



# 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

February 8, 2021

5:30 P.M.

- |      |     |  |   |
|------|-----|--|---|
| 4:00 | 1.  | <b>CALL TO ORDER</b>   | Board Chair                               |
| 4:02 | 2.  | <b>CLOSED SESSION</b>  |   |
|      |     | A. Approval of Minutes   |   |
|      |     | B. Reportable Offenses – N.C.G.S.115C-288(g)                               |   |
|      |     | C. Student Records - N.C.G.S.143-318.11(a)(1)                              |   |
|      |     | D. Personnel – N.C.G.S.143-318.11(a)(6)                                    |   |
|      |     | E. Attorney Client - N.C.G.S.143-318.11(a)(3)                              |   |
| 4:30 | 3.  | <b>OPEN SESSION CALL TO ORDER</b>  | Board Chair                               |
| 4:31 | 4.  | <b>BOARD ETHICS TRAINING</b>   | Mr. Chris Campbell                        |
| 6:33 | 5.  | <b>WELCOME/MOMENT OF SILENCE</b>   | Board Chair                               |
| 6:35 | 6.  | <b>DISCUSSION AND ADJUSTMENT OF AGENDA</b>                                 | Board Chair                               |
| 6:38 | 7.  | <b>SUPERINTENDENT’S REPORT</b>   | Dr. Scott Elliott                         |
| 6:43 | 8.  | <b>STUDENTS’ REPORT</b>  | Ms. Haleigh Lawson<br>Ms. Isabella Sibaja |
| 6:48 | 9.  | <b>PUBLIC RECOGNITION</b>  |   |
|      |     | A. Delta Kappa Gamma Beginning Teacher Award                               | Ms. Brenda Reese                          |
| 6:38 | 10. | <b>CONSENT AGENDA</b>  |   |
|      |     | A. Approval of Minutes for 1/11/2020                                       | Dr. Scott Elliott                         |
|      |     | B. Surplus Report  |   |
|      |     | C. Approval of EOG Second Administration Letters                           |   |
|      |     | D. Technical Policies:   |   |
|      |     | 4333 Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety |   |
|      |     | 4335 Criminal Behavior   |   |
|      |     | 4345 Student Discipline Records  |   |
|      |     | 4353 Long-Term Suspension, 365-Day Suspension, Expulsion                   |   |
|      |     | 7130 Licensure   |   |
|      |     | 7820 Personnel Files   |   |
|      |     | 8510 School Finance Officer  |   |
|      |     | E. Personnel Report  |   |

- 6:48 11. COVID UPDATE** Dr. Scott Elliott
- 7:08 12. FINANCE UPDATE** Ms. Ly Marze
- 7:28 13. POLICIES: SUBSTANTIVE FOR FIRST READ** Dr. Wayne Eberle
- A. 1320 Code of Ethics for School Board Members
  - B. 1321 Board Member Conflict of Interest
  - C. 4001 Equal Educational
  - D. 5030 Community Use of Facilities
  - E. 5060 Responding to Complaints
- 7:48 14. PUBLIC COMMENT** Board Chair
- 7:55 15. BOARD OPERATIONS**
- 8:05 16. BOARD COMMENTS**
- 8:15 17. ADJOURNMENT**
- 18. MISCELLANEOUS INFORMATION**



# WATAUGA COUNTY BOARD OF EDUCATION

Margaret E. Gragg Educational Center  
175 Pioneer Trail Boone, NC 28607  
(828) 264-7190 (828) 264-7196

**DATE:** January 11, 2021

**PRESENT:** In person: Gary Childers, Jay Fenwick, Marshall Ashcraft, Dr. Scott Elliott, Superintendent, Dr. Steven Martin, Assistant Superintendent Joining remotely: Steve Combs, Jason Cornett, and John Henning, Board Attorney

**TIME:** 5:30 PM

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

## **CALL TO ORDER**

Dr. Gary Childers, Board Chair, called the meeting to order at 5:30 PM. He asked for a motion to enter closed session. The motion was made by Jay Fenwick, seconded by Steve Combs, and approved by all of the board.

A motion was made by Steve Combs and seconded by Marshall Ashcraft to move to open session. The motion passed unanimously at 5:58 PM.

## **OPEN SESSION**

Board Chair, Gary Childers called the meeting to order in open session at 6:02 PM.

## **WELCOME/MOMENT OF SILENCE**

Dr. Childers began the meeting with a moment of silence.

## **DISCUSSION AND ADJUSTMENT OF AGENDA**

There were no adjustments to the agenda.

## **PUBLIC RECOGNITION**

Dr. Susan Mochen recognized Ms. Carmen Scoggins with the national award of ACTFEL Florence Steiner Award for excellence in teaching.

Dr. Mochen recognized Ms. Heather Tedder as the FLANC Teacher of the Year, who will go on to compete regionally.

Dr. Elliott commended them for their excellence as teacher leaders and thanked them for their sacrifices during COVID. Each teacher was commended individually by all of the board who had witnessed their significant abilities.

## **SUPERINTENDENTS REPORT**

Dr. Elliott welcomed the staff, the board members attending in person and virtually.

He welcomed Ms. Sibaja and Ms. Lawson. He welcomed the members attending virtually that evening, and welcomed board attorney, Mr. John Henning who joined remotely due to the brevity of the meeting and uncertain road conditions.

He gave a very special welcome to two of Watauga County Schools' (WCS) most outstanding educators, Ms. Tedder and Ms. Scoggins, for two well-deserved recognitions.

He highlighted the partnership with AppHealthCare and Appalachian Regional Hospital to hold a COVID vaccination clinic at WHS on Saturday, January 16th. The clinic would be by appointment only and would focus on residents aged 75 and older. They anticipated vaccinating 1,000 residents.

He stated that he would present a COVID update later in the meeting.

He complimented everyone on their hard work and flexibility to ensure the success of the inclement weather remote days.

He spoke enthusiastically of the new virtual athletic events utilizing the NFHS network system to provide parents and spectators the ability to virtually view athletic events at the high school gym and the main stadium field for a fee. Subscribers receive a one-year subscription for \$70 per year, which also benefits WCS athletic programs.

## **STUDENTS REPORT**

Ms. Haleigh Lawson and Ms. Isabella Sibaja, student representatives gave their report. The previous week, students completed exams and began second semester. Seniors are finalizing College applications and FAFSA applications, and local scholarships will be awarded on Tuesday, Jan 12<sup>th</sup>. They mentioned experiencing their first "Virtual snow day". The highlighted athletic winners are: Volleyball –Conference win, Men's Cross Country – Conference win, and Women's Cross Country conference win.

## **CONSENT AGENDA**

- |    |   |                   |
|----|---|-------------------|
| A. | Approval of Minutes for 12/14/2020  | Dr. Scott Elliott |
| B. | Budget Amendment  |                   |
| C. | Surplus Report approval   |                   |
| D. | Policies: Technical   |                   |
|    | 1600 Hearings before the Board  |                   |
|    | 4002 Parental Involvement   |                   |
|    | 4023 Education for Pregnant and Parenting Students                              |                   |
|    | 4035/7236 Title IX Sexual Harassment – Prohibited Conduct and Reporting Process |                   |
|    | 4036/7237 Title IX Sexual Harassment Grievance Process                          |                   |
|    | 4202/5029/7272 Service Animals in Schools                                       |                   |
|    | 4328 Gang-Related Activity  |                   |
| E. | Approval of Calendar 2021-2022  |                   |
| F. | Personnel Report  |                   |

Jay Fenwick moved to approved consent agenda items A-F. Steve Combs seconded the motion. Dr. Eberle thanked the Calendar Committee. Dr. Fenwick thanked Dr. Eberle for leading the committee and updated the board on calendar challenges. Following discussion, the roll call vote to approve was unanimous.

### **ORIENTATION AND BEST PRACTICES**

Dr. Scott Elliott stated that in February, Chris Campbell would make a presentation regarding School Board Ethics. Dr. Elliott had shared a document with the Board regarding board responsibilities, WCS organizational structure, responsibilities and current projects, and topics for ongoing discussion and for study and decisions. He invited the board members to call for clarification or with concerns following receipt of the board packet. He felt that it was a hallmark of the WCS Board that they kept their focus on students, education, and policy setting, and that the focus keeps the board on good terms and able to reach a consensus. He observed that the board has moved methodically through decision-making. Mr. Combs stated his appreciation of the current method of operation, which helps the function of the board. Dr. Childers agreed that the culture has evolved to keep the board more productive. The change has produced healthy board meetings. Dr. Elliott stated that the Board's diversity aids in its function to set policy, to set tone, to set the budget, and to set priorities. The Board sets strategic priorities and the staff implements all of these operationally.

Dr. Elliott spoke about the Strategic Plan, which is a dynamic document and is fluid to allow for continual changes and improvement to three tenets: graduate all students, have the best talent and developed staff, and excellent facilities in which the students can learn. The Board is responsible for Vision for the district for which the board is responsible for policy development and budget setting.

All agreed that processes had been greatly improved, were currently far more effective today, and were thankful for the changes. Dr. Elliott stressed the advantage of having a staff dedicated to continually refining and updating policies. Using the school board association to do this research is proactive and prevents WCS from having to hire attorneys to repair issues from previous policies. This has been an effective use of funds.

Dr. Elliott commended the principals of the all of the schools.

He named future topics for discussion: Valle Crucis construction, Hardin Park renovation or replacement, school upgrades and renovations, maintenance of school enrollment, testing and accountability, read to achieve and literacy, and COVID-19- reopening schools. He noted that board presentations would begin with Finance and other departmental presentations would be prioritized discussion in future months.

### **COVID AND SCHOOL OPERATIONS UPDATE**

Dr. Elliott said that he did not have a recommendation for any future changes in school and thanked Dr. Fenwick for suggesting that he update the board. Dr. Elliott noted that there had been a recent decline in Watauga County cases but increased investigations of potential exposure or symptoms by the nurses. He stated that had been minimal transmission in schools, mostly between staff members, and among pre-k students who did not wear masks. Many cases have been contracted within families.

The total number of staff and students testing positive to date have been 230. The current Plan B allows social distancing and has helped WCS to ensure that fewer people had to be quarantined. He shared about the partnership with AppHealthCare on January 16th and February 6th to provide vaccine clinics. Athletes are required to test prior to returning to school and sports if exposed. Binax rapid tests could be administered by trained nursing staff, if needed, and are at no cost.

Dr. Elliott recommended that WCS should bring more students back to school when possible and the Board will monitor county cases and impact of ASU students return. He believed that the WCS Plan B has allowed schools to remain open.

Dr. Childers was hopeful, but not optimistic that WCS could soon move to Plan A, but would remain cognizant of community COVID levels and of any other contributing factors. Dr. Fenwick believed that ASU students would be required to test for COVID prior to their return. Mr. Henning reminded the board of the opportunity to call an emergency meeting, if needed, to discuss changes in plans. Dr. Elliott requested a formal action of the board if there was a need to make any changes. February 1<sup>st</sup> would be a potential date for reviewing a return to school, while maintaining a balance between education and health.

### **PUBLIC COMMENT**

There were no public comments at the January 2021 Board Meeting.

### **BOARD OPERATIONS**

Dr. Childers reiterated that policies for technical changes could be reviewed more in depth if requested by any of the board members. He stated that he and Dr. Elliott would review board committee assignments in the near future.

### **BOARD COMMENTS**

There were no board comments at the January 2021 meeting.

### **ADJOURNMENT**

Jay Fenwick moved to adjourn, which Jason Cornett seconded. The Board unanimously approved the motion at 7:50 PM.

