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: January 9, 2023

SUBJ: Agenda Items- Policies for Approval

Attached you will find proposed Policy Codes for your consideration.

- Policy 4326-Random Drug Testing Program
- Policy 1510/4200/7270- School Safety
- Policy 2120-Code of Ethics for School Board
- Policy 2123-Board Member Opportunities for Development
- Policy 3220-Technology in the Educational Program
- Policy 3420-Student Promotion and Accountability
- Policy 3460-Graduation Requirements
- Policy 3620-Extracurricular Activities and Student Organizations
- Policy 4050-Children of Military Families
- Policy 4100-Age Requirements for Initial Entry
- Policy 4110-Immunization and Health Requirement for School Admission
- Policy 4130-Discretionary Admission
- Policy 4155-Assignment to Class
- Policy 4220-Student Insurance Program
- Policy 4240/7312-Child Abuse and Related Threats
- Policy 4300-Student Behavior Policies
- Policy 4400-Attendance
- Policy 4700-Student Records
- Policy 6125-Administering Medicines to Students
- Policy 6140- Student Wellness
- Policy 6220- Operation of School Nutrition Services
- Policy 6305-Safety and Student Transportation Services
- Policy 7130-Licensure
- Policy 7510-Leave
- Policy 2130-Board Member Compensation and Expenses
- Policy 3102-Online Instruction
- Policy 4270/6145-Concussion and Head Injury
- Policy 4334/5035/7345-Use of Unmanned Aircraft (Drones)
- Policy 6230-School Meal and Competitive Food Standards
- Policy 7360/8225-Crowdfunding on Behalf of the School System

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

January 9, 2023

Montgomery County School Board Policy: First Read

Policy #	Name	Required/Not Req	Explanation
Local			
4326	Random Drug Testing Program	Required	Old Schools

This policy revision requires an update from East and West Montgomery to Montgomery Central.

NCDHHS			
1510/4200/7270	School Safety	Optional	COVID-19 Language

The update removes temporary COVID-19 language at the beginning of the policy.

NCSBA			
2120	Code of Ethics for School Board	Recommended	Definition

This update adds to item B 4, adding the word integrity and expectations to comply with board policies regardless of whether the policies expressly require compliance by board members.

NCSBA			
2123	Board Member Opportunities for Development	Required	Representation

This policy change is due in part to the NCSBA Board of Directors voted not to renew NCSBA's membership in the National School Boards Association (NSBA), so local boards no longer have access to NSBA's training through their NCSBA membership. Instead, NCSBA now represents local boards in a new national school board organization called the Consortium of State School Boards Associations, which will be providing training available to local board members.

Policy #	Name	Required/Not Req	Explanation
NCSBA			
3220	Technology in the Educational Program	Recommended	Alignment to 2022 NC Plan

This is a policy update to align with the recent update of the NC Digital Learning Plan.

Legislative Update G.S. 115C-407.12			
3420	Student Promotion and accountability	Required	Update for Military Families

This policy update is based upon new legislation to support children of military families.

Legislative Update G.S. 115C-407.12			
3460	Graduation Requirements	Required	Update for Military Families

This policy update coincides with the previous policy 3420 to include an update on children of military families.

Legislative Update G.S. 115C-407.12			
3620	Extracurricular Activities and Student Organizations	Required	Clarifies tackle

This policy update clarifies that Interscholastic athletics are available to all sixth graders except tackle football. It also addresses the update for Military Families

Legislative Update G.S. 115C-407-12			
4050	Children of Military Families	Required	Adds Clarifying

Language

This policy adheres to the Interstate Compact on Educational Opportunity for Military Children (hereinafter "Complact") and G.S. 115C-407.12 to facilitate the enrollment of children of military families and to provide continuity in their educational services, including in the areas of education records, immunizations, age requirements for initial entry, course and education program placement, special educations services and extracurricular activities.

Legislative Update G.S. 115C-407-12			
4100	Age Requirements For Initial Entry	Required	Alignment 4150

This policy requires children of military families that move from another state where a child is already enrolled will be eligible for enrollment with our schools even if they do not reach the age of 5 before August 31.

Policy #	Name	Required/Not Req	Explanation
Legislative Update G.S. 115C-407-12			
4110	Immunization and Health Requirement For School Admission	Required	Alignment 4150

This policy clarifies that Pheumococall conjugate vaccine is required for initial entry only for children entering schools before the age of 5. Also, updates to align with policy 4150.

NCSBA			
4130	Discretionary Admission	Required	Language

This policy change updates the language throughout to acknowledge the board, rather than the superintendent, decides whether to admit non-domiciled students.

Legislative Update G.S. 115C-407-12			
4155	Assignment To Classes	Required	Alignment 4150

This is an alignment for Children of Military Families.

Legislative Update G.S. 115C-407 .65(b) and 58-31A-60			
4220	Student Insurance Program	Required	State Law

State law now requires the board to purchase catastrophic insurance for high school interscholastic athletic activities.

NCSBA Update			
4240/7312	Child Abuse and Related Threats	Recommended	Align to State School Board Policy

This policy reflects new language from the State School Board Policy to in a minor definition under the duty to report crimes.

Legislative Update G.S. 115C-390.2			
4300	Student Behavior Policies	Strongly Recommended	Update staff

This policy adds: Teachers, school-based administrators, parents, and law enforcement will be consulted when existing student behavior policies are revised, or new such policies are created.

Policy #	Name	Required/Not Req	Explanation
Legislative Update G.S. 115C-407.12			
4400	Attendance	Required	Alignment 4150

This policy reflects the new language for children of military families.

Legislative Update G.S 115C-407.12			
4700	Student Records	Required	Updates office Name

This policy update reflects the new language for children of military families.

Legislative Update G.S. 90 113.101			
6125	Administering Medicines To Students	Required	Removes Epilepsy

This policy update removes the following from the current policy, (1) authorized by and administered by a caregiver in accordance with G.S. 90 94.1 and G.S.90 113.101 for the treatment of intractable epilepsy or (2).

Legislative Update G.S. 115C-624			
6140	Student Wellness	Required	Language based on a statutory Change

This policy strikes in section C2 from the Competitive Foods paragraph, "Eat Smart: North Carolina's Recommended Standards for All Foods Available in Schools."

Also struck out items in Section B and Section D language around local board goals.

USDA Update		
6220	Operation of School Nutrition Services	Required

This policy adds a parenthetical clarifying that sex includes pregnancy, childbirth, sexual orientation, and gender identity.

NCSBA			
6305	Safety and Student Transportation Services	Optional	Temporary COVID Language

This policy suspends the language from the pandemic from DHHS.

State Board of Education

7130	Licensure	Strongly Recommend	Notification

This policy removes the burden of responsibility from the superintendent to notify teachers of the state's licensing appeal process and the fact that the process is not handled at the local level.

NCSBA

7510	Leave	Optional	Covid language

This policy change removes the language around COVID-19 and employee leave time.

Policy #	**Name**	**Required/Not Req**	**Explanation**

NCSBA

2130	Board Member Compensation And Expenses	Required	New website

This policy updates the hyperlink to direct internet searches to the new https://www.osbm.nc.gov/budget/budget-manual website.

Legislative Update G.S. 11C-84.3

3102	Online Instruction	Required	Legal Reference

Adds another statute to the legal reference G.S. 115C-84.3

Legislative Update G.S. 115C-407.55

4270/6145	Concussion and Head Injury	Required	Legal Reference

Adds -407.55 and the North Carolina High School Athletic Association Handbook link.

Federal Aviation Update

4334/5035/7345	Use of Unmanned Aircraft (Drones)	Required	Legal Reference

This policy aligns with FAA updates and references the NCHSAA guidelines for use with a hyperlink to the handbook.

Legislative Update G.S. 115C-264.3

6230	School Meal and Competitive Food Standards	Required	Legal Reference

This policy adds -264.3 and removes the outdated Eat Smart program from 2004.

NCSBA

7360/8225	Crowdfunding on Behalf of the School System	Required	Hyperlink

Removes old hyperlink and replaces it with the new NCSBA link for crowdfunding.
https:/// www.ncsba.org/wp-content/uploads/2022/05/crowdfunding-report.indd_.pdf

It is the responsibility of Montgomery County Schools to safeguard the overall well-being and development of student athletes at Montgomery Central High School ~~East Montgomery High School and West Montgomery High School~~. We, therefore maintain that the misuse of drugs and the unlawful possession and use of alcohol or steroids threatens the well-being and development of not only those who participate in sports, but the entire school community.

Montgomery County Schools is committed to the prevention of drug abuse and the rehabilitation of identified abusers.

We realize that the problem of illegal drugs and alcohol use presents a continuing challenge to the school and a danger to the entire student body.
It is the intent of Montgomery County Schools to detect and prevent substance abuse by students involved in athletics. Participation in athletics is a privilege and it is the belief of Montgomery County Schools that student athletes have a responsibility to be drug and alcohol free. Montgomery County Schools is being proactive to ensure the safety of all students participating in athletics.

The primary emphasis of this program is deterrence and remediation rather than punishment of students who test positive for marijuana, cocaine, steroids, amphetamines/methamphetamines, PCP (a hallucinogen), opiates, barbiturates, benzodiazopenes, alcohol, steroids and other non-prescribed medications and will be followed according to board policy. This policy is ***NOT*** intended to be disciplinary or punitive in nature. No student will be expelled or suspended from school as a result of any verified positive test conducted by the school under the Random Drug Testing Program. The program is aimed at the identification and remediation of athletes involved with drugs. This program will be therapeutic in nature allowing for the opportunity to refer identified users of drugs to an appropriate substance abuse program as recommended by Montgomery County Schools.

This policy will comply with all required federal confidentiality regulations.

This policy and regulations will apply to all student athletes, including cheerleaders, at Montgomery Central High School ~~East Montgomery High School and West Montgomery High School~~.

This Montgomery County Board of Education policy will be made available to all coaching staff, athletes, and parents/guardians annually. The policy will be published in the Montgomery Central High School ~~East Montgomery and West Montgomery High School~~ athletic handbook and also in the Student Code of Conduct. This information will also be included with the "consent for participation in athletics" form.

Testing Coordinator

- The Principal and athletic director or designee(s) will coordinate and supervise the

Random Drug Testing Program.

Eligibility and Random Testing

- All athletes who participate for ~~any~~ Montgomery Central High School ~~East Montgomery or West Montgomery High School~~ athletic sports team will be subject to the random drug testing.
- Students become subject to the random testing once they complete the Montgomery County Participation form with the consent to test included.
- Each student and each student's custodial parent/guardian who would like to participate in athletic activities must give consent in writing to participate in random drug testing and for the release of the test results to the proper school officials; the student and the student's custodial parent/guardian; and the school principal or his or her designee.
- The Montgomery County Participation form must be submitted to the appropriate coach or athletic director on or before the first day of practice. The athlete may not participate in practice or any athletic event until the completed form is submitted.
- Students are subject to random drug testing from the date the Montgomery County Participation form is signed and returned through the end of the current season.

  The student will be removed from the random drug screening pool if the student withdraws from all athletics.

Testing Procedure

- A confidential testing schedule will be created for Montgomery Central High School ~~East Montgomery High School and West Montgomery High School~~ prior to the initiation of the program to ensure that the testing of eligible pupils is conducted in a manner that is random. The test will utilize a urine sample as the specimen to be tested.
- Testing will only occur on student-athlete contact days during the academic year. Students will only be tested on a regular school day. Testing will not occur on a weekend, holiday or other non-student school day and will usually occur at a practice.
- Selection of eligible athletes for testing will be conducted on a random basis as described below:
    - The athletes, selected for testing, will be identified ONLY by their student ID number.
    - All athletic rosters will be entered on **POWER SCHOOL** to determine ID number.
    - The school designee will notify the individuals selected for testing on the day of the test and will escort each one to the testing site.
    - All teams will have at least one member tested.
    - Five percent (5%) of ***in season*** teams' members will be tested during the season.
    - Alternate pupil selection will be made in the event of pupil absence. A student who is absent on the day of a test will be excused. However, a student who was present during first period class and later leaves campus without a valid excuse or cuts class after it becomes known that students are being tested will

be considered as refusing to be tested.
- The names and/or any other personally identifying information of the participant will remain confidential.
- The day of testing will be varied so that testing does not become predictable.
- A school designee will notify each student personally that he/she has been selected for testing immediately prior to testing. The student shall be escorted immediately to the collection site. The student will not be allowed to go to his or her locker for any reason. The student will not be allowed to leave the presence of a school employee or testing coordinator until he or she has been tested**. <u>If the student refuses to cooperate with school employees or the testing coordinator, the refusal will be reported as a positive test result.</u>**
- The principal, athletic director or designee and the testing coordinator will select the location to use for collecting samples.
- Students will be randomly selected by the test provider.
- If a student refuses to test he/she will be dismissed from his/her sport for the remainder of that school year and will not be allowed to play any sports for the rest of the year. If the student wants to participate in any other sports during his/her high school career. They must provide a negative urine based test.

- The custodial parent(s) or legal guardian(s) may request, in writing, that the testing coordinator add their son or daughter to the next available selection list. The addition of a student at the request of the custodial parent(s) or legal guardian(s) will not affect the number of athletes that must be tested.

<u>Reasonable Suspicion Testing</u>

- Any athlete who, while on school property and/or participating in an athletic event, behaves in a manner that may cause reasonable suspicion that the athlete may be using a controlled substance will be required, by an officer of the school system, to submit to a controlled substance test.

- **Furthermore, if an athlete on other than school property exhibits behavior that causes a reasonable suspicion that the athlete may be using a controlled substance (actions include, but are not limited to, arrest or citation for drug related activity) that athlete may be required by a school official to submit to a controlled substance test.**

<u>Collection of Samples</u>

- All aspects of the program, including the collection of the specimen, will be conducted so as to safeguard all personal and privacy rights of the participant to the maximum extent

possible. The participant's test results are treated as a confidential health record pursuant to all state and federal regulations. Any information obtained by the program which would identify the participant as a drug user may be disclosed only for the purposes and conditions permitted by federal regulations. No testing record of any participant will be used to initiate or substantiate any criminal charges against a participant or to conduct any investigation of the participant. Montgomery County Schools will not share the individual test results with law enforcement authorities. Montgomery County School students will be tested for marijuana, cocaine, steroids, amphetamines/methamphetamines, PCP (a hallucinogen), opiates, barbiturates, benzodiazopenes alcohol, steroids and other non-prescribed medications

- Each student will be monitored in a non-intrusive manner to detect any attempt to provide a false specimen. Students will be given the opportunity to notify the testing coordinator, in writing, if they are taking any prescription or non-prescription drugs at the time of the test.
- **Any attempt by a student to tamper with the specimen collection process will be reported as a positive test result. Athletes that attempt to tamper with test results will be disqualified from participating in all sports for the remainder of their high school career.**
- The test procedure will utilize a urine sample as the specimen to be tested.
- The testing coordinator will implement procedures to insure that each student's sample is appropriately labeled and secured to prevent the sample from being lost, misplaced or contaminated.
- A strict Chain of Custody will be followed for each specimen collected to ensure accuracy and confidentiality.
- The testing coordinator shall:
    - Provide each student with a sanitized kit containing a specimen collection device. The device will remain in the student's possession until it returned to the collection staff. The student will sign a form certifying that the collection device contains his or her sample and that the specimen has been sealed. If a student is unable to urinate, they will be given a large glass of water and up to one hour to provide a urine sample.
    - **Label the specimen collection device with only with the student's initials.**
    - After the specimen has been sealed, the specimen will be transported to the testing laboratory by the testing coordinator or designee.

Notification of Testing Results

- **When a student's test is confirmed positive, the Medical Review Officer from the test provider will first contact the student's custodial parent(s) or legal guardian(s) and then the designated school official. The school official will contact the student's custodial parent(s) or legal guardian(s) to schedule a meeting.** Positive results will be confirmed at a federally certified laboratory by a process that detects minute levels of prohibited substances in urine**.**
- The student and custodial parent(s)/legal guardian(s) will be given an opportunity to present information to a medical review officer, such as the documented use of a prescription medication or an over the counter drug which may render the positive test

result invalid or negative. Failure or refusal of the student and/or the student's custodial parent(s)/legal guardian(s) to cooperate with the school will constitute a refusal to test and therefore a positive result. The school will inform the student and the student's custodial parent(s)/legal guardian(s) of the opportunity for an additional confirming test at the student's expense from the remaining sample of the original specimen. If the school determines that a "positive" test result was the result of the lawful use of a prescription or non prescription drug, the test results will be considered negative.

- Montgomery County Schools will use the standard cut off scores generally used by NIDA and/or SAMHSA for determining a positive test result. The testing coordinator must use a laboratory that is appropriately licensed by the NIDA or SAMHSA.
- Students' test results will be kept in confidential files separate and apart from his or her other educational records. Test results will only be disclosed to personnel who have a need to be informed regarding the result of the test in order to implement or oversee implementation of the program or the consequences for violating the policy. Information resulting from drug testing under the Random Drug Testing program will not be given to any law enforcement authorities.
- The student will not be allowed to participate in any athletic event until they provide a negative urine based drug test. The student will be responsible for the cost of the test.

Consequences

- A refusal to provide a sample will be treated as a positive test result.
- Possible consequences will result from the following:
    - A confirmed positive drug test
    - Refusal to participate in testing when selected
    - Tampering with the specimen collection process

Consequences of a Confirmed Positive Test

- The designated school official will contact the student's parent(s) or guardian(s) to schedule a meeting.
- The student will not be allowed to participate in any athletics until they provide a negative urine based drug test. The student will be responsible for the cost of the test.
- It is required that the student attend an Early Intervention Program conducted by an agency approved by Montgomery County Schools as an appropriate substance abuse treatment center. The principal or designee may approve alternate forms of counseling programs.
- If the student has a second confirmed positive drug test during their high school career, the student will forfeit the privilege to participate in any athletic activities for at least one calendar year (365 days)
- If the student has a third positive test, it shall be assumed that the student has a serious drug problem. The student must present certification from an agency approved by the Department of Health that he/she is drug free before being considered for being allowed to participate in athletics.

Failure to complete all requirements will result in the student being ineligible to participate in

athletics.

Appeal Procedure

- A student or his or her parent(s) or guardian(s) may request a retest, which must be urine based, of his or her original specimen at his or her expense at a laboratory approved by Montgomery County Schools and which follows Federal Substance Abuse and Mental Health Services Administration (SAMHSA) standards concerning drug testing protocols and procedures. Requests must be made within twenty-four (24) hours of receiving the results of the positive drug test. The specimen previously submitted will be forwarded to the approved lab in cooperation with the schools' approved outside agency responsible for confirmatory testing.

All school employees and the testing coordinator, their agents and employees shall maintain the confidentiality of all personally identifiable student information and test results as a result of this policy.

Adopted: June 3, 2013
Updated: May 2, 2017

Safe schools are critical to creating a learning environment in which students can succeed. Staff and students share the responsibility for taking reasonable precautions and following established safety measures to create and maintain safe schools. The following safety measures must be implemented at each school.

~~Temporary Requirements to Prevent COVID-19 Spread~~

~~In order to secure the health and safety of school system students and employees during the COVID-19 pandemic, the school system will implement the strategies that the North Carolina Department of Health and Human Services (DHHS) advises be implemented by all schools to lower the risk of COVID-19 exposure and spread . The superintendent or designee, in conjunction with appropriate health officials, shall develop protocols where necessary to implement strategies recommended by DHHS. These temporary rules shall remain in effect until repealed by the board or until the applicable guidance from DHHS is rescinded, whichever occurs first.~~

A. SUPERVISION OF STUDENTS

Students must be reasonably supervised while in the care and custody of the school system. This supervision must occur throughout school hours, including during class, between classes, on the playground, and during recess or lunch periods; during authorized school field trips; and on school buses. Reasonable precautions should be taken to protect the safety of students on school grounds and on buses before, during, and after school.

Students who are subject to policy 4260, Student Sex Offenders, and are receiving educational services on school property must be supervised by school personnel at all times.

B. SUPERVISION OF VISITORS

School administrators shall strictly enforce policies 5015, School Volunteers, and 5020, Visitors to the Schools.

C. SAFETY OF SCHOOL BUILDINGS AND GROUNDS

The board recognizes its duty to provide each of its employees with a workplace free from recognized hazards that are causing or are likely to cause death or serious physical harm.

The superintendent and each building principal shall comply with all duties set out for their respective positions in G.S. 115C-288(d) and G.S. 115C-525 to minimize fire hazards. The principal is required to inspect school buildings, playgrounds, and equipment for health, fire, and safety hazards on a regular basis, as required by law, and to notify the superintendent immediately of unsanitary conditions or repairs needed to meet safety

standards.

Any employee who observes any potential hazards must notify the principal or the employee's supervisor immediately.

All warning systems must meet building and equipment codes required by law and must be properly maintained. When necessary, proper signs indicating potential hazards or recommended safety precautions must be posted.

D. ESTABLISHING PROCESSES TO ADDRESS POTENTIAL SAFETY CONCERNS AND EMERGENCIES

1. Responding to Student Altercations and Other Threats to Safety

   All school system employees have a duty to be alert at all times to situations that may pose a threat to the safety of students, employees, or visitors on school property, at school events, or in other situations in which the students are under the authority of school employees. Even an employee who does not have responsibility for supervising students is expected to make an immediate report if the employee observes or has reason to suspect that a situation poses a threat to safety and no administrator, teacher, or other supervisory employee is present and aware of the potential threat.

   Teachers, teacher assistants, coaches, and other employees with responsibility for supervising students will use appropriate student behavior management techniques to maintain order and discipline on school property, at school events, and anywhere that students are under the employees' authority. Such employees must enforce the Code of Student Conduct and address student behavior in accordance with the school plan for management of student behavior (see policy 4302, School Plan for Management of Student Behavior).

   When employees with responsibility for supervising students have personal knowledge or actual notice of a student altercation or other situation that poses an immediate threat to safety, they shall use their professional judgment to determine how best to address the situation to protect the safety of everyone in the vicinity. Emergency procedures identified in a student's Behavior Intervention Plan shall be followed to the maximum extent possible under the circumstances. For minor threats or altercations or altercations involving young children, the employee shall intervene directly to end the fight or address the safety threat if the employee can do so safely. An employee who encounters a situation that cannot be managed safely and effectively by that employee immediately shall request assistance from other employees or administrative staff and shall take steps to remove bystanders from the area. Only the degree of force or physical control reasonably necessary shall be used to re-establish a safe environment.

   Employees should take further action as appropriate in accordance with any

response protocols established by the principal or superintendent. All employees are responsible for knowing and following such protocols to the fullest extent reasonable under the circumstances at the time.

2. School Rules

The principal or designee shall develop rules to help prevent accidents in school buildings, on school buses, and on school grounds.

3. Training for Staff and Students

Staff training must include detailed instruction on how to respond to a variety of emergency situations. Staff should also be able to recognize and respond to behavior, information, and related indicators that warn of impending problems. In addition, middle and high school employees must receive adequate training on the operation of the school's anonymous safety tip line.

School personnel must teach and review with students (1) safety procedures, including fire safety procedures; (2) precautions for handling chemicals or potentially dangerous equipment; and (3) appropriate responses to threats to school safety. Middle and high school students must also be informed of the anonymous safety tip line and its purpose and function.

4. Safety Equipment

School employees shall provide students and visitors with safety equipment as required by law and shall enforce school rules pertaining to wearing safety equipment. School employees shall wear and use appropriate safety equipment as required for the safe performance of their specific job assignments.

5. Planning for Emergencies and Conducting Fire Drills and Other Emergency Drills

The board, in coordination with local law enforcement and emergency management agencies, will adopt a school risk management plan relating to incidents of school violence for each school in the school system. The superintendent must provide the Department of Public Safety's Division of Emergency Management (Division) with emergency response information it requests for the school risk management plan and updated emergency response information when such updates are made. The superintendent must also provide the Division and local law enforcement with schematic diagrams, including digital schematic diagrams, of all school facilities and updates of the schematic diagrams when the school system makes substantial facility modifications, such as the addition of new facilities or modifications to doors or windows. Schematic diagrams must meet any standards established by the Department of Public Instruction for the preparation and content of the diagrams. In addition, the superintendent shall provide local law enforcement with (1) either keys to the main entrance of all school buildings or emergency access to

key storage devices for all school buildings and (2) updated access to school buildings when changes are made to the locks of the main entrances or to the key storage devices.

At least one school-wide tabletop exercise and drill that meets the requirements of state law and is based on the procedures documented in the school risk management plan will be held annually at each school. Principals shall also conduct fire drills as required by law.

6. Reporting Risks to the School Population

Students should notify any staff member of any acts of violence, harassment, or bullying or any other unusual or suspicious behavior that may endanger safety. Middle and high school students may also use the anonymous safety tip line to report any risks to the school population or buildings. Ongoing student education efforts will aim at minimizing any fear, peer pressure, embarrassment, or other impediments to students reporting potential problems.

Maintaining a safe school environment that is conducive to learning requires staff to be proactive in dealing with violence, harassment, and bullying. Staff members must report immediately to the principal any information regarding unusual or suspicious behavior or acts of violence, harassment, or bullying.

School officials shall investigate and act upon any report of such behavior, including, when appropriate, reporting criminal activities to law enforcement, the State Board, the State Superintendent of Public Instruction, and the superintendent or designee (see policies 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law, 1725/4035/7236, Title IX Sexual Harassment – Prohibited Conduct and Reporting Process, 1726/4036/7237, Title IX Sexual Harassment Grievance Process, 4040/7310, Staff-Student Relations, 4329/7311, Bullying and Harassing Behavior Prohibited, 4335, Criminal Behavior, and 7232, Discrimination and Harassment in the Workplace).

7. Potential Threats of Registered Sex Offenders

The principal of each school shall register with the North Carolina Sex Offender and Public Protection Registry to receive e-mail notification when a registered sex offender moves within a one-mile radius of the school.

