

ORANGE COUNTY
BOARD OF EDUCATION

AGENDA ITEM ABSTRACT

Meeting Date: March 25, 2013

AGENDA ITEM No. 13-03-(2)-10

ACTION ITEM: (Y/N) Y

SUBJECT: Board Policy Subcommittee Recommendations – 2nd Reading Approvals

INFO. CONTACT: Dr. Marcie Holland/Patrick Rhodes PHONE: 919-732-8126

ATTACHMENTS:

1. Policy # 3211: Animal Dissection (New)
2. Policy # 3430: School Improvement Plan (Revised)
3. Policy # 3550: Animals in the Schools (Revised)
4. Policy # 5030: Facility Use (Revised)
5. Policy # 7800: Professional and Staff Development (Revised)
6. Policy # 9110: Selection of Architects, Engineers, Surveyors and Construction Managers at Risk (Revised)
7. Policy # 9110: Selection of Architects Procedures

PURPOSE: The purpose of this agenda item is to provide the board an opportunity to approve on 2nd Reading Approval new and revised policies reviewed and approved by the Board of Education's Policy Subcommittee, including a policy for deletion.

BACKGROUND: The Orange County Schools Board of Education Policy Subcommittee met on March 1, 2013. Members of the Subcommittee Donna Coffey, Brenda Stephens and Debbie Piscitelli are supported by the board attorney and administrative staff.

Board of Education Policy #2410 states "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 the study and evaluation of reports concerning the execution of its written policies that the Board shall exercise its control over school operations."

During the March 1, 2013 meeting, the Policy Subcommittee recommended revisions to current policies and the deletion of a redundant and/or obsolete policy. Upon recommendation of the Policy Subcommittee, administration and legal counsel, new and revised policies were approved by the full Board on March 11, 2013. These policies are being brought back for 2nd Reading Approval.

- Policy # 3211: Animal Dissection (New)
- Policy # 3430: School Improvement Plan (Revised)
- Policy # 3550: Animals in the Schools (Revised)
- Policy # 5030: Facility Use (Revised)
- Policy # 7800: Professional and Staff Development (Revised)
- Policy # 9110: Selection of Architects, Engineers, Surveyors and Construction Managers at Risk (Revised)

With the implementation of these policies, Policy #9110 Selection of Architects Procedures will be obsolete as the content is addressed in the revised policy, and is being recommended for deletion during 2nd Reading Approval.

FINANCIAL IMPACT: There is no financial impact associated with this agenda item.

RECOMMENDATION: The Superintendent recommends the Board of Education approve the revised and new policies listed above for 2nd Reading Approval. The Superintendent also recommends the deletion of the specific policy identified above for deletion.

Rescinds Policy Number:

Issued:

The Board of Education recognizes that the study of living things is essential to effective instruction in the life sciences.

The Board recognizes that some students have a moral or religious objection to dissection. ~~Students shall have the right to opt out of dissection activities, provided that the student performs an alternative project approved by the student's teacher unless actual dissection is required by the course curriculum.~~ ***Unless actual dissection is required by the curriculum, students shall have the right to opt out of dissection activities, as long as the student performs an alternate project approved by the student's teacher.***

*Rescinds Policy Number:**Issued:*

In order to improve student performance, each school shall create a school improvement team to develop a school improvement plan (SIP) in accordance with state law, State Board of Education policy, and Department of Public Instruction guidelines.

The SIP team shall be comprised of: the principal, representatives from the assistant principals, instructional personnel, instructional support personnel, teacher assistants assigned to the school and parents of children enrolled in the school. Schools shall encourage parental participation so that parent representatives reflect the racial and socioeconomic composition of the students enrolled in the school. Likewise, schools should make every effort to ensure that the staff members elected to the SIP team represent a variety of grade levels and/or subject areas.