---

Dr. Gary L. Childers, Board Chair

---

Dr. Scott Elliott, Superintendent

## Technology Department

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
52169	1	HP Z220 Desktop Computer		1
27947	1	Apple iPad 2 Tablet	1	
80516/27967	1	Apple iPad 2 Tablet	1	
27938	1	Apple iPad 2 Tablet	1	
27936	1	Apple iPad 2 Tablet	1	
27948	1	Apple iPad 2 Tablet	1	
27943	1	Apple iPad 2 Tablet	1	
27942	1	Apple iPad 2 Tablet	1	
27952	1	Apple iPad 2 Tablet	1	
27956	1	Apple iPad 2 Tablet	1	
500469	1	Apple iPad 4 Tablet	1	
500456	1	Apple iPad 4 Tablet	1	
500470	1	Apple iPad 4 Tablet	1	
500458	1	Apple iPad 4 Tablet	1	
27949	1	Apple iPad 2 Tablet	1	
500472	1	Apple iPad 4 Tablet	1	
500466	1	Apple iPad 4 Tablet	1	
501066	1	Apple iPod MP Player		1
33051	1	Epson Powerlite 108 Projector		1
	<u>19</u>		<u>16</u>	<u>3</u>

## Maintenance Department

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
50493	1	Hitachi CP-X260 LCD Projector		1
		Maintenance Supply Dust Buzzer D8100		
50897	1	Vacuum		1
	<u>2</u>		<u>0</u>	<u>2</u>

## Child Nutrition

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
	1	Hobart Stand Mixer D-300	1	
	1	Blakeslee Stand Mixer F30	1	
	1	Hobart Stand Mixer H-600-T	1	
		Salad Bar Unit w/hot & cold wells and		
	1	sneezeguard	1	
	<u>4</u>		<u>4</u>	<u>0</u>



## Declaration of Surplus Items - February 2021

Date Approved:

**Bethel**

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
100328	<u>1</u>	Sony Cyber Shot 6 Camera	<u>0</u>	<u>1</u>
	1		0	1

**Blowing Rock**

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
200748	1	HP Compaq DC7900 Desktop Computer		1
200629	<u>1</u>	HP SB Ultrastim G2 Docking Station	<u>1</u>	
	2		1	1

**Hardin Park**

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
501102	<u>1</u>	Sanitaire SC6600 Vacuum	<u>0</u>	<u>1</u>
	1		0	1

**Mabel**

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
28541	<u>1</u>	Dell Chromebook	<u>0</u>	<u>1</u>
	1		0	1

**Valle Crucis**

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
28499	<u>1</u>	Lenovo Thinkpad 11e Chromebook	<u>0</u>	<u>1</u>
	1		0	1

**Watauga High School**

<u>Asset #</u>	<u>Quantity</u>	<u>Description</u>	<u>Usable</u>	<u>Unusable</u>
903220	1	Dell Latitude E5420 Laptop		1
80164	1	Dell Latitude E5420 Laptop		1
36047302	1	HP VP6320C Projector		1
904032	<u>1</u>	Brother DCP-8085DN Scanner Printer	<u>0</u>	<u>1</u>
	4		0	4





## WATAUGA COUNTY BOARD OF EDUCATION

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

**Purpose:** Provide additional remedial support for students grades 3-8 who were not proficient on *End of Grade* assessments.

**Place:** Students will participate in the second administration at their home school.

**Transportation and Snack:** Transportation will be provided in the form of convenience or satellite stops. Snacks will be provided before the assessment.

**Courses for Remediation:** Remediation will take place in Math in grades 3-8 and Science grades 5 and 8. We will not re-assess the English Language Arts curriculum as student achievement level scores will not be available at the time this opportunity begins.

**Eligible Students:** Students not scoring levels 3, 4 or 5 on spring End of Grade assessments, are strongly encouraged although not required to attend. Participation is optional.

**Time:** The assessment will take place beginning at 8:30A following the end of the regular calendar year. Dates are still TBD due to inclement weather.

**Mode:** Online

**Staffing:** Each school will identify effective teachers to lead the remediation efforts in each grade and subject area. School Test Coordinators will be responsible for setting up test sessions and securing proctors.

**Test Security:** The Director of Accountability and School Improvement will be responsible for training each schools' test coordinators in a train the trainer model. District and school level personnel will be responsible for maintaining test security and will follow protocols of security as established during regular test administrations.

---

Wayne M. Eberle II, Ed.D.  
Director of Accountability and School Improvement  
Watauga County Schools

---

Date

---

Scott Elliott, Ed.D.  
Superintendent  
Watauga County Schools

---

Date

---

Gary Childers, Ed.D., Chair  
Watauga County Schools Board of Education

---

Date



## WATAUGA COUNTY BOARD OF EDUCATION

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

8 February 2021

Dear Parents and Guardians,

Watauga County Schools is offering an opportunity to students in grades 3-8 who do not pass the North Carolina End-Of-Grade (EOG) Test in Mathematics or in grades 5 and 8 in Science. Students who are either identified by their principal as being eligible, or score within three scale score points of a Level III in Math and/or Science, will be invited to participate in a second administration of the test. This opportunity will not be available in grades 3-8 English Language Arts (ELA) due to the delay of results while the North Carolina Department of Instruction (NCDPI) conducts its standard setting process on the updated assessment.

Bus transportation will be provided on these days in the form of convenience or satellite stops. Information about the location of these stops will be provided to parents of eligible students prior to the testing date.

The second administration will take place at your child's school following an opportunity for remediation before the end of the school year. The assessments will take place following the end of the calendar year with firm dates forthcoming following any inclement weather dates. If your child is eligible for a second administration in both areas and would like to test in one day, arrangements may be made to accommodate this request. Testing will begin each day at 8:30 a.m. Students will be provided a snack before each test.

Following the second administration, the higher of the student's two assessments will be used as a measure of your child's proficiency. You will also receive an updated and revised Individual Student Report (ISR).

Please keep in mind this is an **OPTIONAL** opportunity. We want all our students to put forth maximum effort and, more importantly, be able to show what they know and have learned. Giving students an option for a second administration will ensure they have the opportunity to do their best.

Should your child be eligible for this opportunity, follow up communication will be provided to you after the first administration of the EOG by your child's teacher and/or principal.

If you have additional questions about this opportunity and eligibility, please contact your child's principal and/or teacher.

Thank you for allowing Watauga County Schools to serve you and your child as we continue to strive to be the best place to learn and work in North Carolina.

Sincerely,

Wayne M. Eberle II, Ed.D.

Director of Accountability and School Improvement



## WATAUGA COUNTY BOARD OF EDUCATION

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

8 de febrero del 2021

Estimados Padres de Familia y Guardianes Legales,

Las Escuelas del Condado de Watauga está ofreciendo una oportunidad a los/las estudiantes de 3<sup>ro</sup> a 8<sup>vo</sup> grado, que no pasen la Evaluación de Fin de Grado (EOG) de Carolina del Norte en Matemáticas o en los grados de 5<sup>to</sup> y 8<sup>vo</sup> en Ciencias. Los estudiantes que seán identificados por su director como elegibles o saquen una calificación dentro de tres puntos del puntaje de escala para lograr un Nivel III en Matemáticas y/o Ciencias, serán invitados(as) a participar en una segunda administración de la evaluación. Esta oportunidad no estará disponible en los grados 3 a 8 English Language Arts (ELA)/Artes del Lenguaje Inglés debido al retraso de resultados mientras el North Carolina Department of Instruction (NCDPI)/Departamento de Instrucción de Carolina del Norte conduce su proceso de establecimiento de normas y evaluación actualizada.

Se proporcionará transporte en el autobús escolar durante estos días en la forma de conveniencia o paradas escogidas. La información sobre la ubicación de estas paradas será proporcionada a los padres de los(as) estudiantes elegibles.

La segunda administración se llevará a cabo en la escuela de su niño(a) después de una oportunidad de remediación antes del fin de año escolar. La evaluación se llevará a cabo después del fin de año del calendario, con fechas establecidas a seguir, después de contar los días de inclemencias climáticas. Si su niño(a) es elegible para una segunda administración en ambas áreas y desea realizar las evaluaciones en un solo día, se pueden hacer arreglos para acomodar esta solicitud. Las evaluaciones comenzarán cada día a las 8:30 am. Los/las estudiantes recibirán una merienda antes de cada evaluación.

Después de la segunda administración, la calificación más alta, obtenida de las dos evaluaciones, se usará como una medida del dominio de su hijo(a). Usted también recibirá un Individual Student Report (ISR)/Informe Estudiantil Individual revisado y actualizado.


Por favor tenga en cuenta que esta es una oportunidad OPCIONAL. Nosotros queremos que todos(as) nuestros(as) estudiantes pongan su máximo esfuerzo y, lo que es más importante, que puedan mostrar lo que saben y lo que han aprendido. El brindarles a los/las estudiantes una opción para una segunda administración garantizará que tengan la oportunidad de dar lo mejor de sí mismos.

Si su niño(a) es elegible para esta oportunidad, se le proporcionará comunicación de seguimiento de parte de el/la maestro(a) y/o director(a) de su niño(a) después de la primera administración de las evaluaciones EOG.

Si usted tiene preguntas adicionales sobre esta oportunidad y elegibilidad, por favor contacte a su director(a) y/o maestro(a).

Gracias por permitir que las Escuelas del Condado de Watauga les sirvan a usted y a su niño(a) mientras continuamos esforzándonos por ser el mejor lugar para aprender y trabajar en Carolina del Norte.

Sinceramente,



Wayne M. Eberle II, Ed.D.  
Director de Responsabilidad y Mejoría Escolar

# **WEAPONS, BOMB THREATS, TERRORIST THREATS, AND CLEAR THREATS TO SAFETY**

*Policy Code:*

**4333**

The Watauga County Board of Education (the “board”) will not tolerate the presence of weapons or destructive devices, bomb or terrorist threats, or actions that constitute a clear threat to the safety of students or employees. Any student who violates this policy will be removed from the classroom or school environment for as long as is necessary to provide a safe and orderly environment for learning.

## **A. PROHIBITED BEHAVIOR**

### **1. Weapons and Weapon-Like Items**

Students are prohibited from possessing, handling, using, or transmitting, whether concealed or open, any weapon or any instrument that reasonably looks like a weapon or could be used as a weapon. Weapons include, but are not limited to, the following:

- a. loaded and unloaded firearms, including guns, pistols, and rifles;
- b. destructive devices, as described in subsection B.2 of this policy, including explosives, such as dynamite cartridges, bombs, grenades, and mines;
- c. nuclear, biological, or chemical weapons of mass destruction as defined in G.S. 14-288.21(c);
- d. knives, including pocket knives, bowie knives, switchblades, dirks, and daggers;
- e. slingshots and slungshots;
- f. leaded canes;
- g. blackjacks;
- h. metal knuckles;
- i. BB guns;
- j. air rifles and air pistols;
- k. stun guns and other electric shock weapons, such as tasers;
- l. icepicks;

- m. razors and razor blades (except those designed and used solely for personal shaving);
- n. fireworks;
- o. gun powder, ammunition, or bullets;
- p. any sharp pointed or edged instruments except unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance; and
- q. mace, pepper spray, and other personal defense sprays.

Examples of other objects that may be considered weapons are box cutters and other types of utility blades and blowguns.

No student may knowingly or willfully cause, encourage, or aid another student to possess, handle, or use any of the weapons or weapon-like items listed above. A student who finds a weapon or weapon-like item, who witnesses another student or other person with such an item, or who becomes aware that another student or other person intends to possess, handle, or use such an item must notify a teacher or the principal immediately. Middle and high school students may also utilize the anonymous safety tip line for reporting risks to the school population.

This section does not apply to board-approved and -authorized activities for which the board has adopted appropriate safeguards to protect student safety.

## 2. Bomb Threats

Students are prohibited from:

- a. making a bomb threat, regardless of whether the student intends to or has the means to carry out the threat;
- b. perpetrating a bomb hoax against school system property by making a report, knowing or having reason to know the report is false, that a bomb or other device designed to cause damage or destruction by explosion, blasting, or burning is located on school system property or at a school system event.
- c. perpetrating a bomb hoax by concealing, placing, or displaying any device on school system property or at a school system event, so as to cause any person reasonably to believe the same to be a bomb or similar device intended to cause injury to persons or property; and

- d. knowingly or willfully causing, encouraging, or aiding another student to make a bomb threat or perpetrate a bomb hoax. Any student who becomes aware that another student or other person intends to use a bomb, make a bomb threat, or perpetrate a bomb hoax must notify a teacher or the principal immediately.

### 3. Terrorist Threats

Students are prohibited from making a terrorist threat or perpetrating a terrorist hoax by:

- a. threatening to commit an act of mass violence on school property or at a school system event, regardless of whether the student intends to or has the means to carry out the threat;
- b. making a report, knowing or having reason to know the report is false, that an act of mass violence is going to occur on school property or at a school system event;
- c. making a report, knowing or having reason to know the report is false, that a device, substance, or material designed to cause harmful or life-threatening injury to another person is located on school system property or at a school system event; or
- d. concealing, placing, disseminating, or displaying on school system property or at a school system event any device, substance, or material, so as to cause a reasonable person to believe the same to be a weapon of mass destruction or to be intended to cause harmful or life-threatening illness or injury to another person.

