

ORANGE COUNTY
BOARD OF EDUCATION

AGENDA ITEM ABSTRACT

Meeting Date: August 26, 2013

AGENDA ITEM No. 13-08-(02)-10

ACTION: (Y/N) Y

SUBJECT: Preparing Lifelong Active Youth (PLAY) Agreement

INFO. CONTACT: Dr. Denise Morton PHONE: 919-732-8126

ATTACHMENTS: 1. PLAY Agreement

PURPOSE: To request the Board of Education approve the attached PLAY Agreement.

BACKGROUND: This is an agreement with the Orange County Health Department, the University of North Carolina at Chapel Hill Campus Recreation (UNC Recreation) program and Orange County Schools to provide physical activities and instruction on healthy lifestyles to middle school students in the Middle School After School programs. Student athletes from UNC Recreation will work with the students two times per month under the supervision of the Middle School After School directors. The School Board attorney has reviewed the agreement.

FINANCIAL IMPACT: None

RECOMMENDATION: The Superintendent recommends the Board of Education approve the attached PLAY agreement.



ORANGE COUNTY
HEALTH DEPARTMENT

Improving health. Inspiring change.

Memo of Agreement: 2013 – 2014 School Year


Program: PLAY (Preparing Lifelong Active Youth) to Move More

Parties: Orange County Schools, Orange County Health Department, and
University of North Carolina at Chapel Hill Campus Recreation

Orange County Schools (OCS) agrees to:

- Facilitate arrangements for Orange County Health Department (OCHD) and University of North Carolina at Chapel Hill Campus Recreation (UNC Recreation) program staff to inform students and parents of the PLAY program.
- Designate a district-level employee to serve as a liaison between all aforementioned parties and school personnel (superintendent, school administrators, teachers, etc.).
- Designate *at least* one Middle School After School (MSAS) Site Director or his/her designee at each school responsible for attending planning meetings, facilitating implementation of the program, assisting with data collection, and evaluation, and reminding students and parents about PLAY activities.
- Provide facilities and field space for PLAY activities two days per month at each middle school as available.
- Communicate schedule or facilities changes to the PLAY Intern in a timely manner.
- Keep and maintain PLAY equipment for use during after-school time. Designate locked storage space for equipment that is accessible to After-School teachers.
- Provide nominal in-kind funding to supplement school-based activities through selected district level program budgets. This budget will include funds for criminal background checks for UNC Sport Club athletes, transportation costs for bussing students to the end of the year celebration; custodial support if needed for the end of year celebration. The total in-kind costs to OCS under this MOA shall not exceed \$1,000. Nothing in this MOA shall be construed to create any right or entitlement on the part of OCHD or UNC Recreation to any compensation, or request for funding, from OCS. To the extent applicable, pursuant to N.C. General Statute § 143C-6-8, it is understood and agreed between the parties that any payment obligation of the OCS under this MOA is contingent upon the availability of appropriated funds from which payment for contract purposes can be made, and, if payment obligations are made with State funds, upon the availability of appropriated funds that are not State funds.
- Facilitate the use of school announcements and media to publicize PLAY. The District Public Information Officer shall review and approve all press releases, articles, or media submitted to local newspapers, radio, or television outlets prior to submission and/or release.
- Implement and enforce a procedure that uses designated time every day during MSAS sessions for physical activity.

Physical Activity Procedure: As a Middle School After-School Site Director working in collaboration with Healthy Carolinians of Orange County to increase physical activity among youth in order to reduce childhood obesity rates in Orange County, I agree to incorporate a minimum of 30 minutes each day devoted to physical activity during after-school. Suggested activities have been provided by Healthy Carolinians and Be Active NC.

 8/7/13

Tona Glascoe, After-School Site Director Date

A.L. Stanback Middle School

Shannon Dixon 8/6/13
Shannon Dixon, After-School Site Director | Date

C.W. Stanford Middle School

Sharon Moyer 8/6/13
Sharon Moyer, After-School Site Director | Date

Gravelly Hill Middle School

University of North Carolina at Chapel Hill Campus Recreation agrees to:

- Recruit and secure student athletes and PLAY session leaders who will organize structured play sessions/lessons for middle schools students.
- Ensure that all participants submit criminal background check forms to OCS, which shall include sufficient information for OCS to conduct criminal background checks on all participants who will have contact with students. Such checks shall include annual checks of the State Sex Offender and Public Protection Registration Program, the State Sexually Violent Predator Registration Program, and the National Sex Offender Registry. Such background checks must be completed prior to UNC Recreation assigning any personnel to provide on-campus services to the OCS or any services to OCS students. Neither OCHD nor UNC Recreation shall allow any person to provide on-campus services to the OCS or services to any OCS students if such person has been convicted of (1) a felony, or (2) any crime, whether felony or misdemeanor, that in OCS's reasonable judgment (articulated to OCHD and UNC Recreation prior to the personnel being assigned to a school), indicates the person may pose a threat to the safety of OCS staff or students. Under no circumstances shall any individual who is listed on one of the aforementioned sex offender registries listed above have any direct interaction with students at the direction of OCHD or UNC Recreation.
- Educate student athletes on delivery of instruction, safety, and educational component of the sport or physical activity that they are teaching.
- Organize all operational needs including inventory, storage, and distribution of equipment and supplies.
- Transport athletes, supplies, and equipment to and from designated facilities.
- Provide staff support in the form of an intern supervised by UNC Recreation. The intern will recruit, coordinate athletes, schedules, and logistics of PLAY sessions and assist with data collection, evaluation, and reporting.
- Cover the cost of the stipend for the intern (\$1050.00).
- Review and evaluate the program on a regular basis in order to deliver quality instruction to the participants.
- Maintain PLAY logs, applications, lesson plans, and evaluations.
- Assist with reporting on the PLAY program in the form of summary documents and year-end reports.
- Provide \$300 to each participating UNC sport club as an incentive through the UNC Recreation community service program.
- Inform deans, directors, and administrators at the University about PLAY activities.
- Work with local media outlets to promote PLAY successes and activities.