8. Student Behavior Standards

Students are expected to meet behavior standards set forth in board policies.

Legal References: 29 C.F.R. part 1904; G.S. 14-208.18; 95-129(1); 115C-36, -47, -105.49, -105.51, -105.53, -105.54, -166, -167, -288, -289.1, -307, -390.3, -391.1, -521, -524, -525; 13 N.C.A.C. 7A .0301; 16 N.C.A.C. 6E .0107; State Board of Education Policy SCFC-005

Cross References: Discrimination and Harassment Prohibited by Federal Law (policy 1710/4020/7230), Title IX Sexual Harassment – Prohibited Conduct and Reporting Process (policy 1725/4035/7236), Title IX Sexual Harassment Grievance Process (policy 1726/4036/7237), School Improvement Plan (policy 3430), Staff-Student Relations (policy 4040/7310), Student Sex Offenders (policy 4260), Student Behavior Policies (4300 series), Bullying and Harassing Behavior Prohibited (policy 4329/7311), School Volunteers (policy 5015), Visitors to the Schools (policy 5020), Registered Sex Offenders (policy 5022), Weapons and Explosives Prohibited (policy 5027/7275), Public Records – Retention, Release, and Disposition (policy 5070/7350), Relationship with Law Enforcement (policy 5120), Discrimination and Harassment in the Workplace (policy 7232), Occupational Exposure to Hazardous Chemicals in Science Laboratories (policy 7265), Staff Responsibilities (policy 7300), Security of Facilities (policy 9220)

Other Resources: *Practical Information on Crisis Planning: A Guide for Schools and Communities*, U.S. Department of Education, Office of Safe and Drug-Free Schools (January 2007), available at http://www2.ed.gov/admins/lead/safety/crisisplanning.html

Adopted: March 6, 2000
Updated: July 1, 2009
Updated: August 2, 2010
Updated: January 19, 2011
Updated: July 12, 2011
Updated: December 6, 2011
Updated: January 14, 2013
Updated: December 9, 2013
Updated: January 11, 2016
Updated: December 14, 2017
Updated: December 3, 2018
Updated: December 7, 2020
Updated: June 7, 2021
Updated: January 10, 2022

CODE OF ETHICS
FOR SCHOOL BOARD MEMBERS

Policy Code: **2120**

The board recognizes that, collectively and individually, all members of the board must adhere to a code of ethics as required by G.S. 160A-86 and G.S. 115C-47(57).

A. BOARD MEMBER ETHICAL REQUIREMENTS

The following standards will guide each board member in the performance of his or her official duties:

1. the need to obey all applicable state and federal laws regarding official actions taken as a board member;

2. the need to uphold the integrity and independence of the board member's office;

3. the need to avoid impropriety in the exercise of the board's and board member's official duties;

4. the need to perform faithfully the duties of the office; and

5. the need to conduct the affairs of the board in an open and public manner, complying with all applicable laws governing open meetings and public records.

B. SPECIFIC BOARD MEMBER COMMITMENTS

In order to implement the above standards, each member of the board commits to do the following:

1. attend all regularly scheduled board meetings insofar as possible and become informed concerning the issues to be considered at those meetings;

2. endeavor to make policy decisions while always keeping in mind the objective of providing students the opportunity to receive a sound basic education and only after full discussion at publicly held board meetings;

3. render all decisions based on the available facts and independent judgment and refuse to surrender that judgment to individuals or special interest groups;

4. model civility and integrity to students, employees, and all elements of the community by encouraging the free expression of opinion by all board members; ~~and~~ engaging in respectful dialogue with fellow board members on matters being considered by the board; and complying with all board policies that set expectations for conduct, regardless of whether the policies expressly require compliance by board members;

5. respect the confidentiality of information that is privileged under applicable law and refrain from unauthorized disclosure of matters discussed in closed session;

6. work with other board members to establish effective board policies and to delegate authority for the administration of the schools to the superintendent;

7. communicate to other board members and the superintendent expressions of public reaction to board policies and school programs;

8. learn about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the state and national school boards associations;

9. comply with North Carolina General Statute 115C-50 by earning the required 12 hours of training every two years;

10. comply with G.S. 160A-87 by earning two hours of ethics education within 12 months of election or appointment to the board;

11. support the employment of those persons best qualified to serve as school employees and avoid allowing personal relationships and biases to influence decision making;

12. refrain from investigating or attempting to resolve complaints received personally, but instead direct the complainant to follow the board's complaint or grievance process to resolve concerns;

13. avoid being placed in a position of conflict of interest and refrain from using the board member's position on the board for personal or partisan gain;

14. as stated in board policy 2121, Board Member Conflict of Interest, refrain from participating in, deliberating on, voting on, or attempting to influence any person with respect to any matter pertaining to the employment with the board of the board member's spouse, including but not limited to hiring, transfer, promotion, demotion, suspension, discipline, performance evaluation, or review or investigation of a complaint of any kind;

15. take no private action that will compromise the board or administration; and

16. remember always that a board member's first and greatest concern must be the educational welfare of the students attending the public schools.

All newly elected board members are expected to sign a code of ethics statement that includes these provisions at the organizational meeting of the board.

Legal References: G.S. 115C-36, -47(1), -47(57), -50; 160A-86, -87; *Leandro v. State*, 346 N.C. 336 (1997)

Cross References: Board Member Conflict of Interest (policy 2121), Board Member Opportunities for Development (policy 2123)

Adopted: May 3, 2010
Updated: January 11, 2016
Updated: December 7, 2020

BOARD MEMBER
OPPORTUNITIES FOR DEVELOPMENT

Policy Code: **2123**

Board members are encouraged to participate in school board development activities designed for them. New board members will have the opportunity and will be encouraged to attend orientation programs for new board members sponsored by the state and national school boards associations. It is the responsibility of the board to provide new board members with a thorough orientation to board policies, practices, and duties.

Each board member must fulfill the legal requirement to receive a minimum of 12 hours of training every two years.

All board members must receive a minimum of two hours of ethics education within 12 months after initial election or appointment to office and again within 12 months after each subsequent election or appointment to office. This education must address the laws and principles that govern conflicts of interest and ethical standards for local government officials. The superintendent shall maintain records verifying that each board member has participated in the required ethics education. The ethics education required under this paragraph may be counted towards the 12-hour training requirement.

Unless otherwise approved by the board, such training must be provided by the following entities: the school system, the North Carolina School Boards Association, the Consortium of State School Boards Associations, ~~the National School Boards Association~~, the School of Government, or the Department of Public Instruction. If a board member wishes to receive training credit or be reimbursed for attending training offered by another entity, he or she must obtain approval from the board.

Funds for participation will be budgeted annually, and reimbursement for expenses will be made in accordance with law and applicable board policy.

Legal References: G.S. 115C-50; 160A-86, -87

Cross References: Code of Ethics for School Board Members (policy 2120)

Adopted: April 13, 2010
Updated: January 11th, 2016

In alliance with the North Carolina Digital Learning Plan, ~~state school technology goals~~, the board is committed to establishing and supporting effective digital teaching and learning practices supported by contemporary ~~21st century~~ information and communications technology systems to foster globally competitive, ~~healthy, and responsible~~ students prepared for modern life. The board recognizes the benefits of digital and technology-enabled and-enhanced teaching and learning resources that provide the ability to make data more accessible, personalize learning, easily customize curriculum, provide access to current information, and enable access to quality materials at a lower cost than traditional materials. To that end, the board supports classroom digital and technology-enabled and-enhanced teaching and learning resources that are aligned with the current statewide instructional standards ~~as they become available~~. In addition, to the extent funding permits, the board will endeavor to ensure that all students have access to personal digital and technology-enabled teaching and learning devices to foster the ~~21st century~~ skills necessary for future-ready learners

The board expects that information and communications technologies will be integrated seamlessly across the curriculum and used to support student achievement and to prepare students to be successful in college, in careers, and as globally engaged, productive citizens. ~~Such technologies will also be used to support programs and activities that promote safe schools and healthy and responsible students.~~ The curriculum committee should provide suggestions in the curriculum guides referenced in policy 3115, Curriculum and Instructional Guides, for integrating technological resources (as defined in Section A below) into the educational program. School administrators and teachers are encouraged to develop additional strategies for integrating technological resources across the curriculum and utilizing the power of technology to personalize learning and improve learning outcomes while making more efficient use of resources. The strategies should be included in the school improvement plan if they require the transfer of funds or otherwise relate to any ~~mandatory or optional~~ components of the school improvement plan.

The superintendent shall oversee development of the school system's digital teaching and learning vision as part of the school system's strategic plan and yearly action plan that aligns to the vision. ~~Integrate digital planning to support teaching and learning needs into school system strategic planning efforts and~~ The development and ongoing review of the vision and the action plan will include various stakeholders such as curriculum leaders, teachers, administrators, students, parents, and representatives from technology services, instructional technology, finance, and other departments as required. The action plan will include adequate data privacy protections to secure student data and will take into account the level of out-of-school Internet access for students.

The superintendent may ~~shall~~ establish relationships with businesses and seek grants and other funding sources in an effort to acquire additional technological resources for the educational program and to support continuous out-of-school Internet access for students

A. SELECTION OF TECHNOLOGICAL RESOURCES

Technological resources are information and communications technologies including, but ~~are~~ not limited to, the following:(1)hardware, including both fixed and mobile technologies and devices such as desktopcomputers,laptops,netbooks,tablets,e-readers,smartphones,andgaming devices; (2)software, including cloud-based and web-based applications, programs, and platforms; (3)network and telecommunications systems and services; (4) Internet access;(5)multimedia equipped classrooms; (6)computer classrooms and laboratories; and(7) other existing or emerging mobile communications systems. All technological resources must be purchased and used in a manner consistent with applicable law and board policy, including laws and policies related to copyright, public records, bidding, and other purchase requirements, accessibility for students with disabilities, staff duties, and standards for student behavior.

Technological resources must meet or exceed the following standards before they may be considered for implementation.

1. Technological resources must support the current statewide instructional standards or the programs of the school system.

2. Technological resources must support the current use of learning and instructional management technologies in the school.

3. Technological resources must be compatible with the condition of the network and other infrastructure resources. The technology director shall set minimum standards for technological resources that are purchased or donated. Upgrading, hardware conditions, and similar requirements must be maintained to the highest standards.

4. There must be sufficient staff to operate and maintain the technological equipment, programs, and systems.

5. There must be adequate funds budgeted to implement and support the technological resources and to train instructional staff to use the resources to improve educational outcomes.

Procurement of technological resources should be done in collaboration with teachers and technical support staff, as appropriate. Whenever possible, a pilot period to test the resource should occur prior to full purchase.

B. DEPLOYMENT OF TECHNOLOGY TO SCHOOLS

The superintendent shall oversee the development of the school system's technology deployment and refresh plan. The plan will be designed to ensure organized, effective, ~~and~~ efficient, and sustainable means of deploying and maintaining technology resources and will establish appropriate refresh/replacement cycles. ~~New information and communications technologies~~. The superintendent shall develop procedures that outline the strategy of the technology deployment and refresh plan.

C. BRING YOUR OWN TECHNOLOGY (BYOT) INITIATIVE

The superintendent is authorized to investigate and develop a plan to allow staff and students the option to use their personal electronic devices in place of or along with their school system assigned devices. The plan should address, at a minimum, the instructional use of personal devices, compatibility requirements, access limitations or requirements, content filtering, security, and other issues as recommended by the technology director. The plan should assign personal responsibility to the user for repair and replacement of damaged or stolen devices and for any data or other charges arising from use of a personal device. The plan should require a written agreement for the use of personal technology devices from each student and staff member who wishes to participate in the BYOT initiative. The plan should ensure that students who are unable to bring in outside technology will be able to access and utilize school equipment so that no student is excluded from instruction due to lack of access to technology.

D. ELECTRONIC COMMUNICATION AND OTHER COLLABORATIVE TOOLS

The superintendent is authorized to permit instructional personnel to incorporate email, social networking sites, blogs, wikis, video sharing sites, podcasts, video conferencing, online collaborations, instant messaging, texting, virtual learning environments, and/or other forms of direct electronic communications or Web 2.0 applications for educational purposes to the extent the superintendent deems appropriate and in accordance with policy 7335, Employee Use of Social Media. The superintendent shall establish parameters and rules for use of these tools and shall require instruction for students in how to use such tools in a safe, effective, and appropriate way. Instructional personnel shall make all reasonable attempts to monitor student online activity and shall otherwise comply with the requirements of policy 3225/4312/7320, Technology Responsible Use, when using these tools.

E. TECHNOLOGY-RELATED PROFESSIONAL DEVELOPMENT

The superintendent shall plan a program of ~~technology-enabled professional development~~ professional development for digital teaching and learning that prepares ~~the instructional staff~~ administrators, teachers, coaches, school library media coordinators, and technical support staff to ~~for~~ utilize~~ing~~ digital tools and resources in accordance with the N.C. Digital Learning Competencies for Teachers and Administrators. Professional development shall emphasize technology integration and continuous improvement, including the use of ongoing technology-integrated online-learning activities throughout the course of study and the provision of personalized learning. Professional development shall also address the ethical, legal, and practical issues related to social networking and mobile devices in the classroom and other topics deemed necessary by the superintendent or technology director. To the extent possible, job-specific professional development opportunities should be made available, as well as professional development that is personalized to meet the needs of individual staff.

School improvement teams should identify any staff development appropriations for technology-related professional development in their school improvement plans. The superintendent and technology director should assist schools in coordinating staff development needs as provided in policy 1610/7800, Professional and Staff Development.

Legal References: G.S. 115C-522, -528; 143B-1341; State Board of Education Policy SBOP-018

Cross References: Professional and Staff Development (policy 1610/7800), Curriculum and Instructional Guides (policy 3115), Technology Responsible Use (policy 3225/4312/7320), Internet Safety (policy 3226/4205), Copyright Compliance (policy 3230/7330), School Improvement Plan (policy 3430), Integrity and Civility (policy 4310), Public Records – Retention, Release, and Disposition (policy 5070/7350), Network Security (policy 6524), Staff Responsibilities (policy 7300), Employee Use of Social Media (policy 7335), Gifts and Bequests (policy 8220)

Other ~~References~~ Resources: North Carolina Digital Teaching and Learning Competencies for Teachers and Administrators, available athttps://www.dpi.nc.gov/districts-schools/districts-schools-support/digital-teaching-and-learning/digital-teaching-learning-standards#digital-learning-competencies-for-educators;~~North Carolina State School Technology Plan(Division of Instructional Technology) (current version)~~The North Carolina Digital Learning Plan(2022),available athttps://www.dpi.nc.gov/districts-schools/districts-schools-support/digital-teaching-and-learning/digital-learning-initiative#:~:text=The%20North%20Carolina%20Digital%20Learning%20Plan%20describes%20the,Learning%20Initiative.%202022%20North%20Carolina%20Digital%20Learning%20Plan

Adopted: March 6, 2000
Updated: April 6, 2009
Updated: March 2, 2010
Updated: January 14, 2013
Updated: June 1, 2015
Updated: December 4, 2017

A. PURPOSE

The board believes that students should progress to the next level of study only after they are proficient in their knowledge and application of the current curriculum level. To the extent reasonably possible, students should be given as much time or as little time as they need to be proficient at a particular level of study. Students will be promoted to the next level of study as described in this policy.

B. STUDENT PROMOTION STANDARDS

The superintendent shall develop (1) proposed promotion standards and (2) a process to be used in determining a student's readiness to progress to the next level of study and shall submit the standards and process to the board for approval. The standards will be based, in part, upon proficiency in reading. The standards and process must provide multiple criteria for assessing a student's readiness to progress to the next level of study, such as standardized test scores, formative and diagnostic assessments, grades, a portfolio or anthology of the student's work, and, when appropriate, accepted standards for assessing developmental growth. The standards and process will incorporate all state law and State Board of Education policy requirements, including those for the assessment and promotion of third grade students as described in G.S. 115C-83.6 *et seq.* and State Board of Education Policies KNEC-002 and -003.

Principals shall ensure that the promotion standards are used by teachers and school administrators in assessing each student's readiness to progress to the next level of study. Principals have the authority to promote or retain students based upon the standards approved by the board and any applicable standards set by the State Board of Education.

To reduce the number of students who do not meet promotion standards, the board directs school administrators and teachers to address the needs of students who are not making adequate academic progress as required by policy 3405, Students at Risk of Academic Failure.

C. DIPLOMA STANDARDS

To receive a North Carolina high school diploma, a student must complete the requirements set forth in policy 3460, Graduation Requirements.

D. APPEALS OF PROMOTION DECISIONS

1. Appeal to the Superintendent

   Within five workdays of receiving the principal's written decision to promote or retain a student, the student's parents may appeal the decision to the superintendent.

The superintendent may overturn the principal's decision only upon a finding that the principal's decision was arbitrary and capricious (i.e., without a rational basis) or was otherwise an abuse of discretion.

The superintendent must render a decision within 10 workdays of receiving the appeal. The superintendent may support the principal's decision, remand it back to the principal for consideration of additional issues, or reverse the decision.

The superintendent's findings must be in writing and must be provided to the parents.

2. Appeal to the Board of Education

The superintendent's decision to promote or retain a student may be appealed to the board in accordance with the procedures set forth in subsection E.5 of policy 1740/4010, Student and Parent Grievance Procedure.

E. LITERACY INTERVENTIONS

1. Reading Camps

The board will provide reading camp opportunities as required by law at no fee for students who are entitled to this intervention under state law. The superintendent or designee shall encourage parents of eligible students to enroll their students in a reading camp. To the extent resources permit, the board will offer fee-based reading camp opportunities for students in eligible grades who are not entitled to attend at no cost. Annually, the board will establish criteria for priority enrollment in its fee-based reading camps and will set the attendance fee at an amount not to exceed the statutory limit. The superintendent or designee shall notify interested parents of the application procedure for the fee-based reading camps.

2. Individual Reading Plans

Beginning in the 2022-2023 school year, an Individual Reading Plan (IRP) will be developed in accordance with state law for any student in kindergarten through third grade demonstrating difficulty with reading development based on the results of either (1) the first diagnostic or formative assessment of the school year or (2) the first diagnostic or formative assessment of the second semester of the school year. The student's teacher shall notify the parent or guardian that the student has demonstrated difficulty with reading development and that an IRP has been developed for the student. The notice provided must include all other information required under G.S. 115C-83.6B(b) and should be in the parents' native language when appropriate foreign language resources are readily available.

3. Digital Children's Reading Initiative

The school system will provide access through the school system website to available resources from the Department of Public Instruction's Digital Children's Reading Initiative as required by law. Printable activities from those resources will be provided in hard copy to students who do not have digital access at home.

4. Approval of Literacy Intervention Plan

By the established deadline each year, the superintendent or designee shall submit to the Department of Public Instruction for approval a plan for the literacy interventions the school system will offer in the following school year, as required by G.S. 115C-83.6A.

F. PROMOTION STANDARDS FOR STUDENTS WITH DISABILITIES

To the extent possible, students with disabilities must be held to the same promotion standards as all other students. However, for students who take alternative assessments in lieu of the end-of-grade (EOG) or end-of-course (EOC) tests, promotion decisions must be based on criteria recommended by the IEP team.

All intervention strategies and other opportunities, benefits, and resources that are made available to students without disabilities must be made available to those students with disabilities who are subject to the student promotion standards. Such opportunities must be in addition to the special education services provided to the student.

G. CREDIT BY DEMONSTRATED MASTERY

The superintendent shall provide opportunities for students in grades 9 through 12 to earn course credit by demonstrating mastery of course material without first completing the regular period of classroom instruction in the course. Students in grades 6 through 8 may earn credit by demonstrated mastery for high school courses offered in middle school. To earn credit by demonstrated mastery, students must demonstrate a deep understanding of the content standards and application of knowledge through a multi-phase assessment, in accordance with standards established by the State Board of Education and any additional standards established by the superintendent.

H. CREDIT RECOVERY

Students who fail a high school course may retake parts of the course through credit recovery to earn credit for the course. Credit recovery delivers a subset of the blueprint of the original course in order to specifically address deficiencies in a student's mastery of the course and target specific components of a course necessary for completion. A pre-assessment of the student's understanding of the course material will be administered at the beginning of the course and the credit recovery will be tailored to meet the needs of the individual student. The length of a credit recovery course is dictated by the skills and knowledge the student needs to recover and not a fixed length of seat time.

Any EOC exam associated with the credit recovery course will be administered no later than 30 days upon completion of the credit recovery course. The credit recovery will be graded as pass or fail and will not impact the student's grade point average. The original grade for the course will remain on the student's transcript.

The superintendent shall develop procedures addressing the implementation of credit recovery opportunities across the school system.

I. REPEATING A COURSE FOR CREDIT

1. Repeating a Previously Failed Course

   As provided in State Board of Education policy CCRE-001, high school students who fail a course for credit may repeat that course. To take advantage of this option, the student must repeat the entire course. Beginning with the 2015-16 school year, when a student initially fails a high school course and successfully repeats the course for credit, the new course grade will replace the original failing grade for the course on the student's transcript and in calculations of the student's GPA, class rank, and honor roll eligibility. The superintendent may develop procedures for students to indicate their intent to repeat a course for credit under this paragraph and may establish any other rules as necessary and consistent with State Board policy.

2. Repeating a Course for which Credit was Earned (Grade Replacement)

   The board recognizes that high school students may need to repeat a course for which they have earned credit in order to increase their understanding of the course content, to improve skill mastery, or to meet postsecondary goals. Students may repeat a course for which they have previously earned credit, subject to the following preconditions and any other reasonable rules established by the superintendent:

   a. the student must have earned a letter grade of C or lower in the course on the first attempt;

   b. the student must make a written request to repeat the course;

   c. the principal or designee must approve the request;

   d. there must be space available after seats have been assigned to students who are taking the course for the first time or repeating a previously failed course;

   e. the course to be repeated must be a duplicate of the original class and must be taken during the regular school day at a high school in this school system or through the North Carolina Virtual Public School;

f. upon completion of the repeated course, the new course grade will replace the student's original grade on the student's transcript and in calculations of the student's GPA, class rank, and honor roll eligibility, regardless of whether the later grade is higher or lower than the student's original mark;

g. credit towards graduation for the same course will be given only once;

h. a course may be repeated only one time; and

i. students may repeat a maximum of four previously passed courses during their high school careers.

The superintendent shall require notice to students and parents of these preconditions and of any other relevant information deemed advisable by the superintendent.

J. ACCELERATION

Some students may need less time to learn the curriculum. Teachers are encouraged to challenge these students by expanding the curriculum, providing opportunities to explore subjects in greater detail or providing different types of educational experiences. To challenge a student sufficiently, the principal may reassign the student to a different class or level of study and/or may identify concurrent enrollment or other curriculum expansion options (see policy 3101, Dual Enrollment).

The principal, after consulting with the professional staff and the student's parents, may determine that skipping a grade level is appropriate.

K. REPORTING REQUIREMENTS

1. Superintendent's Report to the Board

   At least on an annual basis, the superintendent shall provide the board with the following information for each school:

   a. aggregate student performance scores on state-mandated tests and any other standardized tests used by a school or the school system;

   b. the number and percentage of students retained and/or not meeting the standards for their grade level;

   c. the number and percentage of third grade students exempt from mandatory third grade retention by category of exemption as listed in state law; and

   d. remedial or additional educational opportunities provided by the school system and the success of these efforts in helping students meet promotion standards.

2. Report to the North Carolina State Board of Education and Department of Public Instruction

   Pursuant to statutory requirements and standards established by the Department of Public Instruction, all required information regarding student performance will be provided annually to the State Board of Education and the Department of Public Instruction.

3. Publication on the School System Website

   Information about the reading performance of first, second, and third grade students will be posted on the school system website in accordance with state law.

L. RESOURCES

Consistent with the objective of improving student performance, the board will provide schools with maximum flexibility in the allocation of state funds. School personnel are expected to budget financial resources in a manner that will meet the standards established in this policy. The board will consider requests to transfer funds from other funding allotment categories to intervention strategies as part of the school improvement plan submitted by school officials. All funds will be used in a fiscally sound manner in accordance with policy 8300, Fiscal Management Standards.

M. NOTIFICATION TO PARENTS

The superintendent or designee shall provide information regarding promotion standards to all students and parents. In addition, if a kindergarten, first grade, second grade, or third grade student (1) is demonstrating difficulty with reading development or (2) is not reading at grade level, the student's teacher shall provide the student's parents timely written notice advising that if the student is not demonstrating reading proficiency by the end of third grade, the student will be retained, unless exempt from mandatory retention for good cause. Parents are encouraged to help their children meet the promotion standards and will have opportunities to discuss the promotion standards and procedures with teachers and the principal. Information provided to parents should be in the parents' native language when appropriate foreign language resources are readily available.

The teacher of a student who does not meet promotion standards must notify the student's parents that the student has failed to meet the standards for progression to the next level of study and must provide the parents with information concerning retesting, intervention, review, and appeal opportunities. When a student is to be retained, the principal shall provide the student's parents written notice of the retention and, if the student will be retained in accordance with G.S. 115C-83.7(a) for failure to demonstrate reading proficiency, (1) written notice of the reason the student is not eligible for a good cause exemption as provided in G.S. 115C-83.7(b) and (2) a description of proposed literacy interventions that will be provided to the student to remediate areas where the student has not demonstrated reading proficiency. Teachers shall provide parents of students retained

under G.S. 115C-83.7(a) at least monthly written reports on student progress toward reading proficiency. The evaluation of a student's progress will be based upon the student's classroom work, observations, tests, assessments, and other relevant information.

N. CHILDREN OF MILITARY FAMILIES

As required by the Interstate Compact on Educational Opportunity for Military Children (G.S. 115C-407.5), G.S. 115C-407.12, and policy 4155, Assignment to Classes, school administrators have the authority to exercise flexibility in waiving course or program prerequisites or other preconditions for the placement of children of military families, as defined in policy 4050, Children of Military Families, in courses or programs offered by the school system.