No student may knowingly or willfully cause, encourage, or aid another student to make a terrorist threat or perpetrate a terrorist hoax. Any student who becomes aware that another student or other person intends to use a device, substance, or material designed to cause harmful or life-threatening illness or injury to another person, make a terrorist threat, or perpetrate a terrorist hoax must notify a teacher or the principal immediately.

### 4. Clear Threats to Student and Employee Safety

Students are prohibited from engaging in behavior that constitutes a clear threat to the safety of other students or employees. Behavior constituting a clear threat to the safety of others includes, but is not limited to:

- a. theft or attempted theft by a student from another person by using or threatening to use a weapon;

- b. the intentional and malicious burning of any structure or personal property, including any vehicle;
- c. an attack or threatened attack by a student against another person wherein the student uses a weapon or displays a weapon in a manner found threatening to that person;
- d. an attack by a student on any employee, adult volunteer, or other student that does not result in serious injury but that is intended to cause or reasonably could cause serious injury;
- e. an attack by a student on another person whereby the victim suffers obvious severe or aggravated bodily injury, such as broken bones, loss of teeth, possible internal injuries, laceration requiring stitches, loss of consciousness, or significant bruising or pain; or whereby the victim requires hospitalization or treatment in a hospital emergency room as a result of the attack;
- f. any intentional, highly reckless, or negligent act that results in the death of another person;
- g. confining, restraining, or removing another person from one place to another, without the victim's consent or the consent of the victim's parent, for the purpose of committing a felony or for the purpose of holding the victim as a hostage, for ransom, or for use as a shield;
- h. the possession of a weapon on any school property, including in a vehicle, with the intent to use or transmit for another's use or possession in a reckless manner so that harm is reasonably foreseeable;
- i. taking or attempting to take anything of value from the care, custody, or control of another person or persons, by force, threat of force, or violence, or by putting the victim in fear;
- j. any unauthorized and unwanted intentional touching, or attempt to touch, by one person of the sex organ of another, including the breasts of the female and the genital areas of the male and female;
- k. the possession, manufacture, sale, or delivery, or any attempted sale or delivery, of a controlled substance in violation of Chapter 90 of the North Carolina General Statutes;
- l. any behavior resulting in a felony conviction on a weapons, drug, assault, or other charge that implicates the safety of other persons; and
- m. any other behavior that demonstrates a clear threat to the safety of others in the school environment.



---

**B. CONSEQUENCES****1. General Consequences**

The disciplinary consequences for violations of this policy shall 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 violations of this policy.

**2. Specific Consequences Mandated by Law**

As required by law, a student who brings or possesses a firearm or destructive device on school property or at a school-sponsored event must be suspended for 365 days, unless the superintendent modifies, in writing, the required 365-day suspension for an individual student on a case-by-case basis. The superintendent shall not impose a 365-day suspension if the superintendent determines that the student (1) took or received the firearm or destructive device from another person at school or found the firearm or destructive device at school, (2) delivered or reported the firearm or destructive device as soon as practicable to a law enforcement officer or school personnel, and (3) had no intent to use the firearm or destructive device in a harmful or threatening way.

For the purpose of this subsection, a firearm is (1) a weapon, including a starter gun that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive, (2) the frame or receiver of any such weapon, or (3) any firearm muffler or firearm silencer. A firearm does not include an inoperable antique firearm, a BB gun, a stun gun, an air rifle, or an air pistol. For the purposes of this subsection, a destructive device is an explosive, incendiary, or poison gas (1) bomb, (2) grenade, (3) rocket having a propellant charge of more than four ounces, (4) missile having an explosive or incendiary charge of more than one-quarter ounce, (5) mine, or (6) similar device.

A student may not be suspended for 365 days for a weapons violation except in accordance with this subsection.

Legal References: Gun-Free Schools Act, 20 U.S.C. 7961; G.S. 14-17, -18, -27.21 through -27.30, -32, -33, -34 through -34.2, -41, -49, -49.1, -60, -69.1, -69.2, -87, -87.1, -132, -132.2, -202.1, -202.2, -208.18, -269.2, -277.5, -277.6, -283, -288.8, -288.21, -288.22, -288.23, -288.24; ch. 90 art. 5; 115C-47, -105.51, -276(r), -288, -307, -390.1, -390.2, -390.10

Cross References: Student Sex Offenders (policy 4260), Student Behavior Policies (policy 4300), Integrity and Civility (policy 4310), Disruptive Behavior (policy 4315), Theft, Trespass, and Damage to Property (policy 4330), Assaults, and Threats, and Harassment (policy 4331), Criminal Behavior (policy 4335)

Adopted: May 11, 2015

Revised: June 13, 2016; November 14, 2016; April 8, 2019; June 8, 2020; \_\_\_\_\_ (Legal references only)

Replaces: Policy 5.07.80, Threat Against The General Population and Policy 5.07.85, Weapons Prohibited on School Property

Criminal or other illegal behavior is prohibited. Any student whom the principal reasonably believes has engaged in criminal behavior on school premises or at school activities will be subject to appropriate disciplinary action, as stated in applicable Watauga County Board of Education (the "board") policies, and also may be criminally prosecuted.

School officials shall cooperate fully with any criminal investigation and prosecution. School officials shall independently investigate any criminal behavior that also violates school rules or board policy.

**A. STUDENTS CHARGED WITH OR CONVICTED OF CRIMINAL BEHAVIOR**

The superintendent and principal may take reasonable or legally required measures to preserve a safe, orderly environment when a student has been charged with or convicted of a serious crime, regardless of whether the alleged offense was committed on school grounds or was related to school activities. Depending upon the circumstances, including the nature of the crime or alleged crime, the child's age, and the publicity within the school community, reasonable or legally required efforts may include changing a student's classroom assignment or transferring the student to another school. Transfer to an alternative school may be made in accordance with the criteria established in policy 3470/4305, Alternative Learning Programs/Schools. The student will continue to be provided with educational opportunities unless and until the student is found to have violated board policy or school rules and is suspended or expelled in accordance with procedures established in board policy.

**B. REPORTING CRIMINAL BEHAVIOR**

A school employee is permitted to report to law enforcement an assault by a student on a school employee. Principals or other supervisors shall not, by threats or in any other manner, intimidate or attempt to intimidate the school employee from doing so.

Principals must immediately report to law enforcement the following acts when they have personal knowledge or actual notice from school personnel that such acts have occurred on school property, regardless of the age or grade of the perpetrator or victim: (1) assault resulting in serious personal injury; (2) sexual assault; (3) sexual offense; (4) rape; (5) kidnapping; (6) indecent liberties with a minor; (7) assault involving the use of a weapon; (8) possession of a firearm in violation of the law; (9) possession of a weapon in violation of the law; and (10) possession of a controlled substance in violation of the law. A principal who willfully fails to make a required report to law enforcement will be subject to disciplinary action, up to and including dismissal.

The principal or designee shall notify the superintendent or designee in writing or by e-mail of any report made by the principal to law enforcement. Such notice must occur by the end of the workday in which the incident occurred, when reasonably possible, but not later than the end of the following workday. The superintendent must inform the board of

any such reports. In addition, the principal or designee must notify the parents of students who are alleged to be victims of any reported offenses.

Certain crimes must be reported to the State Board of Education in accordance with State Board of Education Policy SSCH-000.

Legal References: Gun-Free Schools Act, 20 U.S.C. 7961; G.S. 14-17, -18, 27.21, -27.22, -27.24 through -27.27, -27.29, -27.30, -27.33, -32 through -34.10, -39, -87, -202, -202.1, -202.2, -269.2; ch. 90 art. 5; 115C-47(56); -288(g); State Board of Education Policy SSCH-000

Cross References: Alternative Learning Programs/Schools (policy 3470/4305), Drugs and Alcohol (policy 4325), Theft, Trespass and Damage to Property (policy 4330), Assaults, and Threats and Harassment (policy 4331), Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety (policy 4333), School-Level Investigations (policy 4340)

Adopted: February 9, 2015

Revised: January 11, 2016; November 14, 2016; August 14, 2017 (Legal references only);  
(Legal references only)

**A. RETENTION OF RECORDS AND REPORT OF DATA**

The principal shall retain in each student's file, either in paper or electronic form, all records related to violations of Watauga County Board of Education (the "board") policies, the Code of Student Conduct, school standards or school rules.

As required by law, the superintendent shall maintain the following data on each student who was suspended for more than 10 days, reassigned for disciplinary reasons, expelled or to whom corporal punishment was administered: race, gender, age, grade level, ethnicity, disability status, type of incident or offense, duration of the suspension, whether alternative education services were provided, and whether the student had multiple suspensions in that academic year.

As secretary to the board, the superintendent also shall maintain records from the board's considerations of 365-day suspensions and expulsions and any readmission reconsiderations of 365-day suspensions and expulsions.

The superintendent shall ensure that data on disciplinary incidents is reported using the PowerSchool system or other data system as directed by State Board of Education policies and procedures.

**B. DISCLOSURE OF RECORDS**

Confidential student records concerning conduct that posed a significant safety risk to the student or others in the school community may be disclosed to teachers and school officials, including teachers and school officials in other schools, who have legitimate educational interests in the behavior of the student.

**C. REMOVAL OF RECORDS****1. End of Year Removal**

The following types of discipline records may not be removed from student records, electronic files and databases at the end of the school year:

- a. notice of any suspension for a period of more than 10 days and the record of the conduct for which the student was suspended;
- b. notice of any expulsion under G.S. 115C-390.11 and the record of the conduct for which the student was expelled; and
- c. any records (including of in-school suspensions or short-term suspensions) that need to be maintained in order to be able to serve the student

appropriately or to protect the safety of others.

## 2. Expunging Records

The superintendent or designee shall expunge any record of suspension for a period of more than 10 days or expulsion if the following criteria are met:

- a. a request that the record be expunged is made to the superintendent or designee by the student's parent or guardian, or by the student if the student is at least 16 years old or is emancipated;
- b. the student either graduates from high school or is not suspended or expelled again during the two-year period commencing on the date of the student's return to school after the expulsion or suspension; and
- c. the superintendent or designee determines that the maintenance of the record is no longer needed to adequately serve the child or to maintain safe and orderly schools.

In addition, the superintendent may expunge any notice of suspension or expulsion from a student's official record provided that criteria b. and c. above are met.

This section is not intended to limit parents' right to request removal of information from a student's record under policy 4700, Student Records.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g(h), 34 C.F.R. 99.31, 99.36; G.S. 115C-47, -276(r), -390.4, -390.7, -390.8, -390.10, -390.11, -390.12, -402

Cross References: Theft, Trespass and Damage to Property (policy 4330), Assaults, and Threats ~~and Harassment~~ (policy 4331), Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety (policy 4333), Long-Term Suspension, 365-Day Suspension, Expulsion (policy 4353), Student Records (policy 4700)

Other Resources: *North Carolina Discipline Data Reporting Procedures*, N.C. Department of Public Instruction Program Monitoring and Support Division, available at <https://www.dpi.nc.gov/data-reports/discipline-alp-and-dropout-data>

Adopted: February 9, 2015

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

## **LONG-TERM SUSPENSION, 365-DAY SUSPENSION, EXPULSION**

*Policy Code:*

**4353**

---

### **A. DEFINITIONS**

**1. Superintendent**

For purposes of this policy, superintendent includes the superintendent and the superintendent's designee.

**2. Principal**

For purposes of this policy, principal includes the principal and the principal's designee.

**3. Long-Term Suspension**

A long-term suspension is the disciplinary exclusion of a student from attending his or her assigned school for more than 10 school days. Disciplinary reassignment of a student to a full-time educational program that meets the academic requirements of the standard course of study established by the State Board of Education and that provides the student with the opportunity to make timely progress toward graduation and grade promotion is not a long-term suspension requiring the due process procedures set out in this policy, nor is an absence under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school).

Upon the recommendation of the principal, the superintendent may impose a long-term suspension on a student who willfully engages in a serious violation of the Code of Student Conduct and the violation either (1) threatens the safety of students, staff or school visitors, or (2) threatens to substantially disrupt the educational environment. The principal may recommend long-term suspension for a minor violation if aggravating circumstances justify treating the student's behavior as a serious violation.

If the offense leading to the long-term suspension occurred before the final quarter of the school year, the exclusion must be no longer than the remainder of the school year in which the offense was committed. If the offense leading to the long-term suspension occurred during the final quarter of the school year, the exclusion may include a period up to the remainder of the school year in which the offense was committed and the first semester of the following school year.

**4. 365-Day Suspension**

A 365-day suspension is the disciplinary exclusion of a student from attending his or her assigned school for 365 calendar days. The superintendent may impose a



365-day suspension only for certain firearm and destructive device violations, as identified in policy 4333, Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety.