Orange County Health Department agrees to:

- Serve as the liaison for PLAY; coordinating and overseeing activities and communications among the parties.

- Cover mileage costs for transporting athletes, supplies, and equipment to and from designated facilities.
- Provide technical assistance for implementation, evaluation, and enforcement of the adopted procedure that increases physical activity among students during after-school time.
- Meet regularly with Orange County Schools' staff, district-level liaison, and UNC Sport Club staff as needed.
- Maintain copies of all PLAY records, inventory, athlete evaluations, and session logs, etc.
- Provide tools and training for the physical activity procedure implementation and compliance.

Miscellaneous terms and conditions:

- Confidentiality of Student Records. OCHD and UNC Recreation (each, a "Provider", collectively, the "Providers") agree that all student records, if any, obtained in the course of providing services to the OCS under this MOA shall be subject to the confidentiality and disclosure provisions of applicable Federal and State statutes and regulations, and OCS policies. All student records shall be kept in a secure location preventing access by unauthorized individuals. Providers will maintain an access log delineating date, time, agency, and identity of any individual accessing student records who is not in the direct employ of the Providers. The Providers shall not forward to any person other than the parent or OCS any student record, including, but not limited to, the student's identity, without the written consent of the parent and OCS. Upon termination of this MOA, Providers shall turn over to OCS all student records of OCS's eligible students to whom the Providers have provided services under this MOA.
- Research. Any research with OCS students to be conducted by OCHD and/or UNC Recreation pursuant to this MOA must be in full compliance with Orange County Board of Education Policy 3325, *Research*, and the accompanying Policy 3325-P *Research Procedures*. Pursuant to Policy 3325, any party seeking to conduct research with OCS students must submit a Research Application and receive approval from the Chief Academic Officer prior to initiation of the research project. Student participants in research projects pursuant to this MOA must obtain written parental consent prior to participating in such research.
- Non-Discrimination. The parties hereby agree that, in their respective educational and/or employment practices, no party will discriminate against any person because of race, color, religion, sex, national origin, age, creed or disability. The implementation of this MOA will be carried out in strict compliance with all Federal, State, or local laws regarding discrimination in employment.
- Conflicts. Nothing in this MOA shall act or be interpreted to supersede any applicable provision of State or Federal law and in the event of conflict with an applicable State or Federal law, the State or Federal law shall prevail. The implementation of this MOA will be carried out in strict compliance with all Federal, State or local laws.
- Term. The Term of this MOA is from July 1, 2013 through June 30, 2014. This MOA may be terminated, without cause, by either party upon thirty (30) days written notice to the other party. This termination notice period shall begin upon receipt of the notice of termination.
- Governing Law. This MOA shall be governed by and in accordance with the laws of the State of North Carolina. All actions relating in any way to this MOA shall be brought in the General Court of Justice in the County of Orange and the State of North Carolina.
- Compliance with Applicable OCS Policies. OCHD and UNC Recreation each acknowledge that the Orange County Board of Education has adopted policies governing conduct on OCS property and agree to abide by any and all relevant OCS policies while on OCS property.
- Assignment. No party shall assign, subcontract, or otherwise transfer any interest in this MOA without the prior written approval of the other parties.
- Registered Sex Offenders. OCHD and UNC Recreation expressly acknowledge that N.C. General Statute 14-208.18 prohibits anyone required to register as a sex offender under Article 27A of Chapter 14 of the General

Statutes from knowingly being on the premises of any school. This prohibition applies to persons required to register under Article 27A who have committed any offense in Article 7A of Chapter 14 or any offense where the victim of the offense was under the age of 16 years at the time of the offense.

- Monitoring and Auditing. The Providers shall cooperate with the OCS, or with any other person or agency as directed by the OCS, in monitoring, auditing, or investigating activities related to this MOA. The Providers shall provide auditors retained by the OCS with access to any records and files related to the provision of services under this MOA.
- Liability. Each party agrees to assume liability for its own acts or omissions, or the acts or omissions of their employees, agents, and volunteers, during the term of this MOA.

By signing below, each party states that they will fulfill the agreements stated above during the 2013-2014 school year.

Dr. Del Burns
Interim Superintendent
Orange County Schools

Date

Jason Halsey
Director of Sport Clubs
UNC Recreation

Date

Colleen Bridger, MPH, PhD
Health Director
Orange County Health Department

Date

Cc: Denise Morton, Chief Academic Officer, Orange County Schools
Gloria Jones, Principal, A.L. Stanback Middle School
Anne Purcell, Principal, C.W. Stanford Middle School
Marcus D. Gause, Principal, Gravelly Hill Middle School

This instrument has been preaudited in the manner required by the School Budget and Fiscal Control Act.

Donna Brinkley, Finance Director
Orange County Schools

Date