TITLE I PARENT INVOLVEMENT

Policy Code: **1320/3560**

The board of education believes that the education of children is an ongoing cooperative partnership between the home and the school. Parents are their children's first teachers; therefore, the continued involvement of parents in the educational process is most important in fostering and improving educational achievement. School system officials shall strive to support parents and provide parents with opportunities to become involved in the programs offered by the Title I schools. The board encourages parents to participate in the design and implementation of the programs and activities in order to increase the effectiveness of the school system's Title I program in helping students meet state and local achievement standards.

A. DEFINITION OF PARENTAL INVOLVEMENT

For the purposes of this policy and the Title I program, the term "parental involvement" means the participation of parents and guardians in regular, two-way and meaningful communication involving student academic learning and other school activities, including ensuring the following:

1. that parents play an integral role in assisting their child's learning;

2. that parents are encouraged to be actively involved in their child's education at school;

3. that parents are full partners in their child's education and are included, as appropriate, in decision making and on advisory committees to assist in the education of their child; and

4. that the school system engages in activities to support parental involvement in the Title I programs.

B. PURPOSE AND OPERATION OF TITLE I PROGRAM

The Title I program is a federally supported program that offers assistance to educationally and economically disadvantaged children to help ensure they meet the school system's challenging academic standards. The Title I program is to provide instructional activities and supportive services to eligible students over and above those provided by the regular school program. When applicable, students must be selected to receive Title I services based on objective criteria that are consistent with federal and state requirements, such as standardized test scores, teacher judgment, and results of pre-school screening and home-school surveys.

Qualified Title I schools shall operate as school-wide programs or targeted assisted programs based upon federal eligibility criteria. School-wide programs

shall utilize a comprehensive school improvement process enabling schools to serve all students in the school. Targeted assisted programs shall provide services to eligible students in the school having the greatest need for assistance.

Both school-wide and targeted assistance programs shall be based on effective means of improving student achievement and shall include strategies to support parental involvement.

C. ANNUAL MEETING

Each year, Title I parents must be invited to an annual meeting, at which time parental rights will be explained. Programs and activities provided with Title I funds will be discussed, and input will be solicited. In addition, all parents will have an opportunity to evaluate the effectiveness of the Title I programs and the parental involvement policies and plans. Data collected from these findings will be used to revise Title I programs and parental involvement plans.

D. PARENTAL INVOLVEMENT EFFORTS

The board believes that the involvement of Title I parents in the design and implementation of the Title I program will increase the effectiveness of the program and contribute significantly to the success of the children. The Title I staff and all school system personnel shall strive to involve parents in activities throughout the school year.

The superintendent shall ensure that this system-level parental involvement policy is developed with, agreed upon with and annually distributed to parents of participating students. In addition to the system-level parental involvement policy, each school participating in the Title I program shall jointly develop and annually distribute to parents a school-level written parental involvement policy that describes the means for carrying out school-level policy, sharing responsibility for student academic achievement, building the capacity of school staff and parents for involvement, and increasing accessibility for participation of all Title I parents, including parents with limited English proficiency, parents with disabilities, and parents of migratory children. School-level plans must involve parents in the planning and improvement of Title I activities and must provide for the distribution to parents of information on expected student proficiency levels and the school's academic performance.

School officials will invite appropriate school personnel from private schools to consult on the design and development of it programs in order to provide equitable services to students enrolled in private schools. The superintendent or designee will establish procedures to achieve timely and meaningful consultation with private school officials in accordance with federal law.

In addition, school system officials and Title I school personnel shall do the following:

1. involve parents in the joint development of the Title I Program and the process of school review and improvement by including parents on the school advisory committee and committees that review the Title I program;

2. provide coordination, technical assistance and other support from various central office departments necessary to assist participating schools in planning and implementing effective parental involvement activities that are designed to improve student academic achievement and school performance;

3. build the schools' and parents' capacity for strong parental involvement by collecting and disseminating information on effective parental involvement techniques;

4. coordinate and integrate parental involvement strategies with parental involvement activities in other programs, such as Head Start and similar programs;

5. with the involvement of parents, conduct an annual evaluation of the content and effectiveness of the school system parental involvement policies and program in improving the academic quality of the school;

6. strive to eliminate barriers of parental participation by assisting parents with disabilities and parents who are economically disadvantaged, have limited English proficiency, are migratory, or have other backgrounds or characteristics that may affect participation;

7. provide assistance to parents of participating Title I children in understanding the state's testing standards, the assessments used, Title I requirements and all national, state and local standards and expectations through such efforts as community-based meetings, sending information home, newsletters, workshops and newspaper articles;

8. design a parent–student–school staff compact that sets out respective responsibilities in striving to raise student achievement and explains how an effective home/school partnership will be developed and maintained;

9. with the assistance of parents, ensure that teachers, pupil services personnel, principals and other staff are educated in the value of parents as partners in the educational process and understand how to work with, communicate with and reach out to parents as equal partners in education;

10. distribute to parents information on expected student proficiency levels for their child and the school's academic performance, and provide materials and training to help parents monitor their child's progress and work with educators to improve achievement through such methods as technology or literacy training;

11. coordinate and integrate parental involvement programs with pre-school programs and conduct other activities in the community that encourage and support parents to more fully participate in the education of their child;

12. strengthen the partnership with agencies, businesses and programs that operate in the community;

13. ensure that parents are involved in the school's Title I activities; and

14. provide such other reasonable support for Title I parental involvement activities as requested by parents.

E. NOTICE REQUIREMENTS

School system officials and Title I school personnel shall provide effective notice of the following information as required by law. The notice must be in an understandable and uniform format and, to the extent practicable, in a language the parents can understand.

1. LEP Program

   a. Each year the principal or designee shall provide notice of the following to parents of limited English proficient (LEP) children identified for participation in a Title I, Part A-funded language-instruction educational program:

      i. the reasons for the child's identification;

      ii. the child's level of English proficiency;

      iii. methods of instruction;

      iv. how the program will help the child;

      v. the exit requirements for the program;

      vi. if the child has a disability, how the language instruction educational program meets the objectives of the child's individualized educational program (IEP); and

vii. any other information necessary to effectively inform the parent of the program and the parental rights regarding enrollment, removal and selection of an LEP program.

b. The principal or designee of a school with a Title I, Part A-funded language instruction program that has failed to make progress on the annual achievement objectives for LEP students, shall notify the parents of such failure no later than 30 days after the failure occurs.

2. System Report Card and School Progress Review

a. Each year, school system officials shall disseminate to all parents, schools and the public a school system report card containing aggregate information, including, but not limited to, student achievement (disaggregated by category), graduation rates, performance of the school system and teacher qualifications.

b. Each year, school system officials shall disseminate to all parents, schools and the community the results of the LES's yearly progress review of each school.

3. Teacher Qualifications

a. Each year, school system officials shall notify parents of Title I students of the right to request certain information on the professional qualifications of the student's classroom teachers and paraprofessionals providing services to the child (see policy 7820, Personnel Files).

b. The principal or designee of a Title I school shall provide timely notice informing parents that their student has been assigned to or has been taught for at least four consecutive weeks by a teacher who is not "highly qualified" as defined in the No Child Left Behind Act.

4. Parental Rights and Opportunities for Involvement

Each year, the principal or designee of a Title I school shall provide notice to parents of the school's written parental policy, parents' right to be involved in their child's school and opportunities for parents to be involved in the school.

F. WEBSITE NOTIFICATION

When a Title I school is identified for improvement, corrective action or restructuring, the school system will display on its website the following information in a timely manner to ensure that parents have current information regarding supplemental services and public school choice;

1. beginning with data from the 2007-2008 school year and for each subsequent school year, the number of students who were eligible for and the number of students who participated in public school choice;

2. for the current school year, a list of available schools to which students eligible to participate in public school choice may transfer;

3. beginning with data from the 2007-2008 school year and for each subsequent school year, the number of students who were eligible for and the number of students who participated in supplemental educational services; and

4. for the current school year, a list of supplemental educational services providers approved by the state to serve the school system and the locations where services are provided.

The superintendent shall develop administrative procedures to implement the requirements of this policy.

Legal References: Elementary and Secondary Education Act, as amended,20 U.S. C. 6301 *et seq.* 34 C.F.R. pt. 200; 20 U.S.C. 7801(32); *Public School Choice Non-Regulatory Guidance,* U.S. Department of Education (January 14, 2009); *Supplemental Educational Services Non-Regulatory Guidance,* U.S. Department of Education (January 14, 2009); U.S. Department of Education approval of Elementary and Secondary Education Act (ESEA) Flexibility Request (May 29, 2012); State Board of Education Policy TCS-R-000

Other Resources: *Giving Parents Options: Strategies for Informing Parents and Implementing Public School choice and Supplemental Educational Services Under No Child Left Behind,* U.S. Department of Education Office of Innovation and Improvement (September 2007)

Cross References: Parental Involvement (policy 1310/4002), Goals and Objectives of the Educational Program (policy 3000), Curriculum Development (policy 3100), Personnel Files (7820)

Updated: July 1, 2009
Updated: April 3, 2012
Updated: January 14, 2013
Updated:

BOARD MEMBER COMPENSATION AND EXPENSES

Policy Code: **2130**

COMPENSATION

Board members will be compensated for the performance of official, within district 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

REIMBURSEMENT

Board members will be reimbursed for out-of-pocket expenses incurred in the performance of their duties. Board members should submit requests for reimbursement, along with documentation of the expenses within thirty days of incurring the expenses. The board member incurring the expense must sign the reimbursement request and the board chairperson will approve such requests provided the expenses are reasonable and appropriately documented. Requests for reimbursement submitted by the chairperson will be approved by the superintendent.

Legal References: G.S. 115C-38; 153A-92

Cross References:

Adopted: March 6, 2000
Updated:

Closed session will be held only when required to permit the board to act in the public interest as provided by law.

A. PERMITTED PURPOSES

By majority vote of its members present, the board and other groups subject to the state opens meeting law and board policy 2320, Compliance with the Open Meetings Law, may hold or retire to a closed session as permitted by law for the deliberation of the following:

1. to prevent the disclosure of information that is privileged or confidential pursuant to the law of this state or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes;

2. to prevent the premature disclosure of an honorary degree, scholarship, prize or similar awards;

3. to consult with an attorney employed or retained by the board in order to preserve the attorney-client privilege between the attorney and the board, including discussions on the handling or settlement of a claim, judicial action, mediation, arbitration or administrative procedure;

4. to discuss matters relating to the location or expansion of industries or other businesses in the area served by the board;

5. to establish, or to instruct the board's staff or negotiating agents concerning the position to be taken by or on behalf of the board in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract;

6. to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual employed or considered for employment with the school district; or to hear or investigate a complaint, charge or grievance by or against any individual employee; and

7. to plan, conduct or hear reports concerning investigations of alleged criminal misconduct.

8. to formulate plans relating to emergency responses to incidents of school violence or to formulate and adopt the school safety components of school

improvement plans by the board or a school improvement team; and

9. to discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.

B. ACTIONS WHICH MUST BE REPORTED OR TAKEN IN OPEN SESSION

While deliberations may occur in closed session, the following board actions must be taken or reported in open session:

- if the board has approved or considered a settlement in closed session, the terms of that settlement will be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded. The report should be made in open session unless there is a basis for the report to be heard only in closed session; and

- final action making an appointment or discharge or removal by the board having final authority for the appointment or discharge or removal.

C. REASONS EXPRESSLY PROHIBITED FOR CLOSED SESSIONS

The following are expressly prohibited by law as a basis for closed sessions:

- to discuss general policy matters or other issues that would be open merely because an attorney employed or retained by the board is a participant; and

- to consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the board or another body or to consider or fill a vacancy among its own membership.

D. PROCEDURE

The board of education will meet in closed session only upon a motion duly made and adopted in public pursuant to G.S. 143-318.11(c). Every motion will cite one or more of the permissible purposes as provided in G.S. 143-318.11(a) and in this board policy. A motion based on the need to prevent the disclosure of information that is confidential or privileged will also cite or name the law that renders the information confidential or privileged. A motion based on the need to consider with an attorney employed by the board the handling or settlement of a lawsuit will identify the parties in the lawsuit.

E. MINUTES

The board will keep minutes of all closed sessions. The minutes of the board will include a general account of the closed sessions so that a person not in attendance would have a reasonable understanding of what transpired.

Legal Reference: G.S. 115C-105.27(c); ch. 143, art. 33C
Cross Reference: Board Committees (policy 2230), Public Records –Retention, Release and Disposition (policy 5070/7350)

Adopted: March 6, 2000
Updated: April 6, 2009
Updated:

TECHNOLOGY
RESPONSIBLE USE ~~POLICY~~

Policy Code: **3225/4312/7320**

The board provides its student and staff access to a variety of technological resources These resources provide opportunities to enhance learning and improve communication within the school community and with the larger global community. Through the school system's technological resources, users can observe events as they occur around the world, interact with others on a variety of subjects, and acquire access to current and in-depth information.

The board intends that students and employees benefit from these resources while remaining within the bounds of safe, legal and responsible use. Accordingly, the board establishes this policy to govern student and employee use of school system technological resources. This policy applies regardless of whether such use occurs on or off school system property, and it applies to all school system technological resources, including but not limited to computer networks and connections, the resources, tools and learning environments made available by or on the networks, and all devices that connect to those networks.

A. EXPECTATIONS FOR USE OF SCHOOL TECHNOLOGICAL RESOURCES

The use of school system technological resources, including access to the Internet, is a privilege, not a right. Individual users of the school system's technological resources are responsible for their behavior and communications when using those resources. Responsible use of school system technological resources is use that is ethical, respectful, academically honest and supportive of student learning. Each user has the responsibility to respect others in the school community and on the Internet. Users are expected to abide by the generally accepted rules of network etiquette. General student and employee behavior standards, including those prescribed in applicable board policies, the Code of Student Conduct and other regulations and school rules, apply to use of the Internet and other school technological resources.

In addition, anyone who uses school system computers or electronic devices or who accesses the school network or the Internet using school system resources must comply with the additional rules for responsible use listed in Section B, below. These rules are intended to clarify expectations for conduct but should not be construed as all-inclusive.

Before using the Internet, all students must be trained about appropriate online behavior as provided in policy 3226/4205, Internet Safety.

All students and employees must be informed annually of the requirements of this policy and the methods by which they may obtain a copy of this policy. Before using school system technological resources, students and employees must sign a statement indicating that they understand and will strictly comply with these requirements. The agreement is in effect until either the student changes schools or the employee moves to a different place of employment within the Montgomery County School System. Failure to adhere to these requirements will result in disciplinary action, including revocation of user privileges. Willful misuses may result in disciplinary action and/or criminal prosecution under applicable state and federal law.

B. RULES FOR USE OF SCHOOL TECHNOLOGICAL RESOURCES

1. School system technological resources are provided for school-related purposes only. Acceptable uses of such technological resources are limited to responsible, efficient and legal activities that support learning and teaching. Use of school system technological resources for commercial gain or profit is prohibited. Student personal use of school system technological resources for amusement or entertainment is also prohibited. Because some incidental and occasional personal use by employees is inevitable, the board permits infrequent and brief personal use by employees so long as it occurs on personal time, does not interfere with the school system business and is not otherwise prohibited by board policy or procedure.

2. Under no circumstances may software purchased by the school system be copied for personal use.

3. Students and employees must comply with all applicable laws, including those relating to copyrights and trademarks, confidential information, and public records. Any use that violates state or federal law is strictly prohibited. Plagiarism of Internet resources will be treated in the same manner as any other incidents of plagiarism, as stated in the Code of Student Conduct.

4. No user of technological resources, including a person sending or receiving electronic communications, may engage in creating, intentionally viewing, accessing, downloading, storing, printing or transmitting images, graphics (including still or moving pictures), sound files, text files, documents, messages or other material that is obscene, defamatory, profane, pornographic, harassing, abusive or considered to be harmful to

minors.

5. The use of anonymous proxies to circumvent content filtering is prohibited.

6. Users may not install or use nay Internet-based file sharing program designed to facilitate sharing of copyrighted material.

7. Users of technological resources may not send electronic communications fraudulently (i.e., by misrepresenting the identity of the sender).

8. Users must respect the privacy of others. When using e-mail, chat rooms, blogs or other forms of electronic communication, students must not reveal personal identifying information, or information that is private or confidential, such as the home address or telephone number, credit or checking account information or social security number of themselves or fellow students. For further information regarding what constitutes personal identifying information, see policy 4705/7825, Confidentiality of Personal Identifying Information. In addition school employees must not disclose on school system websites or web pages or elsewhere on the Internet any personally identifiable, private or confidential information concerning students (including names, addresses or pictures) without the written permission of a parent or guardian or an eligible student, except as otherwise permitted by the Family Educational Rights and Privacy Act (FERPA) or policy 4700, Student Records. Users also may not forward or post personal communications without the author's prior consent.

9. Users may not intentionally or negligently damage computers, computer systems, electronic devices, software, computer networks or data or any user connected to school system technological resources. Users may not knowingly or negligently transmit computer viruses or self-replicating messages or deliberately try to degrade or disrupt system performance. Users must scan any downloaded files for viruses.

10. Users may not create or introduce games, network communications programs or any foreign program or software onto any school system computer, electronic device or network without the express permission of the technology director or designee.

11. Users are prohibited from engaging in unauthorized or unlawful activities, such as "hacking" or using the computer network to gain or attempt to gain unauthorized or unlawful access to other computers, computer systems or

accounts.

12. Users are prohibited from using another individual's ID or password for any technological resource without permission from the individual. Students must also have permission from the teacher or other school official.

13. Users may not read, alter, change, block, execute or delete files or communications belonging to another user without the owner's express prior permission.

14. Employees shall not use passwords or user IDs for any data system (e.g., the state student information and instructional improvement system applications, time-keeping software, etc.) for an unauthorized or improper use.

15. If a user identifies a security problem on a technological resource, he or she must immediately notify a system administrator. Users must not demonstrate the problem to other users. Any user identified as a security risk will be denied access.

16. Teachers shall make reasonable efforts to supervise ~~a~~ student~~'~~s' use of the Internet during instructional time.

17. Views may be expressed on the Internet or other technological resources as representing the view of the school system or part of the school system only with prior approval by the superintendent or designee.