The SIP team should assess the current program and needs at the school, design strategies for improving student performance, and continually evaluate the results of its decisions and the effectiveness of the plan. The plan should take into consideration the annual performance goal for that school set by the State Board and the goals set out in the mission statement adopted by the State Board of Education (SBOE). In addition, SIP teams must use the Education Value Added Assessment System (EVASS) or a compatible and comparable system approved by the SBOE when analyzing student data for root causes for problems and to determine actions to address them. The SIP must include at a minimum the following elements:

- (1) A plan for the use of staff development funds that may be made available to the school by the Board of Education.
- (2) If the school serves students in kindergarten or first grade, a plan for preparing students to read at grade level by the time they enter second grade. The plan shall require kindergarten and first grade teachers to notify parents or guardians when their child is not reading at grade level and is at risk of not reading at grade level by the time the child enters second grade.
- (3) A plan that specifies the effective instructional practices and methods to be used to improve the academic performance of students identified as at risk of academic failure or at risk of dropping out of school.
- (4) A plan to provide duty-free instructional planning time for every teacher, with the goal of providing an average of at least five hours of planning time per week.
- (5) A plan to provide a duty-free lunch period for every teacher on a daily basis or as otherwise approved by the SIP team.
- (6) A school-wide attendance improvement plan.
- (7) As part of the school system's efforts to maintain safe and orderly schools, the school improvement plan must address safety and discipline concerns. The concerns include any special conditions at the school. The plan should include the components of any positive behavior management or positive behavior support programs that have been adopted at the school.
- (8) In accordance with Policy 1310, Parental Involvement, the plan must identify the goals and strategies for parents to be involved in their child's education and in the educational program of the school.

Process

All SIPs should be data-driven and contain clear, unambiguous targets, explicit indicators, actual measures, and clear time frames for meeting the goals. School improvement teams should review student performance data from the preceding school year in developing the school improvement plan. Based on the availability of data and when specific school standards are established by the State Board, the Superintendent shall establish the date by which school improvement plans must be submitted.

The Superintendent or designee shall review the plans and seek legal review as necessary prior to presenting the plans with recommendations to the Board. If the Superintendent intends to recommend that a plan be rejected, the Superintendent shall notify the principal of the school and explain the reasons for the decision. The school improvement team may then submit a modified plan to the Superintendent. The Superintendent should submit all school improvement plans to the Board at the earliest possible date.

After review, the Board will accept or reject each school improvement plan. If a plan is rejected, the Board will explain the reason(s) for the rejection. Any plan modified by the school improvement team after being rejected by the Board must be submitted to the Superintendent for review. The Superintendent shall resubmit the modified plan to the Board with his or her recommendations as soon as is practical. The Board will review the modifications along with any recommendations from the Superintendent and accept or reject the plan.

A school improvement plan may be in effect for no more than two years. The plan must be reviewed at least annually by the school improvement team in accordance with the review process established in the school's plan. If a school does not meet its expected growth standard as established by the State Board or if more than 25% of the students performed below grade level, the principal must submit to the Superintendent and the Board a report of the school improvement team. The report must explain the reasons for the standard(s) not being met and describe any modifications that will be made in the school improvement plan. After considering any recommendations of the Superintendent, if the Board is not satisfied with the response of the school improvement team, the Board may suggest modifications to the plan or may vacate those portions of the plan that impede student performance and require the school improvement team to revise the plan.

The principal of the school shall present the proposed SIP to all of the assistant principals, instructional personnel, instructional support personnel, and teacher assistants assigned to the school building for their review and vote by secret ballot. A majority vote of the staff who voted on the plan is required to approve the plan at the school level. Once the SIP has been approved at the school level, it shall be submitted to the Board of Education for acceptance or rejection as provided by statute.

Legal References: G.S. 115C-47(38), -81, -84.2, -98, -105.21, -105.25, -105.26, -105.27, -105.32, -105.35, -105.47, -301.1; 143 art. 33C

Cross Reference: Policy 1310 Parental Involvement

*Rescinds Policy Number: IKJ**Issued: 2/28/79*

Animals may be brought into the classroom for educational purposes. However, they must be appropriately housed, humanely cared for, and properly handled. Persons bringing animals into the school should receive prior permission from the principal.

1. Teachers are to check with the school nurse regarding any known allergies existing among students in the classroom prior to granting permission. If allergies exist, parents must be contacted for further direction.
2. Teachers must assume primary responsibility for the humane proper treatment of any animal in the classroom.
3. Only the teacher or students designated by the teacher are to handle the animals.
4. If animals are to be kept in the classroom on days when classes are not in session, the teacher must make arrangements for their care and safety.
5. Teachers with questions regarding proper care, feeding, and handling of animals should contact the appropriate individual likely to have knowledge of appropriate care and treatment of animals.
6. Animals are not to be transported on school buses except when complying with Board Policy 4202 Service Animals.
7. If a staff member or student has been bitten by an animal where skin has been pierced, the incident must be reported immediately to the school office by the supervising adult. Principals are to notify public health authorities and parents, and to have the animals safely segregated from staff and students. Public health authorities will determine the appropriate term of confinement of the animal and method of observation.

