in a locked and secure place. An exception to the requirement for locked storage may be made for emergency medications that must be immediately accessible. Access to controlled substances should be limited to the school nurse, school staff person authorized to administer medication, and the principal or designee.
 - f. All school personnel who will be administering medications must receive appropriate training from the school nurse or other qualified health personnel that includes safety and administration procedures and documentation of the training will be available on request.
 - g. Only medications clearly prescribed for the student may be administered by school personnel. At the time a parent brings a medication to school for administration, if school personnel have concerns regarding the appropriateness of the medication or dosage for a student, a confirmation should be obtained from the student's health care practitioner or another health care practitioner prior to administering the medication or allowing the student to self-administer the medication. Self-administration of a medication by a student is allowed only as specified in section C of this policy.
 - h. Although efforts should be made not to disrupt instructional time, a parent has the right to administer medication to his or her child at any time while the child is on school property, unless otherwise prohibited by this policy.
 - i. Written information maintained by school personnel regarding a student's medicinal and health needs is confidential. Parents and students must be accorded all rights provided by the Family Educational Rights and Privacy Act and state confidentiality laws. Any employee who violates the confidentiality of the records may be subject to disciplinary action.
3. The school principal shall designate school staff to receive appropriate training and to administer medication in the absence of the school nurse or qualified nurse

substitute. The principal will keep records of medication administered, including the time and name of the person administering the medication.

4. The School Nurse will:

- a. Administer medication according to Watauga County School Board and School Health policies, School Nurse Standards of Practice, the North Carolina Nurse Practice Act, the NC School Health Program Manual, current addition, and North Carolina law regarding administration of medication;
- b. Maintain current knowledge of the effective use of drugs and treatments used by the school aged child and the possible side effects;
- c. Obtain all necessary training and possess the abilities to properly administer medication and perform treatments in the school setting, to monitor potential side effects, and to properly document such.

B. EMERGENCY MEDICATION

Students who are at risk for medical emergencies, such as those with diabetes, asthma, or severe allergies, must have an emergency health care plan developed for them to address emergency administration of medication. Students must meet the requirements of subsection A.1, above, including providing authorization and instructions from the health care practitioner and written consent of the parent, in order for emergency medication to be administered by school personnel while the student is at school, at a school sponsored activity, and/or while in transit to or from school or a school-sponsored event.

C. STUDENT SELF-ADMINISTERING MEDICATIONS

The board recognizes that students with certain health conditions like diabetes or asthma, or an allergy that could result in an anaphylactic reaction, may need to possess and self-administer medication on school property in accordance with their individualized health care plan or emergency health care plan.

The board also recognizes that students with diabetes may need to possess and self-administer certain medication on school property. Students are prohibited from self-administering medication at school unless (1) the medicine has been prescribed for the treatment of diabetes, asthma or anaphylactic reactions, including insulin or a source of glucose, a prescribed asthma inhaler, or a prescribed epinephrine auto-injector; (2) the medicine is administered in accordance with the student's individualized health care plan or emergency health care plan and any relevant administrative regulations; and (3) the requirements of this section are met. "Diabetes medication" means a medication prescribed for the treatment of diabetes and includes insulin or glucose. The superintendent shall develop procedures for the possession and self-administration of such medication by students

on school property, during the school day, at school-sponsored activities, and/or while in transit to or from school or school-sponsored events.

1. Authorization to Self-Administer Medication

Before a student will be allowed to self-administer medication pursuant to this section, the student's parent must provide to the principal or designee all of the documents listed below:

- a. written authorization from the student's parent for the student to possess and self-administer the medication;
- b. a written statement from the student's health care practitioner verifying that:
 - 1) the student has diabetes or asthma, or an allergy that could result in anaphylactic reaction;
 - 2) the health care practitioner prescribed the medication for use on school property during the school day, at school-sponsored activities, or while in transit to or from school or school-sponsored events; and
 - 3) the student understands, has been instructed in self-administration of the medication, and has demonstrated the skill level necessary to use the medication and any accompanying device, and has been determined to be competent for self-administration;
- c. a written treatment plan and written emergency protocol formulated by the prescribing health care practitioner for managing the student's diabetes, asthma, or anaphylaxis episodes and for medication use by the student;
- d. a statement provided by the school system and signed by the student's parent acknowledging that the board of education and its employees and agents are not liable for injury arising from the student's possession and self-administration of the medication; and
- e. any other documents or items necessary to comply with state and federal laws.

Prior to being permitted to self-administer medication at school, the student also must demonstrate to the school nurse, or the nurse's designee, (1) the skill level necessary to use the medication and any accompanying device necessary for its administration; and (2) sufficient knowledge and maturity to be independent in the management of the medication with no oversight from school staff.

The student's parent must provide to the school backup medication that school personnel are to keep in a location to which the student has immediate access in the event the student does

not have the required medication.