C. RESTRICTED MATERIAL ON THE INTERNET

The Internet and electronic communications offer fluid environments in which students may access or be exposed to materials and information from divers and rapidly changing sources, including some that may be harmful to students. The board recognizes that it is impossible to predict with certainty what information on the Internet students may access or obtain. Nevertheless, school system personnel shall take reasonable precautions to prevent students from accessing material~~s~~ and information that is obscene, pornographic or otherwise harmful to minors, including violence, nudity, or graphic language that does not serve a legitimate pedagogical purpose. The superintendent shall ensure that technology protection measures are used as provided in policy 3226/4205, Internet

Safety, and are disabled or minimized only when permitted by law and board policy. The board is not responsible for the content accessed by users who connect to the Internet via their personal mobile telephone technology (e.g., 3G, 4G service

D. PARENTAL CONSENT

The board recognizes that parents of minors are responsible for setting and conveying the standards their children should follow when using media and information sources. Accordingly, before a student may independently access the Internet, the student's parent must be made aware of the possibility that the student could obtain access to inappropriate material while engaged in independent use of the Internet. The parent and student must consent to the student's independent access to the Internet and to monitoring of the student's e-mail communication by school personnel.

In addition, in accordance with the board's goals and visions for technology, students may require accounts in third party systems for school related projects designed to assist students in mastering effective and proper online communications or to meet other educational goals. Parental permission will be obtained when necessary to create and manage such third party accounts.

E. PRIVACY

No right of privacy exists in the use of technological resources. Users should not assume that files or communications created or transmitted using school system technological resources or stored on services or hard drives of individual computers will be private. School system administrators or individuals designated by the superintendent may review files, monitor all communications, and intercept e-mail messages to maintain system integrity and to ensure compliance with board policy and applicable laws and regulations. School system personnel shall monitor on-line activities of individuals who access the Internet via a school-owned computer.

F. PERSONAL WEBSITES

The superintendent may use any means available to request the removal of personal websites that substantially disrupt the school environment or

that utilize school system or individual school names, logos or trademarks without permission.

1. Students

   Though school personnel generally do not monitor students' Internet activity conducted on non-school system devices during non-school hours, when the student's on-line behavior has a direct and immediate effect on school safety or maintaining order and discipline in the schools, the student may be disciplined in accordance with board policy (see the student behavior policies in the 4300 series).

2. Employees

   Employees' personal websites are subject to policy 7335, Employee Use of Social Media.

3. Volunteers

   Volunteers are to maintain an appropriate relationship with students at all times. Volunteers are encouraged to block students from viewing personal information on volunteer personal websites or on-line networking profiles in order to prevent. The possibility that students could view materials that is not age-appropriate. An individual volunteer's relationship with the school system may be terminated if the volunteer engages in inappropriate online interaction with students.

Legal Reference: U.S. Const. amend. I; Children's Internet Protection Act, 47 U.S.C. 254(h)(5); Electronic Communications Privacy Act, 18 U.S.C. 2510-2522; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; 17 U.S.C. 101 *et seq.*; G.S. 115C,-325(e), (applicable to career status teachers), -325.4 (applicable to non-career status teachers)

Cross Reference: Curriculum and Instructional Guides (policy 3115), Technology in the Educational Program (policy 3220), Internet Safety (policy 3226/4205), Copyright Compliance (policy 3230/7330), Web Page Development (policy 3227/7322), Student Behavior Policies (all policies in the 4300 series), Student Records (policy 4700), Confidentiality of Personal Identifying Information (policy 4705/7825), Public Records – Retention, Release and Disposition (policy 5070/7350), Use of Equipment, Materials

and Supplies (policy 6520), Network Security (policy 6524), Staff Responsibilities (policy 7300), Employee Use of Social Media (policy 7335).

Adopted: August 1, 2005
Updated: April 6, 2009
Updated: January 12, 2012
Updated: January 14, 2013
Updated:

A. INTRODUCTION

It is the policy of the board to: (a) prevent user access via its technological resources to, or transmission of, inappropriate material on the Internet or through electronic mail or other forms of direct electronic communications; (b) prevent unauthorized access to the Internet and devices or programs connected to or accessible through the Internet; (c) prevent other unlawful online activity; (d) prevent unauthorized online disclosure, use or dissemination of personal identification information of minors; and (e) comply with the Children's Internet Protection Act.

B. DEFINITIONS

1. Technology Protection Measure

   The term "technology protection measure" means a specific technology that blocks or filters Internet access to visual depictions that are obscene, child pornography or harmful to minors.

2. Harmful to Minors

   The term "harmful to minors" means any picture, image, graphic image file or other visual depiction that:

   a. taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex or excretion;

   b. depicts, describes or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts or a lewd exhibition of the genitals; and

   c. taken as a whole, lacks serious literary, artistic, political or scientific value as to minors.

3. Child Pornography

   The term "child pornography" means any visual depiction, including any photograph, film, video picture or computer or computer-generated image or picture, whether made or produced by electronic, mechanical or other means, of sexually explicit conduct, where:

a. the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;

b. such visual depiction is a digital image, computer image or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or

c. such visual depiction has been created, adapted or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

4. Sexual Act; Sexual Contact

The terms “sexual act” and “sexual contact” have the meanings given such terms in section 2246 of title 18, United States Code.

5. Minor

For purposes of this policy, the term “minor” means any individual who has not attained the age of 17 years.

C. ACCESS TO INAPPROPRIATE MATERIAL

To the extent practical, technology protection measures (or “Internet filters”) will be used to block or filter access to inappropriate information on the Internet and World Wide Web. Specifically, blocking will be applied to audio and visual depictions deemed obscene or to be child pornography or harmful to minors. Student access to other materials that are inappropriate to minors will also be restricted. The board has determined that audio or visual materials that depict violence, nudity or graphic language that does not serve a legitimate pedagogical purpose are inappropriate for minors. The superintendent, in conjunction with a school technology and media advisory committee (see policy 3200, Selection of Instructional Materials), shall make a determination regarding what other matter or materials are inappropriate for minors. School system personnel may not restrict Internet access to ideas, perspectives or viewpoints if the restriction is motivated solely by disapproval of the viewpoints involved.

A student or employee must immediately notify the appropriate school official if the student or employee believes that a website or web content that is available to students through the school system’s Internet access is obscene, constitutes child pornography, is “harmful to minors” as defined by CIPA, or is otherwise inappropriate for students. Students must notify a teacher or the school principal; employees must notify the superintendent or designee.

Due to the dynamic nature of the Internet, sometimes Internet websites and web material that should not be restricted are blocked by the Internet filter. A student

or employee who believes that a website or web content has been improperly blocked by the school system's filter should bring the website to the attention of the principal. The principal shall confer with the technology director to determine whether the site or content should be unblocked. The principal shall notify the student or teacher promptly of the decision.

The decision may be appealed through the school system's grievance procedure. (See policies 1740/4010, Student and Parent Grievance Procedure, and 1750/7220, Grievance Procedure for Employees.)

Subject to staff supervision, technology protection measures may be disabled during use by an adult for bona fide research or other lawful purposes.

D. INAPPROPRIATE NETWORK USAGE

All users of school system technological resources are expected to comply with the requirements established in policy 3225/4312/7320, Technology Responsible Use. In particular, users are prohibited from: (a) attempting to gain unauthorized access, including "hacking", and engaging in other similar unlawful activities; and (b) engaging in the unauthorized disclosure, use or dissemination of personal identifying information regarding minors.

E. EDUCATION, SUPERVISION AND MONITORING

To the extent practical, steps will be taken to promote the safety and security of users of the school system's online computer network, especially when they are using electronic mail, chat rooms, instant messaging and other forms of direct electronic communications. It is the responsibility of all school personnel to educate, supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy, the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act and the Protecting Children in the 21st Century Act.

Procedures for the disabling or otherwise modifying any technology protection measures are the responsibility of the technology director or designated representatives.

The technology director or designated representatives shall provide age-appropriate training for students who use the school system's Internet services. The training provided will be designed to promote the school system's commitment to educating students in digital literacy and citizenship, including:

1. the standards and acceptable use of Internet services as set forth in policy 3225/4312/7320, Technology Responsible Use;

2. student safety with regard to safety on the Internet, appropriate behavior while online, including behavior on social networking websites and in chat rooms, and cyberbullying awareness and response; and

3. compliance with the E-rate requirements of the Children's Internet Protection Act.

Following receipt of this training, the student must acknowledge that he or she received the training, understood it and will follow the provisions of policy 3225/4312/7320, Technology Responsible Use.

The superintendent shall develop any regulations needed to implement this policy and shall submit any certifications necessary to demonstrate compliance with this policy.

Legal References: Children's Internet Protection Act, 47 U.S.C. 254(h); Neighborhood Children's Internet Protection Act, 47 U.S.C. 254(l); Protecting Children in the 21st Century Act, 47, U.S.C. 254(h)

Cross References: Professional and Staff Development (policy 1610/7800), Student and Parent Grievance Procedure (policy 1740/4010, Grievance Procedure for Employees (policy 1750/7220), Technology in the Educational Program (policy 3220), Technology Responsible Use (policy 3225/4312/7320), School Improvement Plan (policy 3430), Use of Equipment, Materials and Supplies (policy 6520), Network Security (policy 6524)

Adopted: December 3, 2012
Updated:

Consistent with policy 3225/4313/7320, Technology Responsible Use, and in an effort to further the school system's objectives, the board of education encourages the use of the Internet as a means of providing accessible, accurate and timely information for employees, students, parents and others in the larger community. The Internet affords the school district the opportunity to communicate with its communities by posting pertinent system and school information on-line. The school system has established its site on-line at www.montgomery.k12.nc.us. The school system website is the official website of the school system. In addition to this website, individual schools shall create system-related school websites. This policy provides the standards that must be followed for development of all system-related websites. Failure to comply with this policy may result in the removal of a web page or website from the Internet.

A. SYSTEM-RELATED WEBSITE

A "system-related website" is any Internet website that is established in one of the following ways:

a. by school district employees or students on behalf of the system;

b. by any school within the system;

c. by any school-sponsored club or organization within the system; or

d. by students as part of an educational assignment

Only those websites that are created pursuant to this policy are considered system-related websites. The board does not endorse and is not responsible for websites created by employees, students or others outside the standards and guidelines of this policy. Students or employees who create personal websites that result in a substantial and material disruption to the school environment may be subject to disciplinary action.

B. STANDARDS FOR WEB PAGE DEVELOPMENT

1. Public or Closed Forums for Expression

All system-related websites are "nonpublic" or "closed" forums for expression. This means that the system has control over information on such web sites and is not required to allow students, teachers or others to place material on system-related web sites. The purpose of system-related websites is to disseminate curriculum-related information, to present the public with information about the system, its schools and its programs; and to provide the community with each school or department's mission, contact information, activities, organizational

format and instructional program. System-related websites are analogous to newsletters from the administration or the individual school.
System-related websites are not analogous to a student newspaper or non-school publication.

2. Administration and Editorial Control

All employees responsible for creating, developing, maintaining, editing or approving a system-related website shall act legally, responsibly and ethically in providing educational resources and information to support the mission and curriculum of the school system. Such persons will abide by the generally accepted rules of website etiquette, board policy and regulations established by the superintendent.

a. Superintendent Final Authority

The superintendent or designee may delegate authority to place information on a system-related website; however, the superintendent has the final authority to approve or disapprove any information in whatever form on any such system-related websites.

b. School System Official Website

The superintendent or designee has editorial control and responsibility for the content of the school system official website. The superintendent shall appoint a staff member to serve as the web manager/editor of the system website.

c. Individual School Websites

Each school will be provided with a web address, web design software and disk space on the system server. Each principal has editorial control and responsibility for the content of his or her individual school's official website, subject to review by the superintendent or designee. The principal may appoint a staff member to serve as the web manager of the school's website and a website committee to advise the web manager and principal regarding the content of the school's website. Individual school websites must comply with the additional guidelines provided below.

d. Teacher and Student Websites

Each teacher has editorial control over and responsibility for the content of

his or her official website and for the content of his or her students' authorized websites, subject to the review by the principal, the superintendent, and the board. With the knowledge and written consent of a student's parent or guardian, a teacher may allow a student to create a website within or linked from a school's or teacher's website only for the following instructional purposes: (1) to teach a student how to create or maintain a website or (2) to facilitate a student's work on school assignments or research projects. No student pages may be posted or made accessible to the general public until approved by the principal or his/her designee.

e. Personal Websites

The school district is not responsible for personal websites or web pages created or maintained by students, employees, parents, groups or organizations. Personal websites or web pages are not considered system-related websites or web pages, and are not covered by the provisions of this policy. (For further information regarding personal websites, see policy 7335, Employee Use of Social Media, and Section F of policy 3225/4312/7320, Technology Responsible Use.)

The superintendent may use any means available to request the removal of personal websites or web pages that substantially disrupt the school environment or that utilize school system or individual school names, logos or trademarks without permission.

3. Website Appearance and Evaluation

Web page content must be kept current and be maintained regularly. All system-related websites must include the name of the web page author, the date produced or revised, and the e-mail address of the author. The superintendent or designee (for the official system website) or the principal or design (for the individual school websites) must regularly review, proof and evaluate all system related websites.

4. Copyright Laws

No information or graphics may be posted on websites in violation of any copyright laws or policy 3230/7330, Copyright Compliance. Copyright permission must be obtained for the use of any copyrighted material unless use is permitted as "fair use" under federal law. The superintendent or designee and each principal or designee is responsible for maintaining copies of permission granted

for the use of copyrighted material.

5. Links

a. Internal Links

Each page of a system-related website must include a reference and hyperlink to the school system official website home page. In addition, all system-related websites must include a link to this policy and to policy 3225/4312/7320, Technology Responsible Use.

b. External Links

The superintendent, and designee have editorial control over and responsibility for the linking of a system-related website to other sites on the Internet that are appropriate to the mission of the school system. Links to external sites (including externally hosted teacher classroom sites) must be approved by the principal. If required, web managers must obtain permission from external websites before links are established from any system-related website to external websites. To the extent possible, school personnel shall determine the extent to which a secondary site is linked to other sites on the Internet and whether such sites are appropriate for access through the school system websites. Web managers shall periodically check external links for accuracy and appropriateness of content. School employees must report any inappropriate links to the web manager.

Since the school system cannot control the content of other sites on the Internet and their linkages, the following disclaimer statement must be inserted in a prominent position on the official system website, on each school's web page and on other system-related websites that contain links to other websites or web pages that are not system-related websites:

> *The school system retains control over what links will be placed on system-related websites; however, the linked sites themselves are not under the control of the school system, its agents or its employees. The school system is not responsible for the contents of any linked site, any link contained in a linked site or any changes or updates to such sites. The school system provides links as a convenience, and the inclusion of any link does not imply endorsement of the site by the school district. The school system reserves*

the right to remove or restrict any links.

c. Links to Personal Pages

School websites or web pages may not contain links to personal web pages of students or employees or lists of personal web pages.

6. Behavior Standards

When using the Internet, employees and students are responsible for understanding and complying with board policies and administrative regulations, including policy 3225/4312/7320 Technology Responsible Use, student behavior policies in the 4300 series, and policy 7300, Staff Responsibilities.

7. Accessibility of Website

The web manager/editor, in consultation with the technology director, will ensure that the school system website meets required standards to ensure accessibility for persons with disabilities.

C. GUIDELINES FOR INDIVIDUAL SCHOOL WEBSITES

Each school may promote itself by publishing an official school web page on the Internet only via the official school system website. In addition to the standards above, the following standards apply to individual school websites:

1. The content of school web pages must be approved by the school principal.

2. The safety of students and employees must be considered when constructing school web pages. To protect the safety of students and employees the following precautions must be taken:

   a. home addresses or telephone numbers will not be listed;

   b. student e-mail addresses will not be listed;

   c. photographs of students and student work will be used only with appropriate parental permission and/or as approved for release as directory information under policy 4700, Student Records, and will include only the student's first name, with no other information about the student.

The principal or designee is responsible for maintaining records of permission granted for the release of information. The principal should implement other safety precautions, as necessary, to be followed when constructing web pages.

3. To protect a student's rights in his or her intellectual property, if a school or teacher publishes a student's work, a disclaimer should be provided indicating the terms of redistribution or reuse.

4. Schools must provide contact information and other general information about the school on the school website, including the school's name, phone number, fax number, grade levels and address, the principal's name and the email addresses of the school administrative team.

5. Graphics used on school websites must be appropriate to the school and should be of a size that will download quickly into a web browser.

6. Schools must keep information presented on their school's web page current, accurate and grammatically correct.

7. The principal or designee must approve all revisions and additions to the school website.

8. Failure to comply with these guidelines or the standards of this policy, as determined by the superintendent or designee, may result in the removal of a school's web page from the Internet.

Legal References: U.S. Const. Amend. I; Electronic Communications Privacy Act, 18 U.S.C. 2510-2522; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; 17 U.S.C. 101 *et seq.*; G.S. 115C-325(e), (applicable to career status teachers), -325.4 (applicable to non-career status teachers) -391

Cross References: Curriculum and Instructional Guides (policy 3115), Technology in the Educational Program (policy 3220), Technology Responsible Use (policy 3225/4312/7320), Copyright Compliance (policy 3230/7330), Student Behavior Policies (policy 4300), Student Records (policy 4700), Public Records – Retention, Release and Disposition (policy 5070/7350), Staff Responsibilities (policy 7300), Employee Use of Social Media (policy 7335), Personnel Files (policy 7820)

Adopted: March 13, 2006 Updated: April 6, 2009 Updated: January 14, 2013 Updated:

The board believes that an effective testing an assessment program evaluates the progress of individual students and helps ensure that educational goals and objectives are being met for every child. A testing program also assists in the continued refinement of the instructional program. In addition, data from tests and assessments provide measures of student learning that are useful for evaluating educator effectiveness.

Every effort will be made to ensure that the testing program contributes to the learning process rather than detracts from it. Efforts also will be made to use only culture-free or culture-fair tests in order to ensure that measurements are reasonable accurate.

A. ADMINISTRATION OF TESTS, SCREENINGS, AND OTHER ASSESSMENTS

The superintendent shall provide for the proper administration of all state-required tests, screenings, and other assessments and any state-required remedial instruction and/or retesting in accordance with all requirements established by law or the State Board of Education. The superintendent, in consultation with the school principals, shall determine how results from such measures will be used in determining students' final grades, provided that the requirements described in Section B, below, and any other applicable state requirements are met.

