441 Page Street • P.O. Box 427
Troy, North Carolina 27371-0427
PHONE: (910) 576-6511 • FAX: (910) 576-2044

TO: Board of Education

FROM: Tracy Grit

DATE: June 5, 2023

SUBJ: Agenda Items- Policies for First Read

Attached you will find the proposed Policy Codes for your consideration.

- Policy 1610-Professional and Staff Development
- Policy 3101-Dual Enrollment
- Policy 4023/7233-Pregnant and Parenting Students and Employees
- Policy 4310-Integrity and Civility
- Policy 5008-Automated Phones
- Policy 5040-News Media Relations
- Policy 6315-Drivers
- Policy 6330-Insurance for Student Transportation Services
- Policy 6402-Participation by Historically Underutilized Businesses
- Policy 6430-Purchasing Requirements for Equipment, Materials & Supplies
- Policy 7810-Evaluation of Licensed Employees
- Policy 7815-Evaluation of Non-Licensed Employees
- Policy 4130-Discretionary Admission
- Policy 4155-Assignment to Classes
- Policy 4334/5035/7341-Use of Unmanned Aircraft
- Policy 5028/6130/7267-Automated Electronic Defibrillator
- Policy 6140-Organization of the Purchasing Function
- Policy 7340-Employee Dress and Appearance
- Policy 7650-Employee Travel and Other Expense Reimbursement

441 Page Street • P.O. Box 427
Troy, North Carolina 27371-0427
PHONE: (910) 576-6511 • FAX: (910) 576-2044

June 5, 2023

RE: First Read
Montgomery County School Board Policy

The following 19 policies represent the School Boards Association's spring policy revision recommendations. The policies range from those that are recommended by the school boards association to those representing updates from the NC General Statutes to updates required by Fair Labor Standards Act and the Federal Aviation Administration.

Policy #	Name	Required/Not Req	Explanation
1610	Professional and Staff Development	Strongly Recommended	General Statute
	This policy did not change in structure, only the addition of the updated General Statue		
3101	Dual Enrollment	Strongly Recommended	School Boards Association
	This policy change, found in the last paragraph of Section A, explains the board will implement a Career and College Promise Agreement. This is not new for Montgomery County as established such agreements with MCC years ago.		
4023/7233	Pregnant and Parenting Students and Employees	Strongly Recommended	Fair Labor Standards
	This policy updates language on discrimination based on pregnancy. It also adds reasonable accommodation for pregnant and nursing mothers that are students and employees.		
4310	Integrity and Civility	Recommended	School Boards Association
	This policy update includes an update to item #2. Plagiarism, to include the use of Artificial Intelligence to produce work.		

Policy #	Name	Required/Not Req	Explanation
5008	Automated Phone	Recommended	Telephone Customer Act

This is a significant update to the current policy to include updates to the Telephone Customer Act and notification of parents via mobile phone. Section A updates the definition of text and prerecorded messaging with allowable uses. Section B increases notification standards when using artificial pre-recorded messages to require the name of the school and phone number in the call-out. Finally, parents that decline the call will require other messaging for non-emergency updates. Currently, the system is designed to send email; updates are often posted to social media and will not require additional work for our staff.

5040	News Media Relations	Recommended	School Boards Association

This policy update is in place to better align with policy 2220 to include an official news media spokesperson for the school system to be the school board chair, superintendent, or designee.

6315	Drivers	Strongly Recommended	School Boards Association

This policy updates minor language throughout the policy and explicitly adds item 11 about employees promptly reporting any accidents.

6330	Insurance for Student Transportation Services	Required	General Statute

This policy updates the language around insurance coverage and payment on liability claims. It includes removing the second paragraph in accordance with state law.

6402	Participation by Historically Underutilized Businesses	Required	Federal/State Reporting Req.

This policy update requires the superintendent or designee to report the annual use of participation by historically underutilized businesses and updates language on discrimination of such businesses.

6430	Purchasing Requirements for Equipment, Materials, and Supplies	Recommended	School Boards Association

This policy update modifies language to include alignment with policy 6420 Contracts with Boards.

Policy #	Name	Required/Not Req	Explanation
7810	Evaluation of Licensed Employees	Recommended	School Boards Association
	This policy update revises the language around evaluations from "may" to the evaluation "WILL" be used in making decisions regarding contracts.		
7815	Evaluation of Non-Licensed Employees	Recommended	School Boards Association
	This policy updates the language to ensure that evaluations are free from discrimination or otherwise unlawful for non-certified employees.		

The policies below have only minor changes to wording, Legal reference, and/or cross references.

4130	Discretionary Admission	Recommended	School Boards Association
	This policy revision removes the cross reference of policy 1740/4010.		
4155	Assignment to Classes	Required	Americans with Disabilities Act
	This policy updates the general statute in reference to an update from the Americans with Disabilities Act.		
4334/5035 /7345	Use of Unmanned Aircraft	Required	Federal Aviation Administration
	This policy updates the reference website for the FAA.		
5028/6130 /726	Automated Electronic Defibrillator	Required	General Statute
	This policy updates the reference website for NCDHHS.		
6140	Organization of the Purchasing Function	Required	General Statute
	This policy updates the language to the NC Government policy manual for procurement.		

Policy #	Name	Required/Not Req	Explanation
7340	Employee Dress and Appearance	Recommended	School Boards Association
	This policy updates in the cross-reference the revised Consolidated Appropriations Act and the Pregnant Workers Fairness Act.		
7650	Employee Travel and Other Expense Reimbursement	Required	General Statute
	This policy updates the hyperlink to the new state-level budget manual.		

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 shall include all topics required by law or board policy, including but not limited to: (1) the effective delivery of the required curriculum as required by G.S. 115C-81.45(d) ~~and~~ -81.20(f) and -81.57(c); (2) a program of technology-related professional development as required by policy 3220, Technology in the Educational Program; and (3) a mental health training program, which includes all components required by G.S. 115C-375.20, G.S. 115C-376.5(d) and State Board of Education Policy SHLT-003 (see policies 4240/7312, Child Abuse and Related Threats to Child Safety, and 6120, Student Health Services.)

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 7811, Plans for Growth and Improvement of Licensed Employees.) 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.

D. PAYMENT OF COSTS

The school system will consider paying reasonable costs, within budget limits, for any courses, workshops, seminars, conferences, in-service training sessions, or other sessions an employee is required to attend by the local administration. The employee must seek prior approval for payments.

The school system will not bear the responsibility of the cost of training taken solely for the purposes of licensure renewal.

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-81.20(f), -81.45(d), -81.57(c),-333, -333.1, -375.20, -376.5(d); State Board of Education Policies EVAL-004, SHLT-003

Cross References: Technology in the Educational Program (policy 3220), Child Abuse and Related Threats to Child Safety (policy 4240/7312), Student Health Services (policy 6120), Plans for Growth and Improvement of Licensed Employees (policy 7811)

Adopted: March 6, 2000

Adopted Retired Teacher Technology Waiver: August 31, 2000

Updated: August 4, 2003
Updated: November 4, 2010
Updated: December 5, 2011
Updated: January 14, 2013
Updated: June 1, 2015
Updated: July 6, 2020
Updated: June 7, 2021

In its effort to provide a rigorous expanded curriculum that will adequately prepare students for future educational and workplace endeavors, the board will support high school students who also wish to enroll in classes taught by a college, university, community college, or other approved entity in accordance with the requirements of this policy, state law, and State Board of Education policy.

A. CAREER AND COLLEGE PROMISE

The Career and College Promise program is designed to offer qualified high school students structured dual enrollment opportunities that provide both entry-level job skills as well as pathways leading to a certificate, diploma, or degree.

The board, in collaboration with local community colleges, may provide for dual enrollment of a qualified junior or senior high school student in community college courses through (1) a Career and Technical Education Pathway leading to a certificate or diploma aligned with one or more high school Tech Prep Career Clusters or (2) a College Transfer Pathway leading to a college transfer certificate requiring the successful completion of 30 semester hours of transfer courses.

The board may also partner with institutions of higher education to establish cooperative innovative high school programs that enable a student to concurrently obtain a high school diploma and (1) begin or complete an associate degree program, (2) master a certificate or vocational program, or (3) earn up to two years of college credit within five years. Students are eligible for these programs beginning in ninth grade.

The board will implement the Career and College Promise program in accordance with a Career and College Promise Partnership Agreement developed as required by State Board of Education Policy CACP-000 and revised annually. The superintendent shall develop any necessary procedures consistent with the partnership agreement, this policy, state law, and State Board policies.

B. OTHER COLLEGE COURSES

The superintendent shall develop procedures and requirements for awarding high school credit toward graduation upon request to students who self-enroll in courses taught by a college, university, community college, or other approved entity. Credit toward graduation will be granted only for courses that are consistent with the policies and standards of the school system and State Board requirements, including the requirements of State Board of Education Policy CCRE-001, which defines "Course for Credit."

The principal must approve the course in advance. Prior to granting approval, the principal shall determine whether the course is eligible for credit toward graduation in accordance with the procedures and requirements developed by the superintendent.

The parent or guardian of the student must give permission for the student to take the course, and the student must complete any forms required by the school system.

Enrollment of a student in a course is the responsibility of the student and the student's parent or guardian. Unless otherwise provided, all special fees and charges and any special transportation needs are the responsibility of the student and the student's parent or guardian.

For a student to receive credit toward high school graduation, the school at which the course is offered must provide such essential information as is generally included in official transcripts of school records. This information must include:

(1) a description of the content and subject matter covered by the course;

(2) the number of clock hours of instruction in the course; and

(3) the student's achievement or performance level in the course.

In addition, a syllabus that includes course goals, course objectives, course activities, and grade requirements must be provided.

The student also must meet any other requirements established by the superintendent.

Legal References: G.S. 115C art. 16 pt. 9; 115C-36, -47; 115D-5(b), -20(4); S.L. 2011-145 sec. 7.1A(a), 7.1A(b), 7.1A(c), 7.1A(k); State Board of Education Policies CACP-000, CCRE-001, GRAD-004

Cross References: Curriculum Development (policy 3100)

Adopted: March 6, 2000
Updated: June 1, 2009
Updated: January 19, 2011
Updated; December 6, 2011
Updated: July 8, 2019
Updated: November 4, 2019

A. STUDENTS

The board ~~of education~~ will provide all pregnant and parenting students with the same educational instruction as other students or its equivalent. Pregnant and parenting students will not be discriminated against or excluded from school or from any program, class, or extracurricular activity because they are pregnant or parenting students. School administrators shall provide assistance and support to encourage pregnant and parenting students to remain enrolled in school and graduate.