Cross Reference: Policy 4202 Service Animals

*Rescinds Policy Number: EBH**Issued:*

INTRODUCTION

The facilities use policy applies when a person or entity other than the school system itself wishes to use school property. The school system's own use of school property is restricted to activities and events approved by the principal or building supervisor that are directly a part of school system programs or functions, such as a school play or athletic event, the school system's own after-school program, school-sponsored student group meetings, faculty meetings, and other events that are a direct extension of the school day. Essential elements of any such use include: 1. The use is a direct continuation of an existing school program or function; 2. Any fees charged to participants are deposited with the school itself and treated in all respects as school system funds; and 3. School system staff acting in their role as school employees, and not in any private role, participate in and supervise the school use.

The Superintendent or designee is authorized to approve facility use applications except where the approval of the Board of Education is required as set forth in this policy. Any facility rental for a period exceeding one year requires approval of the school board.

FACILITY USE CATEGORIES

The school system has first priority on the use of its property. If the use of school property is not by the school system itself, it must fall in one of the following categories, listed in priority of use:

- A. School-Related Group approved by the school system, whose sole purpose is to provide direct financial and other support to a school and when the specific school use is directly linked to its mission of supporting the school and when no fees are charged to participants who attend the event with the exception of an approved fundraiser at which the funds will be provided in full to support the school. Examples include a PTA meeting on the topic of providing teachers' extra supplies at a school and an approved booster club fundraising activity when the funds will be used solely to aid a school program. A booster club's use of a school's indoor gym for its members to play basketball or for some other activity that is not directly linked to the mission of supporting the school does not meet the criteria of this user category. Any school-related group must agree to allow the school system, upon request, to review any records of the group, including any financial records.
- B. Non-Profit Entity or Individual whose central purpose is to serve school-aged children when the specific use is directly linked to its mission of serving school-aged children and when any fees charged to participants must be nominal amounts designed to cover the entity's rental and other costs incident to the use of school property. The non-profit user must be approved by the federal government as a 501(c)3 charity. Examples include a YMCA camp for children or an AAU athletic event. As a condition of the rental, the entity must be willing to provide the school system, upon request, any records pertaining participant fees and other documents to assure the costs to participants is nominal.
- C. Other Non-Profit entities approved by the federal government as a 501(c)3 charity.
- D. All other users, including for-profit users.

EXCEPTIONS TO THE STANDARD FACILITY USE CATEGORIES AND PROCESS

The school board may enter into a joint use agreement with a governmental entity, in the best interest of the school system, on terms it deems wise. Any governmental use other than through a joint use agreement will be accorded the same status as a 501(c)3 charity for purposes of the above categories, with the understanding that the County Board of Elections may use a school free of charge for the purpose of conducting registration and voting for any primary or election. Further, political parties may use schools without charge, except custodial and utility fees, for the express purpose of annual and biennial precinct meetings and county and district conventions: provided, that such use shall not be permitted when school is in session or which would interfere with normal school activities or functions, and such use shall be subject to reasonable rules and regulations of the school board. Also, the Superintendent shall have the authority to approve the use of school facilities as alternate assembly sites for United States and North Carolina military organizations. Finally, the school board may enter into any other facility use agreement for a period of less than 10 years, on terms and condition it deems wise, provided that the board identifies a specific benefit to the school system in entering into such an agreement.

FEE SCHEDULE AND RENTAL PROCEDURES

The Superintendent shall present a facility use fee schedule to the school board by July 1 of each year. In addition, the Superintendent shall develop facility use procedures including a rental application. The Superintendent shall make these procedures readily accessible to the public.

Legal References: Community Schools Act NC GS 115C, Article 13; GS 115C-203 through 115C-209.1, GS 115C-524(b), GS 160A-272, GS 160A-274, GS 12, GS 163-96, GS 163-99, GS 163-129

PROFESSIONAL AND STAFF DEVELOPMENT

Date Reviewed/Approved: 04/18/2011 Policy Number: 7800

Rescinds Policy Number:

Issued: 12/02/1996, 06/21/2004, 12/03/2007

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

A. PROFESSIONAL AND STAFF DEVELOPMENT

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

Professional and staff development must be provided, at the system or school level, on the effective delivery of the required curriculum. In addition, as required by Policy 3220, Technology in the Educational Program, the Superintendent shall plan and provide a program of technology-related professional development to prepare the instructional staff to integrate technology into the student learning process and to address other relevant issues related to the use of digital tools and resources in the instructional program.