5. Expulsion

An expulsion is the indefinite exclusion of a student from school enrollment for disciplinary purposes. Upon the recommendation of the superintendent, the Watauga County Board of Education (the “board”) may expel a student who is 14 years of age or older for certain types of misbehavior as provided in policy 4325, Drugs and Alcohol, policy 4330, Theft, Trespass and Damage to Property, policy 4331, Assaults, and Threats and Harassment, and policy 4333, Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety, if the student’s continued presence in school constitutes a clear threat to the safety of other students or employees. Additionally, a student who is subject to policy 4260, Student Sex Offenders, may be expelled if the student’s continued presence in school constitutes a clear threat to the safety of other students or employees. During the expulsion, the student is not entitled to be present on educational property and is not considered a student of the school system.

**B. DETERMINATION OF APPROPRIATE CONSEQUENCE**

1. Principal’s Recommendation

The principal may impose a short-term suspension or any other consequence that is consistent with policy 4351, Short-Term Suspension, policy 4302, School Plan for Management of Student Behavior, and the Code of Student Conduct. If the principal determines that a suspension of more than 10 days (either long-term or 365-day) or an expulsion is an appropriate consequence, the principal shall propose the disciplinary penalty based upon a review of the student’s culpability and dangerousness and the harm caused by the student, plus any other mitigating or aggravating factors the principal finds relevant.

- a. Culpability of Student – In assessing the culpability of the student for his or her behavior, the principal may consider criteria such as:
  - 1) the student’s age;
  - 2) the student’s ability to form the intent to cause the harm that occurred or could have occurred; and
  - 3) evidence of the student’s intent when engaging in the conduct.
- b. Dangerousness of the Student – In assessing the dangerousness of the student, the principal may consider criteria such as:

- 1) the student's disciplinary or criminal record related to anti-social behavior or drugs and alcohol;
  - 2) whether a weapon was involved in the incident and if a weapon was involved, whether the student had the ability to inflict serious injury or death with the weapon;
  - 3) evidence of the student's ability to cause the harm that was intended or that occurred; and
  - 4) whether the student is subject to policy 4260, Student Sex Offenders.
- c. Harm Caused by the Student – In assessing the severity of the harm caused by the student, the principal may consider criteria such as whether any of the following occurred:
- 1) someone was physically injured or killed;
  - 2) someone was directly threatened or property was extorted through the use of a weapon;
  - 3) someone was directly harmed, either emotionally or psychologically;
  - 4) educational property or others' personal property was damaged; or
  - 5) students, school employees or parents were aware of the presence of a weapon or of dangerous behavior on the part of the perpetrator.

After considering the above factors, the principal shall make a recommendation to the superintendent, stating the nature of the offense, the substance of the evidence involved and the length of suspension recommended. The principal also must consider and make a recommendation as to whether any alternative education services, counseling or other programs should be part of the consequence for violating board policy, the Code of Student Conduct, school standards or school rules.

If the principal recommends a 365-day suspension, he or she must identify the type of firearm or destructive device involved and the evidence substantiating that the student brought it to school grounds or to a school activity or possessed it on school grounds or at a school activity.

If the principal recommends an expulsion, he or she shall identify the basis for determining that there is clear and convincing evidence that the student's

continued presence in school constitutes a clear threat to the safety of other students or employees.

2. Notice to the Student's Parent

The principal must provide to the student's parent written notice of the recommendation for long-term suspension, 365-day suspension or expulsion by the end of the workday during which the long-term suspension or expulsion is recommended when reasonably possible or as soon thereafter as practicable. The notice must be written in plain English and, when appropriate language resources are readily available, also in the parent's native language. The notice must contain the following ten elements:

- a. the notice type, i.e., notice of long-term suspension, 365-day suspension or expulsion;\*
- b. a description of the incident and the student's conduct that led to the recommendation;
- c. the specific provision(s) of the Code of Student Conduct that the student allegedly violated;
- d. the specific process by which the parent may request a hearing to contest the decision and the deadline for making the request;\*
- e. the process by which the hearing will be held, including all due process rights to be accorded the student during the hearing;
- f. notice of the right to retain an attorney to represent the student in the hearing process;
- g. notice that an advocate, instead of an attorney, may accompany the student to assist in the presentation of the appeal;
- h. notice of the right to review and obtain copies of the student's educational records prior to the hearing;
- i. a reference to policy 4345, Student Discipline Records, regarding the expungement of disciplinary records; and
- j. the identity and phone number of a school employee whom the parent may call to obtain assistance in receiving a Spanish translation of the English language information included in the document.\*

\*This information must be provided on the notice in both English and Spanish.

---

### 3. Superintendent's Decision

The student or student's parent may request a hearing before the superintendent within three days of receiving notice from the principal of the recommendation for long-term suspension, 365-day suspension or expulsion. Any hearing held will follow the hearing procedures outlined in Section A of policy 4370, Student Discipline Hearing Procedures. A decision will be rendered before the long-term suspension is imposed.

If the student or parent makes a timely request for a hearing, the superintendent shall confirm that the charges against the student, if substantiated, could warrant the recommended disciplinary action and shall give the student and parent reasonable notice of the time and place of the hearing.

If neither the student nor the parent appears for a scheduled hearing after being given reasonable notice of the time and place of the hearing, the student and parent are deemed to have waived the right to a hearing.

If the student and parent fail to make a timely request for a hearing or if they waive the right to a hearing by failing to appear for a duly scheduled hearing, the superintendent shall review the circumstances of the recommended long-term suspension. Following this review, the superintendent (1) may impose the long-term or 365-day suspension if it is consistent with board policies and appropriate under the circumstances, (2) may impose another appropriate penalty authorized by board policy or (3) may decline to impose any penalty.

If the student or parent requests a postponement of the hearing, or if the request for the hearing is untimely, the hearing will be scheduled, but the student does not have the right to return to school pending the hearing.

Based on substantial evidence presented at the hearing, the superintendent shall decide whether to uphold, modify or reject the principal's recommendation. The superintendent shall immediately inform the principal of the decision regarding the recommended disciplinary penalty of a long-term or 365-day suspension and, when applicable, of any modifications to the penalty recommended by the principal.

The superintendent shall send notice of the decision via certified mail to the student and parent. The notice must include:

- a. the basis of the decision, with reference to any policies or rules that the student violated;
- b. notice of what information will be included in the student's official record pursuant to G.S. 115C-402;

- c. notice of the student's right to appeal the decision and the procedures for such appeal;
- d. if the decision is to suspend the student for 365 days, notice of the student's right to petition the board for readmission under G.S. 115C-390.12;
- e. if applicable, notice that the superintendent or designee is recommending to the board that the student be expelled and any required notifications related to the expulsion if the student did not already receive such notice from the principal or designee; and
- f. if the student is to be suspended, notice of the superintendent's or designee's decision on whether to offer alternative education services to the student during the period of suspension, and, as applicable, a description of the services to be offered or the reason justifying the superintendent's or designee's decision to deny such services.

Following issuance of the decision, the superintendent shall implement the decision by authorizing the student's return to school upon the completion of any short-term suspension or by imposing the suspension reflected in the decision.

The superintendent shall offer alternative education services to any student who receives a long-term or 365-day suspension unless the superintendent provides a significant or important reason for declining to offer such services. Alternative education services are part-time or full-time programs that provide direct or computer-based instruction to allow the student to progress in one or more core academic courses. Such services may include programs described in policy 3470/4305, Alternative Learning Programs/Schools.

The student may appeal to the board the superintendent's decision not to provide alternative education services, as permitted by G.S. 115C-45(c)(2). Any appeal to the board must be made in writing within five days of receiving the superintendent's decision. The superintendent shall inform the board chairperson of the request for an appeal and arrange in a timely manner a hearing before the board. In advance of the hearing, the superintendent shall provide to the student and parent and to the board a written explanation for the denial of services along with any documents or other information supporting the decision. The hearing will be conducted pursuant to the policy Hearings Before the Board. The board will provide to the student and parent and to the superintendent written notice of its decision within 30 days of receiving the appeal.

If the superintendent determines that expulsion is appropriate, the superintendent shall submit to the board a recommendation and the basis for the recommendation along with any proposal for alternative education services.

---

#### 4. Hearings Before the Board

##### a. Long-Term or 365-Day Suspensions

A student or his or her parent may appeal an imposed long-term or 365-day suspension. The student or parent must appeal to the board in writing within three days of receiving the superintendent's decision. The superintendent shall inform the board chairperson of the request for an appeal and shall arrange in a timely manner a hearing before the board. The suspension need not be postponed pending the outcome of the appeal. The hearing will be conducted pursuant to Section B of policy 4370, Student Discipline Hearing Procedures. The board will provide to the student and parent and to the superintendent written notice of its decision not more than 30 calendar days after receiving the appeal.

##### b. Expulsions

The student or parent may request a hearing within five days of receiving notice of the superintendent's recommendation that the student be expelled. The hearing will be scheduled with the board within five days of the superintendent's receipt of the hearing request. The superintendent shall notify the student and parent of the date, time and place of the hearing. Any appeal of a long-term or 365-day suspension will be addressed in the same hearing. The hearing will be conducted pursuant to Section B of policy 4370.

If a hearing is not requested by the student or parent, the superintendent shall submit written evidence to support his or her recommendation to the board. The board may elect to request a hearing or to request additional records and documents.

When the board decides to expel a student, the board will document the basis for its determination that there is clear and convincing evidence that the student's behavior indicates that the student's continued presence in school constitutes a clear threat to the safety of other students or employees. The board also will consider and make a written determination of whether alternative education services are to be provided to the expelled student. Regardless of whether the school system provides alternative education services, the board expects school system administrators to work with other agencies to help the student and parent identify other types of services that may be of assistance to the student. The board will send via certified mail to the student's parent a copy of the decision, notification of what information will be included in the student's official record, the procedure for expungement of this information under G.S. 115C-402, and notice of the right to petition for readmission pursuant to G.S. 115C-390.12.

---

**C. EDUCATIONAL SERVICES FOR STUDENTS WITH DISABILITIES DURING LONG-TERM SUSPENSION, 365-DAY SUSPENSION OR EXPULSION**

Students with disabilities recognized by the Individuals with Disabilities Education Act will receive educational services during periods of suspension or expulsion to the extent required by *Policies Governing Services for Children with Disabilities* and state and federal law.

**D. REDUCING SUSPENSION AND EXPULSION RATES**

Though the board believes that suspension or expulsion may be an appropriate and necessary consequence in certain situations, the board also recognizes that excessive use of suspension and expulsion may have a negative impact on academic achievement and graduation rates. Thus, the board encourages school administrators to find ways to reduce suspension and expulsion rates in the schools.

Legal References: U.S. Const. amend. XIV, § 1; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; N.C. Const. art. I, § 19; G.S. 14-208.18; 115C art. 9; 115C-45(c)(2), -47(55), -276(r), -288, -390.1, -390.2, -390.7, -390.8, -390.9, -390.10, -390.11, -390.12, -402; 130A-440; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000

Cross References: policy for Hearings Before the Board, Alternative Learning Programs/Schools (policy 3470/4305), Student Sex Offenders (policy 4260), School Plan for Management of Student Behavior (policy 4302), Drugs and Alcohol (policy 4325), Theft, Trespass and Damage to Property (policy 4330), Assaults, and Threats and Harassment (policy 4331), Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety (policy 4333), Criminal Behavior (policy 4335), School-Level Investigations (policy 4340), Student Discipline Records (policy 4345), Short-Term Suspension (policy 4351), Student Discipline Hearing Procedures (policy 4370)

Adopted: February 9, 2015

Revised: March 14, 2016; August 14, 2017 (Legal references only); \_\_\_\_\_ (Legal references only)



The Watauga County Board of Education (the “board”) intends to comply fully with all licensure requirements of the Elementary and Secondary Education Act, state law, and State Board of Education policies.

**A. LICENSURE AND OTHER QUALIFICATION REQUIREMENTS**

1. Except as otherwise permitted by the State Board of Education or state law, a person employed in a professional educator position must hold at all times a valid North Carolina professional educator’s license appropriate to his or her position.
2. To the extent possible, all professional teaching assignments will be in the area of the professional employee’s license except as may be otherwise allowed by state and federal law and State Board policy.
3. The board may employ candidates entering the teaching profession from other fields who hold a residency license or an emergency license.
4. In extenuating circumstances when no other appropriately licensed professionals or persons who are eligible for a residency license are available to fill a position, the board may employ an individual who holds a permit to teach issued by the State Board of Education.