Legal References: G.S. 115C-36, -45(c), -47, -81.5, -83.2, -83.3, -83.6, -83.6A, -83.6B, -83.7, -83.7A, -83.8, -83.9, -83.10, -83.11, -105.21, -174.11, -288(a), -407.5, -407.12; S.L. 2021-8; State Board of Education Policies CCRE-001, KNEC-002, KNEC-003

Cross References: Student and Parent Grievance Procedure (policy 1740/4010), Goals and Objectives of the Educational Program (policy 3000), Dual Enrollment (policy 3101), Students at Risk of Academic Failure (policy 3405), School Improvement Plan (policy 3430), Graduation Requirements (policy 3460), Extracurricular Activities and Student Organizations (policy 3620), Children of Military Families (policy 4050), Assignment to Classes (policy 4155), Fiscal Management Standards (policy 8300)

Other Resources: Guidelines for Testing Students Identified as English Learners (N.C. Department of Public Instruction), available at https://www.dpi.nc.gov/districts-schools/testing-and-school-accountability/testing-policy-and-operations/testing-students-identified-english-learners; Read to Achieve Implementation Guide, available at https://www.dpi.nc.gov/districts-schools/classroom-resources/early-learning-read-achieve/k-3-literacy

Adopted: March 6, 2000
Updated: June 1, 2009
Updated: November 2, 2009
Updated: April 13, 2010
Updated: November 3, 2010
Updated: September 14, 2011
Updated: June 3, 2013
Updated: June 2, 2014
Updated: December 8, 2014
Updated: May 5, 2016
Updated: June 5, 2017
Updated: December 3, 2018
Updated: July 6, 2020
Updated: January 10, 2022

The board recognizes the importance of setting rigorous graduation requirements to help ensure that students are receiving an education that will prepare them to be career and college ready and productive members of society.

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

1. successful completion of all course unit requirements as described in Section A; and

2. successful completion of cardiopulmonary resuscitation instruction.

The principal shall ensure that students and parents are aware of all graduation requirements. School counseling program staff shall assist students in selecting their high school courses to ensure that students are taking all of the required units and selecting electives consistent with their post-graduation plans. For students who have transferred to the school system during high school or who, for other reasons, have completed course work outside of the school system, the principal shall determine what course work will be applied as credit toward graduation. The principal shall consider the requirements of the Interstate Compact on Educational Opportunity for Military Children (G.S. 115C-407.5), G.S. 115C-407.12, and the requirements of subsection C.3 of this policy in determining the graduation requirements for children of military families.

A. COURSE UNITS REQUIRED

All students must fulfill the course unit requirements of the Future-Ready Core Course of Study, unless they are approved for the Future-Ready Occupational Course of Study. The tables below list the course unit requirements for the Future-Ready Core Course of Study and the Future-Ready Occupational Course of Study based on the student's year of entry into ninth grade for the first time.

In accordance with policy 3101, Dual Enrollment, and State Board of Education requirements, students may earn high school credit for college courses completed. In addition, students may earn credit for certain high school courses in the Future-Ready Core Course of Study completed prior to grade 9, as authorized by the State Board of Education. Students also have the opportunity to meet course unit requirements without completing the regular period of classroom instruction by demonstrating mastery of the course material in accordance with policy 3420, Student Promotion and Accountability, and State Board of Education requirements.

All awards of high school course credit must be consistent with State Board of Education requirements. Any inconsistency between board policy and State Board graduation requirements will be resolved by following the State Board requirements. While the board endeavors to keep its policy up to date with current State Board of Education graduation requirements, students should verify current requirements with their school counselors when planning course schedules or making other decisions based on graduation

requirements.

1. Future-Ready Core Course of Study Credits Required for Students Entering Ninth Grade for the First Time before 2020-2021

Courses Required*	**State Requirements**	**Local Requirements**
English	4 sequential (English I, II, III, and IV)	
Mathematics	4 (NC Math 1, 2, and 3 and a fourth math course aligned with the student's post-high school plans.)** (A principal may exempt a student from this math sequence. Exempt students will be required to pass NC Math 1 and 2 and two other application-based math courses or selected CTE courses, as identified on the NC DPI math options chart.)***	
Science	3 (a physical science course, Biology, and earth/environmental science)	
Social Studies	4 (including: (1) a founding principles course which shall be either American History: Founding Principles, Civics and Economics or Founding Principles of the United States of America and North Carolina: Civic Literacy;† (2) two American history courses which shall be either (a) American History I and II, (b) American History I or II and another Social Studies course, or (c) American History and another Social Studies course; and (3) World History)	
Health/P.E.	1	
Electives	6 (2 electives must be any combination of Career and Technical Education, Arts Education, or World Language; 4 must be from one of the following: Career and Technical Education, J.R.O.T.C., Arts Education, or any other subject area or cross-disciplinary course. A four-course concentration is recommended.)±	As part of the 6 elective credit requirement, Students entering high school between SY18-19 and SY19-20 must earn a Career Management Credit******
Total Credits	**22**	6 Additional earned credits from any of the above subjects

* Certain International Baccalaureate (IB), Advanced Placement (AP), and Cambridge International Examination (CIE) courses will satisfy specific graduation requirements. See SBE Policy GRAD-008.

** Students who are learning disabled in math may have other options for meeting the four mathematics credits requirement. See DPI memo of August 24, 2016 available at http://bit.ly/DPIMemo, and the math options chart linked below.

*** Students seeking to complete minimum course requirements for UNC universities must complete four mathematics courses, including a fourth math course with Math 3 as a prerequisite. The math options chart is available at https://www.dpi.nc.gov/districts-

schools/classroom-resources/academic-standards/standard-course-study/mathematics/standard-course-study-supporting-resources.

† The founding principles courses, American History: Founding Principles, Civics and Economics and Founding Principles of the United States of America and North Carolina: Civic Literacy, must follow the North Carolina Standard Course of Study (NCSCOS) in its entirety and may not be satisfied by any other courses, except as provided in SBE Policy GRAD-008. See also SBE Policies CCRE-001 and GRAD-004.

± Students seeking to complete minimum course requirements for UNC universities must complete two credits of a single world language.

2. Future-Ready Core Course of Study Credits Required for Students Entering Ninth Grade for the First Time in 2020-2021

Courses Required*	**State Requirements**	**Local Requirements**
English	4 sequential (English I, II, III, and IV)	
Mathematics	4 (NC Math 1, 2, and 3 and a fourth math course aligned with the student's post-high school plans.)** (A principal may exempt a student from this math sequence. Exempt students will be required to pass NC Math 1 and 2 and two other application-based math courses or selected CTE courses, as identified on the NC DPI math options chart.)***	
Science	3 (a physical science course, Biology, and earth/environmental science)	
Social Studies	4 (including: (1) a founding principles course which shall be either American History: Founding Principles, Civics and Economics or Founding Principles of the United States of America and North Carolina: Civic Literacy;† (2) an American History course which shall be either (a) American History I, (b) American History II, or (c) American History; (3) World History;± and (4) Economics and Personal Finance^)	
Health/P.E.	1	
Electives	6 (2 electives must be any combination of Career and Technical Education, Arts Education, or World Language; 4 must be from one of the following: Career and Technical Education, J.R.O.T.C., Arts Education, or any other subject area or cross-disciplinary course. A four-course concentration is recommended.)‡	As part of the 6 elective credit requirement, Students entering high school between SY18-19 and SY19-20 must earn a Career Management Credit******
Total Credits	**22**	6 Additional earned credits from any of the above subjects

* Certain International Baccalaureate (IB), Advanced Placement (AP), and Cambridge International Examination (CIE) courses will satisfy specific graduation requirements. See SBE Policy GRAD-008.

** Students who are learning disabled in math may have other options for meeting the four mathematics credits requirement. See DPI memo of August 24, 2016 available at http://bit.ly/DPIMemo, and the math options chart linked below.

*** Students seeking to complete minimum course requirements for UNC universities must complete four mathematics courses, including a fourth math course with Math 3 as a prerequisite. The math options chart is available at https://www.dpi.nc.gov/districts-schools/classroom-resources/academic-standards/standard-course-study/mathematics/standard-course-study-supporting-resources.

† The founding principles courses, American History: Founding Principles, Civics and Economics and Founding Principles of the United States of America and North Carolina: Civic Literacy must follow the North Carolina Standard Course of Study (NCSCOS) in its entirety and may not be satisfied by any other courses, except as provided in SBE Policy GRAD-008. See also SBE Policies CCRE-001 and GRAD-004.

± It is strongly recommended that students take World History in the first year of their high school Social Studies course sequence due to the nature of the adoption of the new Social Studies Standard Course of Study effective in 2021-2022.

^ This course must, at a minimum, include the standards established by the second edition of the Voluntary National Content Standards in Economics and the 2013 National Standards for Financial Literacy, as developed by the Council for Economic Education.

‡ Students seeking to complete minimum course requirements for UNC universities must complete two credits of a single world language.

3. Future-Ready Core Course of Study Credits Required for Students Entering Ninth Grade for the First Time in 2021-2022 and Thereafter

Courses Required*	**State Requirements**	**Local Requirements**
English	4 sequential (English I, II, III, and IV)	
Mathematics	4 (NC Math 1, 2, and 3 and a fourth math course aligned with the student's post-high school plans.)** (A principal may exempt a student from this math sequence. Exempt students will be required to pass NC Math 1 and 2 and two other application-based math courses or selected CTE courses, as identified on the NC DPI math options chart.)***	
Science	3 (a physical science course, Biology, and earth/environmental science)	
Social Studies	4 (including: Founding Principles of the United States of America and North Carolina: Civic Literacy;† Economics and Personal Finance;± American History; and World History)	
Health/P.E.	1	

Electives	6 (2 electives must be any combination of Career and Technical Education, Arts Education, or World Language; 4 must be from one of the following: Career and Technical Education, J.R.O.T.C., Arts Education, or any other subject area or cross-disciplinary course. A four-course concentration is recommended.)‡	As part of the 6 elective credit requirement, Students entering high school between SY18-19 and SY19-20 must earn a Career Management Credit******
Total Credits	**22**	6 Additional earned credits from any of the above subjects

* Certain International Baccalaureate (IB), Advanced Placement (AP), and Cambridge International Examination (CIE) courses will satisfy specific graduation requirements. See SBE Policy GRAD-008.

** Students who are learning disabled in math may have other options for meeting the four mathematics credits requirement. See DPI memo of August 24, 2016 available at http://bit.ly/DPIMemo, and the math options chart linked below.

*** Students seeking to complete minimum course requirements for UNC universities must complete four mathematics courses, including a fourth math course with Math 3 as a prerequisite. The math options chart is available at https://www.dpi.nc.gov/districts-schools/classroom-resources/academic-standards/standard-course-study/mathematics/standard-course-study-supporting-resources.

† This course must follow the North Carolina Standard Course of Study (NCSCOS) in its entirety and may not be satisfied by any other courses, except as provided in SBE Policy GRAD-008. See also SBE Policies CCRE-001 and GRAD-004.

± This course must, at a minimum, include the standards established by the second edition of the Voluntary National Content Standards in Economics and the 2013 National Standards for Financial Literacy, as developed by the Council for Economic Education.

‡ Students seeking to complete minimum course requirements for UNC universities must complete two credits of a single world language.

4. Future-Ready Occupational Course of Study Credits Required for Students Entering Ninth Grade prior to 2020-2021 (only available to certain students with disabilities who have an IEP)

Courses Required	**State Requirements**	**Local Requirements**
English	4 (including English I, II, III, and IV)	
Mathematics	3 (including Introduction to Math, NC Math I, and Financial Management)	
Science	2 (including Applied Science and Biology)	
Social Studies	2 (including American History I and American History II* OR (1) American History: Founding Principles, Civics and Economics or Founding Principles of the United States of America and North Carolina: Civic Literacy; and (2) American History I or American History II or American History)**	
Health/P.E.	1	
Career/Technical	4 (Career/Technical Education electives)	
Occupational Preparation	6 (including: (1) Occupational Preparation I or Employment Preparation I: Science; (2) Occupational Preparation II or Employment Preparation II: Citizenship IA and Employment Preparation II: Citizenship IB; (3) Occupational Preparation III or Employment Preparation III: Citizenship IIA and Employment Preparation III: Citizenship IIB; and (4) Occupational Preparation IV or Employment Preparation IV: Math)	
Work Hours***	600	
Electives	0	
Other Requirements	• Completion of IEP objectives • Career Portfolio	
Total Credits	**22**	

* Applicable only to students entering the ninth grade for the first time prior to 2017-18.

** Applicable only to students entering the ninth grade for the first time between 2017-2018 and 2019-2020.

*** The work hours must include: (1) 150 hours of school-based training with work activities and experiences that align with the student's post-school goals; (2) 225 hours of community-based training; and (3) 225 hours of paid employment or 225 hours of unpaid vocational training, unpaid internship, paid employment at community rehabilitation facilities, and volunteer and/or community services hours, for a total of 600 required work hours.

5. Future-Ready Occupational Course of Study Credits Required for Students Entering Ninth Grade for the First Time in 2020-2021 (only available to certain students with disabilities who have an IEP)

Courses Required	**State Requirements**	**Local Requirements**
English	4 (including English I, II, III, and IV)	
Mathematics	3 (including Introduction to Math, NC Math I, and Financial Management)	
Science	2 (including Applied Science and Biology)	
Social Studies	2 (including (1) a founding principles course which shall be either American History: Founding Principles, Civics and Economics or Founding Principles of the United States of America and North Carolina: Civic Literacy and (2) Economics and Personal Finance)	
Health/P.E.	1	
Career/Technical	4 (Career/Technical Education electives)	
Occupational Preparation	6 (including: (1) Occupational Preparation I or Employment Preparation I: Science; (2) Occupational Preparation II or Employment Preparation II: Citizenship IA and Employment Preparation II: Citizenship IB; (3) Occupational Preparation III or Employment Preparation III: Citizenship IIA and Employment Preparation III: Citizenship IIB; and (4) Occupational Preparation IV or Employment Preparation IV: Math)	
Work Hours*	600	
Electives	0	
Other Requirements	• Completion of IEP objectives • Career Portfolio	
Total Credits	**22**	

* The work hours must include: (1) 150 hours of school-based training with work activities and experiences that align with the student's post-school goals; (2) 225 hours of community-based training; and (3) 225 hours of paid employment or 225 hours of unpaid vocational training, unpaid internship, paid employment at community rehabilitation facilities, and volunteer and/or community services hours, for a total of 600 required work hours.

6. Future-Ready Occupational Course of Study Credits Required for Students Entering Ninth Grade for the First Time in 2021-2022 and Thereafter (only available to certain students with disabilities who have an IEP)

Courses Required	**State Requirements**	**Local Requirements**
English	4 (including English I, II, III, and IV)	
Mathematics	4 (including Introduction to Math, NC Math I, Financial Management, and Employment Preparation IV: Math (to include 150 work hours))	
Science	3 (including Applied Science, Biology, and Employment Preparation I: Science (to include 150 work hours))	
Social Studies	4 (including Founding Principles of the United States of America and North Carolina: Civic Literacy, Economics and Personal Finance, Employment Preparation II: Citizenship IA (to include 75 work hours), and Employment Preparation II: Citizenship IB (to include 75 work hours))	
Health/P.E.	1	
Career/Technical	4 (Career/Technical Education electives)	
Additional Employment Preparation*	2 (including Employment Preparation III: Citizenship IIA (to include 75 work hours) and Employment Preparation III: Citizenship IIB (to include 75 work hours))	
Electives	0	
Other Requirements	• Completion of IEP objectives • Career Portfolio	
Total Credits	22	

* The work hours included in Employment Preparation I, II, III, and IV are as follows: (1) 150 hours of school-based training with work activities and experiences that align with the student's post-school goals; (2) 225 hours of community-based training; and (3) 225 hours of paid employment or 225 hours of unpaid vocational training, unpaid internship, paid employment at community rehabilitation facilities, and volunteer and/or community services hours, for a total of 600 required work hours.

B. HIGH SCHOOL END-OF-COURSE AND OTHER TESTING

High school students must take all end-of-course (EOC) tests and Career and Technical Education (CTE) State Assessments required by the State Board of Education and pursuant to policy 3410, Testing and Assessment Program.

C. SPECIAL CIRCUMSTANCES

The board adopts the following policies with regard to graduation.

1. Honor Graduates

Honor graduates may be designated by principals on the basis of criteria established by the superintendent. Recognition of honor graduates may be included in graduation programs.

2. Students with Disabilities

Graduation requirements must be applied to students with disabilities to the extent required by state and federal law and State Board policy.

3. Children of Military Families

In order to facilitate the on-time graduation of children of military families, as defined in policy 4050, Children of Military Families, the board adopts the following policy provisions for children of military families ~~students to whom the Interstate Compact on Educational Opportunity for Military Children applies.~~

a. Waiver Requirements

Specific course work required for graduation will be waived if similar course work has been satisfactorily completed in another school system. If a waiver is not granted, school administrators shall provide the student with reasonable justification for the denial. If a waiver is not granted to a student who would qualify to graduate from the sending school, the superintendent or designee shall provide the student with an alternative means of acquiring the required course work so that the student may graduate on time.

b. Testing Requirements for Graduation

The superintendent shall accept the following in lieu of any local testing requirements for graduation: (1) the end-of-course exams required for graduation from the sending state; (2) national norm-referenced achievement tests; or (3) alternative testing. If these alternatives are not feasible for a student who has transferred in his or her senior year, subsection c below will apply.

c. Transfers During Senior Year

If a child of a military family who has transferred at the beginning of or during his or her senior year is ineligible to graduate from the school system after all of the alternatives listed above have been considered and the student meets the graduation requirements at his or her sending school, then school officials from the school system shall collaborate with the sending school system to ensure that the student will receive a diploma from the sending board of education.

4. Early Graduation

Graduation prior to that of one's class may be permitted on the basis of criteria approved by the board upon recommendation by the superintendent.

5. Graduation Certificates

   Graduation certificates will be awarded to eligible students in accordance with the standards set forth in State Board policy GRAD-010.

6. Diploma Endorsements

   Students have the opportunity to earn one or more of the following diploma endorsements identifying a particular area of focused study: (1) Career Endorsement, (2) College Endorsement (two options), (3) North Carolina Academic Scholars Endorsement, and/or (4) a Global Languages Endorsement. No endorsement is required to receive a diploma.

Legal References: G.S. 115C-12(40), -47, -81.25(c)(10)(c), -81.45(d), -81.65, -174.11, -276, -288, -407.5, -407.12; 16 N.C.A.C. 6D .0309; State Board of Education Policies CCRE-001, GRAD-004, GRAD-007, GRAD-008, GRAD-010, TEST-003

Cross References: Goals and Objectives of the Educational Program (policy 3000), Dual Enrollment (policy 3101), Testing and Assessment Program (policy 3410), Student Promotion and Accountability (policy 3420), Citizenship and Character Education (policy 3530), Children of Military Families (policy 4050)

Adopted: March 6, 2000
Updated: June 4, 2007
Updated: June 1, 2009
Updated: December 7, 2009
Updated: May 3, 2010
Updated: November 3, 2010
Updated: September 14, 2011
Updated: January 14, 2013
Updated: June 3, 2013
Updated: June 3, 2014
Updated: October 6, 2014
Updated: June 1, 2015
Updated: December 7, 2015
Updated: November 7, 2016
Updated: January 9, 2017
Updated: December 4, 2017
Updated: July 6, 2020
Updated: December 7, 2020
Updated: April 12, 2021
Updated: June 7, 2021
Updated: January 10, 2022
Updated: June 6, 2022

The board recognizes the value of interscholastic athletics and extracurricular activities in promoting leadership and team skills, practicing democratic principles, and encouraging the lifelong learning process. Students are encouraged to participate in opportunities available at the school, including interscholastic athletics and student organizations. All activities are open to all students attending that school unless a restriction is justified and has been approved by the principal. The principal shall ensure that students and parents are notified of the various opportunities for participation in extracurricular activities and shall establish rules, as necessary, to govern such activities.

A. REQUIREMENTS FOR PARTICIPATION IN EXTRACURRICULAR ACTIVITIES

Participation in extracurricular activities, including student organizations and interscholastic athletics, is a privilege, not a right, and may be reserved for students in good academic standing who meet behavior standards established by the board, the superintendent, or the school. Participation in extracurricular activities may be restricted if a student (1) is not performing at grade level as provided in policy 3400, Evaluation of Student Progress; (2) has failed to meet any applicable attendance requirements; (3) has violated the student conduct standards found in the 4300 series of policies; or (4) has violated school rules for conduct. School administrators choosing to exercise this authority to restrict participation shall provide this policy and any additional rules, including attendance requirements, developed by the superintendent or the principal to all parents, guardians, and students.

B. ADDITIONAL RULES FOR SPECIFIC ACTIVITIES

1. Interscholastic Athletics

In addition to meeting the general requirements listed above, to be eligible for interscholastic athletics participation, students must have been in daily attendance 85 percent of the previous semester and must meet all applicable eligibility standards of the State Board of Education, the North Carolina High School Athletic Association, and the North Carolina Department of Public Instruction, ~~and~~ as well as any locally established requirements for interscholastic athletics participation

Students in the sixth grade are **[**eligible to participate in all interscholastic athletics except tackle football**]** **[**~~not eligible to participate in interscholastic athletics~~**].**

A student participating in high school interscholastic athletics may participate only on the team consistent with the gender on the student's birth certificate unless otherwise permitted under North Carolina High School Athletic Association rules and regulations.

2. Student-Initiated, Noncurriculum-Related Student Groups at the Secondary Level

Student-initiated, noncurriculum-related, secondary school student groups will be permitted to conduct voluntary meetings on school grounds during noninstructional time, regardless of the size of the group or the religious, political, philosophical, or other content of the speech at the meetings, provided that the meetings do not materially and substantially interfere with the orderly conduct of the educational activities of the school. The principal shall establish viewpoint neutral rules governing such meetings, including restrictions on when and where meetings may occur.

School employees may not promote, lead, or participate in student-initiated meetings but may be present at meetings to maintain order and discipline, to protect the well-being of the students and faculty, and to assure that attendance of students at the meetings is voluntary. School employees may not influence the form or content of any prayer or other religious activity or require any person to participate in prayer or other religious activity. In addition, non-school persons may not direct, conduct, control, or regularly attend the activities of the groups.

No public funds will be expended on behalf of the student-initiated, noncurriculum-related student groups except for the incidental cost of providing space for the group meetings.

Student-initiated, noncurriculum-related groups will have the same access to communication channels for publicizing their meetings as is allowed to all other noncurriculum-related student groups. However, school officials may indicate in such communications that the meetings are not sponsored by the school.

For purposes of this section, a noncurriculum-related student group is one that is not directly related to the curriculum. A student group will be considered curriculum-related only if (1) the group's subject matter is taught in a regularly offered course or relates to the curriculum as a whole; (2) participation in the group is required as part of a course; or (3) participation in the group results in course credit.

C. SPECIAL CIRCUMSTANCES

1. Students with Disabilities

Students with disabilities must be accorded the legal rights required by federal and state law.

2. ~~Military~~ Children of Military Families

School administrators shall facilitate the inclusion and participation in extracurricular activities of ~~military~~ children of military families, as defined in policy 4050, Children of Military Families, transferring into the school, to the extent they are otherwise qualified, by:

a. providing information about extracurricular activities to incoming ~~military~~ children of military families; and

b. waiving application deadlines.

3. Athletic Participation by Home School Students

Home school students who are dually enrolled in accordance with the school system's enrollment and assignment policies and procedures are eligible to participate in high school interscholastic athletics if they comply with all of the following.

a. The student must present a home school card from the Division of Non-Public Education for the previous and current years, as well as a transcript, attendance record, and record immunizations.

b. The student must submit proof that the student has been enrolled in a registered home school for 365 days prior to participation in athletics.

c. Prior to the first date of practice, the student must provide the results of a nationally standardized achievement test, taken within the last year, that indicates the student was on grade level at the time the test was taken.

d. The student must participate in a class schedule that is at least one half of the assigned school's instructional day. At least one class must be taken on campus each semester.

e. The student must pass all classes in which the student is enrolled at the assigned school in order to maintain athletic eligibility.

f. Once dually enrolled and deemed eligible to participate in athletics, the student must maintain continuous dual enrollment. Failure to maintain continuous dual enrollment would render the student ineligible for athletic participation for 365 days.

g. The student must notify the principal of the assigned school in writing of the student's intent to try out for an athletic team at least 10 days prior to the first practice date of each sport season in which the student wishes to participate. Failure to comply with this requirement renders the student ineligible for that sport season.

h. The student must comply with all other applicable North Carolina High School Athletic Association rules and regulations regarding eligibility for athletic participation.

A dually enrolled student who transitions to full enrollment within the school system will then be governed by State Board of Education and North Carolina High School Athletic Association rules and regulations regarding fully enrolled students.

4. Athletic Participation by Early College Students Montgomery County High School students attending the Montgomery County Early College on the campus of Montgomery Community College will be allowed to participate in athletics at their "home" school.

