

**ORANGE COUNTY  
BOARD OF EDUCATION**

**AGENDA ITEM ABSTRACT**

**Meeting Date:** January 28, 2013

**AGENDA ITEM No.** 13-01-(2)-07

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

**SUBJECT:** Board Policy Subcommittee Recommendations – 2<sup>nd</sup> Reading Approvals

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

**ATTACHMENTS:**

1. Fee-Based Coaching Services for Current Athletes Policy #7770 (New)
2. Limited Claim Settlement Policy #8341 (New)
3. Graduation Requirements Policy #3460 (Revised)
4. Parent Organizations Policy #5010 (Revised)
5. Parent Organizations Policy #8435 (for Deletion)
6. Service Animals Policy #4202/5029/7272 (New)

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**PURPOSE:** The purpose of this item is to provide the Board an opportunity to approve new and revised policies on 2<sup>nd</sup> Reading Approval.

**BACKGROUND:** On February 20, 2012, the Board of Education established a policy subcommittee. The most recent meeting of the subcommittee was held on December 17, 2012. Members of the subcommittee, Donna Coffey, Brenda Stephens and Debbie Piscitelli, presented recommendations to the full board at the January 14, 2013 board meeting. The following policies were approved for 1<sup>st</sup> Reading Approval:

1. Fee-Based Coaching Services for Current Athletes Policy #7770 (New)
2. Limited Claim Settlement Policy #8341 (New)
3. Graduation Requirements Policy #3460 (Revised)
4. Parent Organizations Policy #5010 (Revised)
5. Service Animals Policy #4202/5029/7272 (New)

These policies are being brought back to the board for 2<sup>nd</sup> Reading Approval. In addition, Parent Organizations Policy #8435 is being recommended for deletion. This policy is a duplicate of Policy #5010.

**FINANCIAL IMPACT:** Graduation Requirements Policy #3460 - costs include the purchase of compression tools to assist in teaching the CPR curriculum. Compression tool costs are \$1,998.48.

**RECOMMENDATION:** The Superintendent recommends the Board approve the following:

1. Fee Based Coaching Services for Current Athletes Policy #7770 – 2<sup>nd</sup> Reading Approval
2. Limited Claim Settlement Policy #8341 – 2<sup>nd</sup> Reading Approval
3. Graduation Requirements Policy #3460 – 2<sup>nd</sup> Reading Approval
4. Parent Organizations Policy #5010 – 2<sup>nd</sup> Reading Approval
5. Parent Organizations Policy #8435 – Deletion
6. Service Animals Policy #4202/5029/7272 – 2<sup>nd</sup> Reading Approval

**FEE-BASED COACHING  
SERVICES FOR CURRENT  
ATHLETES**

*Date Reviewed/Approved:*

*Policy Number: 7770*

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*Rescinds Policy Number:*

*Issued:*

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To assure all student athletes freedom from pressure to participate in any fee-based athletic programs and to assist coaches in avoiding any potential conflicts of interest, all staff members who serve as high school or middle school coaches are prohibited from:

- 1) recruiting student athletes to join or participate in any fee-based athletic program at which the coach serves in any paid capacity, regardless of the specific athletic focus of the program;
- 2) making participation in any fee-based athletic program a requirement for, or condition of, participation on any school athletic team;
- 3) giving preferential treatment to student athletes with team membership, increased playing time, or otherwise based solely on their participation in a fee-based athletic program; and
- 4) coaching one or more of the same student athletes in both a school athletic program and in any paid capacity in a fee-based athletic program during the same athletic season, except with the approval of the Superintendent with notice to the Board, in instances where the application of this rule would preclude the school system from being able to hire a qualified coach. This provision does not prevent a coach from coaching students during an athletic season and coaching the same students as a part of an Orange County School system athletic camp.

As used in this policy, "recruiting" does not include merely providing information about the availability of non-school system programs or camps.