Students may participate in field testing and other sample testing as designated by the State Board or the Department of Public Instruction.

The superintendent shall develop security and administration procedures for the state testing program and other assessments that are consistent with State Board of Education requirements. The superintendent shall ensure that all relevant personnel are instructed in such procedures.

All testing personnel, teachers and school administrators are required to be familiar with and adhere to all applicable testing manuals, handbooks, and guides, including the Testing Code of Ethics for state and locally required tests. Failure to follow the Code may result in disciplinary sanctions, including termination or revocation of administrative and/or teaching licenses.

Consistent with state goals, the superintendent shall submit to the board for approval a plan for transitioning to online administration of all end-of-grade and end-of-course tests beginning in the 2014-2015 school year. The superintendent shall conduct any necessary evaluation of the school system's connectivity, personnel and hardware needs prior to developing the plan and shall consider

State Board of Education best practices for online assessments in the development of the plan. Once the school system has fully transitioned to online assessments, the superintendent shall keep the board informed of any resources or other measures needed to enable continued full participation in online assessments.

B HIGH SCHOOL FINAL EXAMS AND END-OF-COURSE TESTING

High school students must take all end-of-course (EOC) tests, NC Final Exams, and Career and Technical Education State Assessments (CTE Post-Assessments) required by the State Board of Education. The results of EOC tests, NC Final Exams, or CTE Post-Assessments will count as 25 percent of a student's final grade in each high school course for which there is an EOC test, NC Final Exams, or CTE Post-Assessment. This requirement does not apply to EOC tests for students following the Occupational Course of Study. Further, CTE students who earn certain credentials will not be required to take the CTE Post-Assessment in the course.

B. MINIMIZING TIME SPENT TESTING

The superintendent or designee shall ensure that the time students spend taking standardized state and local tests and the frequency of field testing at a particular school are minimized. Specifically, the superintendent shall ensure the following.

1. Schools will devote no more than two days of instructional time per year to the taking of practice tests that do not have the primary purpose of assessing current student learning.

2. Students will not be subject to field tests or national tests during the two-week period preceding their school's administration of end-of-grade tests, end-of-course tests or regularly scheduled final exams.

3. No school will participate in more than two field tests at any one grade level during a school year.

4. All annual assessments of student achievement adopted by the State Board of Education pursuant to G.S. 115C-174.11(c)(1) and (3) and all final exams for courses will be administered within the final ten instructional days of the school year for year-long courses and within the final five instructional days of the semester for semester courses.

Exceptions will be permitted to accommodate a student's individualized education program and Section 504 plans and for the administration of final exams for courses with national or international curricula required to be held at designated times.

Legal References: G.S. 115C, art. 10A; 115C-47, -81, -174.11, -174.12(a), -276, -288, -307; State Board of Education Policies GCS-A series; GCS-C series; GCS-N series; TCP-C-006; 16 N.C.A.C. 6D.0301 - .0306

Cross References: Professional and Staff Development (policy 1610/7800), Goals and Objectives of the Educational Program (policy 3000), Student Promotion and Accountability (policy 3420)

Other references: Online Assessments Best Practices Guide (NCDPI July 2011), available at http://www.di.state.nc.us/acre/assessment/guide ; *Measures of Student Learning*: NC's Common Exams (NCDPI, March 2013), available at http://www.ncpublicschools.org/docs/accountability/common-exams/implementations-guide.pdf

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STUDENT PROMOTION AND ACCOUNTABILITY *Policy Code:* **3420**

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 as described in this policy.

B. STANDARDS FOR PROGRESSION

The superintendent will 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 student, such as standardized tests 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 GCS-J-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 use personal education plans as required in policy 3405, Students at Risk of Academic Failure, to address the needs of students who are not making adequate academic progress.

C. DIPLOMA STANDARDS

To receive a North Carolina high school diploma, all students 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 work days 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 Procedures.

E. 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 the 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.

F. CREDIT BY DEMONSTRATED MASTERY

Beginning with the 2014-15 school year, 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.

G. 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. If permitted by state law and State Board policy, credit toward high school graduation may be awarded for advancement or placement out of a high school course. The superintendent shall provide any additional criteria necessary to make a determination of whether credit may be awarded.

H. 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 student 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.

I. 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 a 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.

J. 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; (2) is not reading at grade level; or (3) has a personal education plan under G. S. 115C-105.41, 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 the 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 reading interventions that will be provided to the student to remediate identified areas of

reading deficiency. 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.

K. CHILDREN OF MILITARY FAMILIES

As required by the Interstate Compact on Educational Opportunity for Military Children (G.S. 115C-407.5) 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 in courses or ~~/~~programs offered by the school system.

L. ATHLETIC ELIGIBILITY

Montgomery County Schools will follow the North Carolina High School Athletic Association rules.

Legal References: G.S. 115C-36, -45 (c), -47, -81, -83.2, -83.7, -83.8, -83.9, 83.10, -105.21, -174.11, -288(a), -407.5, State Board of Education Policies GCS-J-002, GCS-J-003, GCS-M-001

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 Limited English Proficient,* (N.C. Department of Public Instruction) available at http://www.dpi.state.nc.us/docs/accountability/policyoperations/lep/testinglep1314.pdf *; North Carolina Read to Achieve: A Guide to Implementing House Bill 950/S.L. 2012-143 Section 7A (*N.C. Department of Public Instruction), available at http://www.dpi.state.nc.us/docs/k-3literacy/resources/guidebook.pdf

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Updated: June 3, 2013
Updated:

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 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 mandated by the State Board of Education (see Section A);

2. beginning in the 2014-2015 school year, successful completion of cardiopulmonary resuscitation instruction; and

3. successful completion of all other requirements mandated by the board as provided in this policy.

The principal shall ensure that students and parents are aware of all graduation requirements. Guidance 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 for graduation. The principal shall consider the requirements of the Interstate Compact on Educational Opportunities for Military Children (G.S. 115C-407.5) and the requirements of subsection D.3 of this policy in determining the graduation requirements for children of military families.

A. COURSE UNITS REQUIRED

Each student~~s~~ must meet the course unit requirements for one of the following courses of study. Students entering the ninth grade for the first time before the 2009-2010 school year must fulfill the requirements of the Career Prep. College Tech Prep, College/University Prep or Future-Ready Occupational Course of Study. Beginning with the students entering the ninth grade for the first time in the 2009-2010 school year, students must fulfill the requirement of the Future-Ready Core Course of Study, unless they are approved for the Future-Ready Occupational Course of Study. Course unit requirements for the Future-Ready Core Course of Study differ depending on the year a student enters the 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. 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.

1. Future Ready Core Course of Study Credits Required for Students Entering Ninth Grade for the First Time in 2012-2013 and After.
   Graduates must also complete this course of study as part of the 28 credits required for graduation.

Courses Required	State Requirements	Local Requirements
English	4 sequential (English I, II, III and IV)*	
Mathematics	4 (Algebra I, Geometry, Algebra II and a fourth math course aligned with the student's post-high school plans OR Integrated Math I, II, III, and a fourth math course aligned with the student's post-high school plans; OR Math I, II, and III and a fourth math course aligned with the student's post-high school plans. (A principal may exempt a student from this math sequence. The exempt student will be required to pass either (1) Algebra I and either Algebra II or Geometry or (2) Integrated Math I and II. Exempt students also must pass either Alternative Math I and II or two other application-based math courses.)**	
Science	3 (a physical science course, Biology~~,~~ and earth/environmental science)	
Social Studies	4 (including Civics & Economics, American History Parts I and II OR AP U.S. History and one additional social studies elective and World History)	
Health/PE	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, R.O.T.C., Arts Education or any other subject area or cross-disciplinary courses. A four-course concentration is recommended)***	
Total Credits	**22**	

~~* Students participating in the Career & College Promise program may earn high school credit for college courses ("dual credit") according to the Career & College Promise program guidelines established by the Department of Public Instruction.~~

** Students seeking to complete minimum application requirement for UNC universities must complete four mathematics courses, including a fourth math course with Algebra II Integrated Math III as a prerequisite.

*** Students seeking to complete minimum application requirements for UNC universities must complete two years of a second language.

2. Future-Ready Core Course of Study Credits Required for Students Entering Ninth Grade for the First Time in 2009-2010, 2010-2011 or 2011-2012

Courses Required	State Requirements	Local Requirements
English	4 (including English I, II, III and IV)*	
Mathematics	4 either Algebra I, Geometry, Algebra II and a fourth math course aligned with the student's post-high school plans OR Integrated Math I, II and III 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 either (1) Algebra I and either Algebra II or Geometry or (2) Integrated Math I and II. Exempt students also must pass either Alternative Math I and II or two other application-based math courses**	
Science	3 (a physical science course, Biology and earth/environmental science)	
Social Studies	3 (Civics & Economics, U.S. History and World History)	
Health/PE	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, R.O.T.C., Arts Education or any other subject area or cross-disciplinary courses. A four-course concentration is recommended)***	
Total Credits	**21**	

* Effective with the tenth grade class of 2011-2012, Early College High School students alternatively may complete college level English courses designated by the State Board in lieu of English III and IV.

** Students seeking to complete minimum application requirement for UNC universities must complete four mathematics courses, including a fourth math course with Algebra II or Integrated Math III as a prerequisite.

*** Students seeking to complete minimum application requirements for UNC universities must complete two years of a second language.

3. Career Prep Course of Study Credits Required

   Graduates must also complete this course of study as part of the 28 credits required for graduation.

Courses Required	**State Requirements**	**Local Requirements**
English	4 (including English I, II, III and IV)	
Mathematics	3 (including Algebra I)	
Science	3 (including a physical science course, Biology and earth/environmental science)	
Social Studies	3 (including Civics & Economics, U.S. History and World History)	
Health/PE	1	
Career/Technical	4 (courses appropriate for career pathway, including a second-level (advanced) course, or courses for an arts education pathway or R.O.T.C.***)	
World Language	0	
Electives	2 (arts recommended but not required)	
Other Requirements		
Total Credits	**20**	

***Four R.O.T.C. credits may be used

4. College Tech Prep Course of Study Credits Required

Courses Required	**State Requirements**	**Local Requirements**
English	4(including English I, II, III and IV)	
Mathematics	3**** (including either Algebra I, Geometry and Algebra II; Algebra I and Technical Math I and II; or Integrated Mathematics I, II and III)	
Science	3 (including a physical science course, Biology, and earth/environmental science)	
Social Studies	3 (including Civics & Economics, U.S. History and World History	
Health/PE	1	
Career/Technical	4 (courses appropriate for career pathway including a second-level (advanced) course)	
World Language	0****	
Electives	2 (arts recommended but not required)	
Other Requirements		
Total Credits	**20**	

****A student pursuing this course of study may meet the requirements of a College/University Prep course of study by completing 2 courses in the

same language and one additional unit of math for which Algebra II or Integrated Math III is a prerequisite.

5. College/University Prep Course of Study Credits Required

Courses Required	State Requirements	Local Requirements
English	4 (including English I, II, III and IV)	
Mathematics	4 (including either Algebra I, Geometry and Algebra II and a higher-level course for which Algebra II is a prerequisite: or Integrated Mathematics I, II and III and one course beyond Integrated Math III)	
Science	3 (including a physical science Biology~~,~~ and earth/environmental science)	
Social Studies	3 (including Civics & Economics, U.S. History and World History)	
Health/PE	1	
World Language	2 in the same language	
Electives	3 (arts recommended but not required)	
Other Requirements		
Total Credits	**20**	

6. Future-Ready Occupational Course of Study Credits Required (only available to certain students with disabilities who have an IEP)

Courses Required	State Requirement	Local Requirements
English	4 (including Occupational English I, II, III, and IV)	
Mathematics	3 (including OCS Introduction to Math, OCS Algebra I (Math A), and Financial Management	
Science	2 (including OCS Applied Science and OCS Biology)	
Social Studies	2 (including American History I and II)	
Health/PE	1	
Career/Technical	4 (Vocational Education electives)	
World Language	0	
Occupational Preparation	6 (including Occupational Preparation I, II, III and IV, which requires 300 hours of school-based training. 240 hours of community-based training and 360 hours of paid employment or 360 hours of any combination of unpaid vocational training, unpaid internship experience, paid employment at community rehabilitation facilities and volunteer and/or community service hours)	
Electives	0	
Other Requirements	• Completion of IEP objectives • Career Portfolio	
Total Credits	**22**	

B. HIGH SCHOOL FINAL EXAMS AND END OF COURSE TESTING

High school students must take all required end-of-course (EOC) tests, NC Final Exams, and Career and Technical Education State Assessments (CTE Post-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, the board adopts the following policy provisions for students covered by the Interstate Compact on Educational Opportunity for Military Children.

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 coursework so that graduation may occur 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 or during his or her senior year is ineligible to graduate from the school system after all 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 Certificate

   Graduation certificates will be awarded to students in compliance with the policies of the State Board of Education.

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), and/or (3) North Carolina Academic Scholars Endorsement. No endorsement is required to receive a diploma.

Legal References: G.S. 115C-47, -81, -174.11,-276, -288, -407.5; State Board of Education Policies GCS-C-003, GCS-L-007, GCS-M-001, GCS-N-004, -010

Cross References: Goals and Objectives of the Educational Program (policy 3000), 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
Amended: 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:

A student who is domiciled within the geographic area served by the school system, who is under age 21, (22 for students entitled to special education services), who has not completed the prescribed courses for high school graduation, and who otherwise qualifies for admission is entitled to be admitted without payment of tuition. Under certain circumstances specified by law, a student who resides in the area served by the school system and who otherwise qualifies for admission to its schools also is entitled to be admitted without payment of tuition.

Children with disabilities are required to meet state domicile requirements to be entitled to admission to school without payment of tuition unless they are "grandfathered" into the system under subsection C.5 below, or unless they otherwise meet one of the circumstances that entitle them to admission without payment of tuition. (See section C, below.)

A. DOMICILE AND RESIDENCE DEFINED

Domicile requires the intent to abandon one's prior home and remain in the new location as a permanent home for an indefinite period. In contrast, a residence need not be one's exclusive home and does not require an intention that the residence be the permanent home.

B. MEETING DOMICILE REQUIREMENTS

1. Domicile of Students **Generally**

   The domicile of a student under 18 years of age is presumed to be the domicile of his or her parents, legal guardian or legal custodian as defined by the General Statutes of North Carolina.

2. Domicile of Emancipated Students

   If a student is at least 18 years of age or married or has been abandoned by his or her parents, or if the court declares a student to be emancipated, the student may establish a domicile independent from that of his or her parents, legal guardian or legal custodian. A student who establishes domicile as a result of being emancipated is a domiciliary of the school system and will be entitled to the same rights and privileges of other students domiciled in the school district.

3. Domicile of Students with Divorced or Separated Parents

Domicile for the purpose of school attendance will be determined by the following criteria:

a. In the event that the parents are divorced or separated and physical custody has been given to only one parent, the **student's domicile follows that of the parent who has been granted physical custody.**

b. If physical custody has not been determined or has been granted jointly to both parents, or if the custodial parent wishes the student to attend school in the non-custodial parent's district of residence, then **the parents must jointly agree on which residence will be used to determine the child's domicile. The selected residence must be submitted in writing to the principal**

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c **THE SELECTION MAY NOT BE CHANGED DURING THE SCHOOL YEAR UNLESS THE PARENTS SATISFY THE BOARD'S POLICIES ON TRANSFERS AND RELEASES.**

In the event the parents cannot agree on which residence will be used to determine the child's domicile for school attendance purposes, the residence of the parent with physical custody of the child at the beginning of the school year will prevail.

C. MEETING RESIDENCE REQUIREMENTS

A student who resides in the district in any of the following circumstances will be admitted without payment of tuition.

1. The student is homeless as defined in state and federal law and policy 4125, Homeless Students. A student living with a friend or relative is not a homeless student unless he or she lives there due to conditions that constitute homelessness under state and federal statutes. A homeless student will be assigned in accordance with policy 4125, Homeless Students.

2. The parent, guardian or legal custodian residing in the school district attendance area is a student, employee or faculty member of a college or university, or is a visiting scholar at the National Humanities Center.

3. The student resides in a group home, foster home or other similar facility or institution.

4. The student resides in a pre-adoptive home following placement by a county department of social services or a licensed child-placing agency.

5. The student is considered a child with a disability by the General Statutes and the North Carolina *Policies Governing Services for Children with Disabilities*; and the child was (a) enrolled in the school system on the last day of school for the 2006-2007 school year or (b) enrolled in and attending a school in the school system on August 1, 2007, for the 2007-2008 school year, so long as the child lives within and is continuously enrolled in the system.

6. The student resides with an adult, who is a domiciliary of the school system, as a result of any of the following:

   a. The death, serious illness, or incarceration of the child's parent or legal guardian~~;~~

   b. The the abandonment by the child's parent or legal guardian of the complete control of the student as evidenced by the failure to provide substantial financial support and parental guidance~~;~~

   c. Abuse or neglect by the parent or legal guardian~~;~~

   d. The physical or mental condition of the parent or legal guardian is such that he or she cannot provide adequate care and supervision of the student~~;~~

   e. The relinquishment of physical custody and control of the student by the student's parent or legal guardian upon the recommendation of the department of social services or the Division of Mental Health~~;~~

   f. The loss or inhabitability of the student's home as a result of a natural disaster;

   g. The parent or legal guardian is one of the following: (1) on active military duty and is deployed out of the local school administrative unit in which the student resides; (2) a member or veteran of the

uniformed services who is severely injured and medically discharged or retired (but only for a period of one year after the medical discharge or retirement of the parent or guardian); or (3) a member of the uniformed services who has died while on active duty or as a result of injuries sustained on active duty, but only for a period of one year after the death of the parent or guardian. For purposes of this subsection, the term "active duty" does not include periods of active duty for training for less than 30 days. Assignment under this subsection is only available if some evidence of the deployment is tendered with affidavits required under G.S. 115C-366.

In order to be admitted under this provision, the student may not be currently under a term of suspension or expulsion from a school for conduct that could have led to a suspension or an expulsion from the local school administrative unit. The adult with whom the student resides and the student's parent, guardian, or legal custodian, if available, must complete and sign separate affidavits available through the superintendent's office attesting to information required by G.S. 115C-366(a3). If it is found that a person willfully and knowingly provided false information in the affidavit, the maker of the affidavit will be guilty of a Class 1 misdemeanor and will pay to the board an amount equal to the cost of educating the student during the period of enrollment. Repayment will not include state funds.