D. APPEALS PROCESS

The grievance procedure provided in policy 1740/4010, Student and Parent Grievance Procedure, may be utilized by parents or students who believe that a student has been aggrieved by a decision made pursuant to this policy.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12132, 28 C.F.R. pt. 35; Equal Access Act, 20 U.S.C. 4071-4074; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 115C art. 9, 115C-12(23),-47(4), -390.2, -407.5, -407.55, -407.60, -407.65; 16 N.C.A.C. 6E .0204; State Board of Education Policy ATHL-001; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000; N.C. High School Athletic Association Handbook, available at https://www.nchsaa.org/handbook~~https://www.nchsaa.org/students-and-parents/rules-and-regulations~~; Middle/Junior High School Athletic Manual (NCDPI), available at http://www.dpi.nc.gov/districts-schools/classroom-resources/academic-standards/programs-and-initiatives/nc-healthy-schools/athletics

Cross References: Parental Involvement (policy 1310/4002), Student and Parent Grievance Procedure (policy 1740/4010), Evaluation of Student Progress (policy 3400), Student Promotion and Accountability (policy 3420), School Improvement Plan (policy 3430), Children of Military Families (policy 4050), Domicile or Residence Requirements (policy 4120), Homeless Students (policy 4125), School Assignment (policy 4150), North Carolina Address Confidentiality Program (policy 4250/5075/7316), Student Behavior Policies (4300 series), Attendance (policy 4400), Community Use of Facilities (policy 5030)

Adopted: March 6, 2000
Updated: June 1, 2009
Updated: May 4, 2010
Updated: June 1, 2015
Updated: June 6, 2016

Updated: November 7, 2016
Updated: December 4, 2017
Updated: December 2, 2019
Updated: July 6, 2020
Updated: December 7, 2020
Updated: June 7, 2021

The board recognizes the unique circumstances faced by children of military families who are often required to transfer to a new school system because their parents or guardians have a new military assignment. The board also recognizes that children whose immediate family members are deployed by the military may be at increased risk of emotional, psychological, or other harm. The board is committed to supporting these children in the school system and undertaking to serve their unique needs.

A. **IDENTIFICATION OF MILITARY-CONNECTED STUDENTS**

Each principal shall annually identify all military-connected students enrolled in the school and shall develop a means for serving their unique needs. For purposes of this section, a military-connected student is defined as a student who has a parent, step-parent, sibling, or any other person who resides in the same household serving in the active or reserve components of the Army, Navy, Air Force, Marine Corps, Coast Guard, or National Guard.

The identification of military-connected students is not a public record subject to public records law.

B. ~~**COMPLIANCE WITH THE INTERSTATE COMPACT ON**~~ **PROVIDING EDUCATIONAL OPPORTUNITY FOR** ~~**MILITARY**~~ **CHILDREN OF MILITARY FAMILIES**

The board strives ~~In order~~ to promote flexibility and cooperation among the school system, parents and guardians, and children of military families, to promote the children's well-being, and to assist these children in achieving educational success when transitioning to ~~in~~ their new schools. To achieve these goals, the board has adopted policies consistent with the Interstate Compact on Educational Opportunity for Military Children (hereinafter "Compact") and G.S. 115C-407.12 to facilitate the enrollment of children of military families and to provide continuity in their educational services, including in the areas of education records, immunizations, age requirements for initial entry, course and education program placement, special education services, and extracurricular activities. The superintendent shall adopt procedures necessary to implement the policies and to otherwise comply ~~ensure compliance~~ with the Interstate Compact ~~on Educational Opportunity for military Children (hereinafter "Compact")~~ and G.S. 115C-407.12 and to educate employees about the unique needs of children of military families.

1. Definitions

The following definitions apply to all policies and procedures adopted in compliance with the Compact and G.S. 115C-407.12.

a. Active Duty

Active duty is full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. 12301 *et seq.* and 10 U.S.C. 12401 *et seq.*

b. Children of Military Families

Children of military families are school-aged children, enrolled in kindergarten through twelfth grade, in the household of one of the following:

(1) A ~~a~~ member of the uniformed services on active duty ~~member~~;

(2) a member or veteran of the uniformed services who is severely injured and is medically discharged or retired, for a period of one year after medical discharge or retirement;

(3) a member of the uniformed services who died on active duty or as a result of injuries sustained on active duty, for a period of one year after death; and

(4) an inactive member, but only if (1) the inactive member is required to move to perform military service–related responsibilities, (2) the move results in a transfer of school systems for the child, and (3) the inactive member presents a copy of the official military transfer order to the school from which services for the child are requested. If the move results in an interstate transfer of the child between the school system and another school system in a different state, the superintendent shall direct school officials to attempt to coordinate with the out-of-state school system on behalf of the child but cannot require the receiving school system to provide specific services.

c. Deployment

Deployment is the period one month prior to the service members' departure from their home station on military orders through six months after their return to their home station.

d. Education Records

Education records are those official records, files, and data directly related to a student and maintained by the school or school system, including but not limited to records encompassing all the material kept in the student's cumulative folder, such as general identifying data, records of attendance and of academic work completed, records of achievement and results of

evaluative tests, health data, disciplinary status, test protocols, and individualized education programs.

e. Extracurricular Activities

Extracurricular activities are voluntary activities sponsored by the school or school system or an organization sanctioned by the school system. Extracurricular activities include, but are not limited to, preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays, and club activities.

f. Inactive Member

An inactive member is a member of the National Guard or Reserve of any branch of the uniformed services, who is inactive and not on active duty orders pursuant to 10 U.S.C. 12301 *et seq.* or 10 U.S.C. 12401 *et seq.*

~~f.~~g. Member State

A member state is a state that has enacted the Compact.

~~g.~~h. Non-Member State

A non-member state is a state that has not enacted the Compact.

h.i. Receiving State

The receiving state is the state to which a child of a military family is sent, brought, or caused to be sent or brought.

~~i.~~j. Rule

A rule is a written statement by the Interstate Commission promulgated pursuant to Article XII of the Compact that is of general applicability, implements, interprets or prescribes a policy or provision of the Compact, or an organizational, procedural, or practice requirement of the Interstate Commission, and has the force and effect of rules promulgated under the Administrative Procedures Act as found in Chapter 150B of the North Carolina General Statutes, and includes the amendment, repeal, or suspension of an existing rule.

~~j.~~k. Sending State

The sending state is the state from which a child of a military family is sent, brought, or caused to be sent or brought.

~~k.~~l. Student

The student is the child of a military family for whom the school system receives public funding and who is formally enrolled in kindergarten through twelfth grade.

~~l.~~m. Transition

The transition is (1) the formal and physical process of transferring from school to school or (2) the period of time in which a student moves from one school in the sending state to another school in the receiving state.

~~m.~~n. Uniformed Services

The uniformed services are the Army, Navy, Air Force, Marine Corps, and Coast Guard, as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration and the Public Health Services.

~~n.~~o. Veteran

A veteran is a person who served in the uniformed services and who was discharged or released therefrom under conditions other than dishonorable.

~~2. Those to Whom Adopted~~

~~Policies and Procedures that are adopted to comply with the Compact apply to the children of:~~

~~a. active duty members of the uniformed services ad defined in Section A of the policy; including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C.12301 et. Seq. and 10 U.S.C. 12401 et seq:~~

~~b. members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one year after medical discharge or retirement; and~~

~~c. members of uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one year after death.~~

~~3. Those to Whom Adopted Policies and Procedures Do Not Apply~~

~~The policies and procedures adopted to comply with the Compact do not apply to the children of:~~

~~a. Inactive members of the National Guard and Military Reserves;~~

~~b. members of the uniformed services now retired, except as provided in Section B of this policy; and~~

~~c. veterans of the uniform services, except as provided in Section B of this policy, and other U.S. Department of Defense personnel, and other federal agency civilians and contract employees not defined as active duty members of the uniformed services.~~

C. 2. Resolution of Issues

The grievance procedure provided in policy 1740/4010, Student and Parent Grievance Procedure, may be utilized by parents or guardians who disagree with a decision pertaining to education records, enrollment or eligibility for enrollment, placement, attendance, extracurricular activities, or graduation of a child of a military family, or a rule, as defined in this policy. In addition, parents or guardians may seek informal resolution of such decisions at any time by contacting the office of the North Carolina Department of Public Instruction (NCDPI) Military Liaison or the North Carolina Commissioner of the North Carolina State Council for the Interstate Compact on Educational Opportunity for Military Children. Specific contact information may be found online at www.dpi.nc.gov/students-families/student-support/nc-supports-military-children or by calling NCDPI at (984) 236-2100.

Legal References: G.S. 115C-12(18)(f), -288(m), -407.5, -407.12

Cross References: Student and Parent Grievance Procedure (policy 1740/4010), Student Promotion and Accountability (policy 3420), Graduation Requirements (policy 3460), Extracurricular Activities and Student Organizations (policy 3620), Age Requirements for Initial Entry (policy 4100), Immunization and Health Requirements for School Admission (policy 4110), Domicile or Residence Requirements (policy 4120), Assignment to Classes (policy 4155), Attendance (policy 4400), Student Records (policy 4700)

Adopted: May 4, 2009
Updated: December 6, 2011
Updated: January 14, 2013
Updated: December 8, 2014
Updated: June 7, 2021
Updated: January 10, 2022

The board of education requires all students to meet the eligibility requirements for school admission established by the state and the board, including age. Any parent or guardian who is unclear whether a child meets the age requirements is encouraged to contact the superintendent's office or the elementary school that the child is likely to attend.

A. ENTITLEMENT TO INITIAL ENTRY

A child who is presented for enrollment at any time during the first 120 days of a school year will be considered eligible for initial entry in any of the following circumstances.

1. The child reaches or reached the age of five on or before August 31 of that school year.

2. The child resided in another state and was attending school during that school year in accordance with that state's laws or rules prior to moving to North Carolina. (The child does not need to reach the age of five on or before August 31 in this circumstance.)

3. The child did not reach the age of five on or before August 31 of that school year but would be eligible to attend school during that school year in another state in accordance with the laws or rules of that state, and if all of the following apply:

    a. the child's parent is a legal resident of North Carolina who is an active member of the uniformed services assigned to a permanent duty station in another state;

    b. the child's parent is the sole legal custodian of the child;

    c. the child's parent is deployed for duty away from the permanent duty station; and

    d. the child resides with an adult who is a domiciliary of a local school administrative unit in North Carolina as a result of the parent's deployment away from the permanent duty station.

In addition, children of military families, as defined in policy 4050, Children of Military Families, who resided in another state and were attending school during that school year in the other state and who a represented for enrollment at any point during the school year will be considered eligible for initial entry even if they did not reach the age of five on or before August 31.

B. DISCRETIONARY ENROLLMENTS

The board may allow a child to be enrolled in either of the following circumstances.

1. The child is presented for enrollment *after* the first 120 days of a school year and meets one of the circumstances specified above for entitlement to initial entry.

2. The child reached the age of four on or before April 16; the child is presented for enrollment no later than the end of the first month of the school year; and the principal of the school finds, based on information submitted by the child's parent or guardian, that the child is gifted and has the maturity to justify admission to school. The board regards admission of a four-year-old child to be an extraordinary measure that should not to be used merely because the child is developmentally advanced. In making such a determination, the principal shall follow guidelines established by the State Board of Education.

C. GRADE LEVEL OF INITIAL ENTRY

The initial point of entry will be the kindergarten level. After initial entry, a principal may move the child to the first grade if the principal determines that by reason of maturity, the child may be served more appropriately in the first grade.

D. EVIDENCE OF AGE

When a child is presented for admission for the first time, the principal shall require the parent or guardian of the child to furnish a certified copy of the child's birth certificate or other competent and verifiable evidence of the child's date of birth. Such evidence may include, but is not limited to: (1) a certified copy of any medical record of the child's birth issued by the treating physician or the hospital in which the child was born; or (2) a certified copy of a birth certificate issued by a church, mosque, temple, or other religious institution that maintains birth records of its members.

A birth certificate or other satisfactory proof of age issued by a foreign country or institution will be accepted and treated in the same manner as comparable documents issued in the United States. School officials shall use such documents only for the purpose of establishing the age of the child and not to inquire about the citizenship or immigration status of the child, parent, or guardian.

For a student who is in foster care or considered homeless, the inability to provide documentation must not prevent immediate enrollment of the student. School officials, or in the case of a homeless student, the homeless liaison, shall immediately contact the last school the student attended to obtain relevant enrollment records or other information needed for enrollment. These officials shall work with the student, the parent or guardian, school personnel, and other agencies as necessary to obtain enrollment information in a timely manner.

Legal References: Elementary and Secondary Education Act, 20 U.S.C. 6311(g)(1)(E); McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 *et seq.*; G.S. 115C-288, -364, -407.5, -407.12; 130A-109; 16 N.C.A.C. 6E.0105; State Board of Education Policy KNEC-001

Cross References: Children of Military Families (policy 4040), Homeless Students (policy 4125)

Adopted: April 10, 2000
Updated: May 4, 2009
Updated: March 2, 2010
Updated: December 5, 2011
Updated: November 7, 2016

IMMUNIZATION AND HEALTH REQUIREMENTS FOR SCHOOL ADMISSION

Policy Code: **4110**

The board of education requires all students to meet the eligibility requirements for school admission established by the State and the board, including immunization and health assessments. The principal or designee shall maintain on file immunization and health assessment records for all students, and these records may be inspected by officials of the county or state health departments in accordance with state and federal law. Each school principal shall file required reports with the Department of Health and Human Services and the Department of Public Instruction.

A. IMMUNIZATION

1. Requirements for Initial Entry

   Within 30 calendar days of his or her first day of attendance in the school system, each student must show evidence of age-appropriate vaccination in accordance with state law and regulation, including the following vaccines as applicable:

   a. DTaP (diphtheria, tetanus, and pertussis);

   b. poliomyelitis (polio);

   c. measles (rubeola);

   d. rubella (German measles);

   e. mumps;

   f. Haemophilus influenzae, type b (Hib);

   g. hepatitis B;

   h. varicella (chickenpox);

   i. pneumococcal conjugate (only for children entering school before age five); and

   j. any other vaccine as may be required by law or regulation.

   The current required vaccination schedule is available from the N.C. Immunization Branch online at http://www.immunize.nc.gov/.

2. Additional Requirements

a. All students entering seventh grade or who have reached age 12, whichever comes first, are required to receive the following:

i. booster dose of Tdap (tetanus, diphtheria, and pertussis vaccine), if they have not previously received it; and

ii. the meningococcal conjugate vaccine (MCV).

b. All students entering the twelfth grade or who have reached age 17 are required to receive a booster dose of MCV.

3. Certificate of Immunization

a. Evidence of immunizations must be shown in the form of a certificate furnished by a licensed physician or by the health department. A student who received immunizations in a state other than North Carolina must present an official certificate that meets the immunizations requirements of G.S. 130A-154(b).

b. Principals are required to refuse admittance to any child whose parent or guardian does not present a medical certification of proper immunizations within the allotted time. If, following approved medical practice, the administration of a vaccine requires more than 30 calendar days to complete, upon certification of this fact by a physician, additional days may be allowed in order to obtain the required immunizations.

c. Exceptions to the immunization requirements will be made only for religious reasons or for medical reasons approved by a physician pursuant to state law and regulation.

B. HEALTH ASSESSMENT/VISION SCREENING

Within 30 calendar days of the first day of school entry, all students entering public schools for the first time, regardless of grade level, must furnish to the principal a form that meets the requirements of state law indicating that the student has received a health assessment pursuant to G.S. 130A-440. A student who fails to meet this requirement will not be permitted to attend school until the required health assessment form has been presented. Such absences will not be considered suspensions, and the student will be given an opportunity to make up work missed during the absence as described below. The principal or designee shall, at the time of enrollment, notify the parent, guardian, or person standing *in loco parentis* that the completed health assessment form is needed on or before the child's first day of attendance. The date the student's health assessment form is received will be recorded in the student's official record, and the form will be maintained on file in the school.

The assessment must include a medical history and physical examination with screening

for vision and hearing and, if appropriate, testing for anemia and tuberculosis. The health assessment must be conducted no more than 12 months prior to the date of school entry. Exceptions to the health assessment requirement will be made only for religious reasons.

Vision screening must comply with the vision screening standards adopted by the former Governor's Commission on Early Childhood Vision Care. Within 180 days of the start of the school year, the parent of the child must present to the principal or designee certification that within the past 12 months, the child has obtained a comprehensive eye examination performed by an ophthalmologist or optometrist or has obtained a vision screening conducted by a licensed physician, an optometrist, a physician assistant, a nurse practitioner, a registered nurse, an orthoptist or a vision screener certified by Prevent Blindness North Carolina.

Children who receive and fail to pass the required vision screening must obtain a comprehensive eye exam conducted by a duly licensed optometrist or ophthalmologist. The provider of the exam must present to the parent a signed transmittal form, which the parent must submit to the school. If a member of the school staff has reason to believe that a child enrolled in kindergarten through third grade is having problems with vision, the staff member may recommend to the child's parent that the child have a comprehensive eye examination.

No child will be excluded from attending school solely for a parent's failure to obtain a comprehensive eye exam. If a parent fails or refuses to obtain a comprehensive eye exam or to provide the certification of a comprehensive eye exam, school officials shall send a written reminder to the parent of required eye exams.

Upon request, the teacher(s) of a student subject to an absence from school for failure to provide the health assessment form required by this section shall provide to the student all missed assignments, and to the extent practicable, the materials distributed to students in connection with the assignments. The principal or designee shall arrange for the student to take home textbooks and school-furnished digital devices for the duration of the absence and shall permit the student to take any quarterly, semester, or grading period examinations missed during the absence period.

C. HOMELESS STUDENTS

Notwithstanding the provisions of this policy, admissions for homeless students will not be prohibited or delayed due to the student's inability to provide documentation of immunizations or health assessments. The homeless liaison shall work with the student, parent/guardian, school personnel or other agencies to obtain documentation of immunization and/or the health assessment or to arrange for such immunizations and/or assessments in a timely manner.

D. FOSTER CHILDREN

Notwithstanding the provisions of this policy, admissions for students in foster care will

not be prohibited or delayed due to the student's inability to provide documentation of immunizations or health assessments. The enrolling school will immediately contact the school last attended by the foster child to obtain any relevant documentation.

E. CHILDREN OF MILITARY FAMILIES

The board acknowledges that immunization requirements for newly enrolling ~~military~~ children of military families are governed by the Interstate Compact on Educational Opportunity for Military Children (G.S. 115C-407.5) and G.S. 115C-407.12 Children of military families, as defined in policy 4050, Children of Military Families, will have 30 days from the date of enrollment ~~or within such time as reasonably determined by the rules of the Interstate Commission~~ to obtain any required immunization. For a series of immunizations, initial vaccinations must be obtained within 30 days ~~or within such times as is reasonably determined under the Interstate Commission.~~

Legal References: Elementary and Secondary Education Act, 20 U.S.C. 6311(g)(1)(E); McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 *et seq.*; G.S. 115C-390.2(l), -407.5, -407.12; 130A-152 to -157, -440 to -443; 10A N.C.A.C. 41A .0401

Cross References: Children of Military Families (policy 4050), Homeless Students (policy 4125), Attendance (policy 4400)

Other Resources: N.C. Immunization Branch, available at http://www.immunize.nc.gov/

Adopted: April 10, 2000
Updated: May 4, 2009
Updated: April 3, 2012
Updated: December 7, 2015
Updated: November 7, 2016
Updated: July 6, 2020
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.
~~The superintendent or designee shall approve or deny requests for admission to the school system for students who do not meet the domicile or residence requirements outlined in policy 4120, Domicile or Residence Requirements. Applications from residents of the school system will begiven consideration before others. Admission may be granted for up to one full school year. An application must be submitted each subsequent school year in which admission is desired.~~

A. ADMISSION CRITERIA

The board may choose to admit a~~A~~ non-domiciled student ~~may be admitted and enrolled, at the discretion of the superintendent~~, only if the following conditions are met.

1. The parent, legal guardian, or legal custodian ~~must submit a request in writing that~~ 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. ~~may be considered when:~~

~~there are compelling, specific circumstances indicating that the student should continue his or her education in the school system (as, for example, when the student is in his or her senior year when the parent, legal guardian or legal custodian becomes domiciled outside the school system);~~

~~a .there is an extraordinary, compelling, specific family need (as, for example, when a parent, legal guardian or legal custodian is clearly unable to care for the child); or~~

~~a. another extraordinary, specific, and compelling need or hardship is demonstrated~~

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.~~ Transfer requests will be processed once a year. All requests for transfer must be received by June 1.~~ 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.

4. ~~With the initial application,~~ ~~t~~The student must furnish a transcript and other student record data, including evidence of compliance with the North Carolina immunization requirements.

5. 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.

6. 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 ~~written~~ 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.

7. 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.

.~~7~~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 ~~with the initial application, such as a copy of utility bills.~~

9. ~~The parent, legal guardian, or legal custodian must agree to pay tuition if required by policy 4135, Tuition for Discretionary Admissions.~~

B. DISCRETIONARY ADMISSION DECISIONS

1. ~~Final~~ 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 ~~A~~ admission for up to one full school year. ~~may be granted based upon the information contained in the application and supporting documents. Nonresident~~ ~~s~~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 ~~superintendent or designee shall send~~ a written response to an applicant within ~~10~~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. Appeals~~

~~A final decision may be appealed to the board in accordance with the procedures of section E.5 in policy 1740/4010, Student and Parent Grievance Procedure.~~

~~3~~.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. ~~and other measures of standing and progress in the school system~~

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 student must have both approval of the board to release the student and approval of the receiving board of education to admit the student. The decision whether to admit the student is made under the policies of the receiving board of education.~~

The superintendent or designee may ~~shall~~ 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)~~, Tuition for Discretionary Admissions (policy 4135)~~

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

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, -83.1G, -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

A . ACCIDENT INSURANCE

Membership in a group accident insurance program will be made available to students each year. In arranging for this insurance, the board will make every reasonable attempt to identify a company offering comprehensive insurance at economical rates. Information on the plan will be made available through school publications.

Purchase of this insurance constitutes an agreement between the student and/or parent or guardian and the insurance company. The student and/or parent or guardian is responsible for payment of the accident insurance premiums. The school system is not a party to this agreement. The school system does not assume any contractual responsibility for expenses not covered by insurance.

Students who choose to participate in programs that may have a higher risk of physical injury than most school activities, including off-site internship programs, football, and other interscholastic sports, are required to have accident insurance through the group plan or comparable coverage. The superintendent may designate other activities, including certain school trips, as requiring accident insurance.

B. CASTASTROPHIC INSURANCE

The board will purchase catastrophic insurance to cover students and school system employees while they are participating in or responsible for supervising high school interscholastic athletic activities, including school-supervised practices, game-related activities, and related travel.

Legal References: G.S. 58-31A-60, -51-81; 115C-36, -407.65

Cross References:

Adopted: April 10, 2000
Updated: May 4, 2009

CHILD ABUSE AND RELATED THREATS TO CHILD SAFETY

Policy Code: **4240/7312**

The board is concerned with the health, safety, and welfare of all children and recognizes the legal and ethical obligations that school employees, contractors, and volunteers have to report known or suspected maltreatment of children. North Carolina has two separate systems that mandate reports to state authorities of suspected child abuse, neglect, dependency, or maltreatment and a third system for mandated reporting of certain crimes against juveniles to local law enforcement.

When a parent or other caretaker is suspected to have caused a child to be abused, neglected, or dependent, this information must be reported to the county child welfare agency. Suspected human trafficking, involuntary servitude, and sexual servitude of a child and death of a child as a result of maltreatment are special forms of child abuse under law and must be reported to the county child welfare agency, regardless of the relationship between the victim and the perpetrator. By contrast, suspected child maltreatment by a caregiver in a child care facility, including in a licensed preschool classroom or other licensed classroom or program operated by the school system, must be reported to the Department of Health and Human Services (DHHS), Division of Child Development and Early Education (DCDEE). When the source of the harm or threat of harm to the child is uncertain, a report should be made to both the county child welfare agency and DCDEE.

In addition, state law mandates reports to local law enforcement when a child is a victim of certain violent offenses, sexual offenses, or misdemeanor child abuse. An adult who knows or reasonably should have known of any of these offenses inflicted upon a child must report that information immediately.

The board of education supports all employees who in good faith make a report under North Carolina's mandated reporting laws.

The superintendent shall develop any necessary procedures for making a report or otherwise implementing this policy.

A. DUTY TO REPORT CERTAIN CRIMES AGAINST CHILDREN TO LOCAL LAW ENFORCEMENT

A school employee, contractor, or volunteer is legally required to report to local law enforcement when the employee or volunteer knows or reasonably should know that a child has been a victim of any of the following crimes:

1. a sexual offense (which for purposes of this policy, the board interprets to mean any offense that relates to inappropriate sexual ~~contact with~~ conduct with or involving a child);

2. an offense that inflicts serious bodily injury or serious physical injury upon the child by nonaccidental means;

3. an attempt, solicitation, or conspiracy to commit either offense described above, or aiding and abetting either offense; or

4. misdemeanor child abuse, which occurs when a parent or any other person providing care or supervision to a child who is under the age of sixteen (1) inflicts or allows to be inflicted physical injury to the child by nonaccidental means or (2) creates or allows a substantial risk of physical injury to the child by nonaccidental means.

Compliance with this reporting requirement does not relieve the employee or volunteer from his or her duty to report pursuant to Sections B and C of this policy. The employee, contractor, or volunteer also shall immediately report the case to the principal.

A school employee, contractor, or volunteer is immune by statute from any state civil and/or criminal liability when making a report in good faith under this Section. An employee who fails to report or who prevents another person from making a report is subject to disciplinary action by the school system and civil and criminal action under the law. A volunteer or contractor who fails to report or prevents another person from making a report may be restricted from school property or lose the privilege of volunteering for or contracting with the school system and is subject to civil and criminal action under the law.

B. DUTY TO REPORT CHILD ABUSE, NEGLECT, DEPENDENCY, OR DEATH AS A RESULT OF MALTREATMENT TO THE COUNTY CHILD WELFARE AGENCY

A school employee, contractor, or volunteer who knows or has cause to suspect that (1) a parent, guardian, custodian, or caretaker of a child has caused the child to be abused, neglected, or dependent, or (2) that a child has died as a result of maltreatment or been a victim of human trafficking, involuntary servitude, or sexual servitude by any person is legally required to report the case to the director of social services. The employee, contractor, or volunteer also shall immediately report the case to the principal. Any doubt about reporting a suspected situation must be resolved in favor of reporting, and the report must be made immediately.