**LIMITED CLAIM  
SETTLEMENT**

*Date Reviewed/Approved:*

*Policy Number: 8341*

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*Rescinds Policy Number:*

*Issued:*

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**A. APPLICABILITY TO CERTAIN CLAIMS**

On occasion, the board of education is presented with claims against the board from students, parents or other citizens for injuries to person or property sustained while on a board property or at a school-sponsored event. The board adopts this policy in order that it may consider and process all such claims in a fair and equitable manner, taking into consideration the economic resources available to the board.

The board will only consider claims under this policy when the applicable insurance agreement and/or coverage agreement, if any, does not provide for the consideration, settlement and/or adjustment of claims prior to legal action being filed by the claimant in a court of competent jurisdiction. Upon the filing of a complaint, the board will immediately refer all claims to the appropriate insurance company or coverage provider for appropriate action.

**B. PROCEDURE FOR FILING CLAIM**

All claims shall be made to the superintendent in writing and shall include a detailed account of how the injury occurred, whether board employees were involved, and the amount of damages suffered by the claimant. The claimant should include all supporting documentation and any other information he or she believes is relevant. The superintendent or designee shall investigate the incident and, if necessary, provide supplemental information to the board.

After receiving the claim, the board, in consultation with its attorney, will determine whether to pay the claim, deny the claim or make an offer to settle the claim.

**C. SETTLEMENT**

In determining whether to settle a claim prior to the filing of a legal action, the board will consider the factors listed below. Before any final decision is reached, the board attorney shall ensure that these factors were considered by the board in arriving at its final decision.

1. Whether there is a reasonable possibility that the potential defense costs to be paid by the board, including an estimate of personnel time and school system resources, will exceed the amount for which the case can be settled.
2. The extent to which an employee's actions or omissions may have caused, or contributed to, an injury.
3. Whether an employee intentionally caused an injury.
4. Whether there are any affirmative defenses available to the board in the event of litigation. However, the board shall not assert or consider the availability of Sovereign/Governmental Immunity for any pre-litigation claim.
5. Whether the demand is within the retention or deductible level for monetary payments pursuant to any applicable insurance or coverage agreement.

Each claim will be evaluated based upon the specific circumstances. All factors need not be given equal weight, and no one factor shall be controlling.

The payment of any claim shall be subject to the claimant's execution of a full release of liability in favor of the board, its employees and its agents. The release shall be on a form approved by the board attorney.

By considering whether to settle a claim, the board does not waive any affirmative defenses available to it or its employees, including but not limited to the defenses of governmental, sovereign, qualified or public official immunity, or contributory negligence. The board may assert these defenses should the claimant choose to file a lawsuit.

Legal References: *Dobrowolska v. City of Greensboro*, 138 N.C. App. 1 (2000)

Cross References:

Adopted:

# GRADUATION REQUIREMENTS

Date Reviewed/Approved:

Policy Number: 3460

Rescinds Policy Number: 3460

Issued: 12/6/2004, 3/6/2006, 9/18/2006, 6/4/2007,  
5/5/2008, 02/02/2009, 09/08/2009, 05/02/2011,  
02/06/12

The board recognizes the importance of setting rigorous graduation requirements in order to help ensure that students are receiving an education that will prepare them for life and work in the 21<sup>st</sup> century.

In order to graduate from high school, students must meet the following requirements:

1. successful completion of all course unit requirements mandated by the State Board of Education;
2. beginning with the graduating class of 2014-2015, successful completion of cardiopulmonary resuscitation instruction;  
and
3. successful completion of all other requirements mandated by the board, as provided in this policy.

## STATE REQUIREMENTS

### Ninth Grade Class of 2012-2013

In order to graduate from a North Carolina public high school, students entering the ninth grade for the first time in 2012-2013 and beyond will be required to meet new exit standards and complete all requirements in order to obtain a high school diploma. Students will also be required to take three End-of-Course (EOC) assessments. The three required EOC courses are Common Core Math I, Biology, and English II.