In accordance with state law, school system officials shall use, as needed, supplemental funds from the At-Risk Student Services allotment to support programs for pregnant and parenting students. Students who are pregnant or parenting will be given excused absences from school for pregnancy and related conditions for the length of time the students' physicians find medically necessary-and for ~~These~~ absences ~~include those~~ due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent. Homework and make-up work will be made available to pregnant and parenting students to ensure that they have the opportunity to keep current with assignments and avoid losing course credit because of their absence from school~~,~~ ~~and~~, ~~t~~To the extent necessary, a homebound teacher will be assigned.

B. EMPLOYEES

The board prohibits discrimination in employment on the basis of pregnancy, childbirth, or related medical conditions. (See also policy 7232, Discrimination and Harassment in the Workplace.) Pregnant and nursing employees will be provided accommodations as required by law.

1. Reasonable Accommodation for Pregnancy-Related Limitations

In accordance with the Pregnant Workers Fairness Act, qualifying applicants and employees with known limitations related to pregnancy, childbirth, or related medical conditions will be provided reasonable accommodations, unless the accommodation demonstrably would impose an undue hardship on the operation of the school system. No adverse action will be taken against an applicant or employee for requesting or using a reasonable accommodation.

The superintendent shall ensure that appropriate procedures are in place to implement this requirement.

2. Break Time to Express Milk

For one year after the birth of an employee's child, the employee will be provided reasonable break times to express breast milk for the child each time the employee has need to

express milk. The principal at each school and the site supervisor at other school system buildings and facilities will designate a place, other than a bathroom, that the employee may use to express milk. Any designated place must be functional as a space for expressing milk, shielded from view, and free from intrusion from others.

Legal References: Consolidated Appropriations Act, P.L. 117-328, div. II-Pregnant Workers Fairness Act; Fair Labor Standards Act, as amended, 29 U.S.C. 201, et seq.; Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e et seq.,29 C.F.R. pt. 1604; Title IX of the Education Amendments Act of 1972, 20 U.S.C. 1681 et seq., 34 C.F.R. pt. 106; G.S. 115C-375.5

Cross References: Title IX Nondiscrimination on the Basis of Sex (policy 1720/4030/7235), Equal Educational Opportunities (policy 4001), Attendance (policy 4400), Discrimination and Harassment in the Workplace (policy 7232)

Adopted: May 4, 2009

Updated: August 3, 2010
Updated: December 7, 2020

All students are expected to demonstrate integrity, civility, responsibility and self-control. This expectation is directly related to the board's educational objectives for students to learn to be responsible for and accept the consequences of their behavior and for students to respect cultural diversity and ideological differences. Integrity, civility, responsibility~~,~~ and self-control ~~also are~~ are also critical for establishing and maintaining a safe, orderly~~,~~ and inviting environment.

A. PROHIBITED BEHAVIOR

In addition to any standards or rules established by the schools, the following behaviors are in violation of the standards of integrity and civility and are specifically prohibited:

1. cheating, including the actual giving or receiving of any unauthorized assistance or the actual giving or receiving of an unfair advantage on any form of academic work;

2. plagiarizing, including copying the language, structure, idea and/or thought of another person or of a work produced by artificial intelligence and representing it as one's own original work;

3. violating copyright laws, including the unauthorized reproduction, duplication and/or use of printed or electronic work, computer software, or other copyrighted material;

4. cursing or using vulgar, abusive or demeaning language towards another person; and

5. playing abusive or dangerous tricks or otherwise subjecting a student or employee to personal indignity.

B. CONSEQUENCES

The disciplinary consequences for violations of this policy shall be consistent with Section D of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violation of this policy.

Legal Reference: 17 U.S.C. 101, 102, 106, 107. 110, 117; G.S. 115C-47, -288, 307, -390.2

Cross Reference: Goals and Objectives of the Educational Program, (policy 3000), Copyright Compliance (policy 3230/7330), Student Behavior Policies (policy 4300)

Adopted: April 10, 2000
Updated: May 4, 2009
Updated: September 14, 2011

The board recognizes the benefits of using an automated notification ~~Automatic telephone dialing systems ("autodialers") and short message service text messages ("text messages") can be used~~ to communicate valuable information to students, parents, and the community regarding emergencies and other school-related matters. The superintendent and his or her designees are authorized to use ~~system-wide and school-wide autodialers and text messages~~ an automated notification system to send pre-recorded telephone voice messages and/or text messages to members of the school community in accordance with applicable law and this policy.

A. ~~DEFINITIONS AND TERMS~~ APPLICABILITY POLICY

This policy applies to the use of an automated notification system by school system employees to deliver a text or an artificial or pre-recorded voice message to a set of pre-programmed telephone numbers. For purposes of this policy, an automated notification system is any automated telephone dialing and/or text messaging system or service. The term "calls" in this policy includes both telephone calls and text messages.

~~1. As used in this policy, "call(s)" and "autodialed call(s)" means a pre-recorded telephone message or a text message, when either is made using an automatic telephone dialing system.~~

~~2. "Automatic telephone dialing system" or "autodialer" means equipment which has (i) the capacity to store and produce telephone numbers to be called using a random or sequential number generator or a fixed set of numbers; and (ii) the capacity to dial such numbers.~~

B. AUTHORIZED USES OF ~~AUTODIALED CALLS~~ THE AUTOMATED NOTIFICATION SYSTEM

School ~~officials~~ system employees may use an ~~make autodialed~~ an automated notification system to make calls for emergency or informational purposes ~~as follows:~~. Any such call that uses an artificial or pre-recorded voice must state the name and phone number of the school system and/or the specific school that initiated the call.

1. Emergency Calls:

   An automated notification system ~~School officials~~ may be used to call parents, guardians, or school personnel when the call is incident to a bona fide emergency potentially affecting the health and safety of students and/or school personnel, such as weather closures, fire, health risks, threats, and unexcused absences,~~;~~

An automated notification system ~~School officials~~ may be used to call other members of the school community to make emergency public safety announcements when the announcements are relevant to the called party.

2. Informational Calls

Subject to the consent requirements set forth in Section D of this policy, an automated notification system ~~School officials~~ may be used to ~~call parents, guardians, or school personnel for~~ make non-emergency ~~purposes~~ calls when the calls are ~~is~~ closely related to the school's educational mission, such as to provide notification of official system-wide or school-specific events or activities (e.g., parent-teacher conferences, surveys on school-related issues, immunization reminders).

When permitted by law, school officials may use the automated notification system to satisfy parental notification requirements described in policy 1310/4002, Parental Involvement. School officials shall use means other than the automated notification system to deliver the required notices to parents who have not given consent to receive non-emergency calls or who have revoked prior consent.

C. PROHIBITED USES OF THE AUTOMATED NOTIFICATION SYSTEM

1. ~~Autodialed calls~~ An automated notification system may not be used for commercial advertisement or marketing~~,~~ or political campaigning or promotion~~, or~~. Before making automated calls for any other non-emergency purpose that is not closely related to the mission of the school or school system, school system employees shall obtain ~~without~~ the express ~~prior~~ consent of the recipient to receive calls of that nature.

2. ~~Autodialed~~ An automated notification system ~~calls~~ may not be used to make calls ~~made~~ for any non-emergency purpose to an individual who has notified the school that he or she does not wish to receive such calls.

D. CONSENT AND REVOCATION OF CONSENT

Before using an automated notification system to make ~~making~~ any non-emergency ~~autodialed~~ call, school system employees ~~personnel~~ must have consent from the recipient to receive such calls. Consent will be deemed to have been provided in certain situations, as described in the next paragraph. Consent is not required for emergency calls.

By providing a wireless telephone contact number to the school system, parents, guardians, and ~~school personnel~~ students are deemed to consent to receive non-emergency calls at that number for purposes that are closely related to the school's

educational mission and consistent with this policy, such as to provide notification of official system-wide or school-specific events or activities.

~~Parents, guardians, and school personnel~~ Individuals may revoke prior consent to receive non-emergency calls at any time. School officials shall honor revocation requests promptly.

E. MAINTAINING CONTACT INFORMATION

To minimize the risk of calling unintended recipients, the superintendent shall require principals and supervisors to update telephone contact information ~~for parents, guardians, and employees~~ on a regular basis. Parents and guardians are encouraged to provide accurate contact information during registration and to keep their child's school informed of updated information when it changes.

F. REQUESTS FOR REMOVAL FROM CALLING LISTS

All ~~autodialed~~ calls made using an automated notification system must include an automated voice-interactive or key-press activated opt-out method for the recipient to opt out of future nonemergency calls.

Legal References: 47 U.S.C. 227, 47 C.F.R. 64.1200; *In re: Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991 Order on Reconsideration and Declaratory Ruling, CG Docket No. 02-278, FCC 22-100 (December 27, 2022), available at https://docs.fcc.gov/public/attachments/FCC-22-100A1.pdf;* *In re: Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991 Declaratory Ruling*, CG Docket No. 02-278, FCC 16-88 (Aug. 4, 2016), available at https://apps.fcc.gov/edocs_public/attachmatch/FCC-16-88A1.pdf; *In re: Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991 Declaratory Rule and Order*, CG Docket No. 02-278, WC Docket No. 07-135, FCC 15-72 (July 10, 2015), available at https://apps.fcc.gov/edocs_public/attachmatch/FCC-15-72A1.pdf

Cross References: Parental Involvement (policy 1310/4002), School Safety (policy 1510/4200/7270), Schools and the Community (policy 5000), Emergency Closings (policy 5050)

Adopted: June 5, 2017

The news media can be an important means of communicating information about the school system to the community. Consistent with policy 2220, Official School Spokesperson, the board chair and superintendent and their designees are authorized to provide information to the news media on behalf of the school system.

The superintendent shall establish an effective working relationship with the news media. The news media should be notified whenever necessary to relay information to the public, such as when there are emergency school closings. The superintendent also is expected to identify opportunities to educate the news media regarding the goals of the board and school system, especially as they relate to student success and the educational program. The superintendent also should inform the news media of the results of the school system's efforts to improve student achievement.