D. STUDENTS PARTICIPATING IN THE NORTH CAROLINA ADDRESS CONFIDENTIALITY PROGRAM

In determining whether a student meets the domicile or residence requirements of this policy, school personnel shall consider the actual address of a participant in the North Carolina Address Confidentiality Program established by G.S. Chapter 15C, but such address will remain confidential in accordance with law and policy 4250/5075/7316, North Carolina Address Confidentiality Program.

Legal References: Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., 34 C.F.R pt. 300; McKinney Vento Homeless Assistance Act. 42 U.S.C. 11431 *et seq.;* G.S. 7B, art. 35, 35A, art 6; 15C-8(i); 50-13.1 to 13.3; 115C-106.3, -107.6, - 108.1(a), -366, -407.5; State Board of Education Policy GCS-D-000; *Policies Governing Services*

for Children with Disabilities, available at http://ec/ncpublicschools.gov/policies/nc-policies-governing-services-for-children-with-disabilities

Cross References: Student and Parent Grievance Procedure (policy 1740/4010), Children of Military Families (policy 4050), Homeless Students (policy 4125), North Carolina Address Confidentiality Program (policy 4250/5075/7316)
Adopted: April 10, 2000
Updated: May 4, 2009
Updated: March 2, 2010
Updated:

NORTH CAROLINA
ADDRESS CONFIDENTIALITY PROGRAM

Policy Code: **4250/5075/7316**

The board seeks to provide a work and school environment free from violence or the threat of violence against employees, students or other persons. The board encourages eligible individuals to participate in the North Carolina Address Confidentiality Program established pursuant to Chapter 15C of the General Statutes. This program protects the address of relocated victims of domestic violence, sexual offense, stalking or human trafficking to prevent a victim's assailants or potential assailants from finding the victim through public records. The program provides participants with the use of a substitute mailing address and denies public access to a participant's actual address.

A. PROGRAM DETAILS

The Address Confidentiality Program is administered by the State Attorney General. Information and assistance in applying to the program may be obtained by telephone from the Attorney General's Address Confidentiality Program Office at (919) 716-6785.

Program participants receive an authorization card with a substitute mailing address that may be presented whenever an address is required. Mail sent to the substitute address is forwarded cost-free by the program to the participant at his or her residential address.

B. SCHOOL PERSONNEL PARTICIPANTS

The name, actual address and telephone number of any school system personnel participating in the Address Confidentiality Program will not be open to inspection as a public record, will not be included as part of any employee directory published by the school system and will be redacted from any record released pursuant to G.S. 115C-320. (See policies 5070/7350, Public Records – Retention, Release and Disposition, and 7820, Personnel Files.)

C. STUDENT PARTICIPANTS

The school system will use the actual address of a program participant, not the substitute address designated by the Attorney General, for any purpose related to admission or assignment but will keep the actual address confidential from the public. Student records will reflect only the substitute address and not the student's actual address. The student's telephone number also will be kept confidential from the public.

The parent or guardian of a student participant may request that a student's name be withheld from any release of directory information by the school, as provided in policy 1310/4002, Parental Involvement.

When transferring school records from one school to another, the transferring school may send the files to the participant (parent or guardian) via the substitute address provided by the Address Confidentiality Program to ensure confidentiality of the student's new location.

D. DISCLOSURE PROHIBITED

The knowing and intentional disclosure of a program participant's actual address or telephone number to unauthorized persons is prohibited. Failure to comply with this policy may result in disciplinary action, up to and including termination. In addition, violators may be subject to criminal prosecution.

Legal References: G.S. Ch. 15C; 115C-47, -320, -366(g), -402(f); 132-1.1(d)

Cross References: Parental Involvement (policy 1310/4002), Domicile or Residence Requirements (policy 4120), School Assignment (policy 4150), Student Records (policy 4700), Public Records – Retention, Release and Disposition (policy 5070/7350), Personnel Files (policy 7820)

Adopted: April 6, 2009
Updated:

WEAPONS, BOMB THREATS AND CLEAR THREATS TO SAFETY

Policy Code: **4333**

The board will not tolerate the presence of weapons or destructive devices, bomb or terrorist threats or actions that constitute a clear threat to the safety of students or employees. Any student who violates this policy will be removed from the classroom or school environment for as long as necessary to provide a safe and orderly environment for learning

A. PROHIBITED BEHAVIOR

1. Weapons and Weapon-Like Items

   Students are prohibited from possessing, handling, using or transmitting, whether concealed or open, any weapon, or any instrument that reasonably looks like a weapon or could be used as a weapon. Weapons include, but are not limited to the following:

   - loaded and unloaded firearm, including guns, pistols and rifles;
   - destructive devices, as described in subsection B.2 of this policy, including explosives, such as dynamite cartridges, bombs, grenades or mines;
   - knives, including pocket knives, bowie knives, switchblades, dirks and daggers;
   - slingshots and slungshots;
   - leaded canes;
   - blackjacks;
   - metal knuckles;
   - BB guns;
   - air rifles and air pistols;
   - stun guns and other electric shock weapons, such as tasers
   - icepicks;
   - razors and razor blades (except solely for personal shaving);
   - fireworks;
   - gun powder, ammunition, or bullets, regardless of size or caliber;; and
   - any sharp pointed or edged instrument except unaltered nail files and clips and tools used solely for preparation of food, instruction and maintenance.

   Any weapon or weapon like object, whether industrially manufactured or homemade, that is reasonably likely to represent a

danger to the school environment. Such objects include but are not limited to box cutters, utility blades, blowguns, and other like objects fitting the above description.

No student may knowingly or willfully cause, encourage or aid another student to possess, handle or use any of the weapons or weapon-like items listed above. A student who finds a weapon or weapon-like item, who witnesses another student or other person~~s~~ with such an item~~s~~, or becomes aware that another student or other person~~s~~ intends to possess, handle or use an item~~s~~, must notify a teacher or the principal immediately.

This section does not apply to board-approved and –authorized activities for which the board has adopted appropriate safeguards to protect student safety.

2. Bomb Threats

Students are prohibited from making, aiding and/or abetting in making a bomb threat or perpetrating a bomb hoax against school system property by making a false report that a device designed to cause damage or destruction by explosion, blasting or burning is located on school property.

No student may knowingly or willfully cause, encourage or aid another student to make a bomb threat or perpetrate a bomb hoax. Any student who becomes aware that another student or antoher person intends to use a bomb, make a bomb threat or perpetrate a bomb hoax must notify a teacher or the principal immediately.

3. Terrorist Threats

Students are prohibited from making, aiding, conspiring and/or abetting in making a terrorist threat or perpetrating a terrorist hoax against school system property by making a false report that a device, substance or material designed to cause harmful or life-threatening injury to another person is located on school property.

No student may knowingly or willfully cause, encourage or aid another student to make a terrorist threat or perpetrate a terrorist hoax. Any student who becomes aware that another student or other person intends to use a device, substance or material designed to cause harmful or life-threatening illness or injury to another person, make a terrorist threat or

perpetrate a terrorist hoax must notify a teacher or the principal immediately.

4. Clear Threats to Student and Employee Safety

Students are prohibited from engaging in behavior that constitutes a clear threat to the safety of other students or employees. Behavior constituting a clear threat to the safety of others includes, but is not limited to:

a. theft or attempted theft by a student from another person by using or threatening to use a weapon;

b. the intentional and malicious burning of any structure or personal property, including any vehicle;

c. an attack or threatened attack bya student against another person wherein the student uses a weapon or displays a weapon in a manner found threatening to that person.

d. an attack by a student on any employee, adult volunteer or other student that does not result in serious injury but that is intended to cause or reasonably could cause serious injury;

e. an attack by a student on another person whereby the victim suffers obvious severe or aggravated bodily injury, such as broken bones, loss of teeth, possible internal injuries, laceration requiring stitches, loss of consciousness, or significant bruising or pain; or whereby the victim requires hospitalization or treatment in a hospital emergency room as a result of the attack;

f. any intentional, highly reckless or negligent act that results in the death of another person;

g. confining, restraining or removing another person from one place to another, without the victim's consent or the consent of the victim's parent, for the purpose of committing a felony of for the purpose of holding the victim as a hostage, for ransom, or for use as a shield;

h. the possession of a weapon on any school property, including in a vehicle, with the intent to use or transmit for another's use or possession in a reckless manner so tht harm is reasonably

foreseeable;

i. taking or attempting to take anything of value from the care, custody or control of another person or persons, by force, threat of force, or violence, or by putting the victim in fear;

j. any unauthorized and unwanted intentional touching, or attempt to touch, by one person of the sex organ of another, including the breast of the female and the genital areas of the male and female;

k. the possession, manufacture, sale or delivery, or any attempted sale or delivery, of a controlled substance in violation of Chapter 90 of the North Carolina General Statutes;

l. any behavior resulting in a felony conviction on a weapons, drug, assault or other charge that implicates the safety of other persons; and

m. any other behavior that demonstrates a clear threat to the safety of others in the school environment.

B. CONSEQUENCES

1. General Consequences

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

2. Specific Consequences Mandated by Law

As required by law, a student who brings or possesses a firearm or destructive device on school property or at a school-sponsored event must be suspended for 365 days, unless the superintendent modifies, in writing, the required 365-day suspension for an individual student on a case-by-case basis. The superintendent shall not impose a 365-day suspension if the superintendent determines that the student (1) took or received the firearm or destructive device from another person at school or found the firearm or destructive device at school, (2) delivered or reported

other firearm or destructive device as soon as practicable to a law enforcement officer or school personnel and (3) had no intent to use the firearm or destructive device in a harmful or threatening way.

For the purpose of this subsection, a firearm is (1) a weapon, including any starter gun that will, is designed to or may readily be converted to expel a projectile by the action of an explosive, (2) the frame or receiver of any such weapon or (3) any firearm muffler or firearm silencer. A firearm does not include an inoperable antique firearm, a BB gun, a stun gun, an air rifle or an air pistol. For the purposes of this subsection, a destructive device is an explosive, incendiary or poison gas (1) bomb, (2) grenade, (3) rocket having a propellant charge of more than four ounces, (4) missile having an explosive or incendiary charge of more than one-quarter ounce, (5) mine or (6) similar device.

A student may not be suspended for 365 days for a weapons violation except in accordance with this subsection.

Legal Reference: Gun-Free Schools Act 20 U.S.C. 7151; G.S. 14-17 to -18, -27.2 through -27.5A, -32, -33, -34 through -34.2, -41, -60, -69.1, -69.2, -87, -87.1, -132, -132.2, -202.2, -208.18, -269.2; -277.5; ch. 90, art. 5; 115C-47, -276(r), -288(g), -307, -390 .1, -390.2 -390.10

Cross Reference: Student Sex Offenders (policy 4260), Student Behavior Policies (policy 4300), Integrity and Civility (policy 4310), Disruptive Behavior (policy 4315), Theft, Trespass and Damage to Property (policy 4330), Assaults, Threats and Harassment (policy 4331), Criminal Behavior (policy 4335)

Adopted: April 10, 2000
Revised: January 12, 2009
Updated: September 12, 2011
Updated: January 9, 2012
Updated:

A. The principal shall retain in each student's file, either in paper or electronic form, all records related to violations of board policies, the Code of Student Conduct, school standards or school rules

As required by law, the superintendent shall maintain the following data on each student who was suspended for more than 10 days, reassigned for disciplinary reasons, expelled or to whom corporal punishment was administered: race, gender, age, grade level, ethnicity, disability status, type of incident or offense, duration of the suspension, whether alternative education services were provided, and whether the student had multiple suspensions in that academic year.

As secretary to the board, the superintendent also shall maintain records from the board's considerations of 365- day suspensions and expulsions and any readmission reconsiderations of 365-day suspensions and expulsions.

The superintendent shall ensure that data on disciplinary incidents is reported using the state student information system application in accordance with State Board of Education policies and procedures.

B. DISCLOSURE OF RECORDS

Confidential student records concerning conduct that posed a significant safety risk to the student or others in the school community may be disclosed to teachers and school officials, including teachers and school officials in other schools, who have legitimate educational interests in the behavior of the student.

C. REMOVAL OF RECORDS

1. End of Year Removal

The following types of discipline records may not be removed from student records, electronic files or databases at the end of the school year:

a. notice of any suspension for a period of more than10 days and the record of the conduct for which the student was suspended;

b. notice of any expulsion under G.S. 115C-390.11 and the record of the conduct for which the student was expelled; and

c. any records (including of in-school suspensions or short-term suspensions) that need to be maintained in order to be able to serve the student appropriately or to protect the safety of others

2. Expunging Records

The superintendent or designee shall expunge any record of suspensions for a period of more than 10 days or expulsion if the following criteria are met:

a. A request that the record be expunged is made to the superintendent or designee by the student's parent or guardian, or by the student if the student is at least 16 years old or is emancipated.

b. The student either graduates from high school or is not suspended or expelled again during the two-year period commencing on the date of the student's return to school after the expulsion or suspension; and

c. The superintendent or designee determines that the maintenance of the record is no longer needed to adequately serve the child or to maintain safe and orderly schools.

In addition, the superintendent may expunge any notice of suspension or expulsion from a student's official record provided criteria b and c above are met.

This section is not intended to limit parents' right to request removal of information from a student's record under board policy 4700, Student Records.

Legal Reference: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g(h), 34 C.F.R. 99.31, 99.36;; G.S. 115C-47, -276(r), -390.4, -390.7, -390.8, -390.10, -390.11, -390.12, -402

Cross Reference: Theft, Trespass and Damage to Property (policy 4330); Assaults, Threats and Harassment (policy 4331); Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety (policy 4333); Long-Term Suspension, 365-Day Suspension, Expulsion (policy 4353), Student Records (policy 4700)

Other References: *North Carolina Discipline data Reporting Procedures,* N.C. Department of Public Instruction Safe and Healthy Schools Support Division (Revised, October 2013), available at http://www.ncpublicschools.org/docs/research/discipline/collection/discipline-reporting-procedures.pdf

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

A short-term suspension is the disciplinary exclusion of a student from attending his or her assigned school for up to 10 school days. A short-term suspension does not include (1) the removal of a student from class by the classroom teacher, the principal or other authorized school personnel for the remainder of the subject period or for less than one-half of the school day or (2) the changing of student's location to another room or place on the school premises. A student who is placed on a short-term suspension will not be permitted to be on the school property or to take part in any school function during the period of suspension without prior approval of the principal.

The principal or designee has the authority to determine when a short-term suspension is an appropriate consequence and to impose the suspension, so long as all relevant board policies are followed.

In accordance with G.S. 115C-390.6(e) and 115C-45(c)(1), a student is not entitled to appeal the principal's decision to impose a short-term suspension to either the superintendent or the board unless it is appealable on some other basis.

A. PRE-SUSPENSION RIGHTS OF THE STUDENT

Except in the circumstances described below, a student must be provided with an opportunity for an informal hearing with the principal or designee before a short-term suspension is imposed. The principal of designee may hold the hearing immediately after giving the student oral or written notice of the charges against him or her. At the informal hearing, the student has the right to be present, to be informed of the charges and the basis for the accusations against him or her, and to make statements in defense or mitigation of the charges.

The principal or designee may impose a short-term suspension without first providing the student with an opportunity for a hearing if the presence of the student (1) creates a direct and immediate threat to the safety of other students or staff or (2) substantially disrupts or interferes with the education of other students or the maintenance of discipline at the school. In such cases, the principal or designee shall give the student notice of the charges and an opportunity for an informal hearing as soon as practicable.

After the above procedures have been fulfilled, the principal may then suspend the student for 10 days or less. Any student suspended who is later found to be free of any fault will be permitted to make up any missed school work and will not be penalized in any way because of absence during his or her suspension.

B. A student under a short-term suspension must be provided with the following:

1. The opportunity to take textbooks home for the duration of the suspension;

2. Upon request, the right to receive all missed assignments and, to the extent practicable, the materials distributed to students in connection with such assignments; and

3. The opportunity to take any quarterly, semester or grading period examinations missed during the suspension period.

C. The principal has the authority to recommend the student be placed at Montgomery Learning Academy on a temporary basis during the time the student is placed on a short term, out of school suspension. The placement at Montgomery Learning Academy is in lieu of out of school suspension.

If a parent refuses to allow the student to attend Montgomery Learning Academy the days missed will be unexcused absences.

While attending Montgomery Learning Academy during a short term suspension the student will adhere to the attendance policy in place for their grade level.

D. NOTICE TO PARENT OR GUARDIAN

When imposing a short-term suspension, the principal or designee shall provide the student's parent or guardian with notice that includes the reason for the suspension and a description of the student conduct upon which the suspension is based. The principal or designee must give this notice by the end of the workday during which the suspension is imposed when reasonably possible, but in no even more than two days after the suspension is imposed. If English is the second language of the parent, the notice must be provided in English and in the parent's primary language, when the appropriate foreign language resources are readily available. Both versions must be in plain language and easily understandable.

School officials also shall maintain a copy of the written notice in the student's educational record.

Multiple short-term suspensions for students with disabilities will be addressed in accordance with the *Policies Governing Services for Children with Disabilities* and other applicable state and federal law.

Legal References: Americans with Disabilities At, 42 U.S.C. 12131 *et seq.* 4, 28 C.F.R. pt. 35; 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-45(c); 115C-47, -276(r), -288, -307, -390.; -390.2, -390.5, -390.6; *Policies Governing Services Disabilities*, State Board of Education Policy HSP-D-000.

Cross References: School Safety (policy 1510/4200/7270), School Plan for Management of Student Behavior (policy 4302), School Level Investigations (policy 4340), Parental Involvement in Student Behavior Issues (policy 4341), Removal of Student During the Day (policy 4352)

Adopted: April 10, 2000
Updated: May 4, 2009
Updated: September 14, 2011
Updated: March 4, 2013
Updated:

FREE AND REDUCED PRICE FOOD SERVICES

Policy Code: **6225**

The school system will provide free meals and reduced price meals to eligible students in the schools.

The principal shall make applications for free or reduced price meals readily available to parents or guardians and shall accept completed applications at any time during the school year.