SUBJECT AREA UNITS	COURSES
4 Mathematics Units  Students seeking to complete minimum application requirements for UNC universities must complete four mathematics courses, including a course with Algebra II as a pre-requisite.	Common Core Math I (formerly called Algebra I), Common Core Geometry, Common Core Algebra II  AND  A 4 <sup>th</sup> math course aligned with the student's post high school plans
4 English Units	English I, II, III, IV
4 Social Studies Units	World History American History I American History II Civics and Economics
3 Science Units	Biology An earth/environmental science A physical science
1 Physical Education Unit	Health/Physical Education
Elective Units 12 Units The State requires at least 6 elective units.	Two electives being any combination of Career & Technical Education, Arts Education, or World Languages.  Students seeking to complete minimum application requirements for UNC universities must complete two years of a World Language.

<p><b>*Remaining electives determined by student choice</b></p>	<p><b>Plus Four elective units in a cluster pathway.</b>  Students will complete a four-course cluster pathway focused on student interests and postsecondary goals through a rigorous, in-depth and linked study. In the Orange County Schools, clusters are available to students in the Humanities, World Languages, STEM (science, technology, engineering, and mathematics), Career and Technical Education, Health and Fitness, and International Baccalaureate (IB). Note: The course clusters could also include a student's community college concurrent enrollment through the Career and College Promise.</p> <p>Students seeking to complete minimum application requirements for UNC universities must complete two years of a world language.</p> <p><b>Plus Six elective units of choice</b></p>
<p><b>TOTAL UNITS 28</b></p>	

### Ninth Grade Class of 2009-2010

#### Future-Ready Core Curriculum Graduation Requirements (27 credits required)

Effective with the class entering the ninth grade for the first time in the 2009-2010 school year (Class of 2013), the following units will be required for graduation under the Future-Ready Core. The Occupational Course of study is available for eligible students.

SUBJECT AREA UNITS	COURSES
<p>4 Mathematics Units</p> <p>Students seeking to complete minimum application requirements for UNC universities must complete four mathematics courses, including a course with Algebra II as a pre-requisite.</p>	<p>Algebra I, Geometry, Algebra II  AND  A 4<sup>th</sup> math course aligned with the student's post high school plans  Exemptions  In the rare instance a principal exempts a student from the Future-Ready Core mathematics sequence, except as limited by N.C.G.S. 115C-81(b), the student will be required to pass:  Algebra I and Geometry plus either Applied Mathematics I and Applied Mathematics II or two application-based mathematics courses as determined by the LEA.*  OR  Algebra I and Algebra II plus either Applied Mathematics I and Applied Mathematics II or two application-based mathematics courses as determined by the LEA.</p>
<p>4 English Units</p>	<p>English I, II, III, IV or  English I, II, III, AP English</p>
<p>3 Social Studies Units</p>	<p>World History  US History  Civics and Economics</p>
<p>3 Science Units</p>	<p>Biology  An earth/environmental science  A physical science</p>
<p>1 Physical Education Unit</p>	<p>Health/Physical Education</p>
<p>Elective Units  12 Units  The State requires at least 6 elective units.</p> <p>*Remaining electives determined by student choice</p>	<p>Two electives being any combination of Career &amp; Technical Education, Arts Education, or World Languages and four elective units in a course cluster.</p> <p>Students will complete a four-course cluster focused on student interests and postsecondary goals through a rigorous, in-depth and linked study. In the Orange County Schools, clusters are available to students in the Humanities, World Languages, STEM (science, technology, engineering,</p>

	and mathematics), Career and Technical Education, Health and Fitness, and International Baccalaureate (IB). Note: The course clusters could also include student's community college concurrent enrollment, Learn and Earn, and university dual enrollment.**  Students seeking to complete minimum application requirements for UNC universities must complete two years of a world language.
TOTAL UNITS 27	

\* Exemptions to the mathematics requirement for a particular student require a recommendation and/or request from the parent or school personnel. In that rare instance, the principal will initiate the process of review and consideration of the request through a two-tiered committee process, one at the school level (for review of student information) and one at the district level (for review and decision making) with recommendations being made to the principal for final review and a decision.