~~The superintendent may designate a spokesperson to provide information to the news media.~~ The school system will respond to ~~the~~ news media~~'s~~ requests for ~~information~~ public records in compliance with policy 5070/7350, Public Records – Retention, Release, and Disposition.

Policy 5020, Visitors to the Schools, applies to news media. News media are expected to cooperate with ~~the~~ school system officials in their efforts to provide a safe and orderly learning environment in which disruptions to instructional time are minimized. The principal or superintendent or their designees may require news media to leave or prevent news media from entering school grounds if the news media's presence interferes with these efforts.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 115C-47, -109.3, -319 to -321, -402; 132-1 to -9

Cross References: Official School Spokesperson (policy 2220), Board Meeting News Coverage (policy 2325), Visitors to the Schools (policy 5020), Emergency Closings (policy 5050), Public Records – Retention, Release, and Disposition (policy 5070/7350)

Adopted: June 1, 2009
Updated July 6, 2020

Safety is of paramount concern in ~~providing student~~ the transportation of students and others ~~services~~. Consistent with the board's safety goals ~~for student safety~~, all drivers involved in transporting students or operating any vehicle in the course of carrying out their employment duties must comply with the following board requirements, as applicable.

A. SCHOOL BUS AND ACTIVITY BUS DRIVERS

School bus and activity bus drivers must:

1. possess required licenses and all other qualifications required by law;

2. undergo and follow all training required by law governing school bus and activity bus passenger safety and comply with the safety practices set out in policy 6305, Safety and Student Transportation Services;

3. not operate a school or activity bus on a public street, highway, or public vehicular area while using a mobile telephone or related technology while the bus is in motion, unless such use is for the sole purpose of communicating in an emergency situation;

4. use the North Carolina crossing signals required by the State Board of Education to communicate to students when it is safe to cross the street to board the bus and when it is safe to cross the street after exiting the bus;

5. report to the principal any misconduct that is in violation of any of the student behavior policies in the 4300 series or school rules;

6. use reasonable judgment in the operation of the buses;

7. make reasonable efforts to maintain good order of the students being transported;

8. not permit any person to ride who is not assigned to the bus or has not received express permission of the principal or other designated official;

9. promptly report to the principal or other designated official any defect or other concern regarding the safety of the school bus, activity bus, or other vehicle operated by the school system; ~~and~~

10. report to the principal or other designated official by the next work day any moving violation citations received while operating any motor vehicle, whether on or off duty.

11. promptly report to the principal or other designated official all accidents that

occurred while driving a school vehicle; and

12. comply with the requirements of policy 7241, Drug and Alcohol Testing of Commercial Motor Vehicle Operators.

B. OTHER DRIVERS

Other drivers~~,~~ who transport students, including volunteer drivers, and drivers who operate a vehicle for other purposes in the course of carrying out their employment duties, must:

1. possess required licenses and all other qualifications required by law;

2. report to the principal by the next working day any moving violation citations received while operating any motor vehicle, whether on or off duty; and

3. carry insurance if operating a privately owned vehicle.

If the board requires a school social worker to increase his or her private automobile liability coverage and/or to add a business use rider in order to transport students in his or her private vehicle, the social worker will be reimbursed for the additional premium charged and/or for the increased liability limits of the added rider.

The superintendent or designee shall make copies of this policy and other related policies available to drivers.

Legal References: G.S. 20-7(f)(2), -137.4, -218; 115C-47(25a), -241, -242, -244 to -246, -248, -251, -317.1; 16 N.C.A.C. 6B .0111; State Board of Education Policy TRAN-010; *North Carolina School Bus Driver Handout*, Department of Transportation, Division of Motor Vehicles, available at https://www.ncdot.gov/dmv/license-id/driver-licenses/new-drivers/Documents/school-bus-handbook.pdf

Cross References: Student Behavior Policies (4300 series), Safety and Student Transportation Services (policy 6305), Drug and Alcohol Testing of Commercial Motor Vehicle Operators (policy 7241), Insurance (policy 8340)

Adopted: April 10, 2000
Updated: December 7, 2015
Updated: June 7, 2021

INSURANCE
FOR STUDENT TRANSPORTATION SERVICES

Policy Code: **6330**

No school bus, activity bus or other school-owned vehicle will be operated without bodily injury and property damage protection provided through the provisions of the State Tort Claims Act ~~state~~ or through locally purchased liability coverage ~~insurance to cover bodily injury and property damage.~~ School buses will not be used for any purpose or in any circumstance not covered by the State Tort Claims Act unless liability ~~insurance~~ coverage has been purchased to cover such purpose or circumstance. Only activity buses and other vehicles meeting federal safety standards may be used for approved school-related activities. The superintendent or designee and principals shall monitor compliance with this policy.

In order to be covered by the State Tort Claims Act, school bus drivers will be paid at least in part from state funds. If no state funds are used, insurance will be purchased to cover bodily injury and property damage.

Legal References: 49 U.S.C. 30125, 30165; G.S. 115C-42, -47(25), -239, -242, -257, 258, -259; G.S. 143, art. 31; Memorandum to All Superintendents from Eddie M. Speas, Jr., Special Deputy Attorney General, January 14, 1988, available at https://www.ncsba.org/wp-content/uploads/2017/03/AG-Memo-1988.pdf

Cross References: Insurance (policy 8340)

Adopted: April 10, 2000
Updated: July 1, 2009

The board affirms the state's commitment to encouraging~~e~~ the participation of historically underutilized businesses, as defined by G.S. 143-128.4, and small businesses in the school system purchase of goods and services. The board aspires for___ percent of the total annual value of the school system's purchase of goods and services to come from contracts with the minority-owned businesses, female-owned businesses, disabled-owned businesses, disabled business enterprises, or non-profit work centers for the blind and severely disabled.

Notwithstanding the board's intent to promote the participation of the types of businesses described above, ~~The~~ the board will purchase goods and services without regard to ~~of education prohibits discrimination against any person or business on the basis of~~ race, color, creed, ~~ethnic~~ national origin, sex, age, disability~~,~~ or religion.

~~The board has adopted the following verifiable percentage goals for participation in the school district's contracts by women and minority-owned businesses:~~

> ~~Six percent for participation by minority-owned, female-owned, disabled-owned, disabled business enterprises or non-profit work centers for the blind and severely disabled in the total annual value of all purchases of goods and services.~~

A. SCHOOL DISTRICT GOOD FAITH EFFORTS

The board ~~has adopted~~ establishes the following guidelines to ensure that the school district will make good faith efforts to reach diverse suppliers of goods and services and to encourage participation in the school district's purchasing program ~~progress~~ by such suppliers. ~~The school district will:~~ Employees responsible for the purchasing function shall:

1. make information about the school district's purchasing procedures and bidding process readily available;

2. advertise for bids in media that reaches ~~minority~~ historically underutilized businesses;

3. ensure access to bidding documents needed for making bids on projects;

4. ~~request~~ obtain directory information of small businesses, historically underutilized businesses, disabled business enterprises, ~~owned and controlled by minorities, women, persons with disabilities~~ and nonprofit work centers for the blind or severely disabled by using the online search functions of the North Carolina electronics Vendor Portal provided by ~~contacting~~ the Division of Purchase and Contracts at the ~~State~~ N.C. Department of Administration;

5. sponsor or participate in purchasing seminars for all prospective vendors or, in particular~~,~~ for small businesses, historically underutilized businesses, ~~minority-owned, female-owned, disabled-owned,~~ disabled business enterprises, and non-profit work centers for the blind or severely disabled;

6. provide information ~~to HUBs~~ on how to become Historically Underutilized Business (HUB)-certified and/or North Carolina Small Business Enterprise (NCSBE)-certified and how to register in the North Carolina electronic Vendor Portal ~~have a company name included on lists maintained by the Division of Purchase and Contracts at the State Department of Administration~~;

7. prepare vendor lists in accordance with policy 6442, Vendor Lists; and

8. where allowed by law, permit performance guarantees rather than performance bonds for contracts for goods and services.

B. DOCUMENTATION AND REPORTING

The superintendent or ~~his or her~~ designee ~~will~~ shall submit all legally required reports on the use of historically underutilized businesses, disabled business enterprises, and nonprofit work centers for the blind and the severely disabled and ~~will~~ shall document the use of such businesses ~~qualifying as historically underutilized businesses~~ as necessary to comply with applicable laws.

Legal References: City of Richmond v. J.A. Croson Co., 488 U.S. 469 (1989); G.S. 14348, ~~143-128~~ 48.4, -128.4;01 N.C.A.C 05B .0301

Cross References: Vendor Lists (policy 6442), Participation by ~~Women and~~ Minority ~~Owned~~ Businesses (policy 9125)

~~Adopted:~~ Issued: April 10, 2000

All purchases of apparatus, supplies, materials, and equipment will be made in accordance with all applicable state laws and regulations, including Article 8 of Chapter 143 and Articles 6E and 6G of Chapter 147 of the North Carolina General Statutes, board policy, and school system purchasing procedures. Purchasing contracts subject to the E-Verify requirement will contain a provision stating that the contractor and contractor's subcontractors must comply with the requirements of G.S. Chapter 64, Article 2. Purchases using federal funds must also be made in accordance with all applicable requirements of federal law and regulation, including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ("Uniform Guidance") issued by the U.S. Office of Budget and Management. (See also policy 8305, Federal Grant Administration.) All employees involved in purchasing must be familiar with applicable requirements.

The purchasing officer shall ensure that written specifications for desired products are descriptive and clear and incorporate the quality requirements and service needs of the school system. There is no minimum number of bids, proposals, or quotes required for the purchase of apparatus, supplies, materials, and equipment (whether formally or informally bid); however, ~~the board encourages the purchasing officer to obtain~~ at least two bids, proposals, or quotes should be obtained when feasible.

~~Except as otherwise required by law or specified by the board, the board delegates to the superintendent the authority to award contracts for the purchase of apparatus, supplies, materials, and equipment involving amounts up to $50,000.00. Any purchases or contracts involving expenditures greater than this amount must be approved by the board.~~ The appropriate school system employee ~~purchasing officer and any additional staff deemed appropriate by the superintendent~~ shall review submissions of bids, proposals, or quotes to determine if they are responsive to the system's specifications and make recommendations to the superintendent or designee. The superintendent or designee may award the contract based upon such recommendations if it is within their authority to contract as provided in policy 6420, Contracts with the Board, or may make a recommendation to the board for award of the contract by the board.

