

**ORANGE COUNTY  
BOARD OF EDUCATION**

**AGENDA ITEM ABSTRACT**

**Meeting Date:** February 20, 2012

**AGENDA ITEM No.** 12-02-(2)-18

**ACTION ITEM: (Y/N)** N

**SUBJECT:** Policy Review Committee

**INFO. CONTACT:** Donna Coffey / Patrick Rhodes **PHONE:** 919-732-8126

**ATTACHMENTS:** 1. PLS Update: January 2012.

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**PURPOSE:** The purpose of this item is to allow the Board an opportunity to establish a policy subcommittee.

**BACKGROUND:** The Orange County Board of Education operates using established policies. The board's role in policy creation, revision and adoption is very important to the governance and operation of the system. As outlined in board Policy #2410, Policy Development, "It is through the development and adoption of written policies that the Board shall exercise its leadership in the operation of the school system; it is through study and evaluation of reports concerning the execution of its written policies that the Board shall exercise its control over school operations. From time to time it is necessary to change Board Policy or to add to or delete existing policy. To accomplish this the Superintendent will annually review existing policies and make recommendation for future policies".

The Orange County Board of Education Policy Manual is divided into nine sections which are listed below:

☛ Section 1000 | GOVERNING PRINCIPLES

☛ Section 2000 | BOARD OPERATION

☛ Section 3000 | EDUCATION PROGRAM

☛ Section 4000 | STUDENTS

☛ Section 5000 | COMMUNITY RELATIONSHIPS

☛ Section 6000 | SUPPORT SERVICES

☛ Section 7000 | PERSONNEL

☛ Section 8000 | FISCAL MANAGEMENT

☛ Section 9000 | FACILITIES

(continued)

Policies can be viewed on the district's website at  
[http://www.orange.k12.nc.us/board\\_pages/board\\_policies.html](http://www.orange.k12.nc.us/board_pages/board_policies.html)

The Board of Education participates in the North Carolina School Boards Association policy service *Policies to Lead the Schools (PLS)* which provides recommended revisions and draft policies. A copy of the January 2012 policy revision recommendations is attached.

**FINANCIAL IMPACT:** None.

**RECOMMENDATION:** The Superintendent recommends the Board of Education establish a policy review subcommittee.

**PLS Update: January 2012  
Legislative and Other Policy Updates**

Updated Policy Number	Policy Title	Description of Update	Statute or Legislation Involved	Notes
1310/4002	Parental Involvement	<ul style="list-style-type: none"> <li>• Removes several sections pertaining only to Title I schools, including Section B pertaining to Title I parental involvement information, Section C on the specific Title I notice requirements and Section F on Title I website notification. <b>(Strongly Recommended)</b></li> <li>• Adds to the annual notification requirements: (1) the code of student conduct; (2) education rights of homeless students; (3) the school wellness policy; (4) the right of employees to annually take up to 4 hours of unpaid leave to volunteer in their children’s schools; and (5) notice that the school system provides equal access to the Boy Scouts and other designated youth groups. <b>(Strongly Recommended)</b></li> <li>• Adds to the “opt out” notice requirements the parents’ opportunity to opt out of: (1) the release of certain information about their child to military recruiters and institutions of higher education; (2) their child’s participation in non-emergency invasive physical exams/screening; (3) the collection and disclosure of their child’s personal information for marketing purposes; and (4) release of their child’s free and reduced-price meal information to State Medicaid or SCHIP. <b>(Strongly Recommended)</b></li> <li>• Adds the requirement that parental permission be obtained prior to the disclosure of the identity of any student receiving Title I supplemental education services. <b>(Strongly Recommended)</b></li> <li>• Includes other technical and editorial corrections. <b>(Recommended)</b></li> <li>• Updates the legal references. <b>(Required)</b></li> <li>• Updates the cross references. <b>(Recommended)</b></li> </ul>	Various federal and state statutes	<p>The more detailed, specific Title I information that was in this policy has been moved to policy 1320/3560, Title I Parental Involvement, for purposes of consistency and clarity. <b>None of the Title I legal requirements have changed;</b> we merely recommend including all Title I parental involvement information under one policy.</p> <p>Many of the underlying laws are not new; however, the policy did not previously reflect their requirements. Other laws/regulations have recently been passed or amended, and these changes reflect new legal requirements.</p> <p><i>Schools systems that permit corporal punishment will also need to add a provision to the “opt out” section stating that parents will be notified of their right to opt out of the administration of corporal punishment to their child.</i></p>