**B. EXCEPTIONS TO LICENSURE REQUIREMENTS**

1. Adjunct CTE Instructors

An unlicensed individual who meets the adjunct hiring criteria established by the State Board of Education for a specific career and technical education (CTE) career cluster may be employed as an adjunct CTE instructor for up to 20 hours per week or up to five full consecutive months of employment, provided the individual first completes preservice training and meets all other statutory requirements for serving as an adjunct instructor established by G.S. 115C-157.1.

2. Adjunct Instructors in Core Academic Subjects

In accordance with G.S. 115C-298.5, an unlicensed faculty member of a higher education institution who meets the adjunct hiring criteria established by the State Board of Education may be employed as a temporary adjunct instructor for specific core academic subjects, provided the individual first completes preservice training and meets all other statutory and State Board of Education requirements.

3. Interim Principals

---

A retired former principal or assistant principal may be employed as an interim principal for the remainder of any school year, regardless of licensure status.

4. Cherokee Language and Culture Instructors

An individual approved to teach in accordance with an MOU entered into pursuant to G.S. 115C-270.21 will be authorized to teach Cherokee language and culture classes without a license.

5. Driver Education Instructors

An individual, who is not licensed in driver education, is authorized to work as a driver education instructor if the individual holds Certified Driver Training Instructor status according to minimum standards established by State Board of Education policy DRIV-003.

**C. BEGINNING TEACHER SUPPORT PROGRAM**

The superintendent or designee shall develop a plan and a comprehensive program for beginning teacher support. The plan must be approved by the board and the Department of Public Instruction and kept on file for review. The plan must be aligned to the State Board of Education's beginning teacher support program standards and, when monitored must demonstrate proficiency. The school system will also participate in implementing a regionally-based annual peer review and support system.

Teachers with fewer than three years of teaching experience will be required to participate in the Beginning Teacher Support Program.

**D. LICENSE CONVERSION**

Teachers must meet all requirements of the State Board of Education in order to move from an initial professional license or residency license to a continuing professional license. Licensing is a state decision and cannot be appealed at the local level. The superintendent or designee shall ensure that teachers not qualifying for continuing professional licensure are informed of the process for appealing the state decision.

**E. LICENSE RENEWAL**

Licensure renewal is the responsibility of the individual, not of the school system. Any employee who allows a license to expire must have it reinstated prior to the beginning of the next school year. A teacher whose license has expired is subject to dismissal.

The school system may offer courses, workshops, and independent study activities to help school personnel meet license renewal requirements. Any renewal activity offered must be consistent with State Board of Education policy. In addition, the superintendent or

designee shall develop a procedure to determine the appropriateness of any credit offered in advance of renewal activities.

Decisions regarding the employment of teachers who fail to meet the required proficiency standard for renewal of a continuing professional license will be made in accordance with G.S. 115C-270.30(b)(4) and applicable State Board of Education requirements. The superintendent or designee shall determine the professional development required of a teacher whose continuing professional license has reverted to an initial professional license and/or has expired due to performance issues. The superintendent or designee may authorize or direct principals to prescribe professional development to such employees in accordance with the employee's demonstrated deficiencies.

#### **F. PARENTAL NOTIFICATION**

At the beginning of each school year, school system officials shall notify the parents or guardians of each student attending a Title I school or participating in a Title I program of their right to request the following information about qualifications of their child's teacher: whether the teacher has met NC qualification and licensing criteria for the grade level(s) and subject area(s) in which the teacher provides instruction; whether the teacher is teaching under emergency or other provisional status through which North Carolina qualification or licensing criteria have been waived; whether the teacher is teaching in the field of discipline of his or her certification; and whether the child is provided services by a paraprofessional, and if so, the paraprofessional's qualifications.

The school system will give notice within 10 school days to the parents of children who have been assigned or, after four consecutive weeks, have been taught by a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

#### **G. EQUITABLE DISTRIBUTION OF TEACHERS**

The superintendent shall assess whether low-income, minority, learning disabled, and/or English learners are being taught by inexperienced, ineffective, or out-of-field teachers at higher rates than students who do not fall into these categories and shall develop a plan to address any such disparities. If DPI does not require such a plan of the LEA, the superintendent is not required to develop a plan under this subsection unless he or she determines that one is needed to address inequities within the school system.

Legal References: Elementary and Secondary Education Act, 20 U.S.C. 6301 *et seq.*; 34 C.F.R. 200.55-57, 200.61; G.S. 115C art. 17E; 115C-270.21, -284, -295, -298.5, -325(e)(1)(m) (applicable to career status teachers), -325.4(a)(12) (applicable to non-career status teachers), -333, -333.1; State Board of Education Policies CTED-004, DRIV-003, DRIV-004, EVAL-004, EVAL-023, EVAL-034, LICN-001, LICN-005, LICN-021, LICN-022, NCAC-028, NCAC-035, NCAC-037, TCED-016; *Beginning Teacher Support Program Handbook* (NCDPI), available at <https://sites.google.com/dpi.nc.gov/ncref/bt-support-program-resources>

Cross References:

Adopted: February 9, 2015

Revised: September 11, 2017; May 21, 2018; March 11, 2019; September 9, 2019; May 11, 2020; \_\_\_\_\_ (Legal references only)

Replaces: Policy 3.02.40, Qualifications of Certified Personnel

Personnel files, which may consist of paper or electronic records, will be maintained in the human resources office for all employees as provided by law. The superintendent and all supervisors are directed to ensure that all appropriate employment-related information is submitted to the files. Employees will be provided with all procedural protections as provided by law.

The superintendent has overall responsibility for granting or denying access to personnel records consistent with this policy.

**A. RECORDS MAINTAINED**

The following records must be maintained in the personnel file:

1. evaluation reports made by the administration;
2. commendations for and complaints against the employee (see Section C);
3. written suggestions for corrections and improvements made by the administration;
4. certificates;
5. employee's standard test scores;
6. employee's academic records;
7. application forms;
8. any request to the State Board of Education to revoke the employee's teaching license; and
9. other pertinent records or reports.

**B. CERTAIN EMPLOYEE RECORDS MAINTAINED SEPARATELY**

The following employee information must be kept separate from the employee's general personnel information, in accordance with legal and/or Watauga County Board of Education (the "board") requirements:

1. Pre-Employment Information

Letters of reference about an employee obtained before his or her employment and, for teachers, any other pre-employment information collected, must be filed separately from the employee's general personnel information and must not be made available to the employee.

2. Criminal Record Check

Data from a criminal history check must be maintained in a locked, secure location separate from the employee's personnel file. The superintendent shall designate which school officials have a need to know the results of the criminal history check. Only those officials so designated may obtain access to the records.

3. Medical Information

Employee medical information, including the following, must be kept in a separate confidential file and may be subject to special disclosure rules:

- a. health certificates (see policy 7120, Employee Health Certificate);
- b. drug test results, except that drug use or alcohol use contrary to board policy or law also may be documented in the employee's personnel file (see policy 7241, Drug and Alcohol Testing of Commercial Motor Vehicle Operators);
- c. information related to an employee's communicable disease/condition or possible occupational exposure to bloodborne pathogens (see policies 7260, Occupational Exposure to Bloodborne Pathogens, and 7262, Communicable Diseases – Employees);
- d. medical information related to leave under the Family and Medical Leave Act (see policy 7520, Family and Medical Leave); and
- e. genetic information, as defined by the Genetic Information Nondiscrimination Act of 2008.

4. Complaints/Reports of Harassment or Discrimination

The superintendent or designee shall maintain records of all reports and complaints of harassment and discrimination and the resolution of such complaints. Allegations of harassment or discrimination must be kept confidential to the extent possible. Employees involved in the allegations will be identified only to individuals who need the information to investigate or resolve the matter, or to ensure that due process is provided to the accused employee (see policies ~~4021/7230, Prohibition Against Discrimination, Harassment, and Bullying, and 4015/7225, Discrimination, Harassment, and Bullying Complaint Procedure~~ 4020/7230, Discrimination and Harassment Prohibited by Federal Law, 1720/4030/7235, Title IX Nondiscrimination on the Basis of Sex, 1725/4035/7236, Title IX Sexual Harassment – Prohibited Conduct and Reporting Process, 1726/4036/7237, Title IX Sexual Harassment Grievance Process, and 7232, Discrimination and Harassment in the Workplace).

If the allegations are substantiated through investigation, the superintendent or designee shall ensure that the provisions of Section C, below, are followed to the extent that they do not conflict with the rights of any individual.

### **C. PLACEMENT OF RECORDS IN PERSONNEL FILE**

All evaluations, commendations, complaints, or suggestions for correction or improvement must be placed in the employee's central office personnel file after the following requirements are met:

1. the comment is signed and dated by the person who made the evaluation, commendation, complaint, or suggestion;
2. if the comment is a complaint, the employee's supervisor has attempted to resolve the issue raised therein and documentation of such efforts is attached with the supervisor's recommendation to the superintendent as to whether the complaint contains any invalid, irrelevant, outdated, or false information; and
3. the employee has received a copy of the evaluation, commendation, complaint, or suggestion five days before it is placed in the file.

All written complaints that are signed and dated must be submitted regardless of whether the supervisor considers the complaint to be resolved.

The supervisor is expected to use good judgment in determining when a document should be submitted to the file immediately and when a delay is justified, such as when there exists a plan of improvement that is frequently revised. However, all evaluations, commendations, complaints, or suggestions for correction or improvement should be submitted by the end of the school year or in time to be considered in an evaluation process, whichever is sooner. The supervisor or principal should seek clarification from the associate superintendent of human resources as necessary to comply with this policy.

The employee may offer a denial or explanation of the evaluation, commendation, complaint, or suggestion, and any such denial or explanation will become part of his or her personnel file, provided that it is signed and dated.

The superintendent may exercise statutory authority not to place in an employee's file a letter of complaint that contains invalid, irrelevant, outdated, or false information, or a letter of complaint when there is no documentation of an attempt to resolve the issue.

As provided in policy 7900, Resignation, if a career employee who has been recommended for dismissal under the applicable state law resigns without the written consent of the superintendent, then: (1) the superintendent shall report the matter to the State Board of Education; (2) the employee shall be deemed to have consented to the placement of the written notice of the superintendent's intention to recommend dismissal in the employee's personnel file; and (3) the employee shall be deemed to have consented to the release to



prospective employers, upon request, of the fact that the superintendent has reported this employee to the State Board of Education. For purposes of this provision, "career employee" means (1) a teacher or an administrator with career status, or (2) an administrator or a non-career status teacher during the term of his or her contract.

**D. ACCESS TO PERSONNEL FILE**

1. Every employee has the right to inspect his or her personnel file, including any portions of the file maintained in electronic format only, during regular working hours, provided that three days' notice is given to the human resources office.
2. The following persons may be permitted to access a personnel file without the consent of the employee about whom the file is maintained:
  - a. school officials involved in the screening, selection, or evaluation of the individual for employment or other personnel action;
  - b. members of the board of education, if the examination of the file relates to the duties and responsibilities of the board member;
  - c. the board attorney;
  - d. the superintendent and other supervisory personnel;
  - e. the hearing officer in a demotion or dismissal procedure regarding the employee; and
  - f. law enforcement and the District Attorney to assist in the investigation of a report made to law enforcement pursuant to G.S. 115C-288(g) or regarding an arson; an attempted arson; or the destruction of, theft from, theft of, embezzlement from, or embezzlement of any personal or real property owned by the board. Five days' written notice will be given to the employee prior to such disclosure.
3. No other person may have access to a personnel file except under the following circumstances:
  - a. when an employee gives written consent to the release of his or her records, which specifies the records to be released and to whom they are to be released;
  - b. pursuant to a subpoena or court order;
  - c. when the board has determined, and the superintendent has documented, that the release or inspection of information is essential to maintaining the integrity of the board or the quality of services provided by the board.

- d. the superintendent or designee determines that disclosure to a court of law, or a state or federal administrative agency having a quasi-judicial function, is necessary to adequately defend against a claim filed by a current or former employee against the board or a school official or employee for any alleged act or omission arising during the course and scope of his or her official duties or employment. Such disclosures will be limited to those confidential portions of the personnel file of the employee who filed the claim and only to the extent necessary for the defense of the board.
  - e.
- 4. Each request for consent to release records must be handled separately.
  - 5. It is a criminal violation for an employee or board member to do either of the following:
    - a. knowingly, willfully, and with malice, permit any unauthorized person to have access to information contained in a personnel file; or
    - b. knowingly and willfully examine, remove, or copy a personnel file that he or she is not specifically authorized to access pursuant to G.S. 115C-321.