\*\* Students can tailor their course cluster to fit their interests and goals while building a strong academic foundation. Under the six total elective units required for graduation, four elective credits (a four course cluster) will be taken from one of the following areas of focus: Career and Technical Education, Arts Education or other designated subject areas (e.g. mathematics, science). The remaining two electives must be any combination from Career and Technical Education, Arts Education or World Languages.

For some students identified as Exceptional Children, the Occupational Course of Study will remain an option. These students should have the Occupational Course of Study identified in their Individualized Education Program.

### LOCAL BOARD REQUIREMENTS

Students also are required to meet all graduation requirements of this board. A student must earn the following credits in order to graduate:

Ninth Grade Classes of 2009-2010/2010-2011/2011-2012 27 Credits

Ninth Grade Class of 2012-2013 and beyond 28 credits

#### High School Promotion Standards

Effective with the Freshman Class of 2006:

For classification as a sophomore, a student must have earned 6 credits.

For classification as a junior, a student must have earned 12 credits.

For classification as a senior, a student must have earned 20 credits.

#### Final Examinations

- All high school exams will count 25% of the final grade.
- Exam Exemption: Only seniors with six or fewer absences and an 'A' average will be exempt from exams.  
**Note: No student may be exempt from a state end-of-course exam.**

However, students following the Occupational Course of Study are required to meet a different set of exit standards as outlined in State Board of Education policy HSP-N-004 (16 NCAC 6D.0503).

The principal is responsible for ensuring that parents and students are aware of all graduation requirements. The guidance program should assist students in planning their high school courses to help ensure that students are taking all of the required units and selecting electives consistent with their post-graduate plans. For students who have transferred to the school district during high school, or for other reasons have completed course work outside of the school district, the principal will determine what course work will be applied as credit for graduation.

### **SPECIAL CIRCUMSTANCES**

The board adopts the following policies to address special circumstances regarding graduation:

#### **1. Honor Graduates**

- Honor graduates may be designated by the principals on the basis of criteria established by the superintendent. Recognition of honor graduates shall be included in graduation programs.
- Calculations for Valedictorian and Salutatorian Honors will be computed after final exams just prior to graduation.

#### **2. Early Graduation**

- The Board supports the right to meet graduation requirements in fewer than the standard four years when specific criteria are met. Allowing early graduation recognizes student differences and fosters self-motivation. Decisions related to early graduation require considerable planning and must be initiated in a timely manner. The student must meet the following criteria:
  1. Written notification of intent to graduate early must be submitted to the building level principal no later than the first five (5) days of the academic year the student wishes to be awarded a diploma. Earlier notification is preferred.
  2. A transcript reflecting the completion of prerequisite courses and sufficient number of units must be presented to the principal.
  3. Passing scores on all End-of-Course Tests as designated by the NC State Board of Education.
  4. Parental approval.

After receiving student intent to graduate early within the first five days of the academic year, the principal will certify student eligibility and make appropriate scheduling changes if needed. Early graduation allows the student to participate in any activities related to graduation, i.e. awards programs and graduation ceremonies.

#### **3. General Diploma Requirements**

- Students who meet specific criteria and have the approval of a school-level team, the principal and the superintendent or designee may participate in a General diploma program.
- Students who entered the ninth grade prior to 2012-2013, may graduate with a General Diploma. A student must meet the North Carolina High School Exit Requirements and have earned a minimum of 21 units, including the following:

English I, II, III, and IV	4
Mathematics (including Algebra I and Geometry or Algebra II)	4
Science (Biology, 1 unit of physical science, and 1 unit of an environmental science)	3
Social Studies (U.S. History, civics and economics, and World History)	3
Health and Physical Education	1
Elective Concentration	4
Other Electives	2
<b>Total</b>	<b>21</b>



Beginning with the graduating class of 2014-2015, successful completion of cardiopulmonary resuscitation instruction is a graduation requirement which will be completed through the Health/Physical Education course.