\* *Required* means either (1) the provisions are required by law to be addressed in policy or (2) the modifications must be made to ensure the policy reflects current law (ex. adding new statutory language or updates to legal citations).

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1320/3560	Title I Parent Involvement	<ul style="list-style-type: none"> <li>• Adds information to the introductory paragraph and the section on Title I's purpose and operation. <b>(Recommended)</b></li> <li>• Adds a statement regarding services to private-school students. <b>(Strongly Recommended)</b></li> <li>• Adds a section on notice requirements, detailing numerous provisions under No Child Left Behind. <b>(Strongly Recommended)</b></li> <li>• Adds a section on website notice requirements. <b>(Required)</b></li> <li>• Updates the legal references. <b>(Required)</b></li> <li>• Updates the cross references. <b>(Recommended)</b></li> </ul>	Elementary and Secondary Education Act, as amended, 20 U.S.C. 6301 <i>et seq.</i>	Much of the information added was formerly in policy 1310/4002, Parental Involvement. It was moved to this policy for purposes of consistency and clarity. <b>None of the Title I legal requirements have changed;</b> we merely recommend including all Title I parental involvement information under one policy.
1710/4021/7230	Prohibition Against Discrimination, Harassment and Bullying	<ul style="list-style-type: none"> <li>• Provides more explicit statement of nondiscrimination, including equal access for Boy Scouts. <b>(Strongly Recommended)</b></li> <li>• Adds requirement to appoint one or more compliance coordinators for Title VI, the ADA, the Age Discrimination Act and the Boy Scouts Act, in addition to the previous requirement for a Title IX coordinator and a Section 504 coordinator. <b>(Required, but see note)</b></li> <li>• Updates the legal references. <b>(Required)</b></li> <li>• Updates the cross references. <b>(Recommended)</b></li> </ul>	Various federal anti-discrimination statutes; Boy Scouts of America Equal Access Act, 20 U.S.C. 7905	Designation of coordinator(s) for Title VI and the Boy Scouts Act is not required by federal law, but is recommended.
1720/4015/7225	Discrimination, Harassment and Bullying Complaint Procedure	<ul style="list-style-type: none"> <li>• Provides for additional compliance coordinators to be involved in the investigation and resolution of discrimination complaints. <b>(Strongly Recommended)</b></li> <li>• Updates the legal references. <b>(Required)</b></li> </ul>	Various federal anti-discrimination statutes; Boy Scouts of America Equal Access Act, 20 U.S.C. 7905	
1730/4022/7231	Nondiscrimination on the Basis of Disabilities	<ul style="list-style-type: none"> <li>• Adds statement regarding hearing process for 504 students. <b>(Strongly Recommended)</b></li> <li>• Modifies requirement for publication of compliance coordinator information. <b>(Strongly Recommended)</b></li> <li>• Updates the legal references. <b>(Recommended)</b></li> <li>• Updates the cross references. <b>(Recommended)</b></li> </ul>	Section 504 of the Rehabilitation Act of 1973	

