The board recognizes the critical role of parents in the education of their children and in the schools. The board directs school administrators to develop programs that will promote and support parental involvement in student learning and achievement at school and at home and encourage successful progress toward graduation. Each parent is encouraged to learn about the educational program, the educational goals and objectives of the district and his or her own child's progress. The board also encourages parents to participate in activities designed by school personnel to involve them, such as parent conferences, in order to encourage effective communication.

The board directs each principal or designee to develop a parental involvement plan as a part of the school improvement plan. This plan must include, at a minimum, efforts that meet the requirements established in this policy. In addition, the plan must include ways to enhance parental involvement in the following areas:

1. meaningful two-way communication between home and school;

2. promotion of responsible parenting;

3. involving parents and guardians in student learning;

4. promotion of volunteering;

5. involving parents and guardians in school's decisions that affect children and families;

6. parental training;

7. community collaboration; and

8. promotion of student health awareness

This policy applies to the parents, legal guardians and legal custodians of students who are under 18 years old and are not married.

A. PARENT COMMUNICATION AND CONFERENCES

The board encourages regular contact with parents by school personnel for commendation as well as for notification of concerns. Principals or designees shall plan for periodic communications with parents. Teachers are responsible for scheduling conferences with parents.

The principal or designee shall provide the parent of an at-risk student with a copy of the student's personal education plan in accordance with policy 3405, Students at Risk of Academic Failure. Parents should be included in the implementation and ongoing review of their child's personal education plan.

The principal or designee shall provide the parent of each student in kindergarten, first or second grade with written notification of the student's reading progress. The notice will be provided three times a year, following each benchmark assessment and will include: (1) assessment results, (2) whether the child may not reach reading proficiency by the end of third grade; and (3) instructional support activities for use at home.

The board encourages the superintendent to work with local business leaders, including the local chambers of commerce, to encourage employers to adopt as part of their stated personnel policies time for employees who are parents or guardians to attend conferences with their child's teachers.

B. ANNUAL NOTIFICATION

Each principal or designee of a Title I school shall effectively notify parents of all parental rights and other required information regarding Title I schools and programs, in accordance with federal law. Parents of student in Title I schools shall receive a copy of the system-wide parent involvement plan.

In addition, annually every building principal or designee shall effectively notify parents of the following:

1. parental rights related to student records (see policy 4700, Student Records);

2. parental rights related to student surveys (see policy 4720, Surveys of Students);

3. the approximate dates of any non-emergency, invasive physical examination or screening that is:
(a) required as a condition of attendance; (b) administered and scheduled in advance by the school administration and (c) not necessary ; to protect the immediate health and safety of students;

4. the schedule of pesticide use on school property and their right to request notification of nonscheduled pesticide use (see policy 9205, Pest Management);

5. student behavior policies, the Code of Student Conduct and school standards and rules (see policies in the 4300 series);

6. permissible use of seclusion and restraint in the schools (see regulation 4302-R, Rules for Use of Seclusion and Restraint in Schools);

7. policy 1720/4015/7225, Discrimination, Harassment and Bullying Complaint Procedure

8. policy 1740/4010, Student and Parent Grievance Procedure;

9. the dates of the system-wide and state-mandated tests that students will be required to take during that school year, how the results from the tests will be used and the consequences thereof, and whether each test is required by the State Board of Education or by the local school board.

10. grading practices that will be followed at the school and, for parents of high school students, the means for computing the grade point averages that will be used for determining class rank (see policies 3400, Evaluation of Student Progress and 3450, Class Rankings);

11. available opportunities and the enrollment process for students to take advanced courses and information explaining the value of taking advanced courses);

12. a report containing aggregate information, including, but not limited to student achievement (disaggregated by category), graduation rates, performance of the school system and teacher qualifications;

13. the grade awarded to the school on the most recent annual report card issued for it by the State Board of Education if the school received a grade of D or F.