Beginning with the Ninth Grade Class of 2012-2013, to graduate from Orange County Schools with a General Diploma, a student must have earned a minimum of 22 units.

English I, II, III, and IV	4
Mathematics (including Common Core Math I (formerly called Algebra I), and Common Core Geometry or Common Core Algebra II)	4
Science (Biology, 1 unit of physical science, and 1 unit of an environmental science)	3
Social Studies (World History, American History I, American History II, Civics and Economics)	4
Health and Physical Education	1
Elective Concentration	4
Other Electives	2
<b>Total</b>	<b>22</b>

Beginning with the graduating class of 2014-2015, successful completion of cardiopulmonary resuscitation instruction is a graduation requirement which will be completed through the Health/Physical Education course.

The superintendent or designee shall develop procedures to govern the administration of the General Diploma.

#### 4. Graduation Certificate

The Board of Education shall award a Graduation Certificate to a student who does not earn a high school diploma and shall allow the student to participate in graduation exercises, provided:

- 1) The student has been identified as a "child with a disability" as defined by G.S. 115C-106.3(1); and the student has satisfied all state and local graduation requirements other than the proficiency standards as defined in HSP-N-000 (Student Accountability Standards); or
- 2) The student has been enrolled in the Occupational Course of Study; and the student has passed all the requirements of the Occupational Course of Study other than the 360 hours of competitive employment and the student has passed all state and local graduation requirements other than the standards for proficiency specified in HSP-N-000; or
- 3) Any other student that has satisfied all state and local graduation requirements other than the proficiency standards as defined in HSP-N-000.

Legal References: G.S. 115C-47, -81, -174.11, -276, -288; -407.5, State Board of Education Policies GCS-C-003, GCS-003, GCS-C-031, GCS-N series

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*Rescinds Policy Number:*

*Issued: 08/16/2004, 03/05/2007*

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## **PRINCIPLES**

The board encourages the development and participation of parent organizations that support the goals of the board and the schools. The board also supports parent organizations as an effective means of actively involving parents in the schools. The superintendent and school officials are expected to educate such organizations on the goals of the board and individual schools, especially as it relates to improving student success. The superintendent and school officials also are expected to help such organizations in identifying opportunities to assist the schools in meeting these goals.

## **CONDITIONS FOR ESTABLISHING PARENT ORGANIZATIONS**

Parent organizations, including PTAs, PTOs and booster clubs, are not considered a part of the school district. However, because the organizations and their activities reflect upon the school district, all parent organizations must accept the following conditions in order to operate on behalf of the schools.

- All parent organizations must provide the superintendent or designee with a document describing the purpose of the organization and the general rules and procedures by which it will operate. Any modifications also must be shared in writing with the superintendent. All parent organizations must file a copy of their current bylaws and their federal identification number with the superintendent.
- Parent organizations must obtain prior approval from the principal for (1) any fund-raising event, (2) any purchase for the school, (3) any function involving the participation of students, or (4) any event which is likely to reflect upon the school or school district.
- Parent organizations are responsible for maintaining their own financial records. Employees of the school are not permitted to routinely manage the affairs of parent organizations during the workday. Funds of parent organizations shall be accounted for in a manner which will ensure a complete record of all receipts and disbursements.
- Parent organizations are expected to take into account the cultural diversity and economic differences of students and parents in planning various functions.

The superintendent will approve the establishment of parent organizations. Parent organizations that, after assistance from school officials, are unable to meet board policies will be disapproved by the superintendent and all activities of the parent organization shall cease until such time as in compliance with board policies and approved by the superintendent.

Any item that a parent organization proposes to contribute to the school must meet all legal requirements, including safety codes. Before accepting any such donation, the principal must ensure that funding is available to install and maintain all donated equipment, such as playground equipment, in compliance with all safety requirements. All items donated become the property of the school district. While the intent of the donation will be considered, the school district reserves the right to modify the use if the needs of the students or the school district change.