Apparatus, supplies, materials, and equipment must be purchased in accordance with the following requirements.

A. FORMAL BIDS (EQUAL TO OR MORE THAN $90,000)

The purchase of apparatus, supplies, materials, or equipment for expenditures equal to or more than $90,000 must be secured through the competitive bid process governed by G.S. 143-129. The superintendent, in consultation with the purchasing officer, is authorized to determine the best method for formally bidding a product or, as appropriate, utilizing one of the exceptions to formal bidding as provided below in Section E. The purchasing officer shall oversee the use of any purchasing method and ensure that all state requirements are met, including advertisement, sealed bids, maintaining records, and public opening of bids. The board authorizes the use of newspaper advertisement, electronic advertisement, or both for formal bids; however, the superintendent has the authority to determine which method will be used for a specific purchase or categories of purchases.

Records of informal bids will not be available for public inspection until the contract has been awarded. Awards will be made to the lowest responsible bidder(s) whose bid or proposal meets the requirements and criteria set forth by the school system, taking into consideration quality, performance, and the time specified in the proposal for the performance of the contract. To be

eligible for an award of a contract subject to G.S. 143-129, the contractor and its subcontractors, if any, must demonstrate compliance with all applicable provisions of G.S. Chapter 64, Article 2, including the responsibility to use E-Verify. All contracts awarded must be in writing.

The board permits the use of the following processes for contracts that require formal bidding.

1. Competitive Sealed Bids

   A competitive sealed bid (or invitation to bid) may be used to request the cost of particular goods by providing detailed specifications in advance.

2. Reverse Auction

   Pursuant to G.S. 143-129.9(a)(1), the school system may use reverse auctions as an alternative to sealed bid procedures. For purposes of this policy, "reverse auction" means a real-time purchasing process in which bidders compete to provide goods at the lowest selling price in an open and interactive environment. The superintendent, in consultation with the purchasing officer, shall determine whether reverse auctions are appropriate for a specific purchase or category of purchases. To conduct a reverse auction, the purchase officer may use a third party, may use the state's electronic procurement system, or, if appropriate equipment is available, may conduct the auction using school system equipment.

3. Exceptions to Formal Bids

   Any of the processes outlined below in Section E may be used in lieu of formal bidding, so long as all requirements of state law are met.

B. INFORMAL BIDS ($30,000 TO $90,000)

The purchase of apparatus, supplies, materials, or equipment for expenditures of at least $30,000 but less than $90,000 must be secured through the informal bidding process governed by G.S. 143-131. The superintendent, in consultation with the purchasing officer, is authorized to determine the best method for securing informal bids on a product. The purchasing officer shall oversee the use of any purchasing method and ensure that all state requirements are met, including maintaining records of all bids submitted. Records of informal bids will not be available for public inspection until the contract has been awarded. Awards will be made to the lowest responsible, responsive bidder(s) whose bid or proposal meets the requirements and criteria set forth by the school system, taking into consideration quality, performance, and the time specified in the proposal for the performance of the contract.

1. Competitive Sealed Bids

   Informal bid requirements may be met by the use of sealed bids. The purchasing officer may utilize the methods for formal competitive bids provided in Section A or may determine other appropriate methods for soliciting sealed bids. The bid specifications must include the time, date, and place for opening bids. No advertisement for bids is necessary (unless the formal bid process is used); however, the purchasing officer may advertise for bids as he or she deems appropriate.

2. Quotations

Informal bid requirements may be met by the solicitation of quotes from prospective vendors. Quotations may be solicited and submitted via telephone, fax, e-mail, or the North Carolina E-Procurement system. Telephone quotes must be placed in writing before a final contract will be awarded. Written quotations must be on the vendor's letterhead or an official quotation form.

3. Reverse Auction

A reverse auction may be used to solicit informal bids, consistent with the process provided in Section A.2.

4. Exceptions to Informal Bids

Any of the processes outlined below in Section E may be used in lieu of informal bidding, so long as all requirements of state law are met.

C. LOCAL REQUIREMENTS FOR PURCHASES FOR LESS THAN $30,000

When competitive bidding is not statutorily required, purchases should be made under conditions that foster competition among potential vendors. Purchasing decisions should be made after considering price, quality, suitability for specified need, and timeliness of delivery and performance. The board may refuse to enter into a contract with a supplier or contractor whose performance on a previous contract was found to be unsatisfactory by the superintendent or the board.

If informal bidding is used, the informal bidding process described in Section B, above, will be followed.

D. ELECTRONIC BIDDING

Pursuant to G.S. 143-129.9(a)(2), the school system may receive bids electronically in addition to or instead of paper bids. If electronic bids are used for purchases that must be formally bid, procedures for receipt of electronic bids must be designed to ensure the security, authenticity, and confidentiality of the bids to at least the same extent as provided with paper bids. The superintendent, in consultation with the purchasing officer, shall determine whether electronic bidding is appropriate for a specific purchase or category of purchases.

E. EXCEPTIONS TO THE FORMAL AND INFORMAL BIDDING REQUIREMENTS

The school system may utilize the following purchasing options instead of pursuing competitive bidding. Formal or informal bidding is not required if any of these processes are used. The purchasing officer shall gather information to document the basis for the use of any exceptions to the competitive bidding requirements. The superintendent, in consultation with the purchasing officer, may determine that using one of the following exceptions is appropriate for a specific purchase or group of purchases.

1. Purchases from Other Governmental Agencies

Pursuant to G.S. 143-129(e)(1), the school system may contract for the purchase, lease, or other acquisition of apparatus, supplies, materials, or equipment from any other federal,

state, or local governmental agency.

2. Special Emergencies

Pursuant to G.S. 143-129(e)(2), competitive bidding is not required in cases of special emergencies involving the health and safety of people or their property. For an emergency to exist under the statute, the following factors must exist: (1) the emergency is present, immediate, and existing; (2) the harm cannot be averted through temporary measures; and (3) the emergency was not self-created by the school system.

3. Competitive Group Purchasing

Pursuant to G.S. 143-129(e)(3), the school system may make purchases through a competitive bidding group purchasing program, through which another entity uses a competitive process to establish contracts on behalf of multiple entities at discount prices.

4. State Term Contract

Pursuant to G.S. 143-129(e)(9), the school system may purchase products included in state term contracts with the state vendor for the price stipulated in the state contract, if the vendor is willing to extend to the school system the same or more favorable prices, terms, and conditions as established in the state contract.

5. Sole Source Items

Pursuant to G.S. 143-129(e)(6), upon approval of the board of education, the school system may purchase an item through a single or sole source contract under the following circumstances: (1) when performance or price competition is not available; (2) when a needed product is available from only one source of supply; or (3) when standardization or compatibility is the overriding consideration. When requesting a purchase under the sole source exception, the purchasing officer shall provide the board with documentation that justifies the use of the exception.

6. "Piggybacking" or Previously Bid Contracts

Pursuant to G.S. 143-129(g), upon approval of the board of education, the school system may purchase from any supplier that, within the previous 12 months, has contracted to furnish the needed item to the federal government, to any state government, or to any agency or political subdivision of the federal government or any state government. Before recommending a purchase using the piggybacking exception, the purchasing officer shall ensure that the following requirements are met: (1) the price and other terms and conditions of the contract are at least as favorable as the prior contract; (2) the contract was entered into following a public, formal bidding process substantially similar to that required by North Carolina General Statutes; (3) the same vendor is used; and (4) notice of intent to award the contract without bidding is publicly advertised at least 10 days prior to the regularly-scheduled board meeting at which the contract will be approved. Before approving the contract, the board must determine that using the contract is in the best interest of the school system.

7. Purchases of Information Technology Goods and Services

Pursuant to G.S. 143-129(e)(7) and 143B-1324(b), the school system may purchase or lease information technology through contracts established by the Department of Information Technology. The purchasing officer shall work with the information technology department to ensure that any such purchases meet the needs of the school system.

In addition, the school system also may purchase information technology goods and services by using a request for proposal (RFP) pursuant to G.S. 143-129.8, provided that the following requirements are met: (1) notice of the request is provided consistent with the formal bidding notice requirements and (2) contracts are awarded to the person or entity that submits the best overall proposal as determined by the purchasing officer and superintendent. The RFP should describe the scope of work, general terms and conditions, specifications of the product needed by the school system, and the application process. The information technology supervisor shall assist the purchasing officer in reviewing the responsiveness of any RFP submitted pursuant to this subsection. RFPs will be evaluated using the "best value" method as defined in G.S. 143-135.9(a)(1) so that the system may select the most appropriate technological solution to meet the school system's objectives. However, if the purchasing officer considers the purchase to be highly complex or is unable to clearly determine what the optimal solution for the school system is, the "solution-based solicitation" or "government-vendor partnership" method may be used. The purchasing officer may negotiate with the proposer to obtain a final contract that meets the best needs of the school system, so long as the alterations based on such negotiations do not deprive proposers or potential proposers of the opportunity to compete for the contract and do not result in the award of the contract to a different person or entity than would have received it if the alterations had been included in the RFP.

8. Gasoline, Fuel, and Oil Purchases

Pursuant to G.S. 143-129(e)(5), the school system may purchase gasoline, fuel, and oil products without using formal competitive bidding. However, such purchases are subject to the informal bidding requirements provided above.

9. Used Products

Pursuant to G.S. 143-129(e)(10), the school system may purchase previously used apparatus, supplies, materials, or equipment without using formal competitive bidding. Before purchasing used products, the purchasing officer shall ensure that the products are in good, usable condition and will be sufficient to meet the school system's needs for a reasonable period of time.

10. Publish Materials

Pursuant to G.S. 115C-522(a), compliance with Article 8 of Chapter 143 of the General Statues is not mandatory for the purchase of published books, manuscripts, maps, pamphlets, and periodicals. Such purchase shall be made in accordance with Section C of this policy.

F. LEASE PURCHASE CONTRACTS AND OTHER CONTRACTS FINANCED OVER TIME

Lease purchase contracts, contracts that include options to purchase, and leases for the life of equipment all must be bid consistent with the requirements of G.S. 143-129 and 143-131. The purchasing officer shall ensure that such contracts meet the legal requirements and the provisions of policy 6420, Contracts with the Board.