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2342	Voting Methods	<ul style="list-style-type: none"> <li>Clarifies that a board member should vote on all issues unless he/she has a conflict of interest OR he/she is unable to remain impartial in a judicial matter before the board. <b>(Strongly Recommended)</b></li> <li>Adds information to the last paragraph regarding written ballots. <b>(Strongly Recommended)</b></li> </ul>	G.S. 143-318.13; <i>Crump v. Board of Education</i>	
3000	Goals and Objectives of the Educational Program	<ul style="list-style-type: none"> <li>Adds statement regarding accreditation. <b>(Recommended)</b></li> <li>Revises terminology. <b>(Recommended)</b></li> <li>Updates the legal references. <b>(Required)</b></li> </ul>	N.C. Sess. Law 2011-306; G.S. 115C-12(38)	
4110	Immunization and Health Requirements for School Admission	<ul style="list-style-type: none"> <li>Deletes some references to the Governor's Commission on Early Childhood Vision Care. The Commission was abolished by the General Assembly in 2011. <b>(Recommended – see note)</b></li> </ul>	N.C. Sess. Law 2011-266; G.S. 130A-440.1	<p>G.S. 130A-440.1 continues to require that early childhood vision screening (which is required of all entering kindergartners) meet the standards adopted by the Governor's Commission. We presume that the standards continue to apply to vision screenings even though the Commission itself no longer exists.</p> <p>Other portions of the same statute continue to require that certain parental notices include information about funds that may be available from the Commission to pay for eye examinations. We have removed that information from our policy, however, since the possibility of funds from the Commission no longer exists.</p>
4150	School Assignment	<ul style="list-style-type: none"> <li>Corrects a notice provision in order to accurately reflect state law. <b>(Required)</b></li> </ul>	G.S. 115C-369(a)	

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4155	Assignment to Classes	<ul style="list-style-type: none"> <li>• Corrects title of federal law in text. <b>(Required)</b></li> <li>• Updates the legal references. <b>(Recommended)</b></li> </ul>		
5026/7250	Smoking and Tobacco Products	<ul style="list-style-type: none"> <li>• Expands the definition of “tobacco product” to cover any product made or derived from tobacco and to specifically include electronic cigarettes. <b>(Recommended)</b></li> <li>• Updates the legal references. <b>(Required)</b></li> </ul>		
5030	Community Use of Facilities	<ul style="list-style-type: none"> <li>• Adds internal reference and cross-reference to nondiscrimination policy. <b>(Strongly Recommended)</b></li> <li>• Updates the legal references.</li> </ul>	Boy Scouts of America Equal Access Act, 20 U.S.C. 7905	
5070/7350	Public Records – Retention, Release and Disposition	<ul style="list-style-type: none"> <li>• Adds provision regarding electronic mail lists. <b>(Strongly Recommended)</b></li> </ul>	N.C. Sess. Law 2011-54; G.S. 132-1.13	
6120	Student Health Services	<ul style="list-style-type: none"> <li>• Adds requirement to report annually to the SBE on children with diabetes and compliance with SBE guidelines. <b>(Strongly Recommended)</b></li> <li>• Updates the legal references. <b>(Required)</b></li> </ul>	N.C. Sess. Law 2009-563; G.S. 115C-375.3	The reporting requirement was added to the law in 2009.
6305	Safety and Student Transportation Services	<ul style="list-style-type: none"> <li>• Adds information about transportation safety assistants and bus monitors as provided in G.S.115C-245. <b>(Optional)</b></li> <li>• Retitles and expands former Section C to include requirements found in new SBE policy TCS-H-006 regarding safe transport of students. <b>(Strongly Recommended)</b></li> <li>• Updates the legal references. <b>(Required)</b></li> </ul>	G.S. 115C-245; 115C-249.1; N.C. Sess. Law 2011-145, Sec. 28.36(b); SBE Policies TCS-H-005, TCS-H-006 and TCS-H-011	Includes additional guidance in the footnotes regarding modifications and additions to SBE transportation policies and new state law requirements regarding tires.
6315	Drivers	<ul style="list-style-type: none"> <li>• Makes explicit that rules in Section A apply to both school bus and activity bus drivers. <b>(Strongly Recommended)</b></li> <li>• Updates the legal references. <b>(Strongly Recommended)</b></li> </ul>	SBE Policy TCS-H-010	Includes additional guidance in the footnotes regarding new requirements for CDL activity bus drivers to hold school bus driver certificates and reporting moving violations.
6320	Use of Student Transportation Services	<ul style="list-style-type: none"> <li>• Adds requirement to provide safety training to students travelling on activity or commercial buses as needed. <b>(Strongly Recommended)</b></li> <li>• Updates the legal references. <b>(Strongly Recommended)</b></li> <li>• Updates the cross references. <b>(Recommended)</b></li> </ul>	SBE Policy TCS-H-006	
6321	Bus Routes	<ul style="list-style-type: none"> <li>• Adds provision regarding scheduled bus arrival times. <b>(Strongly Recommended)</b></li> </ul>	SBE Policy TCS-H-002	