A school employee, contractor, or volunteer is immune by statute from any civil and/or criminal liability when making a report in good faith under this Section. An employee who fails to report or who prevents another person from making a report is subject to disciplinary action by the school system and civil and criminal action under the law. A volunteer or contractor who fails to report or prevents another person from making a report may be restricted from school property or lose the privilege of volunteering for or contracting with the school system and is subject to civil and criminal action under the law.

C. DUTY TO REPORT CHILD MALTREATMENT IN A CHILD CARE FACILITY TO THE DIVISION OF CHILD DEVELOPMENT AND EARLY EDUCATION

A school employee, contractor, or volunteer who has cause to suspect that a child in a child

care facility has been maltreated by a caregiver or has died as a result of maltreatment occurring in a child care facility is legally required to report the case to DCDEE.

A "child care facility" includes any DHHS-licensed classroom or program operated by the school system, including for example, licensed pre-school or Title I classrooms, licensed afterschool programs, and licensed developmental day programs.

Any doubt about reporting a suspected situation or uncertainty whether the child's care is being provided in a child care facility must be resolved in favor of reporting, and the report should be made immediately.

An employee making a report to DCDEE also shall immediately report the case to the principal. If the suspected maltreatment occurred in a licensed preschool classroom or other licensed classroom or program operated by board, the principal shall immediately notify the superintendent of the suspected maltreatment. No reprisals of any kind may be taken against an employee who makes a good faith report of child maltreatment occurring in any licensed preschool classroom or other licensed classroom or program operated by the board.

An employee who fails to make a report as required by law and this policy may be subject to disciplinary action by the school system. In addition, if the employee works in a licensed preschool classroom or other licensed classroom or program operated by the board, failure to report maltreatment of a child in the program or classroom may itself constitute child maltreatment and result in the employee being placed on the state child maltreatment registry. A volunteer or contractor who fails to report or prevents another person from making a report may be restricted from school property or lose the privilege of volunteering for or contracting with the school system.

D. DUTY TO REPORT LICENSED EMPLOYEES TO THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In addition to the other reporting requirements of this policy, any administrator who knows or has reason to believe that a licensed employee has engaged in conduct that would justify automatic revocation of the employee's license pursuant to G.S. 115C-270.35(b) or involves physical or sexual abuse of a child shall report that information to the State Superintendent of Public Instruction in accordance with subsection C.4 of policy 4040/7310, Staff-Student Relations.

E. COOPERATION WITH STATE AND LOCAL AGENCIES

1. The principal may establish a contact person in the school to act as a liaison with state and local agencies charged with investigating reports made pursuant to this policy.

2. Employees shall cooperate fully with agency personnel conducting an investigation.

3. In a case under the jurisdiction of local law enforcement in which the child's parent, guardian, or custodian is suspected of wrongdoing, employees shall permit the child to be interviewed by local law enforcement on school campuses during school hours. Otherwise, permission from the parent, guardian, or custodian must be obtained before the child may be interviewed by local law enforcement on school campus during school hours.

4. In a case under the jurisdiction of social services, employees shall permit the child to be interviewed by social services on school campuses during school hours.

5. In a case under the jurisdiction of DCDEE concerning suspected child maltreatment by a caregiver in a child care facility, permission from the parent must be obtained before the child may be interviewed on school campus during school hours.

6. Employees shall provide confidential information to agency personnel, so long as the disclosure does not violate state or federal law.

7. Any confidential information disclosed by the investigating agency to employees must remain confidential and may be redisclosed only for purposes directly connected with carrying out the responsibilities of the school system or the employee.

F. SHARING INFORMATION WITH OTHER AGENCIES

Upon request and to the extent permitted by law, school system officials shall share with other agencies designated in G.S. 7B-3100(a) information that is relevant to (1) any assessment by the department of social services of a report of child abuse, neglect, dependency, or death as a result of maltreatment; (2) the provision or arrangement of protective services in a child abuse, neglect, or dependency case by the department of social services; or (3) any case in which a petition is filed alleging that a juvenile is abused, neglected, dependent, undisciplined, or delinquent. School system officials and the designated agencies must continue to share such information until the protective services case is closed by the department of social services or, if a petition is filed, until the juvenile is no longer subject to the jurisdiction of juvenile court.

G. CHILD SEXUAL ABUSE AND SEX TRAFFICKING TRAINING PROGRAM

In even numbered years, the school system will provide a child sexual abuse and sex trafficking education and awareness training program for teachers, instructional support personnel, principals, and assistant principals. The program will include at least two hours of training related to best practices from the field of prevention, the grooming process of sexual predators, the warning signs of sexual abuse and sex trafficking, how to intervene when sexual abuse or sex trafficking is suspected or disclosed, legal responsibilities for reporting sexual abuse or sex trafficking, and available resources for assistance. Designated school personnel shall participate in such training as required by law and board

policy.

H. CHILD ABUSE AND NEGLECT INFORMATION AND RESOURCES FOR STUDENTS

In accordance with G.S. 115C-47(65) and State Board of Education Policy SHLT-003, the school system will provide information on child abuse and neglect, including age-appropriate information on sexual abuse, to students in grades 6 through 12. Such information will be provided in the form of (1) a document given to all students in grades 6 through 12 at the beginning of each school year and (2) a display posted in visible, high-traffic areas throughout each secondary school.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 7B-101, -301, -302, -309, -3100; 8-53.4; 14-208.6, -318.2, -318.4, -318.6; 110-90.2, -105.3, -105.4, -105.5; 115C-47(65), -270.35(b), -375.20, -400, -402; 126-5; 16 N.C.A.C. 6C .0373; 16 N.C.A.C. 6D.0403; State Board of Education Policy SHLT-003

Cross References: Professional and Staff Development (policy 1610/7800), Staff-Student Relations (policy 4040/7310), Student Records (policy 4700)

Adopted: April 10, 2000
Updated: April 6, 2009
Updated: February 8, 2010
Updated: December 4, 2017
Updated: July 8, 2019
Updated: February 3, 2020
Updated: June 7, 2021
Updated: July 18, 2022

All decisions related to student behavior are guided by the board's educational objective to teach responsibility and respect for cultural and ideological differences and by the board's commitment to creating safe, orderly, and inviting schools. Student behavior policies are provided in order to establish (1) expected standards of student behavior; (2) principles to be followed in managing student behavior; (3) consequences for prohibited behavior; and (4) required procedures for addressing misbehavior. Teachers, school-based administrators, parents, and law enforcement will be consulted when existing student behavior policies are revised or new such policies are created.

A. PRINCIPLES

The reasons for managing student behavior are to (1) create an orderly environment in which students can learn; (2) teach expected standards of behavior; (3) help students learn to accept the consequences of their behavior; and (4) provide students with the opportunity to develop self-control. The following principles apply in managing student behavior.

1. Student behavior management strategies will complement other efforts to create a safe, orderly, and inviting environment.

2. Positive behavioral interventions will be employed as appropriate to improve student behavior.

3. Responsibility, integrity, civility, and other standards of behavior will be integrated into the curriculum.

4. Disruptive behavior in the classroom will not be tolerated.

5. Consequences for unacceptable behavior will be designed to help a student learn to comply with rules, to be respectful, to accept responsibility for his or her behavior, and to develop self-control.

6. Strategies and consequences will be age and developmentally appropriate.

B. COMMUNICATION OF POLICIES

Board policies related to student behavior are codified mainly in the 4300 series. The superintendent shall incorporate information from such policies into a Code of Student Conduct that notifies students of the behavior expected of them, conduct that may subject them to discipline, and the range of disciplinary measures that may be used by school officials. At the discretion of the superintendent, the Code of Student Conduct may include additional rules needed to implement the board's student behavior policies. To elaborate further on processes for addressing student misbehavior and the use of intervention strategies and consequences, each school will create a student behavior management plan that is consistent with the law, board policies, and the Code of Student Conduct (see policy

4302, School Plan for Management of Student Behavior). The Code of Student Conduct must incorporate by reference any additional student behavior standards, prohibited conduct, or disciplinary measures identified in student behavior management plans developed by individual schools. The Code of Student Conduct must not impose mandatory long-term suspension or expulsion for specific violations unless otherwise provided in state or federal law.

At the beginning of each school year, principals shall make available to each student and parent all of the following: (1) the Code of Student Conduct; (2) any board policies related to behavior that are not part of the Code of Conduct; (3) any related administrative procedures; (4) any additional discipline-related information from the school's student behavior management plan, including behavior standards, prohibited conduct, or disciplinary measures; and (5) any other school rules. This information must be available at other times upon request and must be made available to students enrolling during the school year and their parents.

For the purpose of board policies related to student behavior, all references to "parent" include a parent, a legal guardian, a legal custodian, or another caregiver adult authorized to enroll a student under policy 4120, Domicile or Residence Requirements.

C. APPLICABILITY

Students must comply with the Code of Student Conduct in the following circumstances:

1. while in any school building or on any school premises before, during, or after school hours;

2. while on any bus or other vehicle as part of any school activity;

3. while waiting at any school bus stop;

4. during any school-sponsored activity or extracurricular activity;

5. when subject to the authority of school employees; and

6. at any other place or time when the student's behavior has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment.

Notwithstanding the foregoing, students will not be disciplined for constitutionally protected behavior. School officials are encouraged to consult with senior administrators before regulating student expression that may be protected by the First Amendment to the U.S. Constitution.

D. CONSEQUENCES FOR VIOLATIONS

Violations of the Code of Student Conduct must be dealt with in accordance with the guidelines established in the school's behavior management plan (see policy 4302, School Plan for Management of Student Behavior).

1. Minor Violations

   Minor violations of the Code of Student Conduct are those less severe infractions involving a lower degree of dangerousness and harm. Examples of minor violations include the use of inappropriate or disrespectful language, noncompliance with a staff directive, dress code violations, and minor physical altercations that do not involve a weapon or an injury. Aggravating circumstances, however, may justify treating an otherwise minor violation as a serious violation.

   Minor violations of the Code of Student Conduct may result in disciplinary measures or responses up to and including short-term suspension. Further information regarding the procedures for short-term suspensions is provided in policy 4351, Short-Term Suspension. Other disciplinary measures or responses may include, but are not limited to, the following:

   a. parental involvement, such as conferences;

   b. isolation or time-out for short periods of time;

   c. behavior improvement agreements;

   d. instruction in conflict resolution and anger management;

   e. peer mediation;

   f. individual or small group sessions with the school counselor;

   g. academic intervention;

   h. in-school suspension;

   i. detention before and/or after school or on Saturday;

   j. community service;

   k. exclusion from graduation ceremonies;

   l. exclusion from extracurricular activities;

   m. suspension from bus privileges; and

   n. placement in an alternative school.

The student's parent is responsible for transportation that may be required to carry out a consequence. With the exception of suspension from bus privileges, if a parent is unable to provide transportation, another consequence will be substituted.

2. Serious Violations

Serious violations of the Code of Student Conduct may result in any of the consequences that may be imposed for minor violations. In addition, serious violations that threaten to substantially disrupt the educational environment may result in long-term suspension, and serious violations that threaten the safety of students, school employees, or school visitors may result in long-term suspension or expulsion. Certain violations involving firearms or explosive devices may result in a 365-day suspension. Further information regarding the standards and procedures for long-term suspensions, 365-day suspensions, and expulsions is provided in policies 4351, Short-Term Suspension, and 4353, Long-Term Suspension, 365-Day Suspension, Expulsion. (See also policy 4333, Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety, for information regarding 365-day suspensions for certain violations involving firearms or explosive devices.)

E. ENFORCEMENT

The superintendent is responsible for supervising the enforcement of the Code of Student Conduct to ensure that school disciplinary policies are uniformly and fairly applied throughout the school system and consistent with students' constitutional rights.

Legal References: U.S. Const. amend. I; *Mahanoy Area School Dist. v. B.L.*, 594 U.S. ___, 141 S. Ct. 2038 (2021); G.S. 115C-47, -276(r), -288, -307, -390.1, -390.2

Cross References: Goals and Objectives of the Educational Program (policy 3000), Counseling Program (policy 3610), Domicile or Residence Requirements (policy 4120), Student Behavior policies (4300 series)

Adopted: April 10, 2000
Updated: May 4, 2009
Updated: September 14, 2011
Updated: May 7, 2018
Updated: January 10, 2022

School attendance and class participation are integral parts of academic achievement and the teaching-learning process. Through regular attendance, students develop patterns of behavior essential to professional and personal success in life. Regular attendance by every student is mandatory. The State of North Carolina requires that every child in the State between the ages of 7 (or younger if enrolled) and 16 attend school.

Parents and legal guardians are responsible for ensuring that students attend and remain at school daily. School administrators shall communicate attendance expectations to parents and guardians and work with students and their families to overcome barriers to attendance.

A. ATTENDANCE RECORDS

School officials shall keep accurate records of attendance, including accurate attendance records in each class. Students will be considered in attendance if present at least half of the instructional day on-site in the school or at a place other than the school attending an authorized school-related activity.

To be in attendance during remote instruction days (with the exception of the initial enrollment day), students must: (1) complete their daily assignments, either online or offline; and/or (2) have a daily check-in through two-way communication with (a) the homeroom teacher for grades K-5 or (b) for all other grade levels, each course teacher as scheduled. School officials shall communicate the attendance procedures to students and their families before the first day remote instruction begins.

B. LATE ARRIVALS AND EARLY DEPARTURES

Students are expected to be at school on time and to remain at school until dismissed. During the school day, students are expected to be present at the scheduled starting time for each class and to remain until the class ends.

When a student must be late to school or leave school early, a written excuse signed by a parent or guardian should be presented upon the student's arrival at school. Tardies or early departures may be excused for any of the reasons listed below in Section C.

Any disciplinary consequences for unexcused tardiness or unexcused early departures from school or class will 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 such offenses. Consequences may not exceed a short-term suspension of two days.

C. EXCUSED ABSENCES

When a student must miss school, a written excuse signed by a parent or guardian must be presented to the student's teacher on the day the student returns after an absence. Absences due to extended illnesses may also require a statement from a health care practitioner. An absence may be excused for any of the following reasons:

1. personal illness or injury that makes the student physically unable to attend school;

2. isolation ordered by the local health officer or the State Board of Health or isolation or quarantine that is a required state or local control measure;

3. death in the immediate family;

4. medical or dental appointment;

5. attendance at the proceedings of a court or administrative tribunal if the student is party to the action or under subpoena as a witness;

6. a minimum of two days each academic year for observance of an event required or suggested by the religion of the student or the student's parent or legal guardian;

7. participation in a valid educational opportunity, such as travel or service as a legislative or Governor's page, with prior approval from the principal;

8. pregnancy and related conditions or parenting, when medically necessary;

9. a minimum of two days each academic year for visitation with the student's parent or legal guardian if the student is not identified as at risk of academic failure because of unexcused absences and the student's parent or legal guardian (a) is an active duty or inactive member of the uniformed services as defined by policy 4050, Children of Military Families, and (b) has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting; or

10. any other reason as approved by the board in a board resolution.

D. SCHOOL-RELATED ACTIVITIES

While recognizing the importance of classroom learning, the board also acknowledges that out-of-classroom, school-related activities can provide students with valuable experiences not available in the classroom setting. The following school-related activities will not be counted as absences from either class or school:

1. field trips sponsored by the school;

2. job shadows and other work-based learning opportunities, as described in G.S. 115C-47(34a);

3. school-initiated and -scheduled activities;

4. athletic events that require early dismissal from school; and

5. Career and Technical Education student organization activities approved in advance by the principal.

In addition, students participating in disciplinary techniques categorized as in-school suspension will not be counted as absent.

E. MAKEUP WORK

In the case of excused absences, short-term out-of-school suspensions, and absences under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school), the student will be permitted to make up his or her missed work. (See also policies 4110, Immunization and Health Requirements for School Admission, and 4351, Short-Term Suspension.) Assignments missed due to participation in school-related activities also are eligible for makeup by the student. The teacher shall determine when work is to be made up. The student is responsible for finding out what assignments are due and completing them within the specified time period.

F. UNEXCUSED ABSENCES

The principal shall notify parents and take all other steps required by G.S. 115C-378 for excessive, unexcused absences.

Any school disciplinary consequences for unexcused absences will 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 such offenses. Consequences may not exceed a short-term suspension of two days.

G. CHRONIC ABSENTEEISM

Because class attendance and participation are critical elements of the educational process, any absences, whether excused or unexcused, can have a negative impact on a student's academic achievement. Regular attendance must be prioritized within each school and encouraged throughout the community. School administrators shall monitor and analyze attendance data to develop and implement strategies for reducing chronic absenteeism. Such strategies should involve engaging students and parents, recognizing good and improved attendance, providing early outreach to families of students missing school, and identifying and addressing barriers to attendance.

H. SPECIAL CIRCUMSTANCES

1. Students with Chronic Health Problems

   No penalties will be imposed for absences due to documented chronic health problems.

2. Students Experiencing Homelessness

   For students experiencing homelessness (see board policy 4125, Homeless Students), school officials must consider issues related to the student's homelessness, such as a change of caregivers or nighttime residence, before taking disciplinary action or imposing other barriers to school attendance based on excessive absences or tardies.

3. Attendance Requirements for Extracurricular Activities

   Absences may impact eligibility for participation in extracurricular activities. Principals shall inform students and parents of the applicable attendance standards for the various types of extracurricular activities, including interscholastic athletics. See also policy 3620, Extracurricular Activities and Student Organizations.

Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, *et seq.*; G.S. 115C-47, -84.2, -288(a), -375.5, -378 to -383, -390.2(d), -390.2(l), -390.5, -407.5, -407.12; 130A-440; 16 N.C.A.C. 6E .0102, .0103, .0106; State Board of Education Policies ATND-000, -003

Cross References: Extracurricular Activities and Student Organizations (policy 3620), Education for Pregnant and Parenting Students (policy 4023), Children of Military Families (policy 4050), Immunization and Health Requirements for School Admission (policy 4110), Homeless Students (policy 4125), Student Behavior Policies (policy 4300), Short-Term Suspension (policy 4351)

Other Resources: NC DPI Multi-Tiered System of Support Implementation Guide, available at ~~https://www.livebinders.com/play/play/2052295?tabid=180c26e7-0236-1ff0-3f53-291910458e28#anchorhttps://www.livebinders.com/play/play?id=2957986#anchor~~

Adopted: April 10, 2000
Amended: June 3, 2002
Amended: April 2, 2007
Updated: September 15, 2010
Updated: January 20, 2011
Updated: May 2, 2011
Updated: September 13, 2011
Updated: June 3, 2013
Updated: June 4, 2018
Updated: December 2, 2019
Updated: December 7, 2020
Updated: June 7, 2021
Updated: January 10, 2022

Updated: July 18, 2022

All student records must be current and maintained with appropriate measures of security and confidentiality. The principal is responsible for complying with all legal requirements pertaining to the maintenance, review, and release of student records retained at the school. For purposes of this policy "student records" or "student education records" are those records, files, documents, and other materials that contain information directly related to the student that are maintained by the school system or by a party acting for the school system.

A. ANNUAL NOTIFICATION OF RIGHTS

The superintendent or designee shall provide eligible students and parents with annual notification of their rights under the Family Educational Rights and Privacy Act (FERPA). The notice must contain all information required by federal law and regulations, including the following:

1. the right to inspect and review the student's education records and the procedure for exercising this right;

2. the right to request amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading, or in violation of the student's privacy rights; and the procedure for exercising this right;

3. the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent;

4. the type of information designated as directory information and the right to opt out of release of directory information;

5. that the school system releases records to other institutions that have requested the information and in which the student seeks or intends to enroll;

6. the right to opt out of releasing the student's name, address, and phone number to military recruiters or institutions of higher education that request such information;

7. a specification of the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest if a school official discloses or intends to disclose personally identifiable information to school officials without consent;

8. notification if the school system uses contractors, consultants, volunteers, or similar persons as school officials to perform certain school system services and functions that it would otherwise perform itself; and

9. the right to file complaints with the ~~Family Policy Compliance~~ Student Privacy Policy Office in the U.S. Department of Education.

School officials are not required to individually notify parents or eligible students of their rights but must provide the notice in a manner reasonably likely to inform the parents and eligible students of their rights. Effective notice must be provided to parents or eligible students with disabilities or those whose primary or home language is not English.

B. DEFINITION OF PARENT AND ELIGIBLE STUDENT

1. Parent

For purposes of this policy, the term "parent" includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian. If the parents of a student are separated or divorced, both parents have the right to access the student's records as provided in this policy, unless the school system has been provided with evidence that there is a court order, state statute, or other legally binding document that specifically revokes these rights.

2. Eligible Student

For purposes of this policy, an eligible student is a student who has reached 18 years of age or is attending an institution of postsecondary education. The rights afforded to parents under this policy transfer to an eligible student. However, parents may still have access to the records as long as the student is claimed as a dependent by the parent for federal income tax purposes. An eligible student who desires to prevent access to records by his or her parents must furnish to the principal information verifying that the student is not a dependent of his or her parents. If a parent of a student who is at least 18 and no longer attending a school within the system wishes to inspect and review the student's records, he or she must provide information verifying that the student is a dependent for federal income tax purposes.

A student under age 18 may have access to student records only upon the consent of his or her parents.

C. CLASSIFICATION AND MAINTENANCE OF RECORDS

1. Student Education Records

Student education records may be separated into several categories, including, but not limited to, the following.

a. Cumulative Records

The cumulative record is the official record for each student. The cumulative record includes student identification information, such as the student's name, address (or a homeless student's living situation), sex, race, birthplace, and birth date; family data including the parents' names, addresses, work and home telephone numbers, and places of employment; academic work completed; grades; standardized test scores; health screenings and immunization documentation; attendance records; withdrawal and reentry records; discipline records; honors and activities; class rank; date of graduation; and follow-up records.

b. Discipline Records

Student discipline records are part of the student's official record and must be maintained and reviewed pursuant to policy 4345, Student Discipline Records. Discipline records must be expunged and forwarded pursuant to the requirements of law and the procedures of policy 4345.

c. Records of Students with Disabilities

Students with recognized disabilities must be accorded all rights in regard to their records as provided by state and federal law, including the Individuals with Disabilities Education Act and policy 3520, Special Education Programs/Rights of Students with Disabilities. Records for a student identified as a student with a disability are considered part of the student's official records and must be maintained in accordance with all appropriate federal and state regulations. Access to these records will be restricted to personnel having specific responsibility in this area. A list of all approved personnel having access to these restricted files will be updated as needed, and a current, dated list will be posted in the student records location.

d. Records Received from the Department of Social Services

The Department of Social Services may disclose confidential information to the school system in order to protect a juvenile from abuse or neglect. Any confidential information disclosed under these circumstances must remain confidential and may only be redisclosed for purposes directly connected with carrying out the school system's mandated educational responsibilities.

e. Juvenile Records

Juvenile records include documentation or information regarding students who are under the jurisdiction of the juvenile court. These records may be received from local law enforcement and/or other local agencies authorized to share information concerning juveniles in accordance with G.S. 7B-3100.

These records also may include notice from the sheriff to the board that a student has been required to register with the sheriff because the student has been found to be a danger to the community under G.S. Chapter 14, Part 4. Such documents must not be a part of a student's official records but must be maintained by the principal in a safe, locked storage area that is separate from the student's other records. The principal shall not make a copy of such documents under any circumstances.

Juvenile records will be used only to protect the safety of or to improve the educational opportunities for the student or others. The principal may share juvenile records with individuals who have (a) direct guidance, teaching, or supervisory responsibility for the student and (b) a specific need to know in order to protect the safety of the student and others. Persons provided access to juvenile records must indicate in writing that they have read the document(s) and agree to maintain confidentiality of the records.

The principal or designee must destroy juvenile documents if he or she receives notification that a court no longer has jurisdiction over the student or if the court grants the student's petition for expunction of the records. The principal or designee shall destroy all other information received from an examination of juvenile records when he or she finds that the information is no longer needed to protect the safety of or to improve the educational opportunities for the student or others. If the student graduates, withdraws from school, transfers to another school, is suspended for the remainder of the school year, or is expelled, the principal shall return all documents not destroyed to the juvenile court counselor. If the student is transferring, the principal shall provide the juvenile court counselor with the name and address of the school to which the student is transferring.

f. Other Student Records

School system personnel may also keep other student records but must review such records annually and destroy them in accordance with Section K of this policy.

2. Records Not Considered Education Records (Sole Possession, Employment, and Law Enforcement Records)

Student education records do not include, and release of information under this policy does not apply to:

a. records made by teachers, counselors, and administrators that are in the sole possession of the maker thereof and that are not accessible or revealed to any other person except a substitute;

b. employment records of student employees if those records relate

exclusively to the student in his or her capacity as an employee and are not made available for any other use; and

c. records created by a law enforcement unit of the school system if created for a law enforcement purpose and maintained solely by the law enforcement unit of the school system. However, a law enforcement record containing information that was obtained from a student's confidential file or other education record must be treated as an education record and may be released only in accordance with this policy.

D. RECORDS OF STUDENTS PARTICIPATING IN THE NORTH CAROLINA ADDRESS CONFIDENTIALITY PROGRAM

Students or parents enrolled in the North Carolina Address Confidentiality Program (NCACP) must provide a valid NCACP authorization card to the school principal if they wish to keep their home address confidential. The school system will maintain a confidential record of the actual home address for admission and assignment purposes only and will not release that address except as provided by law. With the exception of such specially-maintained records, student records will include only the substitute address provided by the NCACP and not the actual home address of any students or parents for whom a valid NCACP authorization card is on file.

When transferring the record of a student participating in the North Carolina Address Confidentiality Program to a school outside of the system, the transferring school may send the files to the Address Confidentiality Program participant (parent or guardian) via the substitute address provided by the Address Confidentiality Program.

E. RECORDS OF MISSING CHILDREN

Upon notification by a law enforcement agency or the North Carolina Center for Missing Persons of the disappearance of a child who is currently or was previously enrolled in the school, school officials shall flag the record of that child. If the missing child's record is requested by another school system, the principal shall provide notice of the request to the superintendent and the agency that notified the school that the child was missing. The principal shall provide the agency with a copy of any written request for information concerning the missing child's record.