G. USE OF SCHOOL SYSTEM TERM CONTRACTS

The school system may create and use term contracts for items that are routinely purchased by the school system. If the estimated expenditure for a routine item under the term contract is equal to or exceeds $90,000, the contract must be formally bid. If the estimated expenditure is at least $30,000 but less than $90,000, the contract must be informally bid. The purchasing officer may incorporate the use of a term contract in the bidding specifications. If term contracts are used, the board attorney, in consultation with the purchasing officer, shall review the contracts.

H. HISTORICALLY UNDERUTILIZED BUSINESSES

The board affirms the state's commitment to encouraging the participation of historically underutilized businesses in purchasing functions. The board will comply with all legal requirements and the standards in policy 6402, Participation by Historically Underutilized Businesses.

Legal References: 2 C.F.R. 200.317-326; G.S. 64, art. 2; 115C-36-522; 143 art. 8; 143B art. 14; 147, art. 6E; Sess. Law 2013-128

Cross References: Participation by Historically Underutilized Businesses (policy 6402), Organization of the Purchasing Function (policy 6410), Contracts with the Board (policy 6420), Federal Grant Administration (policy 8305)

Adopted: January 11th, 2016
Updated: June 6, 2016
Updated: December 4, 2017

The board recognizes that an effective staff is critical to the smooth operation of the school system and to creating a learning environment in which students can succeed. The board further believes that students will not excel in performance unless those who most directly affect students, including school administrators, teachers, and other licensed professionals, excel in their performance. It is the intent of the board to employ only those licensed employees who continuously exhibit a pattern of behavior that exemplifies excellent performance.

The board places a high priority on securing the most competent personnel available and, once they are employed, in assisting them in their professional growth and development throughout their careers. An effective evaluation program that clearly describes an employee's performance is a critical aspect of professional growth and assistance. Further, performance evaluation data is an important factor for consideration in decisions regarding continued employment. The superintendent must be able to substantiate any recommendation for continued employment with evaluation data, among other factors.

The superintendent is directed to develop and implement an effective evaluation system for licensed personnel that is consistent with State Board of Education policies. School administrators who are responsible for conducting evaluations shall comply with all state requirements with regard to the type and frequency of evaluation, including as applicable, the processes for evaluating licensed employees in schools designated as low performing. The principal, or an assistant principal in the limited circumstances authorized by law, shall evaluate teachers and may incorporate any guidelines or strategies developed by the State Board to assist in the evaluations. The principal shall provide teachers' access to EVAAS data as required by law and shall notify teachers at least annually when the data is updated to reflect teacher performance from the previous school year. The superintendent or designee shall evaluate principals and assistant principals.

All licensed personnel must be evaluated at least annually using state-approved evaluation instruments in conformance with the processes established by the State Board in the North Carolina Educator Evaluation System for that class of personnel. Teachers with fewer than three consecutive years of experience will be evaluated annually in accordance with state law and the comprehensive evaluation cycle established in State Board Policy EVAL-004. For teachers with three or more years of experience, the abbreviated evaluation process established in State Board Policy EVAL-004 satisfies the annual evaluation requirement; however, a teacher receiving an abbreviated evaluation may request that the evaluator conduct a formal observation. In addition, in any given year, the principal may elect to use the comprehensive or standard evaluation processes set forth in State Board Policy EVAL-004 or require additional formal or informal observations to evaluate a teacher with three or more years of experience. The principal also may supplement the State Board evaluation processes for other categories of licensed personnel by requiring additional observations or other evaluation measures. The annual evaluation of principals and assistant principals must include a mid-year review.

The evaluation system must incorporate the following directives.

1. Evaluators must clearly identify exemplary performance as well as deficiencies in performance.

2. Evaluators are encouraged to use supplementary means of assessing and documenting performance in addition to the state performance standards, assessment rubrics, and evaluation instruments, including, but not limited to, additional formal observations, informal observations, conferences, reviews of lesson plans and grade books, interactions with the employee, plans of growth or improvement, and any other accurate indicators of performance.

3. Student performance and growth data will be considered as a part of the evaluation of licensed personnel, as provided in the assessment rubric for the class of employees under evaluation. For teachers, such data shall include student performance as measured by the statewide growth model for educator effectiveness or as otherwise authorized by the State Board of Education and approved by the local board.

4. Peer observations of teachers with fewer than three consecutive years of experience must be conducted as required by law using the evaluation instrument and process established by the State Board and must be considered by the school administrator in evaluating teacher performance.

5. Supervisors and principals should facilitate open communication with employees about performance expectations.

6. An employee who is unclear about how performance is being assessed or who desires additional evaluation opportunities should address these issues with his or her immediate supervisor.

7. Evaluators will be held accountable for following the evaluation system and all applicable state guidelines on the evaluation of employees.

8. Evaluation data will be submitted to the central office personnel file in accordance with state law and policy 7820, Personnel Files.

Evaluation data will ~~may~~ be used in making ~~employment~~ decisions, ~~including decisions~~ related to contract renewal (see policy 7410, Teacher Contracts, policy 7425, School Administrator Contracts, and policy 7950, Non-Career Status Teachers: Nonrenewal), reassignments or transfers 9see policy 7440, Assignments/Reassignments/Reassignments/Transfers), professional and staff development (see policy 1610/7800, Professional and Staff Development), suspension, demotion, or dismissal (see policy 7930, Professional Employees: Demotion and Dismissal), and reduction in force (see policy 7920, Reduction in Force: Teachers and School Administrators). Employment decisions may be made by the board and administrators for reasons that were not addressed through ~~regardless of whether evaluators have followed~~ the evaluation system, so long as there is a legally sufficient basis for the decisions.

9. The superintendent and all evaluators are encouraged to develop ways to recognize

distinguished performance and to capitalize on the abilities of such exemplary employees in helping other employees. The superintendent and evaluators are encouraged to involve employees in developing these processes.

The superintendent shall develop any other necessary procedures and shall provide training, as necessary, to carry out the board's directives and to meet state requirements.

Legal References: G.S. 115C-47(18), -286.1, -325, -333, -333.1, -333.2; State Board of Education Policies EVAL-004 through -006, EVAL-022, EVAL-025 through -031

Cross References: Professional and Staff Development (policy 1610/7800), Teacher Contracts (policy 7410), School Administrator Contracts (policy 7425), Assignments/Reassignments/Transfers (policy 7440), Plans for Growth and Improvement of Licensed Employees (policy 7811), Personnel Files (policy 7820), Reduction in Force: Teachers and School Administrators (policy 7930), Professional Employees: Demotion and Dismissal (policy 7930), Non-Career Status Teachers: Nonrenewal (policy 7950)

Adopted: March 1, 2010
Updated: January 18, 2010
Updated: December 9, 2013
Updated: June 1, 2015
Updated: January 11, 2016
Updated: June 6, 2016
Updated: November 7, 2016
Updated: December 5, 2016
Updated: December 4, 2017
Updated: July 18, 2022

EVALUATION OF NON-LICENSED EMPLOYEES

Policy Code: **7815**

The board attaches a high priority to securing the most competent personnel available and, once they are employed, in assisting them in their growth and development throughout their careers. Regular evaluation of non-licensed employees is encouraged. ~~Evaluations of non-licensed employees' performance must conform to.~~ tThe following board directives apply to the evaluation of non-licensed employees.

1. Exemplary performance as well as deficiencies in performance should be clearly identified.

2. Supervisors and principals should facilitate open communication with employees about performance expectations.

3. An employee who is unclear about how performance is being assessed or desires additional evaluation opportunities should address these issues with his or her immediate supervisor.

4. Evaluation data will be submitted to the central office personnel file in accordance with state law and policy 7820, Personnel Files.

~~5.~~ Evaluation data may be used in making employment decisions, including decisions related to promotions, reassignments, or transfers (see policy 7440, Assignments/Reassignments/Transfers), suspensions or dismissals (see policy 7940, Classified Personnel: Suspension and Dismissal), and reductions in force (see policy 7921, Classified Personnel reduction); however,~~. E~~employment decisions ~~do not require the consideration of evaluation data and~~ may be made by the board and administrators on any basis that is not discriminatory or otherwise unlawful ~~regardless of whether evaluators have followed the evaluation system, so long as there is a legally sufficient basis for the decisions.~~

6. The superintendent and all evaluators are encouraged to develop ways to recognize exemplary employees and to capitalize on the abilities of exemplary employees in helping other employees.

The superintendent shall develop any other necessary procedures and shall provide training, as necessary, to carry out these board directives.

Legal References: G.S. 115C-47(18), -333.1

Cross References: Assignments/Reassignments/Transfers (policy 7440), Personnel Files (policy 7820), Classified Personnel: Suspension and Dismissal (policy 7940)

Adopted: May 1, 2000
Updated: August 3, 2009
Updated: December 5, 2011

Updated: July 18, 2022

Enrollment in the school system generally is limited to those students who meet the domicile or residence requirements outlined in policy 4120, Domicile or Residence Requirements. However, on occasion, special circumstances may warrant a student's enrollment in a different school system. The board, in its discretion, may admit non-domiciled students into the school system and may release domiciled students to another school systemin accordance with this policy.

All discretionary admissions decisions will be made in a manner that is not arbitrary, capricious, discriminatory, prohibited by state or federal law, or for personal or political reasons.

A. ADMISSION CRITERIA

The board may choose to admit a non-domiciled student only if the following conditions are met.

1. The parent, legal guardian, or legal custodian explains in writing why, in the opinion of the parent, legal guardian, or legal custodian, the student needs to attend school in the school system. An explanation of need will be considered valid grounds for discretionary admission only if there are compelling, specific circumstances indicating that the student should attend school in the school system.

A request for a student to transfer from one school to another within the Montgomery County School district may be approved if the principals of both schools agree. Parents will be notified by mail of the decision.

Effective April 1, 2013, any student who transfers between schools in Montgomery County will not be eligible to participate in athletics for one (1) full calendar year from the date of transfer.

An exception will be granted when an employee is employed or transferred and wishes their child to attend the school or feeder school where they are employed. The student will be allowed to transfer once without any athletic penalty. Should the student desire to return to their assigned school they may do so without any athletic penalty.

However, if a second transfer is requested the student will not be eligible to participate in athletics for one (1) full calendar year from the date of transfer.

Any reason having to do with athletics or participation in athletics is not a valid or sufficient explanation of need.

2. The board must have determined that space is available in the school system and in the

particular school or program in which the student seeks to enroll.