B. SELF-IMPROVEMENT

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

C. PLANS FOR GROWTH AND IMPROVEMENT

Supervisors and principals also may require licensed employees to enter into plans, including mandatory improvement plans established by state law and individual, monitored and/or directed growth plans established by the State Board of Education, for professional growth and improving performance. (See Policy 7810, Evaluations and Improvement Plans.) A performance improvement plan could involve participation in a professional development program or encompass a variety of strategies that are related to professional growth or improving performance.

Legal References: Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 et seq., 34 C.F.R. pt. 106; G.S. 115C-333, -333.1; State Board of Education Policy TCP-C-004

Cross References: Policy 3220 Technology in the Educational Program; Policy 7810 Evaluations and Improvement Plans

Adopted:

**SELECTION OF
ARCHITECTS,
ENGINEERS, SURVEYORS
AND CONSTRUCTION
MANAGERS AT RISK**

Date Reviewed/Approved: 04/19/2004 Policy Number: 9110

Rescinds Policy Number: FEAB, FEAB-R

Issued: 09/01/1979

Announcement:

A description of the proposed project and required services shall be developed by the school system and announced prior to the selection of architects, engineers, surveyors and construction managers at risk in accordance with G.S. 143-64.31. The announcement shall request the submission of a resume of qualifications and services from interested firms by a specified date.

Selections/Negotiation:

1. A request for proposals (RFP) with a specific scope of work, performance expectations and proposal deadline shall be issued.
2. A committee of no fewer than three and generally no more than five shall be selected by the Superintendent to review the RFP responses and rate each on a set of pre-determined criteria identified by the Superintendent or his designee.
3. Based on this evaluation, the committee shall interview at least the three top rated firms and rate each interviewee according to a process similar to that articulated in #2 above, arriving at a 1-2-3 ranking of firms.
4. The highest rated firm shall be submitted to the Board or Superintendent for approval in accordance with Policy 8705.
The Superintendent or his designee shall attempt to negotiate an acceptable contract with the selected firm. In the event a contract cannot be negotiated with the selected firm, the Superintendent shall begin negotiations with the next highest rated firm chosen by the Board or Superintendent.
5. The negotiation and selection process may be continued until an acceptable contract is reached with a firm.
6. The Board or Superintendent has the right to reject all responses to the RFP at any time for any reason believed to be in the best interest of the school system.

Legal References: G.S. 133, arts. 1 and 3; 143-64.31, -64.32

Cross References: 8705: Contract Administration

SELECTION OF ARCHITECT PROCEDURES

Date Reviewed/Approved: 04/19/2004 Policy Number: 9110

Rescinds Policy Number: FEAB-R

Issued: 09/01/1979

The educational specifications of a proposed project will be developed prior to the time that the services of an architectural firm are sought. At such time that an architectural firm is to be selected; the following procedure will be followed.

Announcement:

A description of the proposed project and required services shall be developed by the school system and published in one or more newspapers of general circulation throughout the state. The publication shall request the submission of a resume of qualifications and service by a specified date from interested architectural and/or engineering firms.

Conferences:

Following the receipt of resumes of qualifications, the Superintendent shall hold conferences with at least three firms submitting resumes. The purpose of the conferences shall be to provide such further information as may be required by the Superintendent to become fully acquainted with the relative qualifications of the several interested firms.

Selections:

After reviewing and evaluating qualifications, the Superintendent shall select the three, which, in his/her judgment, are the most qualified, ranking the three in priority order. The Superintendent shall submit all pertinent information on the three firms selected for review by the Board. The Superintendent shall consider the ability of professional personnel, past performance, willingness to meet time and budget requirements, location, recent, current and projected work loads of the firm, and the volume of work previously awarded to the firm by the school system with the object of effecting an equitable distribution of contracts among qualified firms, providing, however, that such distribution does not violate the principle of selection of the most highly qualified firms.

Negotiations:

The Board shall negotiate a contract for services with the most qualified firm at a compensation, which it determines is fair and reasonable to the school system. Should the Board be unable to negotiate a satisfactory contract with this firm, negotiation shall be formally terminated. The Board shall then negotiate in the same manner with the second and then third most qualified firms until a satisfactory contract has been negotiated. If no agreement is reached with the three firms, additional firms in order of their competence and qualifications shall be selected and negotiations continued in the same manner until agreement is reached.