**FUNDS MANAGEMENT**

Parent organizations which engage in public fund-raising activities in the name of the school or for the purpose of supporting school programs and extracurricular activities must be properly accountable to the public which contributes to such efforts and the school. All parent organizations must accept the following rules and procedures as they relate to funds management in order to operate on behalf of the schools.

- Bank accounts should reflect the official name of the parent organization and carry the tax ID number of the organization. The school system's tax ID number cannot be used on a parent organization's bank accounts or financial documents.
- Bank accounts and charge accounts, if any, of the parent organization must be established in such a manner that the bank or business extending credit understands that neither the school nor the school system has any financial responsibility for the payment of any obligations incurred by the parent organization on the account.
- The parent organization treasurer shall handle and be responsible for all organization funds.
- The signature of the organization treasurer and the signature of either the organization president or vice-president shall be required on all checks. The use of debit cards is prohibited.
- Parent organization funds shall be deposited only in an account maintained by the organization. Organization funds shall not be deposited in an account maintained by the school or school system unless such funds are a repayment of funds advanced by the school system.
- Parent organization funds shall be used only for the purposes consistent with the general rules and procedures of the parent organization.
- The parent organization shall maintain adequate financial records including all sales slips, receipts, invoices and/or any other documentation of expenditures by the organization. Records shall be accessible to parents/guardians and school officials on request.
- The parent organization bank records should be reconciled by the treasurer no less than one time during each three month period the organization exists. The reconciled bank records should then be reviewed by the organization president.
- Each year, all parent organization treasurers and presidents are required to attend a basic fiscal management training session provided by the school system. Parent organizations will also receive a Fiscal Management Procedure Manual.
- Orange County Schools reserves the right to have its finance department audit or review the financial books and records of the parent organization at any time and for any reason.

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

This policy duplicates board policy #5010 and is being recommended for deletion.

## **PARENT ORGANIZATIONS**

*Date Approved: 11/17/2004*

*Policy Number: 8435*

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*Rescinds Policy Number: LEC, LEC-R*

*Issued: 11/02/1987*

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### **PRINCIPLES**

The board encourages the development and participation of parent organizations that support the goals of the board and the schools. The board also supports parent organizations as an effective means of actively involving parents in the schools. The superintendent and school officials are expected to educate such organizations on the goals of the board and individual schools, especially as it relates to improving student success. The superintendent and school officials also are expected to help such organizations in identifying opportunities to assist the schools in meeting these goals.

### **CONDITIONS FOR ESTABLISHING PARENT ORGANIZATIONS**

Parent organizations, including PTAs, PTOs and booster clubs, are not considered a part of the school district. However, because the organizations and their activities reflect upon the school district, all parent organizations must accept the following conditions in order to operate on behalf of the schools.

1. All parent organizations must provide the superintendent with a document describing the purpose of the organization and the general rules and procedures by which it will operate. Any modifications also must be shared in writing with the superintendent.
2. Parent organizations must obtain prior approval from the principal for (1) any fund-raising event, (2) any purchase for the school, (3) any function involving the participation of students, or (4) any event likely to reflect upon the school or school district.
3. Parent organizations are responsible for maintaining their own financial records. Employees of the school are not permitted to routinely manage the affairs of parent organizations during the workday.
4. Parent organizations are expected to take into account the cultural diversity and economic differences of students and parents in planning various functions.

The superintendent will approve the establishment of parent organizations. Parent organizations that, after assistance from school officials, are unable to meet board policies will be disapproved by the superintendent.

### **DONATIONS TO THE SCHOOL OR SCHOOL DISTRICT**

Any item that a parent organization proposes to contribute to the school must meet all legal requirements, including safety codes. Before accepting any such donation, the principal must ensure that funding is available to install and maintain all donated equipment, such as playground equipment, in compliance with all safety requirements. All items donated become the property of the school district. While the intent of the donation will be considered, the school district reserves the right to modify the use if the needs of the students or the school district change.