**E. INFORMATION AVAILABLE TO PARENTS OF STUDENTS ATTENDING TITLE I SCHOOLS**

The following information about a student's teacher(s) or paraprofessional(s) providing services to a student must be provided upon request to the parent of a student attending a Title I school:

- 1. whether the teacher has met North Carolina qualification and licensing criteria for the grade level(s) and subject area(s) in which the teacher provides instruction;
- 2. whether the teacher is teaching under emergency or other provisional status through which North Carolina qualification or licensing criteria have been waived;
- 3. whether the teacher is teaching in the field of discipline of his or her certification; and
- 4. the qualifications of any paraprofessional providing services to the student.

**F. PUBLIC INFORMATION**

- 1. The following information contained in an employee's personnel file must be open to inspection upon request by members of the general public:

- 
- a. name;
  - b. age;
  - c. the date of original employment or appointment;
  - d. the terms of any past or current contract by which the employee is employed, whether written or oral, to the extent that the board has the written contract or a record of the oral contract in its possession;
  - e. current position;
  - f. title;
  - g. current salary (includes pay, benefits, incentives, bonuses, deferred compensation, and all other forms of compensation paid to the employee);
  - h. the date and amount of each increase or decrease in salary with the board;
  - i. the date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with the board;
  - j. the date and general description of the reasons for each promotion with the board;
  - k. the date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the board, and if the disciplinary action was a dismissal, a copy of the written notice of the final decision of the board setting forth the specific acts or omissions that are the basis of the dismissal; and
  - l. the office or station to which the employee is currently assigned.
2. The name of a participant in the North Carolina Address Confidentiality Program is not a public record, is not open to inspection, and must be redacted from any records released.
  3. Volunteer records are not considered public records.
  4. Unless an employee submits a written objection to the human resources office, the board also may make the following information available about each employee as part of an employee directory:
    - a. address;
    - b. telephone number;

- c. photograph;
  - d. participation in officially recognized activities and sports; and
  - e. degrees and awards received.
5. Employees will be notified of their right to object before any such directory is compiled or revised.
  6. Under no circumstances will the following be released pursuant to a public records request or as part of an employee directory:
    - a. personal identifying information, as defined in policy 4705/7825, Confidentiality of Personal Identifying Information; or
    - b. the name, address, or telephone number of a participant in the North Carolina Address Confidentiality Program.

#### **G. REMOVAL OF RECORDS**

An employee may petition the board to remove any information from his or her personnel file that the employee deems invalid, irrelevant, or outdated.

Legal References: Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. 2000ff *et seq.*; Elementary and Secondary Education Act, 20 U.S.C. 6312(e)(1)(A); 34 C.F.R. 200.61; G.S. 115C-36, -47(18), -209.1, -288(g), -319 to -321, -325(b) and (o) (applicable to career status teachers), -325.2 and -325.9 (applicable to non-career status teachers); 143B-931; 16 N.C.A.C. 6C .0313

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 Nondiscrimination on the Basis of Sex (policy 1720/4030/7235), Title IX Sexual Harassment – Prohibited Conduct and Reporting Process (policy 1725/4035/7236), Title IX Sexual Harassment Grievance Process (policy 1726/4036/7237)~~ Confidential Information (policy 1325/7315), North Carolina Address Confidentiality Program (policy 4250/5075/7316), Confidentiality of Personal Identifying Information (policy 4705/7825), Public Records – Retention, Release, and Disposition (policy 5070/7350), Employee Health Certificate (policy 7120), Discrimination and Harassment in the Workplace (policy 7232), Drug and Alcohol Testing of Commercial Motor Vehicle Operators (policy 7241), Occupational Exposure to Bloodborne Pathogens (policy 7260), Communicable Diseases – Employees (policy 7262), Family and Medical Leave (policy 7520), Petition for Removal of Personnel Records (policy 7821), Resignation (policy 7900)

Adopted: January 11, 2016

Revised: November 13, 2017; February 10, 2020 (Legal references only); \_\_\_\_\_ (Legal references only)

Replaces: Policy 3.05.40, Personnel File-Certified Personnel, and policy 3.05.50, Personnel File-Classified Personnel

**A. SELECTION AND EVALUATION**

The superintendent shall select and the Watauga County Board of Education (the “board”) will approve a school finance officer. The finance officer serves at the pleasure of the superintendent. The superintendent shall evaluate the finance officer to help ensure that all duties as required by law, board policy, and/or the superintendent are met.

**B. DUTIES**

The school finance officer provides critical services for the effective planning and use of fiscal resources. The school finance officer shall be responsible to the superintendent for:

1. keeping the accounts of the school system in accordance with generally accepted principles of governmental accounting, board policy, the rules and regulations of the State Board of Education, and the rules and regulations of the Local Government Commission;
2. utilizing an encumbrance system for tracking obligations;
3. giving the preaudit and disbursements certificates required by G.S. 115C-441(a1) and (d1), respectively, and establishing procedures to assure compliance with the preaudit requirements;
4. approving or disapproving a disbursement, in accordance with G.S. 115C-441(b), when a bill, invoice, or other claim is presented and establishing procedures to assure compliance with all applicable legal requirements for disbursements;
5. establishing procedures, as described in 20 N.C.A.C. 03.0409(a)(3) and 20 N.C.A.C. 03.0410(a)(2), for preauditing obligations that will be incurred by electronic payment and for disbursing funds by electronic transaction;
6. ensuring that school system personnel are adequately trained about the procedures to be followed for electronic transactions;
7. signing and issuing all checks, drafts, and state warrants by the school system;
8. investing the cash balance of any funds, subject to board policy 8110, Budget Resolution;
9. receiving and depositing all moneys accruing to the school system;
10. preparing and filing a statement of the financial condition of the school system as often as requested by the superintendent;

11. preparing and filing a statement of the financial condition of the school system when requested by the board of education or the board of county commissioners, but only if such requests are in writing and copied to the superintendent;
12. providing a copy to the board and notice to the county commissioners of any report received from the Teachers' and State Employees' Retirement System containing a list of employees whose retirement in the upcoming year would likely result in an assessment to the board for additional employer contribution;
13. performing such other duties as may be assigned by law, by the superintendent, or by rules and regulations of the State Board of Education and the Local Government Commission;
14. submitting reports to the Secretary of the Local Government Commission as required by law;
15. receiving and accounting for all clear proceeds of fines, penalties, and forfeitures and notifying the superintendent and board of such funds;
16. reviewing school improvement plans that provide for the transfer of funds between funding allotments or lease purchase contracts;
17. evaluating all continuing contracts, including the principal and interest to be paid, and making recommendations to the superintendent and reports to the superintendent and board as provided in board policy 6425, Continuing Contracts;
18. assisting the superintendent in the development of the budget;
19. prescribing the form and detail of records maintained by the school treasurer;
20. making salary deductions as provided in policy 7620, Payroll Deductions;
21. maintaining custody of the facsimile signature device as provided in policy 8330, Facsimile Signatures; and
22. maintaining custody of insurance policy and programs as provided in policy 8340, Insurance.

**C. FIDELITY BOND**

The finance officer shall carry a true accounting and faithful performance bond as provided in board policy 8530, Fidelity Bonds.

Legal References: G.S. 115C-105.25, -435, -436, -441, -442, -443, -445, -446, -448, -452, -528; 135-8(f)(2)(f); 20 N.C.A.C. 03.0409, 20 N.C.A.C. 03.0410

Cross References: Preaudit and Disbursement Certifications (policy 6421), Continuing Contracts (policy 6425), Payroll Deductions (policy 7620), Budget Resolution (policy 8110), Facsimile Signatures (policy 8330), Insurance (policy 8340), Fidelity Bonds (policy 8530)

Adopted: February 8, 2016

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

Revised: March 15, 2018; September 10, 2018; \_\_\_\_\_ (Legal references only)



## SCHOOL FINANCE BRIEF

FEBRUARY 8, 2021



## STATE FUNDS



- Position Allotments
  - Teachers, Instructional Support
- Dollar Allotments
  - Non-Instructional Support, Instructional Supplies, Transportation
  - Teacher Assistants, At-Risk, EC, AIG, Limited English, Central Office, CTE Program
- Months of Employment Allotment
  - Principals, Assistant Principals, CTE Teachers

## LOCAL FUNDS



- Current Expense
  - County Appropriation
  - Fines & Forfeitures
- Capital Outlay
  - Current Capital Appropriation
  - Long-term Capital Reserves
    - Capital Improvement Plan ("10 year plan")
    - Long-term Plan (ex: building a new school)

## FEDERAL FUNDS



- Title I
- Title II (School Improvement)
- Title III (Language Acquisition)
- Title IV (Student Support)
- Title VI-B (Exceptional Children)
- CTE

## ENTERPRISE FUNDS



### School Nutrition

- Federal Grant
- Food Sales

### Extended Learning Centers

- Parent Fees
- DSS Subsidies
- Community Grants

## SPECIAL REVENUE FUNDS



- NC PRE-K
- DHHS School Nurse Contract
- ABC Alcohol Education
- Career and College Promise Agreement
- Medicaid Reimbursements
- Gear Up Grant

## ... AND NEW IN 2020...



## COVID – FIRST ROUND FUNDS



SOURCE	PRC	AMOUNT	SPENT THRU 12/30/20	BALANCE as of 12/30/20	JANUARY 2021 EXPENSES	BALANCE as of 1/31/21
STATE COVID-19 FUNDS	154	133,881.00	133,881.00	-		
WATAUGA COUNTY	N/A	125,000.00	125,000.00	-		
		258,881.00	258,881.00	-		

## COVID – RELIEF FUNDS



SOURCE	PRC	AMOUNT	SPENT THRU 12/30/20	BALANCE as of 12/30/20	JANUARY 2021 EXPENSES	BALANCE as of 1/11/21
<b>CORONAVIRUS RELIEF FUND (CRF)</b>						
Student Learning	121	152,566.00	91,717.52	60,848.48		60,848.48
Contracted Health Services	122	31,050.00	5,521.00	25,529.00		25,529.00
NonDigital Remote Instruction	123	9,068.00	63,300.13	(54,232.13)	23.04	(54,255.17)
Student Devices	124	70,543.00	70,223.45	319.55		319.55
SCHOOL NUTRITION	125	145,771.00	106,136.21	39,634.79		39,634.79
Staff Devices	126	15,113.00	25,664.67	(10,551.67)		(10,551.67)
WiFi / Hotspots	128	48,142.00	11,802.07	37,339.93		37,339.93
EC Services	132	173,100.00	114,353.06	58,746.94	2,362.33	56,384.61
Cybersecurity	135	8,730.00	9,233.75	(503.75)		(503.75)
PPE	137	106,965.00	67,417.44	39,547.56	3,515.61	36,031.95
		<b>771,074.00</b>	<b>574,369.20</b>	<b>196,704.70</b>	<b>5,900.69</b>	<b>190,803.72</b>

## COVID – CARES ACT FUNDS



SOURCE	PRC	AMOUNT	SPENT THRU 12/30/20	BALANCE as of 12/30/20	JANUARY 2021 EXPENSES	BALANCE as of 1/11/21
<b>CARES ACT - (EASIER)</b>						
K-12 Emergency Relief	163	673,181.00	119,400.59	553,680.41	26,099.49	527,580.92
Digital Curricula	165	33,463.00	-	33,463.00		33,463.00
Canvas	166	14,328.00	-	14,328.00		14,328.00
EC Grant	167	38,760.00	-	38,760.00		38,760.00
		<b>760,732.00</b>	<b>119,400.59</b>	<b>640,241.41</b>	<b>26,099.49</b>	<b>614,141.92</b>


## COVID – GEER FUNDS



SOURCE	PRC	AMOUNT	SPENT THRU 12/30/20	BALANCE as of 12/30/20	JANUARY 2021 EXPENSES	BALANCE as of 1/11/21
<b>GEER FUNDS</b>						
Student Services	169	143,777.00	10,195.77	133,581.23	5,078.62	128,502.61
Academic Services	170	143,000.00	10,195.77	132,804.23	5,078.62	127,725.61
		<b>160,777.00</b>	<b>10,195.77</b>	<b>150,585.23</b>	<b>5,078.62</b>	<b>145,506.61</b>

## PUTTING IT ALL TOGETHER...





## ANNUAL BUDGET PROCESS

- ☐ JANUARY/FEBRUARY
  - ✓ Requests made by principals and directors
- ☐ MARCH
  - ✓ Finance Committee meets and evaluates estimated resources and requests
- ☐ APRIL/MAY
  - ✓ Local Current Expense and Capital Outlay budgets are presented to Board of Education and then to the Board of County Commissioners
- ☐ ???
  - ✓ The State passes a budget
  - ✓ The final budget resolution is submitted to the Board of Education for approval
  - ✓ Budget amendments are made throughout the year

## SCHOOL FINANCE BRIEF

FEBRUARY 8, 2021



## QUESTIONS?



## **CODE OF ETHICS FOR SCHOOL BOARD MEMBERS**

*Policy Code:*

**1320**

The Watauga County Board of Education (the “board”) recognizes that, collectively and individually, all members of the board must adhere to a code of ethics as required by G.S. 160A-86 and G.S. 115C-47(57).