In accordance with the guidelines for participation in these programs, and in accordance with the wishes of the board, no student who meets the criteria for eligibility for free and reduced meal benefits will be denied a free lunch, milk or other food, simply because the proper application has not been received from his or her parents or guardian. The principal may complete an application for a student known to be needy if the parents or guardian fails to apply. The principal shall ensure that school rules and procedures are implemented in ways that do not impede eligible students from participating fully in these programs.

The information provided on each application is confidential. Employees with access to this confidential information must make reasonable efforts to maintain the anonymity of students participating in the free or reduced price meal program.

Each year, the superintendent or designee shall ensure that the school system has met all federal requirements to verify the eligibility of applicants. When school personnel become aware of information that raises concerns about the integrity of an application, the superintendent or designee must verify the questionable information by following the verification for cause procedures set forth in federal regulations.

The superintendent shall establish procedures which conform to state and federal requirements regarding participation in programs for free and reduced priced meal benefits.

Legal References: Child Nutrition Act of 1966, 42 U.S.C. 1771 *et seq.;* 7 CFR Parts 210, 215, 220, and 245; Family Educational Rights and Privacy Act 20 U.S.C. 1232g; National School Lunch Act, 42 U.S.C. §1751, *et seq*.; G.S. 115C-263, -264

Cross References: Goals of Student Food Services (policy 6200)

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

The board may enter into contracts with public or private carriers in accordance with G.S. 115C-253, State Board of Education policy any other applicable law, and this policy. Any contracts also must comply with policy 6450, Purchase of Services.

The superintendent or designee shall develop safety standards for contracted transportation services used to transport students to school-related activities. The standards must comply with the requirements established by the State Boards. The superintendent or designee shall develop a list of companies or individuals that meet these standards and are approved to provide student transportation services. If appropriate, the superintendent shall recommend that the board enter into inter-local cooperation agreements to assist in developing the standards and list of approved entities required under this paragraph.

The superintendent shall ensure that the school system contracts for student transportation services only with companies or individuals who are on the approved list.

The board may purchase or lease student transportation vehicles in accordance with law and board policy, including policy 6430, State Purchasing Requirements for Equipment, Materials and Supplies; policy 6440, Local Purchasing Requirements for Equipment, Materials and Supplies policy 6440 and policy 6425 Continuing Contracts. Any such vehicle must meet federal safety standards and state requirements.

All titles will be issued to the board of education. Sufficient liability coverage must be maintained in accordance with policy 8340, Insurance.

The board will consider requests for providing transportation services to a charter school. Such consideration will take into account any factors required by law.

Legal References: 49 U.S.C. 30125, 30165; G.S. 115C-42, -47(25), -239, -240, -247, -249, -253, -255; *Preventive Maintenance and Vehicle Replacement Manual NC Bus Fleet Manual*, State Board of Education Policy TCS-H-005, available at http://www.ncbussafety.org/manuals/PMMANUAL.PDF: State Board of Education Policies TCS-H-009, -010. -011; *School Charter Transportation Recommended Guidelines and Procedures,* available at http://www.ncbussafety.org/motorcoach/Motorcoach04Jan2005/pdf

Cross References: Continuing Contracts (policy 6425), State Purchasing Requirements

for Equipment, Materials and Supplies (policy 6430), Local Purchasing Requirements for Equipment, Materials and Supplies (policy 6440), Purchase of Services (policy 6450), Insurance (policy 8340)

Adopted: April 10, 2000
Updated: July 1, 2009
Updated: December 8, 2010
Updated:

The school system computers, networks and other technological resources support the educational and administrative functions of the school system. Because employees and students depend on these systems to assist with teaching and learning and because sensitive and confidential information may be stored on these systems, system integrity and security is of utmost importance.

A. NETWORK AND INFORMATION SECURITY

The school system information technology systems are valuable assets that must be protected. To this end, school technology personnel shall evaluate each information technology asset and assign protective controls that are commensurate with the established value of such assets. Appropriate security measures must be in place to protect all information technology assets from accidental or unauthorized use, theft, modification or destruction and to prevent the unauthorized disclosure of restricted information. Network security measures must include an information technology system disaster recovery process. Audits of security measures must be conducted annually.

All personnel shall ensure the protection and security of information technology assets that are under their control.

B. SECURITY AWARENESS

The technology director or designee shall provide employees with information to enhance awareness regarding technology security threats and to educate them about appropriate safeguards, network security and information security.

C. MALWARE PROTECTION

Malware detection programs and practices must be implemented throughout the school system. The superintendent or designee is responsible for ensuring that the school system network includes current software to prevent the introduction or propagation of computer malware.

D. TRAINING FOR USE OF TECHNOLOGICAL RESOURCES

Users should be trained to use technological resources effectively and in a manner that maintains the security of the network infrastructure and ensures compliance with state and federal law and regulations. Such training should include information related to remote access, virus protection, the state student information and instructional improvement system applications network and information security, and other topics deemed necessary by the superintendent or technology director. Training may be conducted as part of the technology-

related professional development program (see policy 3220, Technology in the Educational Program).

E. ACCESS TO INFORMATION TECHNOLOGY SYSTEMS

Access to the school system's information technology assets will be controlled and managed to ensure that only authorized devices/persons have access.

1. User ID and Password

   All users of information technology systems must be properly identified and authenticated before being allowed to access such systems. The combination of an unique user identification and a valid password is the minimum requirement for granting access to information technology systems. Depending on the operating environment, information involved and exposure risks, additional or more stringent security practices may be required as determined by the superintendent or technology director. The technology director or designee shall establish password management capabilities and procedures to ensure the security of passwords.

2. Student Information System

   The technology director or designee shall ensure that all school system computers with access to the state student information system application pursuant to State Board of Education Policy TCS-C-018 adhere to relevant standards and requirements established by the State Board of Education, including provisions related to user identification and password and workstation security standards. Employees must follow all such standards when using any computers used to access the student information system, including when using the employee's personal computer.

3. Remote Access

   The superintendent and technology director may grant remote access to authorized users of the school system's computer systems. The technology director or designee shall ensure that such access is provided through secure, authenticated and carefully managed access methods.

Legal References: G.S. 115C-523, -524; State Board of Education Policy TCS-C-018

Cross References: Professional Development and Assistance (policy 1610/7800), Technology in the Educational Program (policy 3220), Internet Safety (policy 3226/4205), Technology Responsible Use (policy 3225/4312/7320), School Improvement Plan (policy 3430), Use of Equipment, Materials and Supplies (policy 6520)

Other References: *State of North Carolina statewide Information Security Manual (Enterprise Security and Risk Management Office, July 2013, available at* https://www.scio.nc.gov/library/pdf/Statewide_Information_Security_Manual_2013.pdf.

Adopted: July 1, 2009
Updated: January 14, 2013
Updated:

RECRUITMENT AND SELECTION OF PERSONNEL

Policy Code: **7100**

A. GENERAL PRINCIPLES

It is the policy of the board to provide all applicants for employment with equal employment opportunities and to provide current employees with training, compensation, promotion and other benefits of employment without regard to race, color, religion, national origin, sex, age or handicap, except when sex, age or physical requirements are essential occupational qualifications. All candidates shall be evaluated on their merits and qualifications for positions.

The board also is committed to diversity throughout the programs and practices of the school district. To further this goal, the recruitment and employment program should be designed to encourage a diverse pool of qualified applicants.

B. RECRUITMENT

Recruitment for a specific vacancy shall be undertaken only after the need and qualifications for the position are established and proper authorization is obtained.

All vacancies must be adequately publicized within the school system so that employees will be informed of opportunities for promotion or transfer to new jobs. Vacancies also may be publicized externally to attract qualified applicants.

C. CRIMINAL HISTORY

Applicants must notify the director of human resources immediately if they are arrested, charged with or convicted of a criminal offense (including entering a plea of guilty or *nolo contendere*) other than a minor traffic violation (i.e., speeding, parking or a lesser violation). Notice must be in writing, must include all pertinent facts and must be delivered to the executive director of human resources no later than the next scheduled business day following the arrest, charge or conviction, unless the applicant is hospitalized or incarcerated, in which case the applicant must report the alleged violation within 24 hours after his or her release. Upon judicial action in the matter, the applicant must report the disposition and pertinent facts in writing to the executive director of human resources no later than the next business day following adjudication.

A criminal history check and a check of sex offender registries must be conducted on all final candidates for employment with the school system.

Criminal history checks must be conducted in accordance with state law and any procedures established by the superintendent. School officials shall not require candidates to disclose expunged arrests, charges, or convictions and shall not ask candidates to voluntarily disclose such information without first advising that disclosure is not required. The superintendent or designee shall report to the State Board of Education any licensed individual who is found to have a criminal history, as required by the State Board policy.

A final candidate for employment for hiring as an independent contractor will be excluded from hiring on the basis of criminal conduct only when doing so is job-related and consistent with business necessity. If a final candidate is found to have been convicted of a criminal offense, other than a minor traffic violation, the superintendent shall determine whether the individual is qualified for employment despite the criminal history by considering, among other things, whether the individual poses a threat to the safety of students or personnel or has demonstrated that he or she does not have the integrity or honesty to fulfill the duties of the position. The following factors will be considered in making this determination: (1) the nature and gravity of the offense or conduct; (2) the time that has passed since the offense or conduct and/or completion of the sentence; and (3) the nature of the job sought. Before the superintendent may exclude a final candidate based on his or her past criminal convictions, the superintendent must give the candidate the opportunity to demonstrate that the exclusion does not properly apply to him or her. No individual who is a registered sex offender subject to the provisions of policy 5022, Registered Sex Offenders, will be hired for any position with the school system.

In addition, each contract executed by the board with an independent contractor or for the services of independent contractors must require the contractor to check sex offender registries as specified in policy 5022, Registered Sex Offenders.

D. SELECTION

1. Qualifications

Candidates for employment will be selected based upon their likely ability to fulfill duties identified in the job description as well as performance standards established by the board. In making the determination, the following information will be considered:

a. application;

b. education and training;
c. licensure and certification (when applicable);
d. relevant experience;
e. personal interviews; and
f. references and/or background checks.

2. Nepotism

When making recommendations for the selection and assignment of personnel, the superintendent shall attempt to avoid situations in which one employee occupies a position in which he or she has influence over the employment status, including hiring, salary and promotion, of another employee who is a member of the first employee's family. No administrative or supervisory personnel may directly supervise a member of his or her immediate family, defined as spouse, children, sibling or parents.

3. Employment Procedures

All applicants selected for employment must be recommended by the superintendent and approved by the board. In situations in which the employee must be hired between board meetings, the superintendent is authorized to approve hiring such personnel, contingent upon approval by the board at its next scheduled board meeting.

State guidelines must be followed in selection and employment procedures. The superintendent shall develop any other procedures necessary to implement this policy.

The superintendent shall develop procedures for verifying new employees' legal status or authorization to work in the United States as required by law.

Legal References: Age Discrimination in Employment Act of 1967, 29 U.S.C. 621 *et seq,*; Americans with Disabilities Act of 1990, 42 U.S. C. 12102 *et seq*.; Equal Educational Opportunities Act of 1974, 20 U.S.C. -1703; Equal Pay Act of 1963, 29 U.S.C. -206; Fair Credit Reporting Act, 15 U.S.C.-1681, *et seq.*; Military Selective Service Act, 550 U.S.C. approx. 453; Rehabilitation Act of 1973, 29 U.S.C.794; Title VII of the Civil Rights Acts of 1964, 42 U.S.C. 2000e *et seq.*; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 *et seq.*; Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. 4301 *et seq.*; 8 U.S.C. 1101 *et seq.*; G.S.

14-208.18; 114-19.2; 115C-36, -47, -332; 126-7.1(f), -16; 127A-202.1; 127B-10, -12, -14; 16 N.C.A.C. 6C.0313

Cross Reference: Registered Sex Offenders (policy 5022)

Adopted: May 1, 2000
Updated: April 6, 2009
Updated: August 3, 2009
Updated:

The board intends to fully comply with all licensure requirements of the No Child Left Behind Act of 2001 (NCLB), state law and state board of education policies. Except as provided below, a professional employee must hold at all times a valid North Carolina license appropriate to the position in which he or she is employed. 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. In addition, all professional teachers employed to teach core academic subjects must be "highly qualified" as required by NCLB. Core academic subjects include English, reading, or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history and geography.

The board encourages lateral entry into the teaching profession by skilled individuals from the private sector.

A. BEGINNING TEACHER SUPPORT

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 kept on file for review. The superintendent or designee shall submit an annual report on the Beginning Teacher Support Program to the Department of Public Instruction (DPI) by October 1 of each year. The report must include evidence of demonstrated proficiency on the Beginning Teachers Support Program Standards and evidence of mentor success in meeting Mentor Standards. The school system will also participate in implementing a regionally-based annual peer review and support system.

B. 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.

All licenses have a 5-year renewal cycle during which they must be renewed with 7.5 units of appropriate credit; 1.0 renewal credit for literacy, 1.0 renewal credit in the specific academic subject area, 1.5 renewal credits for technology and 4 general renewal credit. Credit is no longer given for teaching experience. Licenses are always dated to expire on June 30, and the renewal credit MUST be completed by that date. Credit may not be carried from one renewal cycle to the next. Course work may not be repeated within the 5-year cycle, and

duplications will not be allowed.

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, appropriateness of any credit offered in advance of renewal activities

C. PARENTAL NOTIFICATION

At the beginning of each school year, the school system 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 licensing requirements; whether the teacher has had any licensure requirements waived; what the teacher's bachelors degree major(s) is/are; what, other degrees and teaching license area(s) the teacher holds; and whether the child is provided services by a paraprofessional, and if so, the paraprofessional's qualifications.

The school system shall give notice within 10 school days to the parents of children who, after four consecutive weeks, have been taught a core academic subject by a teacher who is not highly qualified.

D. EQUITABLE DISTRIBUTION OF HIGHLY QUALIFIED TEACHERS

The superintendent shall develop a plan in accordance with DPI requirements to ensure that low-wealth, minority, learning disabled and/or English language learners are taught by experienced and highly qualified teachers to the same extent as are students who do not fall into these categories. If DPI does not require such 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: No Child Left Behind Act, 20 U.S.C. 6301 *et seq.;* 34 C.F.R. 200.55-57, 200.61; 20 U.S.C. 6319; 20 U.S.C. 7801(11);G.S. 115C-296, -325(e)(1)(m) (applicable to career status teachers), -325.4(a)(12) (applicable to non-career status teachers),-333, -333.1State Board of Education TCP-A-000, -001, -004, -016, -018, 021

Cross References:
Adopted: May 1, 2000 Updated: April 6, 2009 Updated: December 6, 2011

Updated: April 3, 2012
Updated:

The board recognizes the importance of incorporating current technology tools, including new methods of electronic communication, into the classroom to enhance student learning. It further recognizes the importance of employees, students and parents engaging, learning, collaborating and sharing in digital environments as part of 21st century learning. The board strives to ensure that electronic communication tools incorporated into the school curriculum are used responsibly and safely. As practicable, the board will provide access to secure social media tools and board approved technologies for use during instructional time and for school-sponsored activities in accordance with policies 3220, Technology in the Educational Program, and 3225/4312/7320, Technology Responsible Use.

The board acknowledges that school employees may engage in the use of social media during their personal time. School employees who use social media for personal purposes must be mindful that they are responsible for their public conduct even when not acting in their capacities as school system employees. All school employees, including student teachers and independent contractors shall comply with the requirements of this policy when using electronic social media for personal purposes.

For the purposes of this policy, "social media" includes, but is not limited to: personal websites, web logs (blogs), wikis, social network sites, online forums, virtual worlds, video-sharing websites and any other social media generally available to the public or consumers that does not fall within the board's technologies network (e.g., Web 2.0 tools, MySpace, Facebook, Twitter, LinkedIn, Flickr, YouTube).

A. SOCIAL MEDIA COMMUNICATIONS INVOLVING STUDENTS

Employees are to maintain professional relationships with students at all times in accordance with policies 4040/7310, Staff-Student Relations, and 7300, Staff Responsibilities. All electronic communications with students who are currently enrolled in the school system must be school-related and within the scope of the employees' professional responsibilities, unless otherwise authorized by this policy. School personnel may use only school-controlled technological resources and social media tools to communicate directly with students or to comment on student matters through use of the Internet. An employee seeking to utilize and/or establish a non-school-controlled social media website for instructional or other school-related purposes must have prior written approval from the superintendent or designee and principal and meet any applicable requirements of policies 3220, Technology in the Educational Program, 3225/4312/7320, Technology Responsible Use, and 3227/7322, Web Page Development.

The use of electronic media for communicating with students and parents is an extension of the employee's workplace responsibilities. Accordingly, the board expects employees to use professional judgment when using social media or

other electronic communications.

Employees are prohibited from knowingly communicating with current students through a personal social network page. An internet posting on a personal social media website intended for a particular student will be considered a form of direct communication with that student in violation of this policy. However, an employee may communicate with a student using personal social media networks to the extent the employee and student have a family relationship or other type of appropriate relationship which originated outside of the school setting. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, sport or religious organization.

B. EMPLOYEE PERSONAL USE OF SOCIAL MEDIA

The board respects the right of employees to use social media as a medium of self-expression on their personal time. As role models for the school system's students, however, employees are responsible for their public conduct even when they are not performing their job duties as employees of the school system. Employees will be held to the same professional standards in their public use of social media and other electronic communications as they are for any other public conduct. Further, school employees remain subject to applicable state and federal laws, board policies, administrative regulations and the Code of Ethics for North Carolina Educators, even if communicating with others concerning personal and private matters. If an employee's use of social media interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.

Employees are responsible for the content on their social media sites, including content added by the employee, the employee's friends or members of the public who can access the employee's site, and for Web links on the employee's site. Employees shall take reasonable precautions, such as using available security settings, to restrict students from viewing their personal information on social media websites and to prevent students from accessing materials that are not age-appropriate.

School employees are prohibited from accessing social networking websites for personal use during instructional time or with school system technological resources.

C. POSTING TO SOCIAL MEDIA SITES

Employees who use social media for personal purposes must be aware that the content they post may be viewed by anyone, including students, parents and

community members. Employees shall observe the following principles when communicating through social media:

1. Employees shall not post confidential information about students, employees or school system business.

2. Employees shall not accept current students as “friends” or “followers” or otherwise connect with students on their personal social media sites, unless the employee and the student have a family relationship or other type of appropriate relationship which originated outside of the school setting.