All information provided to the school by the student's parent must be reviewed by the school nurse and kept on file at the school in an easily accessible location. Any permission granted by the principal or designee for a student to possess and self-administer medication will be effective only for the same school for 365 calendar days. Such permission must be renewed each school year.

2. Responsibilities of the Student

A student who is authorized in accordance with this policy to carry medication for self-administration must carry the medication in the original labeled container with the student's name on the label.

3. Consequences for Improper Use

A student who uses his or her medication in a manner other than as prescribed or who permits another person to use the medication may be subject to disciplinary action pursuant to the school disciplinary policy. However, school officials shall not impose disciplinary action on the student that limits or restricts the student's immediate access to the diabetes, asthma, or anaphylactic medication.

The board does not assume any responsibility for the administration of medication to a student by the student, the student's parent, or any other person who is not authorized by this policy to administer medications to students.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12134, 28 C.F.R. pt. 35; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. -705(20), -794, 34 C.F.R. pt. 104; G.S. 90-94.1, -113.101; 115C-36, -307(c), -375.1, -375.2, -375.2A, -375.3; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000

Cross References: Parental Involvement (policy 4002), Drugs and Alcohol (policy 4325), Emergency Epinephrine Auto-Injector Devices (policy 5024/6127/7266)

Other References/Resources: *North Carolina School Health Program Manual* (N.C. Dept. of Health and Human Services, Div. of Public Health, School Health Unit, ~~2020~~^{6th}-ed. 2014), available at <https://publichealth.nc.gov/wch/cy/schoolnurses/manual.htm>
<https://www2.ncdhhs.gov/dph/wch/lhd/manuals.htm>

Adopted: April 11, 2016

Revised: August 14, 2017 (Legal references only); July 9, 2018; April 8, 2019; June 8, 2020;

Replaces: Board policy 5.03.10, Medication Administration

The Watauga County Board of Education (the “board”) believes a strong relationship exists between the quality of education provided to students and the competency and training of all personnel employed by the school system. The board places a high priority on securing the most competent personnel available and, once they are employed, providing them with opportunities for professional growth and development throughout their careers. The goal of professional and staff development programs and opportunities for licensed professional employees and support staff is to improve the instructional program and create a safe learning environment for all students by improving and expanding the skills of the professional staff and support personnel.

A. PROFESSIONAL AND STAFF DEVELOPMENT

The superintendent shall provide ongoing development opportunities for licensed and support staff and shall require participation by such personnel as appropriate. The superintendent shall seek input from employees when developing system-wide programs. The principal shall seek input from school personnel when planning professional and staff development programs for his or her school.

Professional and staff development shall include all topics required by law or board policy, including but not limited to: (1) the effective delivery of the required curriculum as required by G.S. 115C-81.45(d) and -81.20(f); (2) a program of technology-related professional development as required by policy 3220, Technology in the Educational Program; and (3) a mental health training program, which includes all components in even-numbered years, a two-hour child sexual abuse and sex trafficking education and awareness training program for teachers, instructional support personnel, principals, and assistant principals in grades K-12, as required by G.S. 115C-375.20G.S. 115C-376.5(d),6 and State Board of Education Policy SHLT-0037 (see policies 4240/7312, Child Abuse and Related Threats to Child Safety, and 6120, Student Health Services).

B. SELF-IMPROVEMENT

Licensed employees are expected to engage in self-directed activities to improve their professional skills. These employees are encouraged to seek information and training through professional development programs as well as other opportunities in order to meet this responsibility.

C. PLANS FOR GROWTH AND IMPROVEMENT

Supervisors and principals also may require licensed employees to enter into plans, including mandatory improvement plans established by state law and individual, monitored and/or directed growth plans established by the State Board of Education, for professional growth and improving performance. (See policy 7811, Plans for Growth and Improvement of Licensed Employees.) A performance improvement plan could involve participation in a professional development program or encompass a variety of strategies that are related to professional growth or improving performance.

D. PAYMENT OF COSTS

The school system will consider paying reasonable costs, within budget limits, for any courses, workshops, seminars, conferences, in-service training sessions or other sessions an employee is required to attend by the local administration. The employee must seek prior approval for payments.

The school system will not bear the responsibility of the cost of training taken solely for the purposes of licensure renewal.

Legal References: Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 *et seq.*, 34 C.F.R. pt. 106; G.S. 115C-81.20(f), -81.45(d), -333, -333.1, -375.20; State Board of Education Policies EVAL-004, SHLT-003

Cross References: Grievance Procedure for Employees (policy 7220), Technology in the Educational Program (policy 3220), Child Abuse and Related Threats to Child Safety (policy 4240/7312), Student Health Services (policy 6120), Plans for Growth and Improvement of Licensed Employees (policy 7811)

Adopted: May 11, 2015

Revised: August 14, 2017 and March 15, 2018 (Legal references only); November 9, 2020;