### **A. BOARD MEMBER ETHICAL REQUIREMENTS**

Members of the board shall strive to improve public education and to that end the following standards will guide each board member in the performance of his or her official duties:

1. the need to obey all applicable state and federal laws regarding official actions taken as a board member;
2. the need to uphold the integrity and independence of the board member’s office;
3. the need to avoid impropriety in the exercise of the board’s and board member’s official duties;
4. the need to perform faithfully the duties of the office; and
5. the need to conduct the affairs of the board in an open and public manner, complying with all applicable laws governing open meetings and public records.

### **B. SPECIFIC BOARD MEMBER COMMITMENTS**

In order to implement the above standards, each member of the board commits to do the following:

1. attend all regularly scheduled board meetings insofar as possible and become informed concerning the issues to be considered at those meetings;
2. endeavor to make policy decisions while always keeping in mind the objective of providing students the opportunity to receive a sound basic education and only after full discussion at publicly held board meetings;
3. attempt to make decisions only after full discussion of available facts at a public meeting, and in terms of the best interests or the educational welfare of children;
4. render all decisions based on the available facts and independent judgment and refuse to surrender that judgment to individuals or special interest groups;
5. recognize that authority rests with the whole board and that individual board members have no legal status to act for the board outside a meeting;

6. model civility to students, employees and all elements of the community by encouraging the free expression of opinion by all board members and engaging in respectful dialogue with fellow board members on matters being considered by the board;
7. respect the confidentiality of information that is privileged under applicable law and refrain from unauthorized disclosure of matters discussed in closed session;
8. work with other board members to establish effective board policies and to delegate authority for the administration of the schools to the superintendent;
9. communicate to other board members and the superintendent expressions of public reaction to board policies and school programs;
10. learn about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the state and national school boards associations;
11. comply with North Carolina General Statute 115C-50 by earning the required 12 hours of training every two years;
12. comply with G.S. 160A-87 by earning two hours of ethics education within 12 months of election or appointment to the board;
13. support the employment of those persons best qualified to serve as school employees and avoid allowing personal relationships and biases to influence decision making;
14. support the regular and impartial evaluation of all personnel;
15. support school personnel in the performance of duties;
16. refrain from investigating or attempting to resolve complaints received personally, but instead direct the complainant to follow the board's complaint or grievance process to resolve concerns;
17. avoid being placed in a position of conflict of interest and refrain from using the board member's position on the board for personal or partisan gain;
18. as stated in board policy 241321, Board Member Conflict of Interest, refrain from participating in, deliberating on, voting on, or attempting to influence any person with respect to any matter pertaining to the employment with the board of the board member's spouse, including but not limited to hiring, transfer, promotion, demotion, suspension, discipline, performance evaluation, or review or investigation of a complaint of any kind;

- ~~18-19.~~ refuse to represent special interest or partisan politics or to use the schools for personal gain;
- ~~19-20.~~ take no private action that will compromise the board or administration;
- ~~20-21.~~ seek systematic communication between the board and the school community; and
- ~~21-22.~~ remember always that a board member's first and greatest concern must be the educational welfare of the students attending the public schools.

All newly elected board members are expected to sign a code of ethics statement that includes these provisions at the organizational meeting of the board.

Legal References: G.S. 115C-36, -47(1), -47(57), -50; 160A-86, -87; *Leandro v. State*, 346 N.C. 336 (1997)

Cross References: Board Member Conflict of Interest (policy 1321), Board Member Opportunities for Development (policy 1323)

Adopted: October 12, 2015

Replaces: Board policy 1.01.10, Code of Ethics for Board of Education Members

Revised: January 28, 2016;

The Watauga County Board of Education (the “board”) and each member of the board recognize that they are subject to North Carolina’s criminal laws related to conflicts of interest in public office and that a board member may not use his or her office for personal benefit. The board and each member of the board further recognize that they are subject to the standards established by the federal government for recipients of federal grants as specified in policy 8305, Federal Grant Administration. The board and each member of the board understand that violation of state and federal laws and regulations on conflicts of interest may result in conviction of a crime, may render a contract of the board void, or may result in loss of federal funds. In keeping with the ethical duties specified in policy 2120, Code of Ethics for School Board Members, board members will not let any personal or business interest interfere with their duties as public officials. If a board member has an actual or potential conflict of interest in a matter before the board, the board member should declare that interest as soon as possible and the provisions in policy 1442, Voting Methods will be followed.

All board members will abide by the following conflict of interest rules.

1. A board member will not derive a personal benefit from a contract with the school system in violation of state law G.S. 14-234. Specifically, a board member will not:
  - a. obtain a direct benefit from a contract that he or she is involved in making or administering on behalf of the board, unless an exception is allowed pursuant to G.S. 14-234 or other law;
  - b. influence or attempt to influence anyone who is involved in making or administering a contract on behalf of the board when the board member will obtain a direct benefit from the contract; or
  - c. solicit or receive any gift, favor, reward, service, or promise of reward, including a promise of future employment, in exchange for recommending, influencing, or attempting to influence the award of a contract.

For purposes of G.S. 14-234, a board member is involved in administering a contract if he or she oversees the performance of the contract or has authority to interpret or make decisions regarding the contract. A board member is involved in making a contract if he or she participates in the development of the specifications or terms of the contract or participates in the preparation or award of the contract. A board member is also involved in making a contract if the board takes action on the contract, even if the specific board member did not actually participate in that action, unless the contract is approved under an exception to the law under which the board member is allowed to benefit and is prohibited from voting.

A board member derives a direct benefit from a contract if the board member or his or her spouse does any of the following: (1) has more than a 10 percent ownership or other interest in an entity that is a party to the contract; (2) derives any income or commission



directly from the contract; or (3) acquires property under the contract. An exception is allowed for employment contracts between the board and the spouse of a board member. However, the board member involved will not (1) deliberate or vote on the spouse's employment contract; or (2) attempt to influence any other person who is involved in making or administering the contract; or (3) participate in, deliberate on, vote on, or attempt to influence any person with respect to any other matter pertaining to the board member's spouse's employment with the school system, including but not limited to hiring, contract renewal, transfer, promotion, demotion, suspension, discipline, performance evaluation, or review or investigation of a complaint of any kind.

2. A board member will not deliberate on, vote on, or otherwise engage in the selection, award, or administration of a contract supported in whole or part by federal funds when he or she has a real or apparent conflict of interest under federal rules as provided in 2 C.F.R. 200.318(c)(1) and policy 8305, Federal Grant Administration. For purposes of this paragraph, a conflict of interest arises when a board member or his or her spouse, immediate family member, or partner, or the employer or pending employer of any of those persons, has a financial or other interest in or receives a tangible personal benefit from a firm considered for the contract. Any such conflict must be disclosed to the awarding agency.

For purposes of the previous paragraph, a "financial interest" means a financial interest which comprises more than five percent of the equity of the firm or business or more than five percent of the assets of the economic interest in indebtedness. It does not include an ownership interest held through a fiduciary, such as a mutual fund or blind trust, where the individual or individual's employer has no control over the selection of holdings.

3. A board member will not solicit or accept trips, meals, gratuities, gifts, favors, or anything of monetary value from (i) current contractors, subcontractors, or suppliers; (ii) any contractor, subcontractor or supplier that has performed under a contract with the board within the past year; or (iii) any contractor, subcontractor, or supplier that foreseeably may bid on a contract in the future, unless the item is an unsolicited gift of nominal value (\$50 or less) and is one of the following: an advertising item or souvenir that is widely distributed; an honorarium for participating in a meeting; a meal provided at a banquet; or other item that is clearly permitted by state and federal law.

Multiple permitted items from a single contractor, subcontractor, or supplier may not exceed an aggregate value of \$100 in a twelve-month period.

4. A board member will not solicit or accept any gifts from a current or potential provider of E-rate services or products in violation of applicable federal E-rate program gifting rules.
5. A board member will not misuse information in violation of G.S. 14-234.1. Specifically, a board member will not use knowledge of contemplated board action, or information known to the member in his or her official capacity and not made public, to:

- a. acquire a financial interest in any property, transaction, or enterprise or gain any financial benefit which may be affected by the information or contemplated action; or
- b. intentionally aid another to acquire a financial interest or gain a financial benefit.

Legal References: 2 C.F.R. 200.112 and 200.318(c)(1); 47 C.F.R. 54.503; FCC Sixth Report and Order 10-175; G.S. 14-234, -234.1; 133-32; Attorney General Opinion requested by L.W. Lamar regarding G.S. 133-32, the Applicability to Attorneys and Law Firms Providing Professional Services to Local Boards of Education, dated May 13, 1993

Cross References: Code of Ethics for School Board Members (policy 1320), Voting Methods (policy 1442), Ethics and the Purchasing Function (policy 6401/9100), Employee Conflict of Interest (policy 7730), Federal Grant Administration (policy 8305)

Adopted: October 12, 2015

Replaces: Board policy 3.08.90, Conflict of Interest (in part related to board members)

Revised: January 28, 2016; February 11, 2019;

The Watauga County Board of Education (the “board”) affirms the principle that every student, ~~regardless of race, creed, color, national origin, sex, cultural or economic background, or disability,~~ should be given an equal opportunity for a sound basic education. Furthermore, no student, on the basis of any characteristic protected by federal or state law, sex, marital status, pregnancy, or parenthood, will be excluded from participating in the programs and services of the school system, ~~denied the benefits of,~~ or otherwise be or subjected to discrimination under any educational program or activity conducted by the school system. The school system will treat its students without discrimination in accordance with applicable law with regard to course offerings, athletics, counseling, employment assistance, ~~and extracurricular activities, and educational resources.~~

Any student, or parent or guardian who feels that this policy has been misinterpreted, misapplied or violated may file a complaint in accordance with policy ~~4015, Discrimination, Harassment and Bullying Complaint Procedure~~ 4020/7230, Discrimination and Harassment Prohibited by Federal Law; policy 4030/7235, Title IX Nondiscrimination on the Basis of Sex; policy 4022/7231, Nondiscrimination on the Basis of Disabilities; or policy 4010, Student and Parent Grievance Procedure, as appropriate.

~~The superintendent shall develop appropriate procedures to ensure that public education is provided to each qualified student with disabilities in accordance with 34 C.F.R. pt. 104, subpart D.~~

The superintendent and all school officials shall follow the *North Carolina Policies Governing Services for Children with Disabilities* to provide services for children with disabilities and address any issues that may arise concerning the provision of services.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 35; Equal Educational Opportunities Act of 1974, 20 U.S.C. 1701 *et seq.*; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; Title IV of the Civil Rights Act of 1964, 42 U.S.C. 2000c *et seq.*; Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d *et seq.*, 34 C.F.R. pt. 100; Title IX of the Education Amendments Act of 1972, 20 U.S.C. 1681 *et seq.*, 34 C.F.R. pt. 106; G.S. 115C-1, -367; ~~art. 9, -375.5, -407.15 through -407.18, -407.30; *Leandro v. State*, 346 N.C. 336 (1997); *Parent Rights & Responsibilities in Special Education* (N.C. Dept. of Public Instruction, Exceptional Children Division), available at <https://ec.ncpublicschools.gov/parent-resources/parents-rights-handbook>; North Carolina Policies Governing Services for Children with Disabilities at <http://ec.ncpublicschools.gov/policies/nc-policies-governing-services-for-children-with-disabilities>~~

Cross References: ~~Discrimination, Harassment and Bullying Complaint Procedure (policy 4015/7225), Discrimination and Harassment Prohibited by Federal Law (policy 4020/7230), Title IX Nondiscrimination on the Basis of Sex (policy 4030/7235), Nondiscrimination on the Basis of Disabilities (policy 4022/7331), Student and Parent Grievance Procedure (policy 4010), Education for Pregnant and Parenting Students (policy 4023)~~

Adopted: July 14, 2014, replaces policy 5.05.50

| Revised: September 12, 2016, replaces policy 4.05.50;

The Watauga County Board of Education may make school facilities available for non-school use when such use does not interfere with the instructional program of the schools. All use of school buildings and facilities, other than by the school or school affiliated groups, requires an approved contract for use of school facilities.