3. Employees shall not knowingly allow students access to their personal social media sites that discuss or portray sex, nudity, alcohol or drug use or other behaviors associated with the employees’ private lives that would be inappropriate to discuss with a student at school.

4. Employees may not knowingly grant students access to any portions of their personal social media sites that are not accessible to the general public, unless the employee and student have a family relationship or other type of appropriate relationship which originated outside of the school setting.

5. Employees shall be professional in all Internet postings related to or referencing the school system, students and other employees.

6. Employees shall not use profane, pornographic, obscene, indecent, lewd, vulgar or sexually offensive language, pictures or graphics or other communication that could reasonably be anticipated to cause a substantial disruption to the school environment.

7. Employees shall not use the school system’s logo or other copyrighted material of the system without express, written consent from the board.

8. Employees shall not post identifiable images of a student or student’s family without permission from the student and the student’s parent or legal guardian.

9. Employees shall not use internet postings to libel or defame the board, individual board members, students or other school employees.

10. Employees shall not use internet postings to harass, bully or intimidate other employees or students in violation of policy 1710/4021/7230, Prohibition Against Discrimination, Harassment and Bullying, or state and federal laws.

11. Employees shall not post inappropriate content that negatively impacts their ability to perform their jobs.

12. Employees shall not use Internet postings to engage in any other conduct that violates board policy and administrative procedures or state and federal laws.

D. CONSEQUENCES

School system personnel shall monitor online activities of employees who access the Internet using school technological resources. Additionally, the superintendent or designee may periodically conduct public Internet searches to determine if an employee has engaged in conduct that violates this policy. Any employee who has been found by the superintendent to have violated this policy may be subject to disciplinary action, up to and including dismissal.

The superintendent shall establish and communicate to employees guidelines that are consistent with this policy.

Legal References: U.S. Const. amend. I; Children's Internet Protection Act, 47 U.S.C. 254(h)(5); Electronic Communications Privacy Act, 18 U.S.C. 2510-2522; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; 17 U.S.C. 101 *et seq*.; 20 U.S.C. 6777; G.S. 115C-325(e) applicable to career status teachers), -325.4 (applicable to non-career status teachers); 16 N.C.A.C. 6C .0601, .0602; State Board of Education Policy TCP-C-014

Cross References: Prohibition Against Discrimination, Harassment and Bullying (policy 1710/4021/7230), Technology in the Educational Program (policy 3220), Technology Responsible Use (policy 3225/4312/7320), Web Page Development (policy 3227/7322), Copyright Compliance (policy 3230/7330), Staff-Student Relations (policy 4040/7310), Staff Responsibilities (policy 7300)

Adopted: February 2, 2012
Updated: January 14, 2013
Updated

The board recognizes that an effective staff is critical to the smooth operations of the school system and to creating a learning environment in which students can succeed. The board further believes that students will not excel in performance unless those who most directly affect students, including school administrators, teachers and other licensed professionals, excel in their performance.

A. STANDARD FOR CAREER STATUS

Career status with this system should be reserved for individuals of proven ability who strive for excellence. It is the intent of the board to grant career status only to those teachers who, based upon the superintendent's recommendation, exhibit a pattern of teaching behavior that exemplifies above-average performance at the end of the probationary period. The superintendent must be able to substantiate any recommendation for career status with evaluation data, as described in board policy 7810, Evaluation of Licensed Employees. Career status will not be granted unless the board is satisfied that the probationary employee has met the standards established by the board. Career status may be denied on any legally permissible basis following statutorily prescribed procedures.

An employee who has obtained career status with the school system is expected to continue to strive for excellence, meet all performance standards established by the board and pursue professional development as provided in policy 1610/7800, Professional and Staff Development. Any employee who is unable or unwilling to meet the reasonable standards of the board may be subject to demotion or dismissal as provided in policy 7930, Professional Employees: Demotion and Dismissal.

B. ELECTION OF A TEACHER TO CAREER STATUS

When a teacher has been employed in the school system for four consecutive years of service, the board, near the end of the fourth year, will vote on whether to grant the teacher career status. "Consecutive years of service" shall be determined in compliance with the provisions of G.S. 115C-325(c)(5). When a teacher who has already obtained career status in any North Carolina public school system and either changes school systems or returns to teaching after leaving the profession, the board will either grant career status immediately upon employing the teacher or vote on whether to grant career status after the teacher's first year of employment.

The board will vote on whether to grant career status to a teacher and will give the teacher written notice of the decision by June 15 or such later date as provided in G.S. 115C-325(m)(7).

For all proceedings initiated after August 31, 2010, all teachers eligible for career status have the right to a hearing before the board if the superintendent recommends that the board not grant the teacher career status for any reason other than a reduction in force. By no later than May 15, the superintendent shall provide written notice to the teacher of the superintendent's intent to recommend not granting career status and of the teacher's right, within 10 days of receipt of the superintendent's recommendation, (1) to request and receive written notice of the reasons for the superintendent's recommendation and the information that the superintendent may share with the board to support the recommendation; and (2) to request a hearing if the superintendent recommends that the board not grant career status for any reason other than a reduction in force. The failure to file a timely request within 10 days shall result in a waiver of the right to this information and any right to a hearing. If the teacher files a timely request for information, the superintendent shall provide the requested information within three calendar days and shall arrange for a hearing if one has been timely requested. The teacher shall be permitted to submit supplemental information to the board up to five calendar days before the hearing, or if the teacher has not requested a hearing, up to five calendar days before the board's decision whether to accept the superintendent's recommendation for nonrenewal.

The superintendent shall establish any procedures necessary to implement this policy.

Legal References: G.S. 115C-47(18), -325

Cross References: Professional and Staff Development (policy 1610/7800), Professional Personnel Reduction in Force (policy 7920), Professional Employees: Demotion and Dismissal (policy 7930), Probationary Teachers: Nonrenewal (policy 7950)

Adopted: May 1, 2000
Updated: April 6, 2009
Updated: April 13, 2010
Updated: December 8, 2010
Deleted:

The board recognizes the importance of establishing a clear contractual relationship with teachers employed by the school system. All teacher employment contracts entered into by the board will meet the requirements of state law and State Board of Education policy. For the purposes of this policy, the term "teacher" is defined as a person who meets the requirements of G.S. 115C-325.1(6). An individual who is employed under a part-time teacher contract does not meet this definition of teacher; however, the board's performance expectations established in this policy apply to such individuals.

Employment contracts for teaching will be granted or renewed only for individuals of proven ability who strive for excellence. Teachers should be familiar with the current statewide instructional standards for their teaching assignment and able to teach the curriculum effectively. The board expects teachers to facilitate student learning and effectively carry out the responsibilities of providing for a safe and orderly environment in which students learn and become college and career ready.

The board will employ teachers upon the recommendation of the superintendent. The superintendent is expected to be able to substantiate any new contract or renewed contract recommendation with data from the selection process for an applicant (see policy 7100, Recruitment and Selection of Personnel) and with evaluation data for a current teacher (see policy 7810, Evaluation of Licensed Employees). The superintendent's recommendation for a new or renewed contract must include the length of the term of the contract. For more information regarding a decision by the superintendent not to recommend that the board offer a teacher a renewed contract, see policy 7950, Non-Career Status Teachers: Nonrenewal.

If the board is not satisfied that an applicant or employee has met the standards established by the board, initial or continued employment will be denied, following any statutorily prescribed procedures.

A teacher who has or obtains a contract with the school system is expected to strive for excellence, meet all performance standards established by the board, state law, and State Board of Education policy, and pursue professional development as provided in policy 1610/7800, Professional and Staff Development. Any employee who is unable or unwilling to meet reasonable standards of the board, the standards of state law or the State Board of Education, or the terms of the employment contract may be subject to demotion or dismissal, as provided in policy 7930, Professional Employees: Demotion and Dismissal.

Legal References: G.S. 115C-36, -47(18), -325.1, -325.3 through -325.13; S.L. 2013-360; State Board of Education Policy TCP-D-009

Cross References: Professional and Staff Development (policy 1610/7800), Hearings

Before the Board (policy 2500), Recruitment and Selection of Personnel (policy 7100), Evaluation of Licensed Employees (policy 7810), Professional Employees: Demotion and Dismissal (policy 7930), Non-Career Status Teachers: Nonrenewal (policy 7950)

Adopted:

SCHOOL ADMINISTRATOR CONTRACTS *Policy Code:* **7425**

The board recognizes that an effective staff is critical to the smooth operations of the school system and to creating a learning environment in which students can succeed. The board further believes that students will not excel in performance unless those who most directly affect students, including school administrators, teachers and other licensed professionals, excel in their performance. For the purposes of this policy, the term "school administrator" is defined as a principal, assistant principal, supervisor or director whose major function includes the supervision of teaching or any other part of the instructional program.

School administrator contracts will be granted, extended or renewed only for individuals of proven ability who strive for excellence. School administrators should be able to facilitate student learning, and effectively carry out the responsibilities of providing for school safety, and enforcing student discipline. The superintendent is expected to be able to substantiate any recommendation for granting a new contract, extending a current contract or renewing a contract with evaluation data, as described in policy 7810, or with regard to applicants, with data from the selection process as provided in policy 7100. If the board is not satisfied that an applicant or employee has met the standards established by the board, employment will be denied, following statutorily prescribed procedures.

Initial contracts between a school administrator and the board will be for a term of two to four years. Four-year contracts will be granted only to exemplary school administrators. Absent unusual circumstances, two-year contracts will be granted for individuals who do not have experience as a school administrator. In addition, one-year contracts may be granted to individuals who hold a provisional assistant principal's certificate. Subsequent contracts between a principal or assistant principal and the board will be granted for a term of four years.

An employee who has a school administrator contract with the school system is expected to continue to strive for excellence, meet all performance standards established by the board, and pursue professional development as provided in policy 1610/7800, Professional and Staff Development. Any employee who is unable or unwilling to meet reasonable standards of the board may be subject to demotion or dismissal, as provided in policy 7930, Professional Employees: Demotion and Dismissal, and in accordance with statutorily prescribed procedures.

If the superintendent decides not to recommend that the board offer a school administrator a new, renewed or extended contract, the employee has all procedural rights accorded by G.S. 115C-287.1.

Legal References: G.S. 115C-36, -47(18), -284(c), -287.1, -289, -325.1 et seq

Cross References: Professional and Staff Development (policy 1610/7800), Hearings Before the Board (policy 2500), Recruitment and Selection of Personnel (policy 7100), Evaluation of Licensed Employees (policy 7810), Professional Employees: Demotion and Dismissal (policy 7930)

Adopted: May 1, 2000
Updated: April 6, 2009
Updated: August 3, 2009
Updated March 2, 2010
Updated:

The purpose of voluntary shared leave is to enable employees to donate earned leave to a fellow employee who has exhausted all earned leave and continues to be absent due to serious medical conditions.

Donations made pursuant to this policy are voluntary. No employee should feel pressured or coerced to participate. The donating employee may not receive compensation in any form for the donation of leave. Any employee found guilty of giving or receiving compensation may be subject to dismissal as outlined in applicable state law.

Administrative procedures in conformance with State Board of Education policies will be developed and made available in the personnel office.

Legal References: G.S. 115C-12.2, -47, -325 (applicable to career status teachers), -325.1 *et seq.*(applicable to non-career status teachers), -336; 16 N.C.A.C. 6C.0402; *North Carolina Public Schools Benefits and Employment Policy Manual (*N.C. Dept. of Public Instruction, current version), available at

http:www.ncpublicschools.org/docs/humanresources/district-personnel/key-information/policymanual.pdf

Cross References:

Adopted: May 1, 2000
Updated: August 3, 2009
Updated:

It is the responsibility of the board to maintain and improve the quality of the administrative leadership of the school system. A primary method used to carry out this responsibility is to assist the superintendent in improving his or her effectiveness. To this end, the board shall annually evaluate the superintendent against the performance standards described below. The board may use the evaluation process and guidelines established by the State Board of Education, including the *Rubric for Evaluating North Carolina Superintendents*, or such other processes and evaluation tools as the board chooses. Except in extraordinary circumstances, every board member shall be involved in the evaluation.

A. SUMMARY OF PERFORMANCE STANDARDS

The board sets for the superintendent the following standards as established by the State Board.

1. Strategic Leadership

   The superintendent shall continually reevaluate and adjust, as necessary, expectations, processes, and plans in an effort to help every student graduate from high school, globally competitive for work and postsecondary education and prepared for life in the 21st century. The superintendent shall promote a climate of inquiry that challenges the community to build on the school system's core values and beliefs about the preferred future and develop a pathway to reach it.

2. Instructional Leadership

   The superintendent shall set high standards for instruction and shall create professional learning communities that result in highly engaging instruction and improved student learning. The superintendent shall set specific achievement targets for schools and students and then require the consistent use of research-based instructional strategies to reach the targets.

3. Cultural Leadership

   The superintendent shall recognize the effect a school system's culture has on school performance. The superintendent shall gain an understanding of the people in the school system and community, their history, and their traditions and motivate them to actively support the school system's efforts to achieve individual and collective goals. While supporting and valuing the history, traditions, and norms of the school system and community, the superintendent shall "reculture" the school

system, if necessary, to improve learning and infuse the work of the adults and students with passion, meaning, and purpose.

4. Human Resource Leadership

   The superintendent shall create within the school system a professional learning community with processes and systems in place that provide for the recruitment, induction, support, evaluation, development, and retention of a high-performing, diverse staff. The superintendent shall use distributed leadership to support learning and teaching, plan professional development, and engage in school system leadership succession planning.

5. Managerial Leadership

   The superintendent shall ensure that the school system has processes and systems in place for budgeting, staffing, problem solving, communicating expectations, and scheduling that organize the work of the school system and give priority to student learning and safety. The superintendent must solicit operating and capital resources, monitor their use, and assure the inclusion of all stakeholders in decisions about resources so as to meet the 21st century needs of the school system.

6. External Development Leadership

   The superintendent, in concert with the local board, shall design structures and processes that result in broad community engagement with, support for, and ownership of the school system vision. Acknowledging that strong schools build strong communities, the superintendent shall proactively create opportunities for parents, community members, government leaders, and business representatives to invest resources, assistance, and good will in the school system.

7. Micropolitical Leadership

   The superintendent shall promote successful teaching and learning by understanding, responding to, and influencing the larger political, social, economic, legal, ethical, and cultural contexts. The superintendent shall bring his or her knowledge to the board and work with the board to define mutual expectations, policies, and goals for the success of the school system.

The board may also provide the superintendent with additional specific standards, expectations, goals, and objectives.

B. EVALUATION PROCESS

Each year, the superintendent must conduct a self-assessment of his or her own performance needs using the *Rubric for Evaluating North Carolina Superintendents* or another instrument selected by the board. This self-assessment will become the basis for setting preliminary goals for the upcoming school year.

The superintendent shall then meet with the board and share the results of the self-assessment and his or her plans for the next school year. Such plans should address areas that need improvement as well as areas of strength that should be expanded and enhanced. At this meeting, the superintendent and the board will establish the conditions of the annual evaluation, including (1) the scope and timeline of the evaluation; (2) the goals and other performance expectations of the board; (3) the evidence and documentation necessary to demonstrate the expected level of performance; (4) the potential consequences of poor performance; and (5) the potential benefits of exemplary performance. The superintendent may develop, suggest, or submit additional goals or initiatives for consideration by the board.

In preparation for the evaluation, the superintendent shall collect, analyze, and synthesize the evidence and documentation needed to demonstrate his or her performance throughout the year. This information will be provided to the board at least 30 days before the date of the annual evaluation.

Board members will independently rate the superintendent's performance using the *Rubric for Evaluating North Carolina Superintendents* or another instrument selected by the board. They will then meet to discuss their individual ratings and agree upon a single rating for each standard and each element associated with the standard. The board will make every effort to achieve consensus on the superintendent's ratings.

The superintendent and the board will meet to discuss the superintendent's self-assessment and the board's evaluation of the superintendent. Should additional data or documents need to be brought into the discussion, the board and superintendent will agree on the information needed for the review and a timeline for providing it for the board's consideration. At this meeting, the superintendent and the board will agree upon performance goals and recommendations for the subsequent school year.

Legal References: G.S. 115C-47, -271, -333(f); *North Carolina Superintendent Evaluation Process* (North Carolina Department of Public Instruction, September 2, 2010), available at
Cross References: Board and Superintendent Relations (policy 2010), Superintendent Contract (policy 7420)

Adopted:

PLANS FOR GROWTH and IMPROVEMENT of LICENSED EMPLOYEES

Policy Code: **7811**

The board expects all professionally licensed employees to maintain high levels of performance. If an employee does not meet this standard, the superintendent and administrative staff shall address any identified or other performance deficiencies through appropriate means, including placing the employee on monitored growth, directed growth or mandatory improvement plan when required by state law, State Board policy or this policy or when otherwise deemed necessary..

Growth and mandatory improvement plans as defined by law and this policy are valuable tools to promote the professional development of licensed employees. The board recognizes, however, that not all conduct and performance issues require the development of a plan. Administrators and supervisory personnel are authorized to address inappropriate conduct and/or inadequate performance using such other lawful means as they may deem appropriate. This policy shall not be interpreted to limit in any way the authority of administrators or other supervisory personnel to direct and reprimand licensed employees for inappropriate conduct or inadequate performance.

The superintendent shall develop procedures in accordance with state law, State Board guidelines and this policy as necessary to carry out the board's directives.

A. DEFINITIONS

1. As used in this policy, "teacher" means an individual defined as a teacher in G.S. 115C-325(a)(6)(for career status teachers) or G.S. 115C-325.1(6) (for non-career status teachers).

2. As used in this policy, "licensed employee(s)" includes school administrators as defined in G.S. 115C-325.1 (5) and teachers.

B. INDIVIDUAL, MONITORED AND DIRECTED GROWTH PLANS

1. Use of Growth Plans

   a. Teachers

      Teachers who receive an overall rating of at least "proficient" on all standards on the North Carolina Teacher Evaluation Rubric as indicated on the Teacher Summary Rating Form shall develop an

individual growth plan designed to improve performance on specifically identified standards and elements.