14. supportive services available to students, including guidance, counseling, and health services (see policy 3610, Counseling Program);

15. information about meningococcal meningitis and influenza, including the causes, the symptoms, the vaccines, how the diseases are spread and places where additional information and vaccinations may be obtained;

16. for parents of students in grades 5 through 12, information about cervical

cancer, cervical dysplasia, and human papillomavirus, including the causes and symptoms of these diseases, how they are transmitted, how they may be prevented by vaccination, including the benefits and possible side effects of vaccination, and places parents and guardians may obtain additional information and vaccinations for their children

17. how to reach school officials in emergency situations during non-school hours;

18. information about and an application form for free and reduced price meals and/or free milk (see policy 6225, Free and Reduced Price Food Services);

19. information about the school breakfast program;

20. information about the availability and location of free summer food service program meals for students when school is not in session.

21. for parents of children with disabilities, procedural safeguards (see also policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities);

22. information on the availability of the asbestos management plan and planned or in-progress inspections, re-inspections, response actions and post-response actions, including periodic re-inspection and surveillance activities;

23. education rights of homeless students (see policy 4125, Homeless Students);

24. the content and implementation of the local school wellness policy (see policy 6140, Student Wellness);

25. their right to take four hours of leave from their jobs every year in order to volunteer in their child's school as stated in G.S. 95-28.3 (see policy 5015, School Volunteers);

26. that the school system does not discriminate on the basis of race, color, national origin, sex disability, or age (see policies 1710/4021/7230, Prohibition Against Discrimination, Harassment and Bullying and 1730/4022/7231, Nondiscrimination on the Basis of Disabilities; and

27. that the school system provides equal access to its facilities, programs and

activities to Boy Scouts and other designated youth groups (see policy 1710/4021/7230, Prohibition Against Discrimination, Harassment and Bullying); and

28. the availability of and the process for requesting a waiver or reduction of student fees (see policy 4600, Student Fees).

D. OPPORTUNITIES TO WITHHOLD CONSENT/OPT OUT

As a part of the annual notification described above, parents will be effectively notified that parental consent may be withheld for the following:

1. release of student directory information about his or her child for school purposes or to outside organizations (see policy 4700, Student Records);

2. release of their child's name, address and telephone listing to military recruiters or institutions of higher education (see policy 4700, Student Records);.

3. their child's participation in curricula related to (a) prevention of sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS); (b) avoidance of out-of-wedlock pregnancy; or (c) reproductive health and safety education, as provided in policy 3540.
A copy of material that will be used in these curricula will be available in the school media center during the school year and other times that the media center is available to the public. To meet any review periods required by law, materials also may be made available for review in the central office;

4. their child's participation in academic or career guidance or personal or social counseling services of a generic nature offered to groups of students (e.g., peer relations strategies offered to all sixth graders). However, parental notification and permission are not required for: (a) short-duration academic, career, personal or social guidance and counseling and crisis intervention that is needed to maintain order, discipline or a productive learning environment; (b) student-initiated individual or group counseling targeted at a student's specific concerns or needs; or (c) counseling if child abuse or neglect is suspected. (see policies 3610, Counseling Program, and 4240/7312, Child Abuse- Reports and Investigations);

5. their child's participation in non-Department of Education—funded surveys concerning protected topics (see policy 4720, Surveys of Students);

6. their child's participation in any non-emergency, invasive physical examination or screening that is: (a) required as a condition of attendance; (b) administered and scheduled in advance by the school administration; and (c) not necessary to protect the immediate health and safety of students;

7. the collection, disclosure or use of their child's personal information for marketing purposes (see policy 4720, Surveys of Students); and

8. release of their child's free and reduced-price meal information to State Medicaid or State children's health insurance program (SCHIP).

Any parent or legal guardian wishing to withhold consent must do so in writing after receiving notice. Otherwise, consent to the programs or activities is presumed. After the annual notification, the school is not required to provide further notice to the parent as to the manner in which student directory information is used, the curriculum is provided, or the guidance programs are made available.