Any information received indicating that a student transferring into the system is a missing child must be reported promptly to the superintendent and the North Carolina Center for Missing Persons.

F. RECORDS OF ~~MILITARY~~ CHILDREN OF MILITARY FAMILIES

~~School administrators shall comply with any regulations pertaining to the records of military children developed by the Interstate Commission on Educational Opportunity for Military Children.~~

~~In addition,~~ In compliance with the Interstate Compact on Educational Opportunity for Military Children (G.S. 1115C-407.5) and G.S. 115C-407.12, school administrators shall assist in the timely enrollment of children of military families, as defined by policy 4050, Children of Military Families, are entitled to the following by facilitating the transfer of their educational records.

1. For Students Leaving the School System

   In the event that official education records cannot be released to the parents of military children who are transferring away from the school system, the custodian of records shall prepare and furnish to the parent a complete set of unofficial education records containing uniform information as determined by the Interstate Commission.

   When a request for a student's official record is received from the student's new school, school officials shall process and furnish the official records to the student's new school within 10 days ~~or within such time as is reasonably determined by the Interstate Commission.~~

2. For Students Enrolling in the School System

   Upon receiving an unofficial education record from the student's previous school, school administrators shall enroll the student and place him or her in classes as quickly as possible based on the information in the unofficial records, pending validation by the official records.

   Simultaneous with the enrollment and conditional placement of the student, school administrators shall request the student's official record from his or her previous school.

G. REVIEW, RELEASE OF RECORDS TO PARENT OR ELIGIBLE STUDENT

1. Review by Parent or Eligible Student

   A parent or eligible student may access the student's education records upon proper request. The principal or guidance office personnel of the student's school shall schedule an appointment as soon as possible but no later than 45 days after the request by the parent or eligible student. The parent or eligible student may formally review the student's complete education records only in the presence of the principal or a designee competent to explain the records. School personnel shall not destroy any education records if there is an outstanding request to inspect or review the records.

2. Review of Video or Audio Recordings and Photographs

a. Parent's Right to Review

Upon request, a parent or eligible student may inspect and review a video or audio recording or photograph that is determined to be an education record of the student. Individuals acting on behalf of a parent or eligible child, such as advocates or attorneys, will not be permitted to review a video or audio recording or photo unless accompanied by the parent or eligible student.

b. Status as Education Record

A video or audio recording or photo will be deemed an education record of the student if it is directly related to the student and is maintained by the school system or its agent, as provided by law. A photo, video, or audio recording (such as a surveillance video), that is created and maintained by a law enforcement unit for a law enforcement purpose, is not an education record; however, a copy of such photo, video, or audio recording provided to the school for disciplinary or other school purposes may be an education record if it is directly related to a student and is maintained by the school system.

c. Records of More Than One Student

If the recording or photo is an education record of multiple students, the school system shall make reasonable efforts to redact or segregate out the portions of the recording or photo directly related to other students before providing the parent or eligible student access, provided doing so would not destroy the meaning of the record. If redaction or segregation of the recording or photo cannot reasonably be accomplished or would destroy the meaning of the record, then the parent of each student to whom the recording or photo directly relates or such eligible students themselves shall be permitted to access the entire record.

d. Copies of Recordings and Photos

A copy of a video or audio recording or photo will be provided to a parent or eligible student only (1) if circumstances effectively prevent the parent or eligible student from exercising the right to inspect the recording or photo, such as when the parent no longer lives within commuting distance of the school system; (2) when directed by a court order or subpoena; or (3) when otherwise required by law.

3. Request to Amend the Education Record

A parent or eligible student has the right to challenge an item in the student education record believed to be inaccurate, misleading, or otherwise in violation of

the student's privacy rights. The principal shall examine a request to amend a student record item and respond in writing to the person who challenges the item. Subsequent steps, if necessary, will follow the student grievance procedures as provided in policy 1740/4010, Student and Parent Grievance Procedure. If the final decision is that the information in the record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the principal shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the school system.

H. RELEASE OR DISCLOSURE OF RECORDS TO OTHERS

Before releasing or disclosing education records as permitted by law, school officials shall use reasonable methods to identify and authenticate the identity of the party to whom the records are disclosed.

1. Release/Disclosure with Parental Consent

   School officials shall obtain written permission from a parent or eligible student before releasing or disclosing student records that contain personally identifiable information, except in circumstances where the school system is authorized by law to release the records without such permission. The written permission must specify the records to be released, the purpose of the release, and the party(ies) to whom they are to be released.

2. Release/Disclosure without Parental Consent

   School system officials shall promptly release student records when a student transfers to another school. The records custodian may release or disclose records with personally identifiable information without parental permission to the extent permitted by law, including to other school officials who have a legitimate educational interest in the records.

   Personally identifiable information from a student's record may be released or disclosed to someone other than a parent or eligible student without prior written consent of the parent or eligible student only as specifically provided by federal law. Except as otherwise permitted by federal law, when personally identifiable information from a student's record is released or disclosed to someone other than a parent or eligible student without their written consent, the party to whom the information is released must agree not to disclose the information to any other party without the prior written consent of the parent or eligible student.

   The superintendent shall employ reasonable methods to ensure that teachers and other school officials obtain access only to those education records in which they have legitimate educational interests.

3. Release of Directory Information

Permission of the parent or eligible student is not required for the release of information that is designated as directory information by the board, provided that the parent or eligible student has been given proper notice and an opportunity to opt out. (See policy 1310/4002, Parental Involvement.)

a. The board designates the following student record information as directory information:

(1) name;

(2) address;

(3) telephone listing;

(4) email address;

(5) photograph or digital image, including still or video images of a student engaged in ordinary school activities;

(6) date and place of birth;

(7) participation in officially recognized activities and sports;

(8) weight and height of members of athletic teams;

(9) dates of attendance;

(10) grade level;

(11) diplomas (including endorsements earned), industry credentials/ certifications, and awards received; and

(12) most recent previous school or education institution attended by the student.

b. The telephone number and actual address of a student who is or whose parent is a participant in the North Carolina Address Confidentiality Program is not considered directory information and will not be released except as required by law.

c. Information about a homeless student's living situation is not considered directory information and will not be released.

d. As required by law, the names, addresses, and telephone numbers of secondary school students shall be released, upon request, to military recruiters or institutions of higher learning, whether or not such information is designated directory information by the school system. In addition, secondary school students' email addresses (which will be the email addresses provided by the school, if available) must be provided to military recruiters upon request. Students or their parents, however, may request that the student's name, address, email address, and telephone number not be released without prior written parental consent. School officials shall notify parents of the option to make a request and shall comply with any requests made.

e. All requests for directory information must be submitted to the superintendent or designee for approval. The superintendent is directed to establish regulations regarding the release of directory information. At a minimum, the regulations must:

(1) specify the types of organizations that are eligible to receive directory information and for what purposes;

(2) provide for equal disclosure to organizations that are similar in purpose; and

(3) authorize access to directory information to recruiters of military forces of the state or United States for the purpose of informing students of educational and career opportunities available in the military to the same extent that such information is made available to persons or organizations that inform students of occupational or educational options.

4. Records of Students with Disabilities

Students with recognized disabilities must be accorded all rights in regard to their records as provided by state and federal law, including the Individuals with Disabilities Education Act.

5. Disclosure of De-Identified Information

Education records may be released without consent of the parent or eligible student if all personally identifiable information has been removed. Personally identifiable information includes both direct and indirect identifiers that, alone or in combination, would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

Unless specifically permitted by law, records that have been de-identified must not be released without the consent of the parent or eligible student if school officials reasonably believe that the person requesting the information knows the identity of the student to whom the education record relates.

I. WITHHOLDING RECORDS

School system administrators shall not withhold records upon a valid request by a parent, eligible student, or school to which the student is transferring for any reason, including in order to collect fines assessed to the parent or student.

J. RECORD OF ACCESS AND DISCLOSURE

The principal or designee shall maintain a record in each student's file indicating all persons who have requested or received personally identifiable information from a student's record and the legitimate reason(s) for requesting or obtaining the information. This requirement does not apply to requests by or disclosure to parents, eligible students, school officials, parties seeking directory information, a party seeking or receiving the records under a court order or subpoena that prohibits disclosure, or those individuals with written parental consent.

K. DESTRUCTION OF STUDENT RECORDS

To the extent required by law, school officials shall maintain student records in accordance with the applicable records retention and disposition schedule(s) issued by the North Carolina Department of Natural and Cultural Resources. School officials shall not destroy student records if there is an outstanding request to inspect the particular records.

School officials shall notify parents and eligible students prior to the destruction of personally identifiable information in a student's special education records so that parents may collect the records from the school system if desired. Special education records must be destroyed at the request of parents if no longer needed to provide educational services to the child, including services to protect the safety of the student or others. However, a record of a student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed maybe maintained permantely. ~~After notifying parents, school officials may destroy student records when the records are no longer needed to provide educational services to the student or to protect the safety of the student or others. School officials must destroy student records if the parent or eligible student requests their destruction and if such records are no longer needed to provide educational services to the student or to protect the safety of the student or others. School officials shall not destroy student records if there is an outstanding request to inspect the particular records.~~

L. LONGITUDINAL DATA SYSTEM

School system administrators will comply with the data requirements and implementation schedule for the North Carolina Longitudinal Data System (NCLDS) and will transfer designated student record data to the system in accordance with the NCLDS data security and safeguarding plan and all other requirements of state law, provided that doing so does not conflict with the requirements of FERPA.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, h, 34 C.F.R. pt. 99; Individuals with Disabilities Education Act, 20 U.S.C. 1411 *et seq.*; Elementary and Secondary Education Act, 20 U.S.C. 7908; McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 *et seq.*; 10 U.S.C. 503(c)(1); G.S. 7B-302, -3100, -3101; 14-208.29; 115C-47(26), -109.3, -402, -403, -404, -407.5; 116E-6; *Program Records Schedule: Local Public School Units*, N.C. Department of Natural and Cultural Resources (2021), available at https://archives.ncdcr.gov/documents/local-education-agencies-schedule; *General Records Schedule: Local Government Agencies*, N.C. Department of Natural and Cultural Resources (2021), available at https://archives.ncdcr.gov/government/retention-schedules/local-government-schedules/general-records-schedule-local-government

Cross References: Parental Involvement (policy 1310/4002), Student and Parent Grievance Procedure (policy 1740/4010), Special Education Programs/Rights of Students with Disabilities (policy 3520), Children of Military Families (policy 4050), Homeless Students (policy 4125), North Carolina Address Confidentiality Program (policy 4250/5075/7316), Disciplinary Action for Exceptional Children/Students with Disabilities (policy 4307), Student Discipline Records (policy 4345), Confidentiality of Personal Identifying Information (policy 4705/7825), Surveys of Students (policy 4720), Public Records – Retention, Release, and Disposition (policy 5070/7350)

Adopted: January 11, 2016
Updated: November 7, 2016
Updated: June 5, 2017
Updated July 8, 2015
Updated: December 2, 2019
Updated: June 7, 2021
Updated: January 10, 2022
Updated: July 2018, 2022

The board recognizes that students may need to take medication during school hours. School personnel may administer medication prescribed by a health care practitioner upon the written request of a student's parent. In limited circumstances, a student may be authorized to self-administer medications. To minimize disruptions to the school day, students should take medications at home rather than at school whenever feasible. School officials may deny a request to administer any medication that could be taken at home or when, in the opinion of the superintendent or designee in consultation with school nursing personnel, other treatment options exist and the administration of the medication by school personnel would pose a substantial risk of harm to the student or others.

For purposes of this policy, all references to "parent" include parents, legal guardians, and legal custodians. In addition, for purposes of this policy, the term "health care practitioner" is limited to licensed medical professionals who are legally authorized to prescribe medications under North Carolina law, such as doctors of medicine, doctors of osteopathic medicine, physician assistants, and nurse practitioners.

Unless otherwise indicated, the terms "medication" and "medicine" include any substance intended for use in the diagnosis, cure, mitigation, treatment, or prevention of any disease. The term includes all prescription medications and all such substances available over-the-counter without a prescription, such as drugs, herbs, alternative medicines, and supplements (hereinafter "over-the-counter drugs"). The administration of any prescription or over-the-counter drug to students by school employees is prohibited except when performed in accordance with Section A. The self-administration of any prescription or over-the-counter drug by students at school is prohibited and constitutes a violation of policy 4325, Drugs and Alcohol, except in the limited circumstances described in Section C.

The administration, including by parents, school employees, or self-administration, of any substance containing cannabidiol (CBD) or tetrahydrocannabinol (THC) at school is prohibited unless ~~(1)authorized by and administered by a caregiver in accordance withG.S.90-94.1and G.S.90-113.101for the treatment of intractable epilepsy, or(2)~~the CBD or THC product is available by prescription only and has been approved by the U.S. Food & Drug Administration (FDA)~~;~~ and all requirements of this policy are met.

A. MEDICATION ADMINISTRATION BY SCHOOL EMPLOYEES

1. Conditions for Administering Medication

   Authorized school employees may administer medication to students when all of the following conditions are met. These conditions apply to all medications, including those available over-the-counter without a prescription.

   a. Parental Consent: The student's parent must make a signed, written request that authorizes school personnel to administer the medication to the student.

b. Medication Authorization/Order: A health care practitioner must prescribe the medication for use by the student and provide explicit written instructions for administering the medication.

c. Certification of Necessity: The student's health care practitioner must certify that administration of the medication to the student during the school day is necessary to maintain and support the student's continued presence in school.

d. Proper Container/Labeling: If the medication to be administered is available by prescription only, the parent must provide the medication in a pharmacy-labeled container with the child's name, the name of the medication, the exact dose to be given, the time/frequency the medication is to be given, the route of administration, the number of doses in the container, and the expiration date of the medication. If the medication is available over-the-counter, it must be provided in the original container or packaging, labeled with the student's name.

e. Proper Administration: The employee must administer the medication pursuant to the health care practitioner's written instructions provided to the school by the student's parent, and in accordance with professional standards.

The board of education and its employees assume no liability for complications or side effects of medication when administered in accordance with the instructions provided by the parent and health care practitioner.

2. Procedures for Administering Medications

The superintendent shall develop procedures for the implementation of this policy. The procedures and a copy of this policy must be made available to all students and parents each school year. The superintendent's procedures should be developed according to the guidelines listed below.

a. The health and welfare of the student must be of paramount concern in all decisions regarding the administration of medication.

b. Procedures for medication administration must be consistent with recommendations of the School Health Unit of the Children & Youth Branch of the N.C. Division of Public Health, as described in the *North Carolina School Health Program Manual*.

c. Students with special needs are to be afforded all rights provided by federal and state law as enumerated in the *Policies Governing Services for Children with Disabilities*. Students with disabilities also are to be afforded all rights

provided by anti-discrimination laws, including Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

d. Except as permitted by this policy, no student may possess, use, sell, deliver, or manufacture any drug or counterfeit drug prohibited by policy 4325, Drugs and Alcohol, nor be under the influence of any drug in violation of that policy.

e. The board generally encourages school personnel to administer medication from a centralized location. However, in all instances, whether administered from a centralized location or multiple locations, any medications kept at school for a student must be kept in a locked and secure place. An exception to the requirement for locked storage may be made for emergency medications that must be immediately accessible. Access to controlled substances should be limited to the school nurse, school staff person authorized to administer medication, and the principal or designee.

f. All school personnel who will be administering medications must receive appropriate training.

g. Only medications clearly prescribed for the student may be administered by school personnel. At the time a parent brings a medication to school for administration, if school personnel have concerns regarding the appropriateness of the medication or dosage for a student, a confirmation should be obtained from the student's health care practitioner or another health care practitioner prior to administering the medication or allowing a student to self-administer the medication.

h. Although efforts should be made not to disrupt instructional time, a parent has the right to administer medication to his or her child at any time while the child is on school property, unless otherwise prohibited by this policy.

i. Written information maintained by school personnel regarding a student's medicinal and health needs is confidential. Parents and students must be accorded all rights provided by the Family Educational Rights and Privacy Act and state confidentiality laws. Any employee who violates the confidentiality of the records may be subject to disciplinary action.

B. EMERGENCY MEDICATION

Students who are at risk for medical emergencies, such as those with diabetes, asthma, or severe allergies, must have an emergency health care plan developed for them to address emergency administration of medication. Students must meet the requirements of subsection A.1, above, including providing authorization and instructions from the health care practitioner and written consent of the parent, in order for emergency medication to

be administered by school personnel while the student is at school, at a school sponsored activity, and/or while in transit to or from school or a school-sponsored event.

C. STUDENT SELF-ADMINISTERING MEDICATIONS

The board recognizes that students with certain health conditions like diabetes or asthma, or an allergy that could result in an anaphylactic reaction, may need to possess and self-administer medication on school property in accordance with their individualized health care plan or emergency health care plan.

Students are prohibited from self-administering medication at school unless (1) the medicine has been prescribed for the treatment of diabetes, asthma, or anaphylactic reactions, including insulin or a source of glucose, a prescribed asthma inhaler, or a prescribed epinephrine auto-injector; (2) the medicine is administered in accordance with the student's individualized health care plan or emergency health care plan and any relevant administrative regulations; and (3) the requirements of this section are met. The superintendent shall develop procedures for the possession and self-administration of such medication by students on school property during the school day, at school-sponsored activities, and/or while in transit to or from school or school-sponsored events.

1. Authorization to Self-Administer Medication

   Before a student will be allowed to self-administer medication pursuant to this section, the student's parent must provide to the principal or designee all of the documents listed below:

   a. written authorization from the student's parent for the student to possess and self-administer the medication;

   b. a written statement from the student's health care practitioner verifying that:

      1) the student has diabetes or asthma, or an allergy that could result in anaphylactic reaction;

      2) the health care practitioner prescribed the medication for use on school property during the school day, at school-sponsored activities, or while in transit to or from school or school-sponsored events; and

      3) the student understands, has been instructed in self-administration of the medication, has demonstrated the skill level necessary to use the medication and any accompanying device, and has been determined to be competent for self-administration;

c. a written treatment plan and written emergency protocol formulated by the prescribing health care practitioner for managing the student's diabetes, asthma, or anaphylaxis episodes and for medication use by the student;

d. a statement provided by the school system and signed by the student's parent acknowledging that the board of education and its employees and agents are not liable for injury arising from the student's possession and self-administration of the medication; and

e. any other documents or items necessary to comply with state and federal laws.

Prior to being permitted to self-administer medication at school, the student also must demonstrate to the school nurse, or the nurse's designee, (1) the skill level necessary to use the medication and any device necessary for its administration; and (2) sufficient knowledge and maturity to be independent in the management of the medication with no oversight from school staff.

The student's parent must provide to the school backup medication that school personnel are to keep in a location to which the student has immediate access in the event the student does not have the required medication.

All information provided to the school by the student's parent must be reviewed by the school nurse and kept on file at the school in an easily accessible location. Any permission granted by the principal or designee for a student to possess and self-administer medication will be effective only for the same school for 365 calendar days. Such permission must be renewed each school year.

2. Responsibilities of the Student

A student who is authorized in accordance with this policy to carry medication for self-administration must carry the medication in the original labeled container with the student's name on the label.

3. Consequences for Improper Use

A student who uses his or her medication in a manner other than as prescribed or who permits another person to use the medication may be subject to disciplinary action pursuant to the school disciplinary policy. However, school officials shall not impose disciplinary action on the student that limits or restricts the student's immediate access to the diabetes, asthma, or anaphylactic medication.

The board does not assume any responsibility for the administration of medication to a student by the student, the student's parent, or any other person who is not authorized by this policy to administer medications to students.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12134, 28 C.F.R. pt. 35; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. ~~90-94.1, -113.101;~~ 115C-36, -307(c), -375.1, -375.2, -375.2A, -375.3; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000

Cross References: Parental Involvement (policy 1310/4002), Drugs and Alcohol (policy 4325), Emergency Epinephrine Auto-Injector Devices (policy 5024/6127/7266)

Other Resources: *North Carolina School Health Program Manual* (N.C. Dept. of Health and Human Services, Div. of Public Health, School Health Unit, 2020), available at https://publichealth.nc.gov/wch/cy/schoolnurses/manual.htm

Adopted: April 10, 2000
Updated: July 1, 2009
Updated: February 5, 2018
Updated: December 3, 2018
Updated: December 2, 2019
Updated: June 7, 2021

The board recognizes that it is important for students to maintain their physical health and receive proper nutrition in order to take advantage of educational opportunities. The board further recognizes that student wellness and proper nutrition are related to a student's physical well-being, growth, development, and readiness to learn. The board is committed to providing a school environment that promotes student wellness, proper nutrition, nutrition education, and regular physical activity as part of the total learning experience. As part of that commitment, the board directs the superintendent to oversee the development, implementation, and ongoing evaluation of this policy and other school system efforts to encourage students to be healthy and active, including compliance with the State Board of Education's Healthy Active Children Policy, SHLT-000, as further described in Section F, below. The superintendent may designate a school system official to carry out this responsibility ("lead wellness official").

The superintendent or designee shall make the most current version of this policy available to members of the school community and the public by posting it on the school system website and/or by distributing it annually through other means reasonably intended to reach the school community and public. In addition, the superintendent or designee shall provide a copy of this policy to the North Carolina Department of Public Instruction (NCDPI) when requested to do so.

A. SCHOOL HEALTH ADVISORY COUNCIL

The board will maintain a school health advisory council to help plan, update, implement, promote, and monitor this policy as well as to address other health and nutrition issues within the school system. The council serves as an advisory committee regarding student health issues and works in conjunction with the lead wellness official charged with oversight of this policy and the school system's efforts to promote student and employee health and wellness in compliance with state and federal requirements. The council is authorized to examine related research and laws, assess student needs and the current school environment, review existing board policies and administrative regulations, collaborate with appropriate community agencies and organizations, and help raise awareness about student health issues. The council also may make policy recommendations to the board related to this policy and other policies concerning student wellness and in conjunction with the lead wellness official, shall periodically review and suggest revisions to this policy. In addition, the council may assist in the development of a plan for measuring and assessing implementation of this policy and in developing methods to inform and update the public about the content and implementation of this policy as described in Sections F and G, below.

The council will be composed of representatives from the school system, the local health department, and the community. The council must include members of each of the following groups: the school board, school system administrators, school system food service representatives, physical education teachers, school health professionals, students, parents or guardians, and the public. The council will provide information to the board about the following areas or concerns: (1) physical activity, (2) health education, (3) employee wellness, (4) health services, (5) social and emotional climate, (6) nutrition

environment and services, (7) counseling, psychological, and social services, (8) physical environment, (9) family engagement, and (10) community involvement.

The council shall provide periodic reports to the board and public regarding the status of its work. In addition, the council shall assist the lead wellness official in creating an annual report that includes the minutes of physical activity and the minutes of physical education and/or healthful living education received by students in the system each school year, as well as any other information required by the State Board of Education or NCDPI.

B. NUTRITION PROMOTION AND NUTRITION EDUCATION

The board believes that promoting student health and nutrition enhances readiness for learning and increases student achievement. The general goals of nutrition promotion and nutrition education are (1) to provide appropriate instruction for the acquisition of behaviors that contribute to a healthy lifestyle for students and (2) to teach, encourage, and support healthy eating by students.

The board will provide nutrition education within the Healthful Living Standard Course of Study and the grade level expectations outlined in the Healthful Living Essential Standards adopted by the State Board of Education. Nutrition education should be designed to provide all students with the knowledge and skills needed to lead healthy lives. Students should learn to address nutrition-related health concerns through age-appropriate nutrition education lessons and activities.

Nutrition education and promotion should extend beyond the school environment by engaging and involving families and communities. School system personnel may coordinate with agencies and community organizations to provide opportunities for appropriate student projects related to nutrition. School system personnel are to work to disseminate and promote consistent nutrition messages throughout the school system, schools, classrooms, school dining areas, homes, community, and media.

~~In conjunction with the school health advisory council, the board establishes the following additional specific evidence-based goals and strategies for nutrition promotion and education. The board will periodically measure and report progress toward meeting these goals.~~

~~***[Insert the board's goals here-see Appendix]***~~

C. NUTRITION STANDARDS AND GUIDELINES FOR ALL FOOD AND BEVERAGES AVAILABLE AT SCHOOL

Consistent with policy 6200, Goals of School Nutrition Services, all foods available in the system's schools during the school day that are offered to students should help promote student health, reduce childhood obesity, provide a variety of nutritional meals, and promote lifelong healthy eating habits. All foods and beverages sold at school must meet

the nutrition standards established in policy 6230, School Meal and Competitive Foods Standards, including the following:

1. School Lunch, Breakfast, and Snack Programs

   Foods provided through the National School Lunch, School Breakfast, or After School Snack Programs must comply with federal and state nutrition standards. The director of child nutrition shall ensure that school system guidelines for reimbursable meals are not less restrictive than regulations and guidelines issued for schools in accordance with federal law.

2. Competitive Foods

   All foods sold on school campuses in areas that are accessible to students during the school day (defined as the period from midnight through 30 minutes after the dismissal bell rings) in competition with the National School Lunch or School Breakfast Programs ("competitive foods") must comply with the federal Smart Snacks in School standards. Competitive foods include food, snacks, and beverages from a la carte menus, vending machines, and outside suppliers, as well as foods or beverages sold in school stores and at fund-raisers. Vending machine sales also must comply with the requirements of G.S. 115C-264.2 ~~and Eat Smart: North Carolina's Recommended Standards for All Foods Available in Schools.~~

3. Other Foods Available on the School Campus During the School Day and After the School Day

   School principals shall establish rules for foods and beverages brought from home for classroom events or parties during the school day or for extracurricular activities after the school day. The board encourages principals to establish rules that are consistent with the Smart Snacks in School standards.