3. The student must demonstrate that he or she was in good standing in the previous school attended by that student, in terms of academics, discipline, and other measures of standing and progress in the school system. The student also must satisfy the requirements in policy 4115, Behavior Standards for Transfer Students.

   The student must furnish a transcript and other student record data, including evidence of compliance with the North Carolina immunization requirements.

4. If the student is transferring from another school system in North Carolina, the student must submit a release approved by the board of education of the ~~other~~ school system from which the transfer is made. If the student's discretionary admission request is granted, the admission will be subject to the terms and conditions agreed to in writing between the board and the board of education of the other school system.

5. If the student resides with an adult who is not the student's parent, legal guardian, or legal custodian, the student must furnish the school system with a notarized document showing that the parent, legal guardian, or legal custodian consents to the student attending school in the school system and authorizes the adult with whom the student lives to make all decisions relating to the student's education, including, but not limited to, any decisions relating to placement, services, field trips, medical treatment, grading and reporting, discipline, participation in extracurricular activities, and participation in athletics.

6. If the student does not reside within the assignment area of the school the student will attend, the parent, legal guardian, or legal custodian must agree to provide transportation to and from school.

8. If the student is asserting residency in the geographic area served by the school system, sufficient evidence, such as a copy of utility bills, must be provided.

B. DISCRETIONARY ADMISSION DECISIONS

1. Application and Decision~~s~~

   Non-domiciled students who meet the admission criteria may submit a written application for discretionary admission to the superintendent or designee. The application must be accompanied by all required supporting documents, as described above in Section A. Applications from students who are residents of the geographic area served by school system will have first priority. After reviewing

   the application and supporting documents, the superintendent or designee shall

make a recommendation to the board to approve or deny the discretionary admission request. The board may grant Admission for up to one full school year. Students who are admitted based upon false or misleading information on their application will have their application voided and acceptance rescinded.

The board will provide a written response to an applicant within 30 working days of receipt of the information required under this policy. Final decisions regarding discretionary admissions may be delayed until the board has determined whether space is available in the requested school. Therefore, the written response may provide either a final decision or a notification that a final decision is pending until the board determines space availability.

2. Renewals

An application must be submitted each subsequent school year in which admission is desired. For the renewal of admission in subsequent school years, the student must continue to meet all admission criteria and ~~must~~ be in good standing in terms of academics, attendance, and discipline.

C. RELEASE TO ANOTHER SCHOOL SYSTEM

A student domiciled in the school system may request a release from the board to attend a school in a different school system in North Carolina.

The superintendent or designee may develop and administer a procedure to implement this policy.

Legal References: G.S. 7B, art. 35; 35A, art. 6; 50-13.1 to 13.3; 115C-231, -364 to -366.1

Cross References: ~~Student and Parent Grievance Procedure (policy 1740/4010),~~ Behavior Standards for Transfer Students (policy 4115), Domicile or Residence Requirements (policy 4120).

Adopted: April 10, 2000
Revised: May 5, 2008
Updated: May 4, 2009
Updated: March 2, 2010
Updated: April 9, 2013
Updated: January 10, 2023

A. GENERAL AUTHORITY

The principal has the authority to assign students to classes, subject to applicable legal requirements. The principal is encouraged to seek input from the professional staff in making these decisions. Parents may submit to the principal written requests for assignment or reassignment of their children so long as the parents provide a compelling reason for the request. The principal shall consider parental requests in assigning students to classes. Unless otherwise required by law or the special circumstances described below, the principal shall balance any individual request for assignment or reassignment against the welfare of other students and the efficient operation of the school.

B. SPECIAL CIRCUMSTANCES

1. Multiple Birth Siblings

School officials will defer to parental preference in making the initial classroom assignment of multiple birth siblings to the extent provided in this section and applicable state law. "Multiple birth siblings" means twins, triplets, quadruplets, or other siblings resulting from a multiple birth.

a. Consultative Meeting with the School Principal

The parent or guardian of multiple birth siblings who are assigned to the same grade level and school may request a consultative meeting with the principal to consider whether to initially place the siblings into the same classroom or into separate classrooms. The request must be made no later than five days before the first day of each school year or, if the students are enrolled after the school year starts, five days after their first day of attendance.

At the meeting, the parent may request either that the students be placed (1) into the same classroom; or (2) into separate classrooms. School officials may offer professional educational advice to the parent or guardian and may recommend an appropriate classroom placement for the students.

b. Initial Classroom Placement

Following the meeting, the principal shall place the students in accordance with the parent or guardian's request unless doing so would require adding an additional class at the students' grade level.

This section shall not otherwise limit the principal's authority to determine the specific classroom assignment(s) for multiple birth siblings, including

the students' assignment to a specific teacher or team.

c. Change to Initial Classroom Placement

The principal may change the initial classroom assignment of one or more multiple birth siblings in the following circumstances:

1) the principal, in consultation with the students' classroom teacher(s), determines at the end of the first grading period that the requested placement is disruptive to the school; or

2) the principal determines that one or more of the multiple birth siblings must be removed from a classroom pursuant to any board discipline policy, school rule, and/or the Code of Student Conduct.

2. Newly Enrolled Children of Military Families

The principal shall comply with the requirements of the Interstate Compact for Military Children (G.S. 115C-407.5), G.S. 115C-407.12, and the following provisions when making class assignments for children of military families, as defined in policy 4050, Children of Military Families.

a. Course Placement

When a student transfers before or during the school year, school administrators shall initially honor placement in educational courses based on the student's enrollment in his or her sending school and/or educational assessments conducted at the sending school if the courses are offered. Course placement includes, but is not limited to, Honors, International Baccalaureate, Advanced Placement, Cambridge International Examination Courses, and career and technical education (CTE) pathways courses. Continuing the student's academic program from the previous school and promoting placement in academically and career challenging courses are to be primary concerns when considering the student's course placement.

b. Educational Program Placement

For a newly enrolled student, school administrators shall initially honor placement of the student in educational programs based on current educational assessments conducted at the school in the sending state or participation/placement in similar programs in the sending state. Such programs include, but are not limited to, academically or intellectually gifted (AIG) programs and English as a Second Language programs.

c. Special Education Services

In compliance with the Individuals with Disabilities Education Act, school administrators shall initially provide comparable services to a student with disabilities based on his or her current Individualized Education Program (IEP). In compliance with the requirements of Section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act, school administrators shall make reasonable accommodations and modifications to address the needs of an incoming student with disabilities, subject to an existing 504 or Title II Plan, in order to provide the student with equal access to education. This accommodation does not preclude school administrators from performing subsequent evaluations to ensure appropriate placement of the student.

d. Placement Flexibility

The board authorizes and directs the superintendent and school administrators to be flexible in waiving course or program prerequisites or other preconditions for placement in courses or programs offered by the school system.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12131 *et seq.*, 28 C.F.R. pt. 35; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; G.S. 115C-36, -83.7.~~1C,~~ -288, -366.3, -366.4, -390.7, -407.5, -407.12

Cross References: Children of Military Families (policy 4050)

Adopted: April 10, 2000
Updated: May 4, 2009
Updated: April 3, 2012
Updated: January 14, 2013
Updated: June 5, 2017
Updated: December 4, 2017
Updated: January 10, 2023

USE OF UNMANNED AIRCRAFT (DRONES)

Policy Code: **4334/5035/7345**

The board supports and encourages the use of innovative and emerging technologies, including unmanned aircraft or drones, to further the goals and objectives of the educational program. However, the board also must consider how the use of such technologies may impact the safety, security, and privacy of people and property. Therefore, the board authorizes some use of unmanned aircraft on school property and at school-sponsored events in accordance with the requirements of this policy and to the extent that such use is not otherwise prohibited by federal, state, or local law or regulation.

This policy applies to all students, school system employees, contractors and vendors, school visitors, and other members of the general public on school property and at school-sponsored events.

A. DEFINITIONS

For purposes of this policy, the following definitions apply.

1. An "unmanned aircraft" or "drone" is an aircraft weighing less than 55 pounds that is operated without the possibility of direct human intervention from within or on the aircraft. The board strictly prohibits the use of an unmanned aircraft weighing more than 55 pounds on school property or at a school-sponsored event.

2. The "use" of an unmanned aircraft includes the launch, operation, and/or recovery of the unmanned aircraft.

3. "School property" includes any property that is owned, leased, or otherwise controlled by the board.

4. Use of an unmanned aircraft is for a "recreational" purpose if the use is solely for personal interests or enjoyment. Use for work or business purposes or for compensation or hire is not considered to be recreational.

B. AUTHORIZED USE OF UNMANNED AIRCRAFT

The use of an unmanned aircraft on school property or at a school-sponsored event for any purpose must be approved in writing by the superintendent or designee and must comply with the requirements of this policy and all other applicable board policies, including the public use requirements of policy 5030, Community Use of Facilities, when applicable. Such use also must comply with all federal, state, and local laws and regulations, including the most current registration, certification, permit, safety, and other requirements established by the Federal Aviation Administration (FAA) and the North Carolina Department of Transportation (NCDOT).

The superintendent or designee may grant approval for use on a case-by-case basis with any additional requirements or restrictions deemed appropriate, including, for example, to protect the safety, security, and privacy of people and property. However, the superintendent or designee shall not approve the use of unmanned aircraft for recreational purposes on school property or at school-sponsored events during the school day or at any other time when groups of students or employees may be present outdoors.

Prior to obtaining approval from the superintendent or designee, the operator of any unmanned aircraft may be required to provide proof of insurance, including adequate liability coverage for any claims arising out of the use of an unmanned aircraft, and proof of the registration, certification, permit, and/or waiver required by the FAA and/or NCDOT to operate the unmanned aircraft for the intended purpose(s).

An unmanned aircraft used on school property or at a school-sponsored event must be operated either by or under the direct supervision of an FAA-certified drone pilot in accordance with subsection B.1, below, or by a recreational flyer in accordance with subsection B.2, below.

1. Use by or under the Direct Supervision of an FAA-Certified Drone Pilot

   An FAA-certified drone pilot, or an individual under the direct supervision of an FAA-certified drone pilot, may operate an unmanned aircraft for any commercial, educational, recreational, or other school system-related purpose as approved by the superintendent or designee. To qualify as an FAA-certified drone pilot, an individual must obtain a Remote Pilot Certificate from the FAA and have the certificate easily accessible during all use.