D. PARENTAL PERMISSION REQUIRED

Written parental permission is required prior to the following activities:

1. administrations of medications to students by employees of the school system (see policy 6125, Administering Medicines to Students);

2. release of student records that are not considered directory information, unless the release is allowed or required by law (see policy 4700, Student Records);

3. off campus trips;

4. student's participation in high-impact or high-risk sports or extracurricular activities, such as football or mountain climbing (see policy 4220, Student Insurance Program);

5. all decisions or actions as required by the IDEA with regard to providing special education or related services to children with disabilities (see policy 3520, Special Education Programs/Rights of Students with Disabilities);

6. certain health services, as required by law;

7. student's participation in programs or services providing information about where to obtain contraceptives or abortion referral services;

8. student's participating in surveys funded by the Department of Education that are conducted concerning protected topics (see policy 4720 Surveys of Students);

9. disclosure of a student's free and reduced price lunch eligibility information or eligibility status; and .

10. disclosure of the identity of any student receiving supplemental education services under the Title I program.

Legal Reference: Elementary and Secondary Education Act, as amended, 20 U.S. C. 6301 *et seq.,* 34 C.F.R. pt. 200; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g , 34 C.F.R. pt. 99; Protection of Pupil Rights Amendment, 20 U.S.C. 1232h, 34 C.F.R. pt. 98; Individuals with Disabilities Education Act, 20 USC 1400, *et seq.*; Asbestos Hazard Emergency Response Act, 15 U.S.C. 2341, *et seq*.; McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, *et seq.*; 42 U.S.C. 1758, 7 C.F.R. pt. 245; 42 U.S.C. 1758b; National School Lunch Program, 42 U.S.C. 1751 *et seq.,* 7 C.F.R. 210, 12; Boy Scouts of America Equal Access Act, 20 U.S.C. 7905, 34 C.F.R. 108.9; 20 U.S.C. 7908; G.S. 90-21.1; 95-28.3; 115C-47 (47), -47(51), -47(54), -81(el), -83.4A(d), -105.41, -109.1, -307(c), -375.4, -390.2, -391.1, -407.16; U.S. C. 6318; 34 C.F.R. 200.37, -200.39, G.S. 90-21.1, 115C-47(47), -47(51), -81(el); State Board of Education Policy FCB-A-000, GCS-A-001,GCS-J-002

Cross Reference: Title I Parent Involvement (policy 1320/3560), Prohibition Against Discrimination, Harassment and Bullying (policy 1710/4021/7230), Discrimination, Harassment and Bullying Complaint Procedure (policy 1720/4015/7225), Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231), Student and Parent Grievance Procedure (policy 1740/4010), Evaluation of Student Progress (policy 3400), Students at Risk of Academic Failure (policy 3405), Evaluation of Student Progress (policy 3400), Class Rankings (policy 3450), Special Education Programs/Rights of Disabled Students (policy 3520), Comprehensive Health Education Program (policy 3540), Counseling Program (policy 3610), Homeless Students (policy 4125), Student Insurance Program (policy 4220), Child Abuse - Reports and Investigations (policy 4240/7312), Student Behavior Policies (4300 series), School Plan for Management of Student Behavior (policy 4302) Student Records (policy 4700), Surveys of Students (policy 4720), School Volunteers (policy 5015), Registered Sex Offenders (policy 5022), Administering Medicines to Students (policy 6125), Student Wellness (policy 6140), Free and Reduced Price Food Services (policy 6225), Pest

Management (policy 9205)

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Updated:

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

A. SUPERVISION OF STUDENTS

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

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

B. SUPERVISION OF VISITORS

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

C. SAFETY OF SCHOOL BUILDINGS AND GROUNDS

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

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

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

D. ESTABLISHING PROCESSES TO ADDRESS POTENTIAL SAFETY CONCERNS AND EMERGENCIES

1. Responding to Student Altercations and Other Threats to Safety

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

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

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

   Employees should take further action as appropriate in accordance with

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

2. School Rules

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

3. Training for Staff and Students

   Staff training must include detailed instruction on how to respond to a variety of emergency situations. In addition, staff should be able to recognize and respond to behavior, information and related indicators that warn of impending problems. School personnel must teach and review with students (1) safety procedures, including fire safety procedures; (2) precautions for handling chemicals or potentially dangerous equipment; and (3) appropriate responses to threats to school safety.