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

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*Rescinds Policy Number:**Issued:*

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**1. INTRODUCTION**

The Orange County Schools will make reasonable accommodations for qualified persons with disabilities in accordance with state and federal law and applicable board policies. A qualifying individual with a disability is eligible to be accompanied by his or her service animal on school system property when required by law, subject to the conditions of this policy. The superintendent shall establish any necessary administrative regulations for the use of service animals on school system property in accordance with this policy.

**2. DEFINITION OF SERVICE ANIMAL**

This policy applies to any dog or, in limited circumstances, a miniature horse individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, fetching dropped items, or other tasks that are directly related to the individual's disability or necessary to mitigate a disability. No other type of service animal will be permitted. Animals whose sole function is to provide emotional support, comfort, therapy, companionship or therapeutic benefits, to promote emotional well-being or to act as a deterrent to crime are not service animals. An animal must meet this definition to be considered a service animal for purposes of this policy, regardless of whether it has or has not been licensed or certified by a state or local government, or by a private agency.

**3. USE OF SERVICE ANIMALS BY VISITORS ON SCHOOL GROUNDS OR AT SCHOOL-SPONSORED EVENTS**

The Orange County Schools adheres to the Americans with Disabilities Act and state laws permitting the use of service animals by individuals with disabilities. When not readily apparent, school officials may inquire as to whether the animal is required because of a disability and what work or task the animal has been trained to perform. School visitors shall not be asked about the nature or extent of their disability or for proof of a service animal's training.

**4. PROCEDURES/REQUIREMENTS FOR USE OF A SERVICE ANIMAL BY STUDENTS OR STAFF**

Use of service animals by staff or students with a disability is subject to the following procedures and requirements:

**A. Application.**

1. Applications for the use of service animals on school system property during the school day must be in writing and submitted no less than ten (10) business days prior to the proposed use of the service animal. Applications for use of a service animal by an employee shall be submitted to the Assistant Superintendent for Human Resources. Applications for use of a service animal by a student shall be submitted to the Chief Academic Officer. All such applications must state whether the animal is required because of a disability and must identify what work or task the animal is trained to perform that is directly related to the individual's disability. A service animal will not be permitted on school system property without the prior approval of the Superintendent or his/her designee.

2. All applications for use of a service animal on school system property will be considered on a case-by-case basis. Approval of the use of a service animal on school system property is subject to periodic review, revision or revocation by the school district. At a minimum, requests for the use of a service animal must be renewed annually, prior to the start of each subsequent school year. In addition, the request must be renewed whenever the student changes schools or the employee changes his/her place of assignment, or when the individual accompanied by the service animal desires to use a different service animal.

**B. Use of Service Animal by Student or Employee.**

1. Service animals must be housebroken; must wear proper identification; must have received all vaccinations as required by state law; must wear a rabies tag; must be free of parasites and otherwise in good health; must be under the control of its handler; and must be on a harness, leash or other tether, unless the service animal is required to perform a task that it could not accomplish while on a leash/lead or the handler is otherwise unable to maintain the animal on a leash/lead due to a disability. In such a case, the handler still must be able to maintain control over the animal.
2. All costs related to the handling and care of the service animal are the responsibility of the parent/guardian of the student or the staff member who uses the service animal.
3. The school system is not responsible for the care or supervision of a service animal, including walking the animal or responding to the animal's need to relieve itself. A student or employee with a service animal is expected to care for and supervise the animal. In the case of a young child or a student with disabilities who is unable to care for or supervise his service animal, the parent is responsible for providing care and supervision to the service animal.
4. The use of a service animal on school system property by a student or employee will be subject to a plan which introduces the service animal to the school environment, any appropriate training for staff and students regarding interaction with the service animal, and other activities or conditions deemed necessary by the Orange County Schools.
5. Service animals may be permitted on school district transportation vehicles if necessary to access educational services and programs and if consistent with safety requirements. Requests for transportation will be considered on an individual basis and may include review by the student's IEP team and/or Section 504 team, if appropriate. A representative of the Transportation Department may meet with the animal's owner to determine whether and under what conditions the service animal can be transported safely.