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6340	Transportation Service/Vehicle Contracts	<ul style="list-style-type: none"> <li>In accordance with a recent change to SBE policy, substitutes “commercial bus services” for “transportation services” in the statement requiring the development of safety standards for contracted services. <b>(Strongly Recommended)</b></li> <li>Updates the legal references. <b>(Required)</b></li> </ul>	N.C. Sess. Law 2011-145, Sec. 28.36(b); G.S. 115C-249.1; SBE Policy TCS-H-009	Includes additional guidance in the footnotes regarding new requirements for school bus tires.
7405	Extracurricular and Non-Instructional Duties	<ul style="list-style-type: none"> <li>Adds definitions from SBE policy and updates terminology. <b>(Strongly Recommended)</b></li> <li>Replaces “standard course of study” with “Common Core State Standards and North Carolina Essential Standards.” <b>(Recommended – see note)</b></li> <li>Updates the legal references. <b>(Strongly Recommended)</b></li> </ul>	SBE Policy TCP-A-004	The Common Core State Standards and North Carolina Essential Standards are effective as of the 2012-2013 school year. They replace the former standard course of study.
9000	Planning to Address Facility Needs	<ul style="list-style-type: none"> <li>Removes statutory repeal date of July 1, 2011 noted in the legal references. The new repeal date for the statutes was extended to July 1, 2015.</li> </ul>	N.C. Sess. Law 2011-234; G.S. 115C-531, -532, 143-129(e)(12)	
9400	Sale, Disposal and Lease of Board-Owned Real Property	<ul style="list-style-type: none"> <li>Adds provision allowing sale of real property to the board of county commissioners for less than fair market value, in accordance with existing state law. <b>(Strongly Recommended)</b></li> </ul>	G.S. 115C-518	

**The policies listed below have minor changes to wording, legal references and/or cross references.**

1010	Board Authority and Duties	<ul style="list-style-type: none"> <li>Updates the legal references. <b>(Required)</b></li> </ul>		
2123	Board Member Opportunities for Development	<ul style="list-style-type: none"> <li>Updates the legal references. <b>(Required)</b></li> </ul>		
3640/5130	Student Voter Registration and Preregistration	<ul style="list-style-type: none"> <li>Updates the legal references. <b>(Required)</b></li> </ul>		
4600	Student Fees	<ul style="list-style-type: none"> <li>Updates the legal references. <b>(Required)</b></li> </ul>		
7100	Recruitment and Selection of Personnel	<ul style="list-style-type: none"> <li>Updates terminology. <b>(Optional)</b></li> <li>Corrects an error in the legal references. <b>(Required)</b></li> </ul>		
7425	School Administrator Contracts	<ul style="list-style-type: none"> <li>Updates terminology. <b>(Recommended)</b></li> </ul>		
7500	Workday and Overtime	<ul style="list-style-type: none"> <li>Updates the title of another policy in the text and in the cross references. <b>(Required)</b></li> <li>Updates the legal references. <b>(Required)</b></li> </ul>		
7540	Voluntary Shared Leave	<ul style="list-style-type: none"> <li>Updates terminology. <b>(Optional)</b></li> <li>Updates the legal references. <b>(Required)</b></li> </ul>		

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7900	Resignation	<ul style="list-style-type: none"> <li>• Makes changes to terminology. <b>(Recommended)</b></li> </ul>		
8000	Fiscal Goals	<ul style="list-style-type: none"> <li>• Updates the legal references. <b>(Required)</b></li> </ul>		
8340	Insurance	<ul style="list-style-type: none"> <li>• Updates the legal references. <b>(Required)</b></li> </ul>		

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