   Fundraising activities that involve the sale of foods and/or beverages to students during the school day (from midnight until 30 minutes after the dismissal bell rings) must comply with the Smart Snack Rules and may not be conducted until after the end of the last lunch period. See policy 6230, School Meal and Competitive Foods Standards.

   School principals may establish standards for fund-raising activities conducted after the school day (beginning 31 minutes after the dismissal bell rings) that involve the sale of food and/or beverages. The board encourages alternative fundraising activities such as non-food items or physical activity.

4. Food and Beverage Marketing

   Food and beverage marketing on school campuses during the school day must meet federal and state standards. In accordance with these standards, only foods and beverages that meet the Smart Snack standards (as described in subsection C.2,

above) may be marketed or advertised on school campuses during the school day. To comply with this requirement, existing supplies, materials, or equipment that depict noncompliant products or logos will be replaced or removed in accordance with normal lifecycles or as otherwise would occur in the normal course of business.

D. PHYSICAL EDUCATION AND PHYSICAL ACTIVITY

1. Goals of the Physical Education Program

The goal of the physical education program is to promote lifelong physical activity and provide instruction in the skills and knowledge necessary for lifelong participation in physical activity. To address issues such as obesity, cardiovascular disease, and Type II diabetes, students enrolled in kindergarten through eighth grade must have the opportunity to participate in physical activity as part of the system's physical education curriculum. The goal for elementary schools is to provide 150 minutes weekly of quality physical education with a certified physical education teacher. The goal for middle schools is to provide 225 minutes weekly of Healthful Living Education, divided equally between health and physical education with certified health and physical education teachers.

2. The Physical Education Course

The physical education course should be designed to foster support and guidance for being physically active, help students know and understand the value of being physically fit, and teach students the types of activities that contribute to total fitness. The course is to be taught in an environment where students can learn, practice, and receive assessment on developmentally appropriate skills and knowledge as defined in the North Carolina Healthful Living Standard Course of Study. Students should be engaged in moderate to vigorous physical activity for fifty percent or more of class time. Class for physical education should be equivalent in size to those of other academic classes.

3. Physical Activity Requirements and Goals

School personnel should strive to provide opportunities for age- and developmentally-appropriate physical activity during the day for all students so that students can learn how to maintain a physically active lifestyle. Schools must provide a minimum of 30 minutes of moderate to vigorous physical activity daily for kindergarten through eighth-grade students. Such activity may be achieved through a regular daily physical education class as described in Sections D.1 and D.2 above, or through recess, dance, classroom energizers and/or other curriculum-based physical activity programs of at least 10 minutes duration, that, when combined, total 30 minutes of daily physical activity. Principals shall work with teachers to ensure that students meet the minimum physical activity requirement.

The board will periodically measure and report progress toward meeting these goals.

To ensure that students have ongoing opportunities for physical activity and maintain a positive attitude towards physical activity, structured/unstructured recess and other physical activity may not be taken away from students as a form of punishment. In addition, severe and inappropriate exercise may not be used as a form of punishment for students.

~~In conjunction with the school health advisory council, the board establishes the following additional specific evidence-based goals and strategies for physical activity:~~

~~[List any additional local goals here – see Appendix. If none, omit this paragraph]~~

E. Other School-Based Activities to Promote Wellness

In addition to the standards discussed above, the board adopts the following goals for school-based activities designed to promote wellness:

1. Schools will provide a clean and safe meal environment.

2. Students will be provided adequate time to eat meals.

3. Drinking water will be available at all meal periods and throughout the school day.

4. Professional development will be provided for school system nutrition staff.

5. To the extent possible, the school system will utilize available funding and outside programs to enhance student wellness.

6. Food will not be used in the schools as a reward or punishment.

7. As appropriate, the goals of this wellness policy will be considered in planning all school-based activities.

8. Administrators, teachers, school nutrition personnel, students, parents or guardians, and community members will be encouraged to serve as positive role models to promote student wellness.

F. Implementation and Review of Policy

1. Oversight and Monitoring of Implementation and Progress

The lead wellness official, in conjunction with the school health advisory council, shall oversee the implementation of this policy and monitor system schools,

programs, and curricula to ensure compliance with and to assess progress under this policy, related policies, and established guidelines or administrative regulations. Each principal shall be responsible for and shall report to the lead wellness official regarding compliance and measurements of progress in his or her school. Staff members responsible for programs related to student wellness also shall report to the lead wellness official regarding the status of such programs.

2. Review of Policy

The lead wellness official shall work with members of the school health advisory council to periodically review and update this policy based on the triennial assessment of the school system's compliance with the policy (see subsection F.4, below), progress toward meeting the policy goals, and other relevant factors. The lead wellness official shall document the review process and participants, and the method used to notify the school health advisory council and/or other stakeholders of their ability to participate.

3. Annual Reporting

The lead wellness official shall prepare annual written reports to the superintendent and NCDPI/State Board of Education that provide all information required by the superintendent and/or the state pertaining to the school system's efforts to comply with this policy and SBE Policy SHLT-000.

4. Triennial Assessment

Beginning with school year 2017-18, and at least once every three years thereafter, the superintendent or designee shall report to the board and public on the system's compliance with laws and policies related to student wellness, the implementation of this policy, and progress toward meeting the goals of the policy. At a minimum, the superintendent or designee shall measure and report the following:

1) the extent to which the individual schools are in compliance with this policy;

2) the extent to which the board's wellness policy compares to model local school wellness policies and meets state and federal requirements; and

3) a description of the progress made in attaining the goals of this policy.

The report may also include the following items:

4) a summary of each school's activities undertaken in support of the policy goals;

5) an assessment of the school environment regarding student wellness issues;

6) an evaluation of the school nutrition services program;

7) a review of all foods and beverages sold in schools for compliance with established nutrition guidelines;

8) a review of guidelines for foods and beverages available, but not sold, during the school day, as described in subsection C.3, above;

9) information provided in the report from the school health advisory council, as described in Section A, above; and

10) suggestions for improvement to this policy or other policies or programs.

G. PUBLIC NOTIFICATION

1. The school system will publish contact information for the lead wellness official on the school system website.

2. The lead wellness official shall assist the school health advisory council with annually informing and updating the public about this policy and its implementation and State Board Policy SHLT-000.

3. The superintendent or designee shall make public the results of the triennial assessment described in subsection F.4 of this policy.

4. All information required to be reported under this section and any additional information required by the state to be reported publicly shall be widely disseminated to students, parents, and the community in an accessible and easily understood manner, which may include by posting on the school system website.

H. RECORDKEEPING

The superintendent shall maintain records to document compliance with this policy and all federal and state requirements. These records, at a minimum, must include:

1. a written copy of this policy and any updates;

2. the most recent triennial assessment for each school;

3. documentation demonstrating:

   a. the efforts to review and update this policy, as described in subsection F.2 of this policy;

   b. how this policy and information about the most recent triennial assessments

have been made available to the public, as described in Section G;

c. compliance with the annual reporting requirements of subsection F.3; and

d. other efforts to involve the school health advisory council and/or other community members in the implementation of or assessment of compliance with this policy.

Legal References: Child Nutrition and WIC Reauthorization Act of 2004, 42 U.S.C. 1751; Healthy, Hunger-Free Kids Act of 2010, P.L. 111-296; National School Lunch Act, 42 U.S.C. 1751 *et seq.*; 7 C.F.R. 210.11, 210.12, and 210.31; G.S. 115C-264.2~~, 264.3~~; 16 N.C.A.C. 6H .0104; State Board of Education Policies SHLT-000, CHNU-002~~; Eat Smart: North Carolina's Recommended Standards for All Foods Available in Schools, N.C. Department of Health and Human Services, N.C. Division of Public Health (2004)~~

Cross References: Goals of Student Health Services (policy 6100), Goals of School Nutrition Services (policy 6200), School Meal and Competitive Foods Standards (policy 6230)

Adopted: March 13, 2006
Updated: February 2, 2010
Updated: April 3, 2012
Updated: June 3, 2013
Updated: December 8, 2014
Updated: June 5, 2017
Updated: December 2, 2019
Updated: June 7, 2021

All schools will participate in federal National Child Nutrition Programs and will receive commodities donated by the United States Department of Agriculture. All federal and state revenues will be accepted and applied to maximize the use of such funds for the purposes of providing nutritional meals to students at the lowest possible price. The superintendent or designee shall develop procedures as necessary to implement the operational standards established in this policy.

A. OPERATIONAL STANDARDS

The school nutrition services program will be operated in a manner consistent with board goals and board policy. The program also will be operated in compliance with all applicable state and federal law, including requirements of the National School Lunch Program and all federal guidelines established by the Child Nutrition Division of the United States Department of Agriculture. Specific legal requirements that must be met include, but are not limited to, the following.

1. School officials may not discriminate based on race, sex (including pregnancy, childbirth, sexual orientation, and gender identity), color, national origin, disability, age, or eligibility status for free and reduced price meals. School officials are also prohibited from retaliating against an individual for prior civil rights activity.

2. The school nutrition services program will meet safety and sanitation requirements established in local, state, and federal rules and guidelines for school nutrition services programs.

3. The school nutrition services program will have a written food safety program that includes a hazard analysis critical control point plan for each school.

4. Menu preparation, purchasing, and related record keeping will be consistent with applicable state and federal rules and guidelines.

5. Banking, financial record keeping, budgeting, and accounting will be conducted in accordance with generally accepted practices and procedures, as dictated by the School Budget and Fiscal Control Act and in accordance with state and federal guidelines.

6. Commodity foods donated by the United States Department of Agriculture will be used and accounted for in accordance with federal regulations.

7. Preference will be given in purchasing contracts to high-calcium foods and beverages, as defined in G.S. 115C-264.1 and to foods grown or raised within North Carolina.

8. Child Nutrition Program (CNP) funds will be used only for the purposes authorized by law. Indirect costs, as defined by law, will not be assessed to the CNP unless the program has an operating balance of at least two months.

9. The price for meals will be determined in accordance with federal law.

10. Nonprogram foods will be priced to generate sufficient revenues to cover the cost of those items. A nonprogram food is defined as a food or beverage, other than a reimbursable meal or snack, that is sold at the school and is purchased using funds from the child nutrition account.

11. All school nutrition services will be operated on a non-profit basis for the benefit of the CNP. School nutrition services are those that are operated from 12:01 a.m. until the end of the last lunch period.

12. All income from the sale of food and beverages that is required by law or regulation to be retained by the CNP will be deposited to the CNP account and will be used only for the purposes of the school's non-profit lunch and breakfast programs. All funds from food and beverage sales not otherwise required by law to be deposited to the CNP account will be deposited into the proper school account in accordance with guidelines developed by the superintendent or designee.

13. All competitive foods sold on school campuses will meet federal and state standards for nutrient content.

14. All employees whose job duties include procurement activities involving Child Nutrition Program funds shall adhere to the conflict of interest rules and standards for ethical conduct established by the board in policies 6401/9100, Ethics and the Purchasing Function, and 8305, Federal Grant Administration. Failure to comply with these requirements will result in disciplinary action.

B. MEAL CHARGES

Students who are required to pay for meals are expected to provide payment in a timely manner. The board recognizes, however, that students occasionally may forget or lose their meal money. In the event that a student is unable to pay for a meal on a particular day, the student may charge a reimbursable meal. A student carrying a negative balance of $25.00 in a meal account will not be permitted to accrue additional charges until the negative balance drops below $10.00. Instead the student will be served a designated alternate meal provided at no cost to the student. Appropriate modifications to the alternative meal will be made when required by the student's documented special dietary needs. To safeguard the dignity and confidentiality of students in the serving line, reasonable efforts must be used whenever possible to avoid calling attention to a student's inability to pay.

The child nutrition director and principal shall work jointly to prevent meal charges from accumulating and shall make every effort to collect all funds due to the child nutrition

program on a regular basis and before the end of the school term. Notices of low or negative balances in a child's meal account will be sent to parents and the principal at regular intervals during the school year. If a parent regularly fails to provide meal money and does not qualify for free meal benefits, the child nutrition director shall inform the principal, who shall determine the next course of action, which may include notifying the department of social services of suspected child neglect and/or taking legal steps to recover the unpaid meal charges. Parents are expected to pay all meal charges in full by the last day of each school year. Negative balances on student accounts will be carried forward to the following school year. However, the superintendent shall ensure that federal child nutrition funds are not used to offset the cost of unpaid meals and that the CNP is reimbursed for bad debt resulting from uncollected student meal charges prior to September 30 each year.

This policy and any applicable procedures regarding meal charges must be communicated to school administrators, school food service professional, parents, and students. Parents will receive a written copy of the meal charges policy and any applicable procedures at the start of each school year and at any time their child transfers into a new school during the school year.

Legal References: Child Nutrition Act of 1966, 42 U.S.C. 1771 *et seq.*; National School Lunch Act, 42 U.S.C. 1751 *et seq.*, 2 C.F.R. pt. 200; 7 C.F.R. pt. 210; 7 C.F.R. pt. 215; 7 C.F.R. pt. 220; United States Department of Agriculture Policy Memos SP 46-2016, 47-2016, and 23-2017, available at https://childnutrition.ncpublicschools.gov/regulations-policies/usda-policy-memos; G.S. 115C-47(7), -47(22), -263, -264, -264.1, -426, -450, -522; 147 art. 6E, art. 6G; 16 N.C.A.C. 6H .0104

Cross References: Parental Involvement (policy 1310/4002), Goals of School Nutrition Services (policy 6200), School Meal and Competitive Foods Standards (policy 6230), Goals of the Purchasing Function (policy 6400), Ethics and the Purchasing Function (policy 6401/9100), Federal Grant Administration (policy 8305)

Adopted: April 10, 2000
Updated: July 1, 2009
Updated: January 14, 2013
Updated: December 9, 2013
Updated: December 8, 2014
Updated: June 6, 2016
Updated: June 4, 2018
Updated: December 3, 2018
Updated: June 7, 2021
Updated: July 18, 2022

SAFETY AND STUDENT TRANSPORTATION SERVICES

Policy Code: **6305**

Safety is of paramount concern in providing student transportation services. The board recognizes that providing safe transportation requires the cooperation of students, parents, volunteers, personnel, and other governmental agencies. The superintendent or designee and all principals shall make reasonable efforts to inform affected individuals or entities about safety issues and monitor compliance with legal requirements and this policy.

~~Temporary Requirements for Student Transportation Services~~

~~In order to secure the health and safety of school system students and employees during theCOVID-19 pandemic, the school system will implement the transportation strategies that the North Carolina Department of Health and Human Services (DHHS)advises be implemented by all schools to lower the risk of COVID-19 exposure and spread. The superintendent or designee, in conjunction with appropriate health officials, shall develop protocols where necessary to implement strategies recommended by DHHS. These temporary rules shall remain in effect until repealed by the board or until the applicable guidance from DHHS is rescinded, whichever occurs first.~~

~~E.~~A. STUDENT BEHAVIOR

A safe and orderly environment is critical whenever transporting students. The Code of Student Conduct and board policies on student behavior apply as provided in policy 4300, Student Behavior Policies. All students will receive training on school bus safety as required by law regardless of whether they regularly ride a school bus to and from school.

~~F.~~B. TRANSPORTATION SAFETY ASSISTANTS AND BUS MONITORS

Upon recommendation of a building principal and the superintendent, the board may employ transportation safety assistants to assist bus drivers with the safety, movement, management, and care of students. In addition, the superintendent or designee may appoint a volunteer monitor to assist a bus driver with maintaining order and student safety for any bus assigned to a school. As necessary, the superintendent or designee shall designate in administrative guidelines the responsibilities of school bus transportation safety assistants and bus monitors in accordance with state law.

~~G.~~C. MAINTENANCE

The superintendent or designee and principals shall fulfill all duties prescribed by state law and regulations for maintaining, inspecting, and repairing school buses and other vehicles used to transport students.

~~H.~~D. SAFETY PRACTICES ON SCHOOL BUSES AND ACTIVITY BUSES

In addition to any rules established by the superintendent or designee for the safe operation of the student transportation services, the board expects school employees to observe the following practices.

1. All school bus drivers must utilize the North Carolina crossing signals 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.

2. The number of students transported on any school bus, activity bus, commercial bus, or contracted vehicle will not exceed the official rated capacity for the specific vehicle being used.

3. All riders must be seated while the vehicle is in motion.

4. No person will be permitted to stand or sit in the aisle or stepwell when the vehicle is in motion.

5. All school bus drivers are expected to use good judgment in determining whether it is safe to operate a school vehicle and to permit students to enter or leave the bus at particular locations.

6. Bus drivers must report immediately any suspected mechanical defects or other unsafe conditions, including road or traffic conditions that affect the safeness of the bus route or bus stops.

~~I.~~E. TRAINING

It is the responsibility of the superintendent or designee to see that:

1. students and bus drivers receive training as required by law, including training on the use of the North Carolina crossing signal;

2. students taking trips on activity buses or commercial buses receive safety instruction as needed, including, but not limited to, instruction on and demonstration of emergency exit operation for the vehicle on which they are riding for any specific trip; and

3. records of student training are made as required by the State Board of Education.

~~J.~~F. ACCIDENT REPORTING

The driver of any school bus or other school vehicle must report immediately to the superintendent or designee any accident involving death, injury, or property damage.

Legal References: G.S. 115C-239, -240, -245, -248, -249.1; 16 N.C.A.C. 6B .0111; *Preventive Maintenance and Vehicle Replacement Manual* (*NC Bus Fleet Manual*), State Board of Education

Policy TRAN-005, available at www.ncbussafety.org/documents/Buses/NCBusFleetManual.pdf; State Board of Education Policy TRAN-011; *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 (policy 4300), Authority of School Personnel (policy 4301), School Plan for Management of Student Behavior (policy 4302), Disruptive Behavior (policy 4315)

Adopted: April 10, 2000
Updated: July 1, 2009
Updated: December 7, 2015
Updated: December 2, 2019
Updated: December 7, 2020
Updated: June 7, 2021
Updated: January 10, 2022
Updated: July 18, 2022

The board intends to comply fully with all licensure requirements of the Elementary and Secondary Education Act, state law, and State Board of Education policies.

A. LICENSURE AND OTHER QUALIFICATION REQUIREMENTS

1. Except as otherwise permitted by the State Board of Education or state law, a person employed in a professional educator position must hold at all times a valid North Carolina professional educator's license appropriate to his or her position.

2. To the extent possible, all professional teaching assignments will be in the area of the professional employee's license except as may be otherwise allowed by state and federal law and State Board policy.

3. The board may employ candidates entering the teaching profession from other fields who hold a residency license or an emergency license.

4. In extenuating circumstances when no other appropriately licensed professionals or persons who are eligible for a residency license are available to fill a position, the board may employ an individual who holds a permit to teach issued by the State Board of Education.

B. EXCEPTIONS TO LICENSURE REQUIREMENTS

1. Adjunct CTE Instructors

   An unlicensed individual who meets the adjunct hiring criteria established by the State Board of Education for a specific career and technical education (CTE) career cluster may be employed as an adjunct CTE instructor for up to 20 hours per week or up to five full consecutive months of employment, provided the individual first completes preservice training and meets all other statutory requirements for serving as an adjunct instructor established by G.S. 115C-157.1.

2. Adjunct Instructors in Core Academic Subjects, Fine and Performing Arts, and Foreign Languages

   In accordance with G.S. 115C-298.5, an unlicensed faculty member of a higher education institution who meets the adjunct hiring criteria established by the State Board of Education may be employed as a temporary adjunct instructor for specific core academic subjects, fine and performing arts, and foreign language courses in grades kindergarten through twelve provided the individual first completes preservice training and meets all other statutory and State Board of Education requirements.

In addition, an individual with a related bachelor's or graduate degree may be employed as a temporary adjunct instructor to teach high-school level courses in core academic subjects, fine and performing arts, and foreign language in the individual's area of specialized knowledge or work experience provided the individual first completes preservice training required under G.S. 115C-298.5(a1).

3. Interim Principals

A retired former principal or assistant principal may be employed as an interim principal for the remainder of any school year, regardless of licensure status.

4. Cherokee Language and Culture Instructors

An individual approved to teach in accordance with an MOU entered into pursuant to G.S. 115C-270.21 will be authorized to teach Cherokee language and culture classes without a license.

5. Driver Education Instructors

An individual, who is not licensed in driver education, is authorized to work as a driver education instructor if the individual holds Certified Driver Training Instructor status according to minimum standards established by State Board of Education policy DRIV-003.

C. BEGINNING TEACHER SUPPORT PROGRAM

The superintendent or designee shall develop a plan and a comprehensive program for beginning teacher support. The plan must be approved by the board and the Department of Public Instruction and kept on file for review. The plan must be aligned to the State Board of Education's beginning teacher support program standards and, when monitored, must demonstrate proficiency. The school system will also participate in implementing a regionally-based annual peer review and support system.

Teachers with fewer than three years of teaching experience will be required to participate in the Beginning Teacher Support Program.

D. LICENSE CONVERSION

Teachers must meet all requirements of the State Board of Education in order to move from an initial professional license or residency license to a continuing professional license or to move from a continuing professional license to a lifetime license. ~~Licensing is a state decision and cannot be appealed at the local level. The superintendent or designee shall ensure that teachers not qualifying for continuing professional licensure are informed of the process for appealing the state decision.~~

E. LICENSE RENEWAL

Licensure renewal is the responsibility of the individual, not of the school system. Any employee who allows a license to expire must have it reinstated prior to the beginning of the next school year. A teacher whose license has expired is subject to dismissal.

The school system may offer courses, workshops, and independent study activities to help school personnel meet license renewal requirements. Any renewal activity offered must be consistent with State Board of Education policy. In addition, the superintendent or designee shall develop a procedure to determine the appropriateness of any credit offered in advance of renewal activities.

Decisions regarding the employment of teachers who fail to meet the required proficiency standard for renewal of a continuing professional license will be made in accordance with G.S. 115C-270.30(b)(4) and applicable State Board of Education requirements. The superintendent or designee shall determine the professional development required of a teacher whose continuing professional license has reverted to an initial professional license and/or has expired due to performance issues. The superintendent or designee may authorize or direct principals to prescribe professional development to such employees in accordance with the employee's demonstrated deficiencies.

Although lifetime license holders do not have to complete continuing education credits to maintain licensure, the superintendent may require them to participate in professional development opportunities as a condition of employment. (See policy 1610/7800, Professional and Staff Development.)

F. PARENTAL NOTIFICATION

At the beginning of each school year, school system officials shall notify the parents or guardians of each student attending a Title I school or participating in a Title I program of their right to request the following information about qualifications of their child's teacher: whether the teacher has met NC qualification and licensing criteria for the grade level(s) and subject area(s) in which the teacher provides instruction; whether the teacher is teaching under emergency or other provisional status through which North Carolina qualification or licensing criteria have been waived; whether the teacher is teaching in the field of discipline of his or her certification; and whether the child is provided services by a paraprofessional, and if so, the paraprofessional's qualifications.

The school system will give notice within 10 school days to the parents of children who have been assigned or, after four consecutive weeks, have been taught by a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

G. EQUITABLE DISTRIBUTION OF TEACHERS

The superintendent shall assess whether low-income, minority, learning disabled, and/or English learners are being taught by inexperienced, ineffective, or out-of-field teachers at

higher rates than students who do not fall into these categories and shall develop a plan to address any such disparities. If DPI does not require such a plan of the LEA, the superintendent is not required to develop a plan under this subsection unless he or she determines that one is needed to address inequities within the school system.

Legal References: Elementary and Secondary Education Act, 20 U.S.C. 6301 *et seq.*; 34 C.F.R. 200.55-57, 200.61; G.S. 115C art. 17E; 115C-157.1, -270.15, -270.20, -270.21, -284, -295, -298.5, -325(e)(1)(m) (applicable to career status teachers), -325.4(a)(12) (applicable to non-career status teachers), -333, -333.1; State Board of Education Policies CTED-004, DRIV-003, DRIV-004, EVAL-004, EVAL-023, EVAL-034, LICN-001, LICN-005, LICN-021, LICN-022, TCED-016; *Beginning Teacher Support Program Handbook* (NCDPI) available at https://sites.google.com/dpi.nc.gov/ncref/bt-support-program-resources

Cross References: Professional and Staff Development (Policy 1610/7800)

Adopted: May 1, 2000
Updated: April 6, 2009
Updated: December 6, 2011
Updated: April 3, 2012
Updated: June 2, 2014
Updated: December 5, 2016
Updated: December 4, 2017
Updated: December 3, 2018
Updated: July 8, 2019
Updated: December 2, 2019
Updated: December 7, 2020
Updated: June 7, 2021
Updated: January 10, 2022

The board of education believes that it is important for employees to have leave available to attend to personal, civic, and professional matters as well as to meet family commitments. This need for leave is to be balanced with the need to provide an effective instructional program for students. No employee may be discharged, demoted, or otherwise subjected to adverse employment action for taking leave in accordance with board policies and administrative procedures.

All requests for leave, with or without pay, must be addressed in accordance with state and federal law, as well as policies promulgated by the State Board of Education, including those specified in the most current edition of the *North Carolina Public Schools Benefits and Employment Policy Manual*, available at https://www.dpi.nc.gov/districts-schools/districts-schools-support/district-human-capital/employee-policy.

In addition to applicable laws and regulations, this board policy applies to leave requests. The information in this policy is intended to supplement, not replace, the requirements of law and the State Board of Education. In the event that changes to State or federal law or regulation conflict with current State Board or local board policies, the board intends that its leave practices be modified to the extent necessary to comply with current law until such time as conforming changes to State Board and/or local board policy are made.

The superintendent shall develop any necessary administrative procedures and make them available to employees upon request.

~~Temporary Requirement Related to COVID-19~~

~~In order to secure the health and safety of school system students and employees during theCOVID-19 pandemic, employees who test positive for COVID-19orhave COVID-19 symptoms shall not return to work until they meet the criteria set forth in the most recent guidance from the North Carolina Department of Health and Human Services. This temporary requirement shall remain in effect for as long as the state guidance remains in effect.~~

~~E.~~A. MINIMUM LEAVE TIME

An employee may take any type of leave in increments of hours unless otherwise specified in this policy.