**5. REMOVAL OF SERVICE ANIMAL FROM DISTRICT PROPERTY**

Any animal that causes injury to staff or students or that behaves aggressively will be immediately isolated and removed from the school premises. In addition, school system representatives retain the discretion of removing or excluding a service animal for any of the following reasons:

1. the animal is out of control and/or the animal's handler does not effectively control the animal's behavior;
2. the animal is not housebroken;

**6. LIABILITY**

The owner or handler of a service animal may be liable for any damage to school system or personal property to the same extent required by other board policy or regulations that impose liability for property damage. The owner or handler of a service animal may also be liable for any physical damage or injuries caused by the service animal. The student and parent/guardian of a student who uses a service animal on school system property will hold the Orange County Board of Education harmless and indemnify the Board from any such damages.

**7. APPEALS**

Decisions regarding the use of service animals may be appealed through the process identified in Policy 1740, Student and Parent Grievances, and Policy 7220, Employee Complaints and Grievances.

**ADOPTED:**

**LEGAL REF:** Americans with Disabilities Act, 42 U.S.C. 12131; 28 C.F.R. Part 35; N.C. Gen. Stat. 168-4.2.

**ORANGE COUNTY SCHOOLS  
REQUEST FOR USE OF SERVICE ANIMAL**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner of animal

\_\_\_\_\_  
Student or Staff member requesting permission to utilize service animal on OCS property

\_\_\_\_\_  
School or other OCS facility

\_\_\_\_\_  
Name of Service Animal

\_\_\_\_\_  
Name of handler:

Identify and describe the need for the service animal as it relates to the student's/staff member's disability and describe the manner in which the service animal will meet the student/staff member's particular need(s) (Attach additional sheet if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Documentation attached that the Service Animal is:

- Properly and currently vaccinated
- Letter from physician is attached, if applicable

\_\_\_\_\_  
Signature of parent/guardian or employee

Employee requests shall be submitted to the Human Resources Office; Student requests shall be submitted to the Chief Academic Officer

Requests for use of a service animal must be renewed annually, prior to the start of each subsequent school year. In addition, the request must be renewed whenever the student changes schools or the employee changes his/her place of assignment, or when the individual accompanied by the service animal desires to use a different service animal.



**APPENDIX**

**SCHOOL DISTRICT  
SERVICE ANIMAL REGISTRATION/AGREEMENT**

\_\_\_\_\_  
Owner of animal

\_\_\_\_\_  
Student or Staff member receiving assistance from animal

Type of Service Animal:

Dog       Other: \_\_\_\_\_  
Name of Animal

I have read and understand the School District's Service Animals procedure. I will abide by the terms of this procedure.

I understand that if my Service Animal is: out of control and/or the animal's handler does not effectively control the animal's behavior; not housebroken or the animal's presence or behavior fundamentally interferes in the functions of the School District; or, poses a direct threat to the health or safety of others that cannot be eliminated by reasonable modifications, the School District has the discretion to exclude or remove my Service Animal from its property.

I agree to be responsible for any and all damage to School District property, personal property, and any injuries to individuals caused by my Service Animal. I agree to indemnify, defend and hold harmless Orange County Board of Education from and against any and all claims, actions, suits, judgments and demands brought by any party arising on account of, or in connection with, any activity of or damage caused by my Service Animal.

\_\_\_\_\_  
Signature: Service Animal Owner      Date: \_\_\_\_\_

\_\_\_\_\_  
Signature: Assistant Superintendent/Chief Academic Officer      Date: \_\_\_\_\_

Note: This Registration/Agreement is valid until the end of the current school year. It must be renewed prior to the start of each subsequent school year, whenever the student changes schools or the employee changes his/her place of assignment, or when the individual accompanied by the service animal desires to use a different service animal.