   An FAA-certified drone pilot and any individual under the direct supervision of an FAA-certified drone pilot must comply with all federal, state, and local laws and regulations, including all applicable requirements under 14 C.F.R. Part 107 ("Part 107"). In addition, if the use of an unmanned aircraft is not solely for hobby or recreational purposes, an FAA-certified drone pilot and any individual under the direct supervision of an FAA-certified drone pilot also must comply with the training and permit requirements of G.S. 63, art. 10, as applicable.

2. Use by a Recreational Flyer

   A recreational flyer may operate an unmanned aircraft strictly for recreational purposes as approved by the superintendent or designee. A recreational flyer is not required to be an FAA-certified drone pilot or under the direct supervision of an FAA-certified drone pilot. However, a recreational flyer must comply with all federal, state, and local laws and regulations, including all applicable federal requirements under the *Exception for Limited Recreational Operations of Unmanned Aircraft* (49 U.S.C. 44809).

C. UNAUTHORIZED USE OF UNMANNED AIRCRAFT

School system employees shall reasonably attempt to monitor school property and school-sponsored events for the unauthorized use of unmanned aircraft. Employees must report any known or suspected unauthorized use of an unmanned aircraft as soon as practicable to the principal or other school official responsible for supervising the school property or school-sponsored event. If the unauthorized use poses a threat to the safety, security, or privacy of people or property, the employee should attempt to intervene directly if it is possible to do so safely and effectively and ask the operator to discontinue the use. If the employee is unable to identify the individual operating the unmanned aircraft, or if the unmanned aircraft is grounded and unattended, the employee should immediately notify the principal or other school official responsible for supervising the school property or school-sponsored event.

A student or school system employee who uses an unmanned aircraft in violation of this policy will be subject to disciplinary action, up to and including suspension or expulsion for students and termination for employees. A contractor or vendor, school visitor, or other member of the general public who uses an unmanned aircraft in violation of this policy will be asked to discontinue the unauthorized use and/or asked to leave school property or the school-sponsored event in accordance with policy 5020, Visitors to the Schools.

School officials may also report the unauthorized use of an unmanned aircraft to local law enforcement and/or the FAA, as appropriate.

D. GUIDELINES FOR ALL USE OF UNMANNED AIRCRAFT

1. FAA Safety Guidelines

   A student, school system employee, contractor or vendor, school visitor, or other member of the general public who is authorized by the superintendent or designee to operate an unmanned aircraft on school property or at a school-sponsored event must comply with all applicable FAA safety guidelines, including, but not limited to, the following.

   a. The unmanned aircraft must be registered with the FAA and marked with the registration number.

   b. No later than September 16, 2023, the unmanned aircraft must be equipped with remote identification unless flying within an FAA-recognized identification area.

   c. The unmanned aircraft must have a maximum groundspeed of 100 mph or less.

   d. The operator must keep the unmanned aircraft within his or her visual line of sight at all times.

e. The operator must not fly the unmanned aircraft above 400 feet in uncontrolled airspace and must not fly the unmanned aircraft in controlled airspace (e.g., near airports) without FAA authorization. The operator must comply with all other FAA airspace restrictions (e.g., near military bases).

f. The operator must not fly the unmanned aircraft near other aircraft and must always yield the right of way to all other aircraft, especially manned aircraft.

g. The operator must not fly the unmanned aircraft near emergency response activities.

h. The operator must not fly the unmanned aircraft under the influence of drugs or alcohol. In addition, the operator must not fly the unmanned aircraft if he or she knows or has reason to know of any other physical or mental condition that would interfere with the safe operation of the unmanned aircraft.

i. The operator must not otherwise fly the unmanned aircraft in a careless or reckless manner.

2. Other Guidelines

A student, school system employee, contractor or vendor, school visitor, or other member of the general public who is authorized by the superintendent or designee to operate an unmanned aircraft on school property or at a school-sponsored event also must comply with the following guidelines established by the board.

a. The operator of any unmanned aircraft on school property or at a school-sponsored event must provide appropriate documentation of approval from the superintendent or designee immediately upon request by any school system employee.

b. Students are prohibited from operating an unmanned aircraft on school property or at a school-sponsored event without appropriate faculty or other adult supervision whether or not such supervision is required under federal regulations.

c. The superintendent or designee, as well as the principal or other school official responsible for supervising school property or a school-sponsored event, may require the operator of an unmanned aircraft to temporarily or permanently suspend further use of the unmanned aircraft on school property or at a school-sponsored event at any time for any reason.

d. The use of an unmanned aircraft to photograph or to record audio and/or video of the following is prohibited without the express written approval of the superintendent: (a) students, employees, visitors, or other individuals,

(b) school- or school system-sponsored activities and other events, or (c) school buildings or other school system facilities. Any such photographs or other audio and/or video recordings obtained through the use of an unmanned aircraft may not be used for any marketing or other commercial purpose or otherwise distributed to a third party without the express written approval of the superintendent.

e. Unmanned aircraft may not be flown over people or moving vehicles without the express written approval of the superintendent. As a pre-condition of receiving approval, the operator must provide the superintendent information sufficient to determine that the flight will be conducted in compliance with applicable FAA regulations.

f. Any data or other information collected through the use of an unmanned aircraft may not be sold for profit.

g. The use of an unmanned aircraft inside any enclosed school or other building on school property (including any school or other building under construction) or indoors at a school-sponsored event off school property is prohibited without the express written approval of the superintendent or designee.

h. The use of unmanned aircraft within the physical confines of any stadium, field, arena, or other structure, including the playing area of the venue, during a North Carolina High School Athletic Association contest, including pre- and post-game activities, is prohibited.

i. Any incident resulting in an injury to a person or damage to property caused by the use of an unmanned aircraft must be reported immediately or as soon as practicable thereafter to the principal or other school official responsible for supervising the school property or school-sponsored event where the incident occurred. This requirement applies whether or not the incident is also subject to the mandatory reporting requirements under federal regulations.

j. Any unmanned aircraft owned by a school or the school system must be properly insured and must be scheduled (i.e., listed on the policy) and operated as required by the school system's liability coverage agreement.

The superintendent or designee may develop any additional administrative procedures or other regulations necessary to implement the requirements of this policy or to further protect the safety, security, and privacy of people and property.

Legal References: FAA Reauthorization Act of 2018, P.L. 115-254; 49 U.S.C. 44801 *et seq.*; 14 C.F.R. Part 89, Part 107; Federal Aviation Administration, Advisory Circular 91-57C~~B~~ ~~(May 31, 2019)~~ October 20, 2022), available at https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_91-

57C_FAA_Revised.pdf; Federal Aviation Administration, Advisory Circular 107-2A (~~June 21, 2016~~ February 1, 2021), available at https://www.faa.gov/documentLibrary/media/Advisory_Circular/Editorial_Update_AC_107-2A.pdf ~~https://www.faa.gov/uas/resources/policy_library/media/AC_107-2_AFS-1_Signed.pdf~~; G.S. 14-7.45, -280.3, -401.24, -401.25; G.S. 15A-300.1, -300.2, -300.3; G.S. 63, art. 10; G.S. 113-295; North Carolina High School Athletic Association Handbook, available at https://www.nchsaa.org/handbook

Cross References: Student Behavior Policies (4300 series), Visitors to the Schools (policy 5020), Community Use of Facilities (policy 5030)

Other Resources: Federal Aviation Administration, Unmanned Aircraft Systems (UAS) website, available at https://www.faa.gov/uas/; North Carolina Department of Transportation, Division of Aviation, Unmanned Aircraft Systems website, available at https://www.ncdot.gov/divisions/aviation/uas/Pages/default.aspx

Adopted: December 2, 2019
Updated: July 18, 2022
Updated: January 10, 2023

AUTOMATED EXTERNAL DEFIBRILLATOR *Policy Code:* **5028/6130/7267**

The board is committed to providing a healthy and safe environment for its students, employees, and visitors. To provide opportunities for assistance to individuals who experience sudden cardiac arrest on school property, the board authorizes the placement of automatic external defibrillators (AEDs) in designated locations in schools and other board-owned or operated facilities and at designated events to be accessed by medical practitioners and other trained persons.

To the extent funding, staff, and training are available, the superintendent is authorized to acquire AEDs for use at designated schools and events. The superintendent is further authorized to develop a program to address access to and training, use, and maintenance of AEDs in the school system. All such AEDs and any program developed must comply with the requirements of state and federal law.

The superintendent, in consultation with medical professionals trained in cardiopulmonary resuscitation (CPR) and AED use, shall develop procedures to implement this policy. Procedures must include information regarding:

1. Medical/healthcare provider oversight: Choice of AED devices will be made in consultation with a physician licensed by the state of North Carolina. Preference will be given to machines that offer both adult and child settings. The type of AED product must be one that is approved by the United States Food and Drug Administration.

2. CPR and AED use training for anticipated responders: Training will be completed in accordance with nationally recognized training programs including those approved and provided by the American Heart Association or American Red Cross. Appropriate records of training will be maintained.

3. Coordination with the emergency medical services (EMS) system: Appropriate local EMS officials must be notified of the location and most recent placement of AEDs within a reasonable period of time of placement.

4. Appropriate device maintenance and testing.

5. Placement of AEDs.

The superintendent or designee shall report to the board on the plan for and actual use of AEDs in the school system. The superintendent shall designate a program coordinator to manage the AED program in the schools.

Nothing in this policy should be construed to require the presence or use of an AED on school property or at school sponsored events, unless otherwise required by law. The board cannot and does not guarantee that an AED or a person trained in its use will be available at any particular school site or school-sponsored event.

The board and its employees expressly reserve all immunities from civil liability which are available to them under state or federal law, including governmental immunity and the statutory immunities set forth in North Carolina General Statutes 90-21.14, 90-21.15 and 115C-375.1 and federal statute 42 U.S.C. 238q.