The superintendent is authorized to develop a list of school facilities available for community use. Among the types of facilities that may be available for community use are auditoriums, athletic fields, dining areas, kitchens, designated classrooms, gymnasiums, media centers and playgrounds.

**Temporary Restriction on Community Use of Facilities**

In order to secure the health and safety of school system students and employees during the COVID-19 pandemic and in accordance with the requirements of the North Carolina Department of Health and Human Services (DHHS), school facilities will not be made available to community groups during or after the school day or on weekends in any week in which the school is holding in-person classes on the school campus. Issues regarding the parties' contractual obligations under long-term leases will be referred to the board attorney. This temporary restriction shall remain in effect until repealed by the board or until the applicable guidance from DHHS is rescinded, whichever occurs first.

**A. GENERAL PRINCIPLES**

The use of school facilities by community groups should be consistent with the educational program and the goals and objectives of the board and school system. Use of school facilities will not be approved for activities that do any of the following:

1. violate federal, state or local laws;
2. violate board of education policies or regulations;
3. advocate violence;
4. may damage school buildings, grounds or equipment; or
5. conflict with school activities.

**B. PRIORITY IN USE**

The priority for use of school facilities will be based on the following categories.

1. Use by the school, including the after school program, provided that, subject to any applicable federal and state legal requirements, special consideration may be given to government and non-profit use in case of emergencies due to flooding, fire, or other disaster situations

2. In accordance with G.S. 163A-1046, use as a polling place on election days
3. School affiliated groups such as PTA/PTO organizations, booster clubs, the Watauga Education Foundation, and student clubs, including organizations permitted to meet under the Equal Access Act
4. In accordance with G.S. 115C-527, use by political parties for the express purpose of annual or biennial precinct meetings and county or district conventions
5. Use for youth athletics or youth development activities, including but not limited to summer camps, in which no admission fees are charged, provided that such use is exclusively or primarily for youth residing in Watauga County, and education related use by local Chambers of Commerce
6. Non-commercial use by local government, non-profit agencies, religious or political groups (including political parties when meeting for purposes other than precinct meetings or county or district conventions), and Watauga County residents and organizations
7. Use for commercial purposes, provided that school facilities may not be used to promote or sell any products or services except those with a major emphasis on education

**C. FEES FOR USE**

No rental fees will apply for category 1-5 uses as described above. However, fees for custodial, kitchen, and security personnel, may be charged to category 1-5 users at the discretion of the principal, subject to the fee schedule approved by the board. Fees for technical personnel or other specialized assistance may be charged at the discretion of the principal subject to the approval of the superintendent or superintendent designee.

Rental and other fees will apply for category 6 and 7 uses according to the fee schedule approved by the board per regulation 5030-R for K-8 schools and the separate fee schedule approved by the board for Watauga High School.

All groups within the same user category will be charged for facility use according to the uniform fee structure.

All rental and personnel fees shall be paid by check made out to the Watauga County Schools and collected by the principal/designee. Neither the school nor any user of school facilities shall make any direct payment to school personnel; all such payments are the exclusive responsibility of the Finance Department.

**D. REQUESTS FOR USE OF FACILITIES**

An eligible individual or group that wishes to apply for permission to use a school facility must submit a written application to the principal of the school in which the facility is

located. Application forms will be available in the school administrative office.

#### **E. ADDITIONAL RULES GOVERNING USE OF SCHOOL FACILITIES**

##### **1. Regulations for Use of Facilities**

The superintendent shall develop regulations consistent with this policy. The regulations will include an application process and provisions regarding fees, prohibited conduct and other issues deemed appropriate by the superintendent. A copy of the regulations will be provided to all applicants with the facilities use application form.

##### **2. Compliance with Laws and Policies**

In addition to the regulations established by the superintendent, users of school facilities must comply with all federal, state, and local laws and all rules established by the board, the superintendent or designee, and the principal.

##### **3. Concession Rights Reserved to Schools**

For any athletic tournament or other public event, the principal may require that the school or a school affiliated group be granted exclusive right to concession sales, or that the user pay the school up to 15% of gross revenues from concession sales at the event in addition to any other fees. Payments for concessions may be made directly to the school, or to the PTO/PTA or other school-affiliated group operating on behalf of the school. These revenues may be used for any school related purpose approved by the principal.

##### **4. Non-Discrimination Notice**

Discrimination on the basis of race, color, national origin, sex, disability or age is prohibited in the use of school facilities as in all school system activities and programs.

##### **5. Opening and Closing of Buildings**

Buildings may be opened and closed only by assigned employees of the school system or specific persons approved in advance by the principal.

A user's violation of the provisions of this policy or any applicable regulation is grounds for suspending the user's privilege to use school facilities for a period of time deemed appropriate by the principal, subject to the review of the superintendent and the board of education.

#### **F. DAMAGES AND LIABILITY INSURANCE**

Users of school facilities are responsible for all damage to school facilities, property, or equipment that occurs while the facility is being used by the group, regardless of who caused the damage. Users also are responsible for the conduct of all persons involved in

the users' activities while on school property.

All user groups except school-affiliated groups must furnish a certificate of insurance for general liability coverage with a total coverage of \$1,000,000 for each claim made. Alternatively, the superintendent or principal may require the user group to execute a waiver of liability that states that no liability will be attached to the board of education or the Watauga County Schools, individually or collectively, for personal injury or personal property damage by reason of use of the school property.

**G. TERM AND ACCEPTANCE OF LEASE**

The superintendent is authorized to enter into agreements with community groups for the lease of school property for terms of one year or less. All such leases must be reviewed and approved in advance by the board attorney. The superintendent shall inform the board of the execution of any lease at its next regularly scheduled meeting. Leases may be renewed following the same process.

Absent unusual circumstances, leases will not be granted for a term longer than one year. A lease for more than one year must be approved in advance by the board. Long-term exclusive leases are subject to the provisions of policy 9400, Sale, Disposal and Lease of Board-Owned Real Property.

**H. LIMITATION OF ROUTINE USE**

To ensure equitable access to school facilities by the community, the use of a major school facility such as a gym, auditorium, cafeteria, or media center by the same group (other than a school affiliated group) will be limited to three occasions per week for no more than four consecutive weeks, provided that this limitation shall not prohibit the use of school facilities for summer camps approved by the principal. Use for up to eight additional weeks may be approved at the discretion of the superintendent, after which any continued regular use requires the approval of the board.

Principals will inform the superintendent of any requests for facility use that cannot be approved because of conflicting long term use approved by the superintendent or the board.

**I. USE OF OUTDOOR SCHOOL FACILITIES BY THE GENERAL PUBLIC**

Outdoor property and facilities of the school system will be open to limited use by members of the general public in accordance with rules to be established by the superintendent or designee. Public use will be permitted only to the extent that it 1) is not inconsistent with the proper preservation and care of the outdoor school property; 2) does not interfere with the safe and efficient operation of the schools and school activities; and 3) does not conflict with use by any community group operating under a facility use agreement described in this policy. The superintendent is authorized to establish all terms, conditions, and rules necessary to regulate the use of outdoor facilities by members of the general public consistent with these requirements.



## **J. REVIEW OF DECISIONS CONCERNING USE OF SCHOOL FACILITIES**

Any person or organization may request a review of any decision made by a school employee pursuant to this policy in accordance with policy 4010, Student and Parent Grievance Procedure.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 35; Equal Access Act, 20 U.S.C. 4071-4074, 28 C.F.R. pt. 36; Boy Scouts of America Equal Access Act, 20 U.S.C. 7905, 34 C.F.R. pt. 108; 36 U.S.C. 20101 *et seq.*; G.S. 14-269.2; Community Schools Act, G.S. 115C-203 to -209.1; 115C-524, -527; 160A-274; 163A-1046

Cross References: ~~Prohibition Against Discrimination, Harassment and Bullying (policy 4021/7230)~~, Student and Parent Grievance Procedure (policy 4010), Prohibition of Drugs and Alcohol (policy 5025), Smoking and Tobacco Products (policy 5026/7250), Weapons and Explosives Prohibited (policy 5027/7275), Sale, Disposal and Lease of Board-Owned Real Property (policy 9400)

Adopted: February 8, 2016

Revised: May 9, 2016; June 13, 2016; July 10, 2017; June 11, 2018; November 13, 2018;

Replaces: Policy 2.05.20, Community Use of School Facilities and policy 2.05.25, Community Use of Watauga High School Facilities

**A. OPPORTUNITIES TO ADDRESS CONCERNS AND COMPLAINTS**

The Watauga County Board of Education (the “board”) is committed to providing an effective means for parents and the community to voice concerns and complaints. The board also strives to resolve concerns and complaints whenever possible. To this end, the board has established the following processes:

1. informal resolutions of specific concerns (see section B, General Process, below);
2. public hearings and public comments at board meetings on subjects of concern to parents and the community (policy for Public Participation at Board Meetings);
3. a procedure for parental concerns regarding the curriculum (policy 3210, Parental Request to Review Instructional Materials);
4. specific processes for addressing disciplinary consequences (policies in the 4300 series);
5. processes as provided by law for students with disabilities (policies 3520, Special Education Programs/Rights of Students with Disabilities, 4022/7231, Nondiscrimination on the Basis of Disabilities, and 4307, Disciplinary Action for Exceptional Children/Students with Disabilities); and
6. a grievance procedures for addressing concerns regarding specific decisions, especially when there are concerns that board policy or law has been misapplied, misinterpreted or violated, including discrimination claims on the basis of sex or disability (policies 4010, Student and Parent Grievance Procedure, and 4015/7225, Discrimination, Harassment and Bullying Complaint Procedure); and
7. procedures for reporting and resolving complaints of discrimination, harassment, or bullying on the basis of sex, disability, or other personal characteristic (policies 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law; 1720/4030/7235, Title IX Nondiscrimination on the Basis of Sex; 1725/4035/7236, Title IX Sexual Harassment – Prohibited Conduct and Reporting Process; 1726/4036/7237, Title IX Sexual Harassment Grievance Process; and 4329/7311, Bullying and Harassing Behavior Prohibited).

Numerous other policies provide opportunities for parental input, including policy 4002, Parental Involvement.

**B. GENERAL PROCESS**

Complaints that are not specifically designated to be addressed in other policies should be addressed in the following manner.

1. The complaint should be received and addressed at the level closest to which the complaint originated. For example, a complaint regarding a classroom issue should be heard first by the teacher. A complaint regarding the school in general should be addressed first by the principal.
2. Any board member or employee receiving a complaint should verify that the complaint has been appropriately referred to him or her and if not, assist the complainant by identifying the appropriate personnel to receive the complaint.
3. Once appropriately referred, if the complainant is not satisfied with the response to the complaint, the complainant should be informed of the options for further review of the complaint.
4. A complaint or series of complaints that raise significant issues about the educational program or the operation of the schools is an opportunity to further examine the success of the school system in meeting its goals and objectives. When feasible, a group representing various perspectives and interests, such as teachers, administrators, students and parents, should discuss the issue and make recommendations to appropriate personnel or to the board.

The superintendent shall communicate the requirements in this policy to board members and employees on a regular basis.

Legal References: G.S. 115C-36, -47

Cross References: Parental Involvement (policy 4002), Discrimination and Harassment Prohibited by Federal Law (policy 4020/7230), Title IX Nondiscrimination on the Basis of Sex (policy 1730/4030/7235), Title IX Sexual Harassment – Prohibited Conduct and Reporting Process (policy 1725/4035/7236), Title IX Sexual Harassment Grievance Process (policy 4036/7237), Discrimination, Harassment and Bullying Complaint Procedure (policy 4015/7225), Student and Parent Grievance Procedure (policy 4010), Nondiscrimination on the Basis of Disabilities (policy 4022/7231), Public Participation at Board Meetings, Parental Request to Review Instructional Materials (policy 3210), Special Education Programs/Rights of Students with Disabilities (policy 3520), Student Behavior Policies (4300 series), Disciplinary Action for Exceptional Children/Students with Disabilities (policy 4307), Bullying and Harassing Behavior Prohibited (policy 4329/7311)

Adopted: April 13, 2015

Revised: March 14, 2016;