A teacher who is performing below a proficient level on the Teacher Summary Rating Form shall be placed on a monitored growth plan or a directed growth plan unless dismissal, demotion, nonrenewal or placement on a mandatory improvement plan (see Section C, below) is warranted. A monitored growth plan developed in accordance with State Board policy is required for a teacher who is rated "developing" on one or more standards of the North Carolina Teacher Evaluation Rubric. State Board policy also requires that a teacher who is rated "not demonstrated" on any standard or who is rated "developing" on any standard for two sequential years be placed on a directed growth plan. The superintendent may establish other criteria that will be deemed evidence that performance is below a proficient level or otherwise represents unsatisfactory or below standard performance and warrants placement on either a "monitored growth plan" or "directed growth plan".

Unless otherwise limited by state law or State Board policy, the principal is authorized to place a teacher on a monitored or directed growth plan or other plan of improvement at any point during the school year if the principal determines that the teacher if performing below the expected level.

b. School Administrators

Professional growth plans will be developed for school administrators as provided in State Board policy. A professional growth plan will include mutually agreed upon performance goals and recommendations based upon the school administrator's self-assessment, the consolidated assessment and the summary evaluation using the *North Carolina School Executive: Principal and Assistant Principal Evaluation Process.* Development of the professional growth plan will be discussed at a meeting between the school administrator and the superintendent or designee when completing the annual evaluation process.

The superintendent may move to dismiss or demote a licensed employee

whether or not the employee has been first placed on a growth or other improvement plan. See policy 7930, Professional Employees: Demotion and Dismissal.

1. **Components of Growth Plans**

Individual growth plan may contain, but are not limited to, any of the components listed below. However, monitored or directed growth plans must include at least the following components.

a. Identification of Deficiencies.

All performance deficiencies, including all specific standards and elements of the Teacher Evaluation Rubric identified for improvement during the teacher's evaluation, must be identified and addressed in the growth plan.

b. Performance Expectations and Goals

For each problem identified, the growth plan must include a statement of the expected level of performance and/or other goals to be accomplished.

c. Strategies

The growth plan must set forth a strategy or strategies designed to correct each identified deficiency. The strategies should be specific and clearly state~~d~~ the activities the teacher should undertake to achieve the expected level of performance. The~~y~~ strategies also should identify all individuals responsible for implementing the plan.

d. Dates for Monitoring and Completion.

The growth plan must include dates upon which the teacher's progress under the plan will be reviewed and the date by which performance is to be improved to the expected level. Under a monitored growth plan, the teacher must achieve proficiency within one school year. A directed growth plan may provide for a shorter period to achieve proficiency, not to exceed one school year.

2. Review of Growth Plans

   Individual and professional growth plans should be reviewed at least annually with the licensed employee's supervisor and/or the principal, the superintendent, or their designees, as applicable.

   In the case of a teacher's monitored or directed growth plan, once the designated time period for completion of the
   plan has elapsed, the principal shall review the teacher's performance, including the results of any subsequent evaluation and determine whether the teacher continues to "perform at a below the expected "not level in any area or whether the teacher's performance has improved sufficiently. If the teacher's performance remains below proficient the principal or supervisor shall recommend to the superintendent one of the following:

   a. the board dismiss the teacher or demote or transfer the teacher to a position in which the teacher can be successful

   b. the teacher be placed on a mandatory improvement plan in accordance with the provisions of section C below; or

   c. the teacher be moved to a new monitored or directed growth plan or continue on a previous growth plan that has been revised as necessary provided the principal or supervisor determines that:

      1) the teacher's continuing performance problems are not having an adverse impact on student learning or the school environment, or

      2) the teacher is making good progress toward improvement in deficient areas and is likely to improve to an acceptable level within a reasonable, additional time period.

C. MANDATORY IMPROVEMENT PLANS

A mandatory improvement plan is an instrument designed to improve a licensed employee's performance by providing the employee with notice of specific performance areas that have substantial deficiencies and a set of strategies, including the specific support to be provided to the employee, so that he or she

may satisfactorily resolve such deficiencies within a reasonable timeframe.

The use of mandatory improvement plans as provided in this policy is discretionary and will be determined on a case-by-case basis. Nothing in this policy will be interpreted so as to require the use of mandatory improvement plans in addition to, or in lieu of, growth plans or other disciplinary action, including dismissal from employment as provided by law.

1. Initiating a Mandatory Improvement Plan

    a. If a licensed employee in a low-performing school receives a rating on any standard on an evaluation that is below provicient or otherwise represents unsatisfactory or below standard performance in an area that the licensed employee was expected to demonstrate, the individual or team that conducted the evaluation shall recommend to the superintendent that (i) the employee receive a mandatory improvement plan designed to improve the employee's performance or (ii) the superintendent recommend to the board that the employee be dismissed or demoted. If the individual or team that conducted the evaluation elects not to make either of the above recommendations, the said individual or team shall notify the superintendent of this decision. The superintendent shall determine whether to develop a mandatory improvement plan or to recommend a dismissal proceeding.

    b. Teachers in Schools Not Identified as Low-Performing

        If, in an observation report or year-end evaluation, a teacher in a school not identified as low-performing receives a rating that is below proficient or otherwise represents unsatisfactory or below standard performance on any standard that the teacher was expected to demonstrate, the principal may place the employee on a mandatory improvement plan. The mandatory improvement plan will be utilized only if the superintendent or designee determines that an individual, monitored or directed growth plan would not satisfactorily address the deficiencies.

    c. Any Licensed Employees Engaging in Inappropriate Conduct or Performance

A principal may recommend to the superintendent or designee that a licensed employee be placed immediately on a mandatory improvement plan if the employee engages in inappropriate conduct or performs inadequately to such a degree thtat the conduct or performance causes substantial harm to the educational environment, but immediate dismissal or demotion of the employee is not appropriate. The principal must document the exigent reason for immediately instituting such a plan.

2. Components of the Plan

A mandatory improvement plan for any licensed employee must include the following components.

a. Identification of Deficiencies

The performance areas in which the employee is deficient must be identified and addressed in the mandatory improvement plan.

b. Performance Expectations

For each problem identified, the plan must include a statement of the expected level of performance.

c. Strategies

The plan must establish a strategy or strategies designed to correct each identified deficiency. The strategies should be specific and clearly state the activities the employee should undertake to achieve the expected level of performance and the specific support to be provided to the employee. The strategies also should identify all individuals responsible for implementing the plan.

d. Dates for Monitoring and Completion

The plan must include dates upon which the employee's progress under the plan will be review and the date by which

performance is to be improved to the expected level.

3. Development and Implementation of the Plan

   a. Licensed Employees in Low-Performing Schools

      When directed by the superintendent, a mandatory improvement plan to improve the performance of a licensed employee will be developed by the person who evaluated the licensed employee or the employee's supervisor, unless the evaluation was conducted by an assistance team. If the evaluation was conducted by an assistance team, that team shall develop the mandatory improvement plan in collaboration with the employee's supervisor. Mandatory improvement plans will be designed to be completed within 90 instructional days or before the beginning of the next school year.

   b. Teachers in Schools Not Identified As Low-Performing

      When a principal decides to put a teacher on a mandatory improvement plan, the principal shall develop the plan in consultation with the teacher. The teacher shall have five instructional days after receiving the plan to request a modification to the plan before it is implemented. The principal must consider the requested modification before finalizing the plan. The teacher shall have at least 60 instructional days to complete the mandatory improvement plan.

      A teacher has five workdays after finalization of the mandatory improvement plan within which to submit a request to the principal for a qualified observer, as defined in G.S. 115C-333.1(c)(1), to observe the teacher in the area or areas of concern identified in the plan. In accordance with G.S. 115C-333.1(c)(2), the board will create and maintain a list of qualified observers who are employed by the board and available to conduct observations. The board will strive to limit the list to administrators and teachers who have excellent reputations for competence and fairness.

Selection of the qualified observer and submission of the qualified observer's report to the principal will be in accordance with G.S. 115C-333.1(c)(3).

4. Reassessment

   a. Licensed Employees in Low-Performing Schools

      After the expiration of the time period for the mandatory improvement plan, the superintendent or designee or the assistance team shall assess the employee's performance. If the assessor determines that the employee has failed to become proficient in any of the performance standards articulated in the mandatory improvement plan or to demonstrate sufficient improvement toward such standards, the superintendent shall recommend that the employees be dismissed or demoted under applicable state law.

   b. Teachers in Schools Not Identified as Low-Performing

      Upon completion of a mandatory improvement plan, the principal or supervisor shall assess the performance of the employee, For teachers, the principal shall also review and consider any report provided by the qualified observer if one has been submitted before the end of the mandatory improvement plan period. If, after the assessment of the employee and consideration of any report from the qualified observer, the superintendent or designee determines that the teacher has failed to become proficient in any of the performance standards identified as deficient in the mandatory improvement plan or demonstrate sufficient improvement toward such standards, the superintendent may recommend that the employee be dismissed or demoted under G.S. 115C-325.

Legal Reference: G.S. 115C-325 (applicable to career status teachers), -325.1 *et seq.* (applicable to non-career status teachers), -333, -333.1; State Board of Education Policy TCP-C-004, TCP-C-005

Cross References: Professional and Staff Development (policy 1610/7800), Evaluation

of Licensed Employees (policy 7810), Professional Employees: Demotion and Dismissal (policy 7930)

Adopted: May 1, 2000
Updated: March 3, 2010
Updated: November 4, 2010
Updated: December 5, 2011
Updated:

PERSONNEL FILES

Policy Code: **7820**

Personnel files, which may consist of paper or electronic records, will be maintained in the human resources office for all employees as provided by law. The superintendent and all supervisors are directed to ensure that all appropriate employment-related information is submitted to the file. Employees will be provided with all procedural protections as provided by law.

The superintendent shall have overall responsibility for granting or denying access to personnel records consistent with this policy.

A. RECORDS MAINTAINED

The following records must be maintained in the personnel file:

1. evaluation reports made by the administration;
2. commendations for and complaints against the employee (see subsection C);
3. written suggestions for corrections and improvements made by the administration;
4. certificates;
5. employee's standard test scores;
6. employee's academic records;
7. application forms;
8. any request to the State Board of Education to revoke the employee's teaching license; and
9. other pertinent records or reports.

B. CERTAIN EMPLOYEE RECORDS MAINTAINED SEPARATELY

The following employee information shall be kept separate from the employee's general Personnel information, in accordance with legal and/or board requirements:

1. Pre-Employment Information

   Letters of reference about an employee before his or her employment and, for teachers, any other pre-employment information collected, will be filed separately from the employee's general personnel information and shall not be made available to the employee.

2. Criminal Record Check

Data from a criminal history check shall be maintained in a locked secure location separate from the employees personnel file. The superintendent shall designate which school officials have a need to know the results of the criminal history check. Only those officials so designated may obtain access to the records.

3. Medical Information

Employee medical information, including the following, shall be kept in a separate confidential file and may be subject to disclosure rules:

a. health certificates (see board policy 7120, Employee Health Certificates);
b. drug test results, except that drug use or alcohol use contrary to board policy or law also may be documented in the employee's personnel file (see board policy 7241, Drug and Alcohol Testing of Commercial Motor Vehicle Operators);
c. information related to an employee's communicable disease/condition or possible occupational exposure to bloodborne pathogens (see board policies 7260, Occupational Exposure to Bloodborne Pathogens, and 7262, Communicable Diseases – Employees);
d. medical information related to leave under the Family and Medical Leave Act (see board policy 7520, Family and Medical Leave); and
e. genetic information, as defined by the Genetic Information Nondiscrimination Act of 2008

4. Complaints/Reports of Harassment or Discrimination

The superintendent or his or her designee shall maintain records of all reports and complaints of harassment and discrimination and the resolution of such complaints. Allegations of harassment or discrimination shall be kept confidential to the extent possible. Employees involved in the allegations shall be identified only to individuals who need the information to investigate or resolve the matter or to ensure that due process is provided to the accused employee, (see board policies 1710/4021/7230, Prohibition Against Discrimination, Harassment and Bullying, and 1720/4015/7225, Discrimination, Harassment and Bullying Complaint Procedure.

If the allegations are substantiated through investigation, the superintendent or designee shall ensure that the provisions of Section C, below, are followed to the extent that they do not conflict with the rights of any individual.

C. PLACEMENT OF RECORDS IN PERSONNEL FILE

All evaluations, commendations, complaints or suggestions for correction or improvement must be placed in the central office personnel file after the following requirements are met:

1. the comment is signed and dated by the person making the evaluation, commendation, complaint or suggestion;

2. if the comment is a complaint, the employee's supervisor has attempted to resolve the issue raised therein, and documentation of such efforts is attached with the supervisor's recommendation to the superintendent as to whether the complaint contains any invalid, irrelevant, outdated or false information; and

3. the employee has received a copy of the evaluation, commendation, complaint or suggestion five days before it is placed in the file.

All written complaints that are signed and dated must be submitted regardless of whether the supervisor considers the complaint to be resolved.

The supervisor is expected to use good judgment in determining when documents should be submitted to the file immediately and when a delay is justified, such as when there exists a plan of improvement that is frequently revised. However, all evaluations, commendations, complaints or suggestions for correction or improvement should be submitted by the end of the school year or in time to be considered in an evaluation process, whichever is sooner. The supervisor or principal should seek clarification from the director of human resources as necessary to comply with this policy.

The employee may offer a denial or explanation of the evaluation, commendation, complaint or suggestion, and any such denial or explanation shall become part of his or her personnel file provided that it is signed and dated.

The superintendent may exercise statutory authority not to place in an employee's file a letter of complaint that contains invalid, irrelevant, outdated or false information or a letter of complaint ~~in situations~~ when there is no documentation of an attempt to resolve the issue.

As provided in policy 7900, Resignation, if a career employee who has been recommended for dismissal under the applicable state law resigns without the written consent of the superintendent, then (1) the superintendent shall report the matter to the State Board of Education; (2) the employee shall be deemed to have consented to the placement of the written notice of the superintendent's intention to recommend dismissal in the employee's personnel file; and (3) the employee shall be deemed to have consented to the release to prospective employers, upon request, of the fact that the superintendent has reported this employee to the State Board of Education. For purposes of this provision, "career employee" means (1) a teacher or an administrator with career status, or (2) an administrator or a non-career status teacher during the term or his or her contract.

D. ACCESS TO PERSONNEL FILE

1. Every employee shall have the right during regular working hours to inspect his or her personnel file, including any portions of the file maintained in electronic format only, during regular working hours, provided that three days notice is given to the personnel office.

2. The following persons may be permitted to access to a personnel file without the consent of the employee about whom the file is maintained:

    a. those school officials involved in the screening, selection, or evaluation of the individual for employment or other personnel action; and

    b. members of the Board of Education, if the examination of the file relates to the duties and responsibilities of the board member;

    c. the board attorney;

    d. the superintendent and other supervisory personnel;

    e. the hearing officer in a demotion or dismissal procedure regarding the employee; and

f. law enforcement and the District Attorney to assist in the investigation of a report made to law enforcement pursuant to G.S. 115C-288(g) or regarding an arson; an attempted arson; or the destruction of, theft from, theft of, embezzlement from, or embezzlement of any personal or real property owned by the board. Five days written notice shall be given to the employee prior to such disclosure.

3. No other person may have access to a personnel file except under the following circumstances:

   a. when an employee gives written consent to the release of his or her records which specifies the records to be released and to whom they are to be released;

   b. pursuant to court order a subpoena or court order; or

   c. when the board has determined and the superintendent has documented that the release or inspection of information is essential to maintaining the integrity of the board or the quality of services provided by the board.

4. Each request for consent to release records must be handled separately.

5. It is a criminal violation for an employee or board member to do either of the following:

   a. knowingly, willfully and with malice permit any unauthorized person to have access to information contained in a personnel file; or

   b. knowingly and willfully examine, remove or copy a personnel file that he or she is not specifically authorized to access pursuant to G.S. 115C-321.

E. INFORMATION AVAILABLE TO PARENTS OF STUDENTS ATTENDING TITLE I SCHOOLS

The following information about a student's teacher(s) or paraprofessional(s) providing services to a student shall be provided upon request to the parent of a student attending a Title I school:

1. whether the teacher has met North Carolina qualification and licensing criteria for the grade level(s) and subject area(s) in which the teacher provides instruction;

2. the teacher's baccalaureate degree major and any post-graduate certification or degree held;

3. whether the teacher is teaching under emergency or other provisional status through which North Carolina qualification or licensing criteria have been waived; and

4. the qualifications of any paraprofessional providing services to the student.

F. Public Information

1. The following information contained in an employee's personnel file must be open to inspection upon request by members of the general public;

   a. name;
   b. age;
   c. date of original employment or appointment;
   d. the terms of any past or current contract by which the employee is employed, whether written or oral, to the extent that the board has the written contract or a record of the oral contract in its possession;
   e. current position;
   f. title;
   g. current salary (includes pay, benefits, incentives, bonuses, deferred compensation, and all other forms of compensation paid to the employee);
   h. the date and amount of each increase or decrease in salary with the board;
   i. the date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with the board;
   j. the date and general description of the reasons for each promotion with the board;
   k. the date and type of each dismissal, suspension or demotion for disciplinary reasons taken by the board and if the disciplinary action was a dismissal, a copy of the written notice of the final decision of the board setting forth the specific acts or omissions that are the basis of the dismissal; and
   l. the office or station to which the employee is currently assigned

2. The name of a participant in the North Carolina Address Confidentiality Program is not a public record, is not open to inspection, and must be redacted from any records released.

3. Volunteer records are not considered public records.

4. Unless an employee submits a written objection to the human resources office, the board also may make the following information available about each employee as part of an employee directory:

   a. address;
   b. telephone number;
   c. photograph;
   d. participation in officially recognized activities and sports; or
   e. degrees and awards received.

5. Employees will be notified of their right to object before any such directory is compiled or revised.

6. Under no circumstances shall the following be released pursuant to a public records request or as part of an employee directory:

   a. personal identifying information, as defined board policy 4705/7825, Confidentiality of Personal Identifying information; or
   b. the name, address or telephone number of a participant in the North Carolina Address Confidentiality Program.

G. REMOVAL OF RECORDS

An employee may petition the board to remove any information from his or her personnel file that the employee deems invalid, irrelevant or outdated.