Legal References: G.S. 90-21.14, -21.15; 115C-375.1; 42 U.S.C. 238q

Cross References: Student Health Services (policy 6120)

Other Resources~~References~~: *N.C. Emergency Guidelines for Schools*, (NCDHHS 2009), available at https://www.dpi.nc.gov/documents/resources/nc-emergency-guidelines~~http://www.nchealthyschools.org/resources/~~; *Implenting an AED Program*, (American Heart Association 2018~~2~~), available at https://cpr.heart.org/-/media/CPR-Files/Training-Programs/AED-Implementation/2022-updates/AED-Guide-1.pdf ~~http://www.heart.org/idc/groups/heart-public/@wcm/@ecc/documents/downloadable/ucm_438703.pdf~~

Adopted: June 6, 2016

ORGANIZATION
OF THE PURCHASING FUNCTION

Policy Code: **6410**

The superintendent shall organize the purchasing function in a manner intended to meet the purchasing goals of the board. The purchasing function includes the following responsibilities:

1. making purchases for all departments in accordance with applicable laws and regulations, including the requirements of the State Division of Purchase and Contract when applicable, board policy, the superintendent's directives, good purchasing practices, and ethical principles;

2. establishing and enforcing a system for approving and accounting for purchases;

3. maintaining appropriate records on price quotations of supplies most frequently purchased;

4. maintaining other supplemental data to assist in making purchases at the most economical prices possible;

5. maintaining NC E-Procurement compliance and making purchases through the E-Procurement Service to the extent appropriate to maximize savings and efficiency in the purchasing function;

6. establishing a practical degree of standardization of equipment, supplies, and materials with sufficient flexibility to meet unique needs of schools and departments;

7. operating a central inventory warehouse;

8. supervising the receiving of all materials, including establishing procedures to ensure received goods are properly inspected, counted, and documented;

9. maintaining lists of potential bidders for various types of materials, equipment, and supplies;

10. providing information regarding bidding opportunities to vendors;

11. providing information and service to schools and departments that wish to make purchases; and

12. maintaining current information on all applicable laws, regulations, board policies, and administrative procedures.

Legal References: G.S. 143-49, -52, -52.3; 115C-522; 147~~,~~ art. 6E, art. 6G; N.C. Session Law 2003-147; N.C. Procurement Manual, Department of Administration, Division of Purchase and Contract, available at https://files.nc.gov/ncdoa/documents/files/NC-Procurement-Manual-2022-with-TOC. ~~https://ncadmin.nc.gov/governmentaencies/procurementrules~~

Cross References:

Adopted: April 10, 2000
Updated: June 1, 2015
Updated: June 6, 2016

The board believes that the appearance and the conduct of its faculty are of supreme importance in establishing a positive image for education in the community and for presenting a good example for students. Therefore, the board affirms its expectation that all personnel will be professionally, neatly, and appropriately attired for the work to be done. An employee's dress must not disrupt or distract from the educational process and must be in accordance with health and safety standards. The superintendent shall develop and communicate to employees guidelines for appropriate dress and appearance. Such guidelines (1) must be gender-neutral; (2) may authorize the principal or department supervisors to develop specific dress or appearance requirements for each school or department; (3) may authorize exemptions from the guidelines for employees performing specialized duties that require a different form of dress; and (4) must provide a process for offering reasonable accommodations when required by law.

Administrative and supervisory personnel shall set a good example in personal appearance and good manners and shall encourage and expect employees to dress in accordance with the board's expectations. An employee's supervisor will make an initial determination of whether an employee's dress or appearance is inappropriate. In making this determination, the supervisor will consider the following factors:

1. the nature of the work;

2. whether the dress is consistent with a professional environment;

3. health and safety factors;

4. the nature of the employee's public contact and the normal expectations of outside parties with whom the employee will work;

5. the employee's interaction with students;

6. the prevailing practices of other workers in similar jobs; and

7. any properly established guidelines for dress or appearance.

If the supervisor determines that the employee's dress or appearance violates the established guidelines or is hazardous to the health or safety of the employee, fellow employees, or students, the supervisor shall counsel the employee regarding attire that is consistent with this policy and shall determine whether the employee is allowed to remain at work or must leave work to change his or her dress. Any failure to follow the supervisor's directive and/or blatant or repeated violations of this policy will subject the employee to disciplinary action, up to~~,~~ and including~~,~~ dismissal.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12101 et seq.; Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e et seq.; Consolidated Appropriations Act, 2023, P.L. 117-

328, div. II-Pregnant Workers Fairness Act; *Bostock v. Clayton County, 590 U.S., 140 S. Ct. 1731 (2020);* G.S. 115C-36, -47

Cross References:

Adopted: October 13, 2008
Updated: January 10, 2022

EMPLOYEE TRAVEL AND OTHER EXPENSE REIMBURSEMENT

Policy Code: **7650**

The board may reimburse employees for reasonable and necessary travel and other expenses incurred while performing school system business. All employee requests for reimbursement for travel or other expenses are subject to this policy. The superintendent and finance officer are responsible for developing and disseminating forms for requesting travel and other expense reimbursement, for maintaining and disseminating current information concerning applicable reimbursement rates, and for establishing any procedures or regulations necessary to implement this policy.

A. EMPLOYEE RESPONSIBILITY FOR CONTROLLING TRAVEL EXPENSES

The board intends that its employees who are required to travel do so in reasonable comfort. All employees traveling on school system business are expected to exercise good judgment in distinguishing between reasonable comfort and extravagance and to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Reimbursement will not be approved for excess costs or additional expenses that are for the convenience or personal preference of the employee. Unless specifically approved by the board in advance, unauthorized expenses include, but are not limited to, alcohol or tobacco, entertainment activities (e.g., sporting events, pay TV, movies), personal services (e.g., spa, laundry), personal items (e.g., toiletries, magazines, souvenirs), supplemental insurance on rental cars, fines for traffic violations, and meals, lodging, or other expenses for spouses, children, guests, or pets. Employees are responsible for being aware of applicable reimbursement rates and any other limitations established by the superintendent or finance officer prior to travel.

B. APPROVAL FOR TRAVEL

Out-of-county travel by any employee except the superintendent must receive prior written approval of the employee's supervisor on the designated travel authorization form. Out-of-state travel also requires the superintendent's prior written approval. The request for approval must include an estimate of the anticipated cost of the travel and related expenses. Travel requests that exceed the amount budgeted for such purposes will be denied.

C. REIMBURSEMENT FOR TRAVEL EXPENSES

Employees may request reimbursement of actual expenses for mileage, meals, lodging, and other business-related expenses, such as conference registration fees and parking fees, incurred on approved trips for official school system business. Travel that does not directly benefit the school system is not reimbursable.

The reimbursement rates for mileage, meals, lodging, and other travel expenses will be in accordance with those established for state employees. Reimbursements will not exceed the annual budget allocated to the respective employee or department. All reimbursements

are contingent upon funds available.

All claims for reimbursement of travel expenses must (1) include a copy of the approved travel request form; (2) be in writing, itemized, and supported with original receipts, except that no receipt is required for meals that will be reimbursed at the state-approved flat rates; (3) document the official school business purpose for which the expenses were incurred; (4) include a copy of the agenda if the travel was to a conference, meeting, or similar event; (5) be signed by the employee; and (6) be approved by the employee's supervisor. If reimbursement is to be paid from federal funds, documentation of the business purpose must include the reason the claimant's travel is necessary to the federal program. All claims must be submitted in accordance with any additional requirements, procedures, or deadlines established by the superintendent or finance officer.

In extenuating circumstances, such as when lodging is not reasonably available at the state-approved rate, authorization for reasonable costs in excess of the state-approved rates may be approved by the employee's supervisor and the superintendent or designee.

D. ADVANCEMENT OF TRAVEL EXPENSES

The board discourages providing an advance travel allowance to employees. In extraordinary circumstances, an advancement of funds not to exceed the estimated travel expense with a limit of $500 for an approved trip may be made to an employee provided the employee makes a written request no later than one month prior to the departure date. The request must be approved by the employee's supervisor and the superintendent or designee. The advance will be forwarded to the employee no sooner than five working days before the scheduled departure date.

Funds advanced may be used only for expenses that are otherwise reimbursable and documented in accordance with this policy. Upon return from the trip, the employee must provide a reconciliation of the actual expenses incurred as compared to the amount advanced in accordance with procedures and any applicable deadline established by the finance officer. The employee shall be responsible for returning any funds advanced in excess of the employee's documented reimbursable trip expenses.

An employee who fails to file a complete reconciliation by the applicable deadline or who does not return travel funds owed to the school system may be subject to disciplinary action and/or to recovery actions for the amount owed.

E. CANCELLED TRIPS

If an employee cancels a trip for which (1) a travel advance has been extended, (2) trip-related expenses have been prepaid by the school system, or (3) a penalty or charge resulting from the cancellation is incurred, the employee is responsible for reimbursing the school system for all funds advanced or expended by the school system as a result of the cancellation unless otherwise approved by the superintendent or designee. Failure to reimburse the school system as required may result in disciplinary action and/or actions to

recover the amounts owed.

F. MILEAGE REIMBURSEMENT FOR USE OF PERSONAL VEHICLE

Employees who use their personal vehicle to travel in the performance of their official job duties will be reimbursed at the rate for state employees for mileage incurred when traveling for job-related activities, subject to budgetary limitations. The superintendent may establish criteria for determining which employees are eligible for this mileage reimbursement. Reimbursement will not be authorized for travel between the employees' residence and the first or last scheduled stop of the day.

Mileage reimbursement requests for all employees except the superintendent must be approved by the employee's immediate supervisor and submitted as directed by the finance officer or superintendent.

G. REIMBURSEMENT OF OTHER BUSINESS EXPENSES

Employees purchasing merchandise or other items on behalf of the school system with personal funds must have prior approval of their supervisor and may be reimbursed for reasonable costs, up to a limit of $50. Expenses of greater than $50 must be approved in advance by the superintendent or designee. Requests for reimbursement must follow the procedures established by the finance officer. All requests for reimbursement must be accompanied by a statement of the business purpose for the expense and a detailed receipt. Employees who are authorized to use school system procurement cards will not be reimbursed for purchases made using personal funds without prior approval of the superintendent or designee.

H. RESPONSIBILITY FOR MONITORING COMPLIANCE WITH THIS POLICY

The superintendent is responsible for monitoring employee compliance with this policy. The superintendent's expenditures for travel and other expenses will be reviewed by the board chair.

Legal References: G.S. 115C-36, -47(21), 138-6; 2 C.F.R. 200.474

Cross References: Board Member Compensation and Expenses (policy 2130)

Other Resources ~~References~~: *North Carolina Budget Manual*, Section 5 (Office of State Budget and Management), available at ~~https://www.osbm.nc.gov/library~~ https://www.osbm.nc.gov/budget/budget-manual

Adopted: June 6, 2016