~~F.~~B. CONTINUOUS LEAVE OF MORE THAN 10 DAYS

An employee must comply with the notice and verification requirements provided in policy 7520, Family and Medical Leave, for any continuous leave of more than 10 days if: (1) the leave also is eligible for leave under the Family and Medical Leave Act (FMLA), defined in policy 7520, and (2) the leave is designated as FMLA-eligible at the time it is taken or as soon as is feasible thereafter. See policy 7520, Family and Medical Leave.

~~G.~~C. SICK LEAVE

The superintendent or designee may require a statement from a medical doctor or other acceptable proof that the employee was unable to work due to illness or injury. Employees who anticipate using sick leave should inform their immediate supervisor in advance so that arrangements may be made to reassign the employee's duties during the period of absence.

~~H.~~D. PERSONAL LEAVE

Personal leave must be used in half or whole day units. Personal leave may be used only upon the authorization of the teacher's immediate supervisor and in accordance with legal requirements and procedures established by the superintendent.

~~I.~~E. VACATION LEAVE

Vacation may be taken only upon the authorization of the employee's immediate supervisor and in accordance with legal requirements and procedures established by the superintendent.

To promote the efficient operation of the schools, the superintendent may designate certain periods during the nonacademic year as preferred vacation periods for 12-month employees.

~~J.~~F. COMPENSATORY LEAVE

Because professional employees are expected to fulfill all job duties, compensatory leave should apply only in extraordinary circumstances.

Employees who are not exempt from the provisions of the Fair Labor Standards Act may accrue compensatory time (comp time) as described in policy 7500, Workday and Overtime. Supervisors shall arrange for employees to take comp time within one pay period following the time it is earned, if possible; however, the superintendent or designee may exempt certain employees or categories of employees from this requirement when deemed necessary for the proper administration of the school system.

An employee must obtain approval from his or her immediate supervisor before taking compensatory leave.

~~K.~~G. LEAVE TO TEACH AT A CHARTER, REGIONAL, OR LAB SCHOOL

Leave of absence to teach for one year at a charter, regional, or lab school will be granted to a teacher upon timely written request to the board. The request must be provided at least 45 days before the teacher would otherwise have to report for duty if it is the initial year of the charter/regional/lab school's operation and at least 90 days if it is after the charter/regional/lab school's initial year of operation. The teacher may return to work in

the school system in accordance with the provisions of applicable state law.

~~I.~~H. DISCRETIONARY LEAVE OF ABSENCE WITHOUT PAY

An employee, who wishes to take leave that is not eligible for any other specific type of leave, may be granted a leave of absence without pay for a period of up to one calendar year at the discretion of the superintendent with approval from the board.

The employee is expected first to consult with his or her immediate supervisor and then to provide advance written notice (60 days if possible) stating the beginning and ending dates of the desired leave of absence. The superintendent may request documentation from the employee in support of his or her request. In determining the length of the leave of absence without pay that will be approved, due and proper consideration must be given to the welfare of the students as well as the employee. The superintendent may require the employee to give notice of his or her intent to return to work at reasonable time intervals during the leave.

Once a leave of absence without pay has been requested by an employee and approved by the board, the dates are binding unless both parties agree to a change.

~~M.~~I. OTHER LEAVE

Other types of leave, such as leave for observance of a bona fide religious holiday, professional leave, community responsibility leave, leave for jury duty or court attendance, elected officials leave, parental involvement in schools leave, parental leave without pay, and military leave (see policy 7530, Military Leave), will be granted in accordance with the requirements of law and State Board of Education policy.

Legal References: G.S. 95-28.3; 115C-12, -36, -47, -84.2, -218.90(a)(3), -238.68(3), -285, -302.1, -316, -336, -336.1; 116-239.10(4); 16 N.C.A.C. 6C .0405; State Board of Education Policy BENF-001, *North Carolina Public Schools Benefits and Employment Policy Manual* (N.C. Dept. of Public Instruction, current version), available at https://www.dpi.nc.gov/districts-schools/districts-schools-support/district-human-capital/employee-policy

Cross References: Workday and Overtime (policy 7500), Compliance with State Board of Education Employment Policies (policy 7505), Family and Medical Leave (policy 7520), Military Leave (policy 7530), Voluntary Shared Leave (policy 7540), Absences Due to Inclement Weather (policy 7550)

Adopted: May 1, 2000
Updated: February 2, 2004
Updated: April 6, 2009
Updated: March 3, 2010
Updated: December 8, 2010
Updated: April 3, 2012
Updated: January 14, 2013

Updated: December 9, 2013
Updated: March 2, 2015
Updated: December 4, 2017
Updated: July 6, 2020
Updated: December 7, 2020
Updated: June 7, 2021
Updated: January 10, 2022
Updated: July 18, 2022

BOARD MEMBER COMPENSATION AND EXPENSES

Policy Code: **2130**

A. COMPENSATION

Board members will be compensated for the performance of official school system business. The amount of compensation will be established according to applicable laws. Compensation will be at the following rate:

Chairman- $4800 per year
Members- $2400 per year

B. EXPENSES FOR CONFERENCES, CONVENTIONS, AND OTHER BOARD DEVELOPMENT ACTIVITIES

Subject to budgetary limitations, the board will defray reasonable out-of-pocket expenses incurred by board members for professional and board development. In accordance with policy 2123, Board Member Opportunities for Development, funds for board member participation in development activities will be budgeted annually. The board chair will monitor expenditures to ensure that expenditures do not exceed the amount of funds allocated in the budget.

1. Authorization to Attend Professional and Board Development

   All professional and board development expenses to be paid with school system funds must support school system objectives and be reasonable in cost.

   Board members who wish to use school system funds to attend a development opportunity within the state must have the prior written approval of the board chair. In order for a board member to use school system funds to attend a development opportunity located out-of-state, the board member must receive the written approval of the board in advance at an official board meeting.

   Board members who attend a conference, convention, or other professional development activity will provide a report of the event to other board members.

2. Reimbursable Expenses

   The board intends that its members exercise good judgment in incurring travel expenses when pursuing professional and board development opportunities. Members are expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business and expending personal funds. School system funds are not to be used to pay excess costs or additional expenses that are for the convenience or personal preference of a board member or to pay for expenses incurred by family members or other guests of a board member.

School system funds may be used to pay the following expenses incurred by a board member for attendance at an approved conference, convention, or other professional development activity.

a. Conference Registration Fees

The board will pay registration fees for approved conferences and other events. Ordinarily, registration is arranged through the superintendent's office and prepaid. If not prepaid, registration fees will be reimbursed in accordance with the requirements of subsection D.1.

b. Lodging Expense

Hotel reservations will be scheduled through the superintendent's office. Hotel expenses not prepaid will be reimbursed in accordance with the requirement of subsection D.1. The allowance for lodging will be limited to reasonable actual and necessary expenses. A board member sharing a room with a family member or guest will be limited to the single occupancy rate. Tips for room service, valet, and other hotel services are not reimbursable. Personal services available at the hotel, such as spa services, laundry, child care, and other personal services, are not reimbursable.

c. Meals

The total daily allowance for meals while traveling overnight on official school system business will be limited to the current state allowances. No reimbursement will be provided for meals for family members or other guests of the board member. Alcoholic beverages are not reimbursable.

In extenuating circumstances, the board chair may authorize reasonable meal costs in excess of the state-approved rates. The vice-chair may authorize excess meal costs incurred by the board chair.

d. Travel by Private Vehicle

Mileage for approved travel will be reimbursed at the current state rate, using the board member's home as the origination point. Parking fees and tolls are also reimbursable.

e. Air Travel

If air travel is necessary, airline reservations will be scheduled through the superintendent's office and paid by the school system in advance. Reservations will be for coach fare only. Airline reservations for traveling

companions may be booked at the same time if the board member provides a personal credit card or makes other advance arrangements with the finance officer for personal payment. Taxi or other reasonable and necessary transportation fees for travel to and from airports are reimbursable. Rental car fees will be reimbursed when it is more reasonable to rent a car than to use a taxi or other transportation option.

3. Personal Expenses

All other travel and related expenses not covered in these guidelines, including, but not limited to, expenses for laundry, entertainment, between meal snacks, pet boarding, and toiletries or other personal items, are considered personal expenses and are not reimbursable.

4. Cancelled Trips and Missed Events

If a board member cancels a trip or otherwise fails to attend an event for which the school system has prepaid or incurred other expense, the board member is responsible for reimbursing the school system for all funds advanced or expended on the member's behalf, including any cancellation fees.

A board member will not be required to reimburse the school system for expenses paid on the member's behalf if the member is not able to travel because of a medical emergency or death in the immediate family or an emergency work situation; however, the board member must reimburse the school system any funds advanced for the travel.

C. OTHER BUSINESS EXPENSES

1. Purchase of Merchandise or Products

Board members should not ordinarily find it necessary to purchase merchandise or other products to carry out official school business. In circumstances when it is reasonable for a board member to make such a purchase, the member should notify the board chair and superintendent in advance of any purchase in an amount greater than $50. Requests for reimbursement for the expenditure of personal funds for merchandise or other products must follow the procedures established in subsection D.1 below, and any additional procedures requested by the finance officer.

2. Other Expenses Incurred in the Conduct of Official Board Business

The board chair may approve reimbursement of other reasonable and necessary business expenses incurred by board members. The vice-chair may approve reimbursement of other reasonable and necessary business expenses incurred by the board chair. Expenses associated with overnight travel require prior written

approval from the board chair (or vice-chair for overnight travel by the board chair). All reimbursements will be made in accordance with subsection D.1, below.

D. PROCESS FOR REIMBURSEMENT AND TRAVEL ADVANCES

1. Reimbursements

Board members will be reimbursed for out-of-pocket expenses incurred in the performance of their duties as provided in Sections B and C. All reimbursements are contingent upon funds available.

Board members should submit requests for reimbursement, along with supporting documentation of the expenses, within 30 days of incurring the expenses.

All claims for reimbursement of expenses must (1) be in writing, itemized, and supported with original detailed receipts, except that no receipt is required for meals that will be reimbursed at the state-approved flat rates; (2) document the official school business purpose for which the expenses were incurred; (3) be signed by the board member; and (4) be approved by the board chair (or vice-chair for requests submitted by the board chair). Claims for reimbursement of expenses that required prior approval must also include a copy of the prior written approval. Claims related to attendance at a conference, convention, or other board development activity must also include a copy of the event agenda. Claims involving an event hosted by a board member must also include a list of the individuals in attendance.

2. Travel Advances

Board members may request an advance of funds for estimated out-of-pocket travel and related reimbursable expenses. The board member is responsible for returning any funds advanced in excess of the board member's documented reimbursable expenses.

Legal References: G.S. 115C-38; 138-6; 153A-92

Cross References: Board Member Opportunities for Development (policy 2123)

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

Adopted: March 6, 2000
Updated: June 2, 2014
Updated: June 6, 2016

A. ONLINE INSTRUCTION GENERALLY

The board recognizes that online instruction is a valuable tool for affording students extended educational options. The board will provide opportunities for students to participate in online instruction to the extent that it is academically and financially prudent.

School counselors shall advise students on North Carolina Virtual Public School courses and other online courses available for credit. Enrollment in an online for credit course will count toward satisfying board requirements related to minimum instructional days, seat time policies, student attendance, and athletic and/or extracurricular obligations.

A student, with the principal's prior approval, may enroll in an online course with assistance from the school e-learning advisor. The principal shall designate a school counselor at the school to serve as the e-learning advisor, who will be responsible for coordinating the enrollment of students in online courses, monitoring students' progress in those courses, and supervising any required testing. In addition, the principal shall ensure that the e-learning advisor implements a plan for supporting credit recovery students throughout the semester.

The superintendent shall develop regulations consistent with State Board of Education requirements and this policy for students enrolling in online instruction.

B. REMOTE LEARNING

When warranted by exigent circumstances and approved by the superintendent, schools may temporarily transition to remote instruction if permitted by law. Board policies remain in effect during periods of remote learning, except that the board reserves the right to deviate from any policy when adherence is impossible or impractical under the circumstances and the deviation is not inconsistent with law. To the extent practicable or when required by law, affected employees, students, and parents or guardians will be notified of the change in advance.

Legal References: G.S. 115C-84.3, -238.85; State Board of Education Policy CCRE-001

Cross References: Dual Enrollment (policy 3101)

Adopted: December 3, 2012
Updated: December 9, 2013
Updated: July 6, 2020
Updated: December 7, 2020
Updated: June 7, 2021
Updated: July 18, 2022

The board recognizes that concussions and other head injuries may be serious and potentially life threatening and that such injuries may result in serious consequences later in life if managed improperly. The board is committed to practices that reduce the potential for short-term or long-term effects from such injuries. In support of this commitment, the board directs school employees to comply with the concussion safety requirements for interscholastic athletic competition established by G.S. 115C-12(23) as amended in the Gfeller-Waller Concussion Awareness Act of 2011, and to implement and follow all concussion safety requirements set forth in State Board of Education rules and policies. The superintendent or designee shall develop plans consistent with state requirements and shall implement and monitor compliance with this policy. The superintendent is authorized to investigate the use of baseline testing for student-athletes and require that student-athletes undergo such testing prior to their participation in any interscholastic athletic competition.

A. DEFINITION OF CONCUSSION

A concussion is a traumatic brain injury caused by a direct or indirect impact to the head that results in disruption of normal brain function, which may or may not result in a loss of consciousness.

B. CONCUSSION EDUCATION VIDEO FOR HIGH SCHOOL STUDENT-ATHLETES

Per North Carolina High School Athletic Association rules, all high school student-athletes and parents of high school student-athletes must view the CrashCourse concussion education video prior to each sport season.

C. SCHOOL HEAD INJURY INFORMATION SHEET

Each year, all coaches, school nurses, athletic directors, first responders, volunteers, student-athletes, and parents of student-athletes must be provided with a concussion and head injury information sheet that meets the requirements of the State Board. Before any student, school employee, volunteer, or first responder will be allowed to participate in interscholastic athletic activities, including tryouts, practices, or competitions, he or she must sign the head injury information sheet and return it to the coach. Parents also must sign the sheet and return it to the coach before their children may participate in any interscholastic athletic activity. The principal of each school shall ensure that a complete and accurate record of the returned signed sheets is maintained in accordance with law and State Board policy.

D. REMOVAL FROM AND RETURN TO PLAY

Any student-athlete who is exhibiting signs or symptoms consistent with a concussion must be removed from athletic activity immediately. Further, the student-athlete must not be allowed to return to play or practice that day or on any subsequent day until he or she has

been evaluated and has received written clearance for participation that complies with the requirements of G.S. 115C-12(23) and any other applicable law or State Board policy.

E. RETURN TO LEARNING

The superintendent or designee shall develop a plan that meets all the requirements of the State Board of Education for addressing the needs of students in grades pre-K through 12 who suffer concussions. The superintendent or designee shall also arrange for information and professional development to be provided annually to all teachers and other school personnel on return-to-learn issues and other concerns related to concussion and brain injuries. Parents and students must be offered the opportunity annually to provide information related to any head injury or concussion the student may have incurred during the past year on the health history and emergency medical information update form.

F. EMERGENCY ACTION PLANS

Each principal or designee shall develop a venue-specific emergency action plan to respond to serious medical injuries and acute medical conditions in which the condition of the injured student may deteriorate rapidly. All such plans must include a delineation of roles, methods of communication, available emergency equipment, and a plan for emergency transport. The plans must be (1) in writing, (2) reviewed by an athletic trainer who is licensed in North Carolina, (3) approved by the principal if developed by a designee, (4) distributed, posted, reviewed, and rehearsed in accordance with G.S. 115C-12(23), and (5) compliant with any other requirements of state law and State Board policy.

G. ATHLETIC TRAINERS AND FIRST RESPONDERS

Each high school principal shall designate at least one licensed athletic trainer or first responder who meets the requirements of state law and State Board of Education policy. The principal shall monitor each athletic trainer's or first responder's compliance with the duties assigned to the position by the State Board and any additional duties assigned by the superintendent or designee, including, but not limited to, attendance at football games and practices and compliance with all applicable training and certification requirements.

To the extent funding and resources are available, the superintendent shall work toward having a licensed athletic trainer or first responder available for all school practices and games of all high school and middle school sports.

H. RECORDKEEPING

The superintendent shall require each principal to maintain complete and accurate records of actions taken in his or her school to comply with this policy and applicable legal authority. Records shall include accounts of any education or training as may be required by law or State Board of Education policy.

The superintendent's annual report to the board on compliance with laws and policies

related to student wellness shall include a report on the system's compliance with laws and policies related to concussions and head injuries. (See Section G of policy 6140, Student Wellness.)

Legal References: G.S. 115C-12(23),-407.55; S.L. 2011-147; Article 34 Chapter 90; 16 N.C.A.C. 6E .0206; State Board of Education Policies ATHL-003, SHLT-001; N.C. High School Athletic Association Handbook, available at https://www.nchsaa.org/handbook ~~https://www.nchsaa.org/students-and-parents/rules-and-regulations~~

Cross References: Student Wellness (policy 6140)

Other Resources: Matthew Gfeller Sport-Related TBI Research Center at UNC website, http://tbicenter.unc.edu; *Report to the North Carolina General Assembly: Study of Sports Injuries at Middle School and High School Levels*, N.C. Department of Public Instruction (2011), available at https://webservices.ncleg.gov/ViewDocSiteFile/16567 ~~http://www.ncleg.net/documentsites/committees/JLEOC/Reports%20Received/Archives/2011%20Reports%20Received/Study%20of%20Sports%20Injuries%20at%20Middle%20and%20High%20School%20Levels.pdf~~

Adopted: October 3, 2011
Updated: December 9, 2013
Updated: January 11, 2016
Updated: July 6, 2020
Updated: June 7, 2021

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 91-57B (May 31, 2019), available at https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_91-

57B.pdf; Federal Aviation Administration, Advisory Circular 107-2 (June 21, 2016), available at 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, ~~Policy 2.2.3© (2021-2022),~~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

SCHOOL MEAL AND COMPETITIVE FOODS STANDARDS

Policy Code: **6230**

All employees or other individuals who select foods or beverages to be sold to students on a school campus during the school day shall select and procure such foods and beverages in a manner consistent with the goals established by the board in policy 6200, Goals of School Nutrition Services, and policy 6140, Student Wellness, and with all state and federal laws and regulations. Additionally, in furtherance of the board's goals, the board establishes the following standards for school meals and other foods sold or available on school campuses.

A. SCHOOL MEAL REQUIREMENTS

Meals and snacks provided through the National School Lunch, School Breakfast, and After School Snack Programs must comply with all federal nutrition standards applicable to the respective program, including meal component requirements and dietary standards.

B. FOODS OTHER THAN SCHOOL MEALS

1. Definitions

   a. School day

      As used in this policy, "school day" means the period from midnight through **30 minutes after the dismissal bell rings**.

   b. Competitive foods

      Competitive foods are all foods and beverages, other than meals reimbursed through the federally-funded school nutrition programs, available for sale to students on campus during the school day.

2. Foods Sold From Midnight Until the End of the Last Lunch Period

   The sale of food and beverages between midnight and the end of the last lunch period is the responsibility of the Child Nutrition Program (CNP), and the CNP will retain the proceeds. No foods or beverages may be sold to students on any school campus during that time period except through the Child Nutrition Program. The school principal and CNP personnel shall ensure that all competitive foods, including vended *a la carte* and all other *a la carte* or supplemental food and beverages, sold during that time period meet the federal Smart Snacks nutrition standards.

3. Foods Sold Between the Last Lunch Period and the End of the School Day

   Each year, through its School Nutrition Program Annual Agreement, the board will

establish accountability for the sale of competitive foods during the period between the end of the last lunch period and the end of the school day. All foods sold during that period must comply with the federal Smart Snacks nutrition standards. This includes foods sold in vending machines (see subsection B.54, below), in school stores, and in other sales venues on the school campus.

4. Foods Sold After the School Day

Foods sold after the school day are not subject to the federal Smart Snacks standards but are subject to any school rules established pursuant to policy 6140, Student Wellness.

5. Vending Sales During the School Day

In elementary schools, no beverage or snack vending to students is permitted outside of the School Nutrition Program.

In middle and high schools, all vended snack foods and beverages sold during the school day must meet the federal Smart Snacks standards and any more restrictive state requirements.

Bottled water must be available in every school that has beverage vending.

6. Fund-Raising Activities Involving Food or Beverages

All fund-raising activities that involve the sale of food or beverages to students during the school day must comply with the federal Smart Snacks standards. However, no such fund-raising activities are permitted from midnight until the end of the last lunch period. Tokens of exchange for foods or beverages to be delivered later in the day also are prohibited during this time period.

Fund-raising activities that are conducted after the school day are not required to comply with the federal Smart Snacks nutrition standards, but are subject to policy 6140, Student Wellness, and any school rules established pursuant to that policy.

7. Foods Brought from Home for School Events

Each school principal may establish standards for food and beverages brought from home to be shared for classroom events or parties during the school day or for extracurricular activities after school. The board encourages principals to establish rules that are consistent with the Smart Snacks nutrition standards.

8. Responsibility for Compliance with the Limits on the Sale of Competitive Foods

The limitations on the sale of competitive foods during the school day established by law and this policy are intended to encourage students to develop healthy eating

habits and to ensure the ability of the schools to provide nutritious meals at the lowest possible cost.

All employees, student groups, volunteers, school support organizations, and other parties within the school environment must comply with the restrictions and conditions on the sale of competitive foods to students during the school day imposed by federal and state law, this policy, and the terms of the board's School Nutrition Program Annual Agreement.

The superintendent shall hold each principal responsible for consistent enforcement of this policy.

9. Consequences for Non-Compliance with the Limits on the Sale of Competitive Foods

Employees will be subject to disciplinary sanctions for violating the requirements pertaining to the sale of competitive foods as described in this or other relevant board policy, the board's School Nutrition Program Annual Agreement, or federal or state law or regulation. Discipline may include suspension or dismissal for repeated willful violations. The superintendent may take all reasonable steps necessary to prevent violation of the competitive foods rules by any student or student group, volunteer, school support organization, or other party.

If a school is found by the North Carolina Department of Public Instruction to be in violation of the rules pertaining to the sale of competitive foods as established in federal or state law or regulation and the violations results in a monetary sanction against the Child Nutrition Program, the superintendent may require the school's principal to reimburse the Child Nutrition Program from the operating account of the school.

Nothing in this policy is intended to regulate or limit foods that students bring from home as part of a bag lunch.

Legal References: Child Nutrition Act of 1966, 42 U.S.C. 1771 *et seq.*; Healthy, Hunger-Free Kids Act of 2010, P.L. 111-296, 7 C.F.R. Part 210; National School Lunch Act, 42 U.S.C. 1751, *et seq.*; G.S. 115C-47(7), -47(22), -263, -264, -264.2, -264.3; 16 N.C.A.C. 6H .0104; State Board of Education Policy CHNU-002~~; Eat Smart: North Carolina's Recommended Standards for All Foods Available in School, NC Department of Health and Human Services, NC Division of Public Health (2004)~~

Cross References: Student Wellness (policy 6140), Goals of School Nutrition Services (policy 6200)

Adopted: April 10, 2000
Updated: July 1, 2009
Updated: October 6, 2014

Updated: December 8, 2014
Updated: June 1, 2015
Updated: June 7, 2021

[Alternative] CROWDFUNDING ON BEHALF OF THE SCHOOL SYSTEM

Policy Code: **7360/8225**

For purposes of this policy, crowdfunding is the practice of using an online site(s) to solicit donations, whether monetary or in-kind, on behalf of the school system from outside sources to fund school projects or ventures. A crowdfunding campaign is considered to be on behalf of the school system if it uses imagery or language that would lead a reasonable person to believe that (1) the school system is associated with the campaign or (2) the campaign has the purpose or effect of providing resources or a benefit to the school system.

Although crowdfunding can provide additional revenue and resources to classrooms and programs, it also can expose the school system and the employee engaged in crowdfunding to significant legal liability; produce school resources that are incompatible with school curriculum, technology, and the school system's educational mission; cause reputational damage to the school system; disclose confidential student information; and produce unacceptable inequity across schools and classrooms within the school system.

Accordingly, crowdfunding on behalf of the school system is prohibited by employees, students, and organizations. Any action towards initiating a crowdfunding campaign on behalf of the school system is prohibited. Employees, students, and organizations are prohibited from doing any of the following as part of a crowdfunding campaign, even if the campaign is not on behalf of the school system: stating an association with the school system; using a school system email address, school name, logo, or mascot; or linking to or referencing any school website, social media site, platform, or account associated with the school system.

Parent organizations engaging in fundraising are subject to policy 5010, Parent Organizations, and are exempt from this policy. The board reserves the right to designate additional groups or individuals as exempt from this policy.

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

Cross References: Technology in the Educational Program (policy 3220), Parent Organizations (policy 5010), Collections and Solicitations (policy 5220), Grants and Funding for Special Projects (policy 8210), Gifts and Bequests (policy 8220)

Other Resources: *Crowdfunding in K-12: Developing a Vision that Informs Policy*, EdSurge Research (2019), available at https://www.edsurge.com/research/reports/crowdfunding-in-k-12-developing-a-vision-that-informs-policy; Dave Yost, *Special Report on Crowdfunding Classrooms*, Office of the Ohio Auditor of State (July 11, 2018), available at https://www.ncsba.org/wp-content/uploads/2022/05/crowdfunding-report.indd_.pdf ~~https://www.ohioauditor.gov/publications/2018%20crowdfunding%20report%20FINAL.pdf~~; *Crowdfunding in K-12 Education*, National School Boards Association (April 2018), available at https://www.nsba.org/newsroom/american-school-board-journal/asbj-april-2018/online-only-crowdfunding-k-12-education

Adopted: December 2, 2019
Updated: July 6, 2020