Legal References: Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. 2000ff *et seq.;* No Child Left Behind Act of 2001, Pub.L.No. 107-110 § 1111(h)(6), G.S. 114-19.2; 115C-36, -47(18), -209.1, -288(g), -319 to -321, -325(b); and (o) (applicable to career status teachers), -325.2 and -325.9 (applicable to non-career status teachers); 16 NCAC 06C .0313

Cross Reference: Prohibition Against Discrimination, Harassment and Bullying (policy 1710/4021/7230), Sexual Harassment Complaint Procedure (policy 1755/7237), Confidential Information (policy 2125/7315), North Carolina Address Confidentiality

Program (policy 4250/5075/7316), Confidentiality of Personal Identifying Information (policy 4705/7825), Public Records (policy 5070), Employee Health Certificates (policy 7120), Drug and Alcohol Testing of Commercial Motor Vehicle Operators (policy 7241), Occupational Exposure to Bloodborne Pathogens (policy 7260), Communicable Diseases – Employees (policy 7262), Family and Medical Leave (policy 7520), Petition for Removal of Personnel Records (policy 7821), Resignation (policy 7900)

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PETITION FOR REMOVAL OF PERSONNEL RECORDS

Policy Code: **7821**

Any employee may petition the board of education to have removed from his or her personnel file any information that the employee believes to be invalid, irrelevant or outdated. The board may order the superintendent to remove said information if it finds the information is invalid, irrelevant or outdated.

1. The petition must be in writing, signed by the employee and submitted to the director of human resources.

2. The petition must identify the specific information in question and the reasons for claiming it is invalid, irrelevant or outdated.

3. The written petition and the information in question, together with a recommendation from the superintendent or designee, must be submitted by the administration to a panel of the board consisting of not less than two members appointed by the chairperson.

4. The board panel must review the petition and the information in question and may make a decision including, but not limited to, the following:

    a. deny the request for removal;

    b. make a specific finding that the information in question is "invalid, irrelevant or outdated" and instruct the superintendent to remove the information in question from the employee's personnel file;

    c. make a specific finding that the information in question is "invalid, irrelevant or outdated", but decide to leave the information in question in the employee's personnel file and add to the personnel file a copy of the petition, the superintendent's recommendation and the panel's findings;

    d. request more written information from the petitioner and/or the person who submitted the information in question for placement in the petitioner's personnel file;

    e. schedule a hearing to allow both parties to present additional information; or

    f. such other appropriate action as the panel may deem proper.

5. The decision of the panel will constitute the decision of the full board.

Legal References: G.S. 115C-36, -47, 325(b) (applicable to career status teachers), -325.2 (applicable to non-career status teachers)

Cross References:

Adopted: May 1, 2000
Updated: August 3, 2009
Updated:

A. PROFESSIONAL EMPLOYEES

Professional employees who intend to resign for any reason are encouraged to indicate their plans in writing at as early a date in the school year as possible, such as when plans become firm and/or the decision to leave the school district is made. Employees in administrative positions are required to give a 60 day notice unless the superintendent consents to a shorter notice period.

A resignation becomes effective at the end of the school year in which it is submitted. A resignation for any other time requires a 30 days' notice unless the superintendent consents to a shorter notice period.

If a teacher has not been recommended for dismissal but fails to meet the notice requirements and the superintendent does not consent to a waiver of notice, the superintendent shall inform the board and recommend to the board whether a request should be made to the State Board of Education to revoke the teacher's license for the remainder of the school year. The superintendent shall place a copy of the request in the teacher's personnel file.

If a teacher who has been recommended for dismissal under the applicable state law resigns without the written consent of the superintendent, then: (1) the superintendent shall report the matter to the State Board of Education; (2) the employee shall be deemed to have consented to the placement of the written notice of the superintendent's intention to recommend dismissal in the employee's personnel file; (3) the employee shall be deemed to have consented to the release to prospective employers, upon request, of the fact that the superintendent has reported this employee to the State Board of Education; and (4) the employee shall be deemed to have voluntarily surrendered his or her certificate pending an investigation by the State Board of Education to determine whether to seek action against the employee's certificate.

B. ALL EMPLOYEES

Letters of resignation must be submitted to the superintendent. Resignations may be accepted, on behalf of the board, by the superintendent or his or her designee. To help ensure the smooth operations of the schools, a 30 day notice is requested whenever possible.

Each employee who is leaving the school district may arrange to meet with any director, supervisor or administrator to discuss his or her reasons for leaving and

to identify any practices or policies which he or she feels are detrimental to the objectives of the school district. To the extent possible, statements made by employees will be confidential.

Legal References: G.S. 115C-47, -325(e), -325(o) (applicable to career status teachers), 325.4 and -325.9 (applicable to non-career status employees)

Cross References: Personnel Files (policy 7820), Professional Employees: Demotion and Dismissal (policy 7930)

Adopted: May 1, 2000
Updated: August 3, 2009
Updated: November 4, 2010
Updated: March 8, 2011
Updated:

PROFESSIONAL
PERSONNEL REDUCTION IN FORCE

PolicyCode: **7920**

The purpose of this policy is to establish an orderly procedure for reducing the number of licensed, professional employees of the school system.

A. GROUNDS FOR REDUCTION IN FORCE

A reduction in force may be implemented when the board determines that any of the following circumstances have resulted in the need to decrease the number of licensed professional positions:

1. System Reorganization

   System reorganization is defined as (a) the closing, consolidation or reorganization of schools, school buildings or facilities (b) the elimination, curtailment or reorganization of a curriculum offering, program or school operation; or (c) the merger of two or more school systems.

2. Declining Enrollment

   Declining enrollment exists (a) when the enrollment or projected enrollment for the next succeeding school year causes a decrease in the number of teaching or administrative positions allocated by the State or any other funding source; or (b) when the enrollment or projected enrollment of a curriculum offering or program for the next succeeding school year is inadequate to justify continuation of the course or program.

3. Financial Exigency

   Financial exigency means (a) any significant decline in the board financial resources that compels a reduction in the school system's current operational budget; (b) any significant decrease or elimination in funding for a particular program; (c) or any insufficiency in funding that would render the board unable to continue existing programs at current levels.

B. PRELIMINARY DETERMINATION

1. The superintendent shall determine whether or not a reduction in force for licensed employees is necessary, appropriate or in the best interests of the school system.

2. If the superintendent decides to recommend to the board a reduction in force, he or she shall first determine which licensed positions shall be subject to the reduction. In making that determination, the superintendent shall account for both:

   a. structural considerations, such as identifying positions, departments, courses, programs, operations and other areas where there are (1) less essential, duplicative or excess personnel; (2) job responsibility and/or position inefficiencies; (3) opportunities for combined work functions; and/or (4) decreased student or other demands for curriculum, programs, operations or other services; and

   b. organizational considerations, such as anticipated organizational needs of the school system and program/school enrollment.

3. The superintendent shall then present a recommendation to the board. The recommendation must include:

   a. the grounds for reduction in force;

   b. the licensed ~~s~~ positions to be reduced, categorized by area(s) of licensure and/or program responsibility; and

   c. the background information, data and rationale for the recommendation.

4. The board will review the superintendent's recommendation and will determine whether to reduce the number of licensed employees or to reduce their terms of employment.

5. If the board, after exploring, considering and discussing a variety of ways to avoid a reduction in force, determines that a reduction in force of licensed employees is necessary, the superintendent shall recommend to

the board which individuals are to be dismissed, demoted or reduced to part-time employment, based on the criteria set forth below.

C. CRITERIA

The primary consideration in any reduction in force will be the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the school system. The superintendent shall consider a variety of factors, including the following in determining which employees will be included in the reduction in force:

1. performance ratings;
2. areas of licensure;
3. highly qualified status;
4. program enrollment;
5. service in extra duty positions and ability to fill such positions;
6. length of service, with higher priority given to service in this school system; and
7. degree level.

The superintendent shall develop a system for using the above-mentioned factors to determine which employees will be recommended to the board for inclusion the reduction in force.

D. PROCEDURE FOR TERMINATION

The board will consider the superintendent's recommendation and may, by resolution, order dismissal or demotion of an individual or reduce an individual to part-time employment. All requirements of G.S. 115C-325 (for teachers with career status) and 115C-325.6 (for non-career status teachers) will be met, including time limits and procedures for notice and opportunity for a hearing, when any teacher with career status (as defined in G.S. 115C-325) or teacher or administrator (as defined in G.S. 115C-325.1) is terminated, demoted or reduced to part-time employment due to reduction in force.

E. TERMINATION/REEMPLOYMENT OF A CAREER EMPLOYEE

When a teacher with career status is dismissed in accordance with this policy, his or her name will be placed on a list of available employees to be maintained by the board.

F. NONRENEWAL OF AN EMPLOYEE

The board, upon recommendation of the superintendent, may refuse to renew the contract of a non-career status teacher ; to offer a new, renewed or extended contract to a school administrator; or to reemploy any non-career status teacher who is not under contract for any cause it deems sufficient (see policy 7950, Non-Career Status Teachers; Nonrenewal). A decision (1) not to renew a non-career status teacher's contract, (2) not to renew, extend or offer a new contract to a school administrator or (3) to not reemploy any non- career status teacher who is not under contract is not considered a "termination" under this policy. In such circumstances the procedures set forth in this policy are not required to be followed before the board's decision.

Legal References: G.S. 115C-325 (applicable to career status teachers), -325.4, -325.6 to -325.9 (applicable to non-career status teachers); S.L. 2011-145

Cross References: Non-Career Status Teachers: Nonrenewal (policy 7950)

Adopted: May 1, 2000
Updated: May 4, 2009
Updated: September 14, 2011
Updated:

PROFESSIONAL EMPLOYEES: DEMOTION AND DISMISSAL

Policy Code: **7930**

The board recognizes that an effective staff is critical to the smooth operations of the school system and to creating a learning environment where students are able to succeed. When an employee is unable or unwilling to meet performance expectations, the supervisor and superintendent should consider whether dismissal or demotion is appropriate.

Evaluators of career employees are expected to follow policy 7810, Evaluation of Licensed Employees policy 7820 Personnel Files, and policy 7811, Plans for Growth and Improvement of Licensed Employees. Evaluators of career or probationary employees should provide the superintendent with carefully documented evidence concerning a person's inadequacies and lack of competencies when such deficiencies have led to the recommendation and contemplation of dismissal or demotion. These documents also should show ways in which the evaluator has endeavored to help the employee become a more effective professional. In the interest of students and the welfare of the school system, dismissal or demotion may be pursued regardless of whether the evaluator has met these expectations and regardless of whether the employee has first been placed on a growth plan or mandatory improvement plan, so long as the legal grounds for seeking dismissal or demotion can be sufficiently demonstrated.

All legally required or procedures, including those prescribed in the applicable state law, will be followed in the dismissal or demotion of career and probationary employees. Career status teachers, non-career status teachers during the terms of their contracts and school administrators during the terms of their contracts may be dismissed only for the following reasons:

1. inadequate performance, as defined by the applicable state statute:
2. immorality;
3. insubordination;
4. neglect of duty;
5. physical or mental incapacity;
6. habitual or excessive use of alcohol or non-medical use of a controlled substance as defined in Article5 of Chapter 90 of the General Statutes;
7. conviction of a felony or a crime involving moral turpitude;
8. advocating the overthrow of the government of the United States or the state of North Carolina by force, violence, or other unlawful means;

9. failure to fulfill the duties and responsibilities imposed upon teachers or school administrators by the General Statutes;
10. failure to comply with such reasonable requirements as the board my prescribe;
11. any cause that constitutes grounds for the revocation of an employee's teaching or school administrator license;
12. a justifiable decrease in the number of positions due to school system reorganization or decreased enrollment, or decreased funding, provided that there is full compliance with other statutory requirements;
13. failure to maintain one's license in current status;
14. failure to repay money owed to the State in accordance with the provisions of Article 60, Chapter 143 or the General Statutes; and
15. providing false information or knowingly omitting a material fact on an application for employment or in response to pre-employment inquiry.

Resignation by a teacher who has been recommended for dismissal under the applicable state statute is subject to the provisions of policy 7900, Resignation.

Legal References: G.S. 90 art. 5; 115C-287.1, -307, -325, (applicable to career status teachers),-325.1 *et seq* (applicable to non-career status teachers), -333, -333.1; 143 art. 60; 16 N.C.A.C 6C .0502

Cross References: Professional and Staff Development (policy 1610/7800), Staff Responsibilities (policy 7300), Job Descriptions (policy 7400), Evaluation of Licensed Employees (policy 7810), Plans for Growth and Improvement of Licensed Employees (policy 7811), Personnel Files (policy 7820), Resignation (policy 7900, Non-Career Status Teachers: Nonrenewal (policy 7950)

Adopted: May 1, 2000
Updated: April 6, 2009
Updated: March 3, 2010
Updated: December 5, 2011
Updated:

NON- CAREER STATUS TEACHERS: NONRENEWAL

Policy Code: **7950**

The board, upon recommendation of the superintendent, may refuse to renew the contract of any non-career status teacher for any cause it deems sufficient, so long as the cause is not arbitrary, capricious, and discriminatory or for personal or political reasons.

If the superintendent decides to recommend nonrenewal of a non-career status teacher, the superintendent shall provide written notice of the recommendation no later than June 1. The teacher may, within 10 days of receipt of the superintendent's recommendation, request written notice of the reasons for the superintendent's recommendation for nonrenewal and the information that the superintendent may share with the board to support the recommendation for nonrenewal. If a teacher files a timely request, the superintendent shall provide the requested information, and the teacher will be permitted to submit supplemental information to the superintendent and board prior to the board's decision.

A non-career status teacher has the right to petition the board for a hearing regarding the superintendent's recommendation for nonrenewal. If the teacher requests a hearing, the board chair and vice chair will confer and determine whether such a hearing will be granted. If the chair and vice chair cannot agree, a hearing will be granted. (Note: It is within the board's discretion to determine how it will decide whether to grant a discretionary hearing. This method is a suggestion, and it may be modified to incorporate the board's current practice.

The board will notify the teacher of its decision whether to grant a hearing.

The board will notify the non-career status teacher whose contract will not be renewed for the next school year of its decision by June 15. If, however, a teacher is granted a hearing, the board will provide the nonrenewal notification within 10 days of the hearing or such later date upon the written consent of the superintendent and teacher.

Non-career status teachers may be demoted or dismissed during the terms of their contracts only in accordance with policy 7930, Professional Employees: Demotion and Dismissal.

Legal References: G.S. 115C-45(c), -325.1 *et seq.*

Cross References: Teacher Employment Contracts (policy 7410), Professional Personnel Reduction in Force (policy 7920), Professional Employees: Demotion and Dismissal (policy 7930)

Adopted: April 13, 2010
Updated: March 8, 2011
Updated: July 12, 2011
Updated: December 5, 2011
Updated:

SECURITY OF FACILITIES

Policy Code: **9220**

Security of school district facilities is an important part of maintaining a safe learning environment for students and staff and for protecting the investments of the school system. The superintendent or designee shall develop and implement programs or procedures as necessary to meet, at a minimum, the following board requirements for security of facilities.

1. All school system buildings must use a security control system that will limit access to keys or other building entry devices to authorized personnel and will safeguard against unauthorized individuals gaining entry to buildings.

2. The superintendent is responsible for determining the need for and responsibilities of security personnel and will make recommendations as appropriate to the board for funding security personnel positions or contracts.

3. The superintendent must provide local law enforcement and emergency management agencies with schematic diagrams of all school facilities and provide them 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. The superintendent must provide local law enforcement agencies with keys to the main entrance of all school facilities.

4. Principals will make reasonable efforts to secure buildings and other valuable property on school grounds when the school is closed or vacated.

5. Teachers will make reasonable efforts to secure their assigned classrooms or other designated space when the school is closed or vacated or when the classroom or other designated space is not in use.

6. Principals are encouraged to involve teachers, other school staff, parents, students and law enforcement in identifying the security needs of the school.

7. Principals will implement programs or make recommendations to the superintendent and board as appropriate to address the security needs of the school.

Other board policies regarding the maintenance of facilities, safety and visitors to the school also are important to maintaining the security of the school environment. All professional employees and other employees with job duties related to the security of the facilities are responsible for being familiar with these policies and carrying out duties specified by board policies or the superintendent or his or her designee.

Legal References: G.S. 115C-276(c), -288(f), -307(h), -523, -524; S.L. 2013-360

Cross References: School Safety (policy 1510/4200/7270), Visitors to the Schools (policy 5020), Relationship with Law Enforcement (policy 5120), Use of Equipment, Materials and Supplies (policy 6520), Vandalism (policy 6550), Care and Maintenance of Facilities (policy 9200)

Adopted: May 1, 2000
Updated:

BOARD MEMBER CONFLICT OF INTEREST

Policy Code: **2121**

All board members are subject to the criminal laws related to conflicts of interest in public office, including strict restrictions against having a pecuniary interest in any business of the board. In addition, board members will not let any personal or business interest interfere with his or her duties as a public official, including ethical duties as specified in the Code of Ethics for School Board Members, policy 2120.

A member of the board will not do any of the following:

1. obtain a direct benefit from a contract that he or she is involved in making or administering on behalf of the board, unless an exception is allowed pursuant to G.S. 14-234 or other law;

2. influence or attempt to influence anyone who is involved in making or administering a contract on behalf of the board when the board member will obtain a direct benefit from the contract; or

3. solicit or receive any gift, favor, reward, service or promise of reward, including a promise of future employment, in exchange for recommending, influencing or attempting to influence the award of a contract.

A board member is involved in administering a contract if he or she oversees the performance of the contract or has authority to interpret or make decisions regarding the contract. A board member is involved in making a contract if he or she participates in the development of specifications or terms of the contract or participates in the preparation or award of the contract.

A board member derives a direct benefit from a contract if the board member or his or her spouse does any of the following: (1) has more than a 10 percent ownership or other interest in an entity that is a party to the contract; (2) derives any income or commission directly from the contract; or (3) acquires property under the contract. An exception is allowed for employment contracts between the board of education and the spouse of a board member. However, the board member involved will not deliberate or vote on the spouse's employment contract or attempt to influence any other person who is involved in making or administering the contract.

Legal References: G.S. 14-234; 133-32

Cross References: Code of Ethics for School Board Members (policy 2120), Employee Conflict of Interest (policy 7730)

Adopted: March 6, 2000 Updated: April 6, 2009