4. Safety Equipment

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

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

   The superintendent shall develop system-wide plans and procedures to address emergency situations. As appropriate, the superintendent shall consult with local law enforcement agencies and emergency responders to plan for and conduct emergency drills. 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 shall also provide local law enforcement agencies with keys to the main entrance of all school facilities.

Principals, with the assistance of both law enforcement and emergency responders as appropriate, shall conduct fire drills as required by law and shall conduct other emergency drills in accordance with schools system emergency plans and procedures.

6. Reporting Suspicious Behavior

Students should notify any staff member of any acts of violence, harassment or bullying or any other unusual or suspicious behavior that may endanger safety. Ongoing student education efforts will aim at minimizing any fear, peer pressure, embarrassment or other impediments to students reporting potential problems.

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

Every principal is required to investigate and act upon any reports of such behavior including, when appropriate, reporting criminal activities to law enforcement, the State Board and the superintendent or designee. (see policies 1710/4021/7230, Prohibition Against Discrimination, Harassment and Bullying, 1720/4015/7225, Discrimination, Harassment and Bullying Complaint Procedure, and 4335, Criminal Behavior).

7. Potential Threats of Registered Sex Offenders

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

8. Student Behavior Standards

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

Legal Reference: G.S. 14-208.18; 115C-36, -47, -81.4, -105.49. -166, -288, -289.1, -307, -390.3, -391.1, -524, -525; S.L. 2013-360; State Board of Education Policies HRS-A-000, TCS-P-005

Cross Reference: Prohibition Against Discrimination, Harassment and Bullying (policy 1710/4021/7230, Discrimination, Harassment and Bullying Complaint Procedure (policy 1720/4015/7335), School Improvement Plan (policy 3430), Student Sex Offenders (policy 4260), Student Behavior Policies (all policies in the 4300 series), School Volunteers (policy 5015), Visitors to Schools (policy 5020), Registered Sex Offenders (policy 5022), Weapons and Explosives Prohibited (policy 5025/7275), Public Records – Retention, Release and Disposition (policy 5070/7350, Relationship with Law Enforcement (policy 5120), Occupational Exposure to Hazardous Chemicals in Science Laboratories (policy 7265), Staff Responsibilities (policy 7300), Security of Facilities (policy 9220)

Other Resources: *Practical Information on Crisis Planning: A Guide for Schools and Communities,* U.S. Department of Education Office of Safe and Drug-Free Schools (January 2007), available at http://www2.ed.gov/admins/lead/safety/crisisplanning.html; *Keeping North Carolina Schools Safe and Secure,* A Report to Governor Mike Easley from Attorney General Roy Cooper and Secretary of Crime Control and Public Safety Bryan Beatty (November 2006), available at hppt://www.ncdoj.gov/getdoc/2158c7bl-bd55-4cal-bdf4-80260f766926/Keeping-North Carolina-Schools-Safe---Secure.aspx

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PROHIBITION AGAINST DISCRIMINATION, HARASSMENT AND BULLYING

Policy Code : **1710/4021/7230**

The board acknowledges the dignity and worth of all students and employees and strives to create as safe, orderly, caring and inviting school environment to facilitate student learning and achievement. The board prohibits discrimination on the basis of race, color, national origin, sex, disability or age and will provide equal access to the Boy Scouts and other designated youth groups as required by law. The board will not tolerate any form of unlawful discrimination, harassment or bullying in any of its educational or employment activities.

A. PROHIBITED BEHAVIORS AND CONSEQUENCES

1. Discrimination, Harassment and Bullying

   Students, school system employees, volunteers and visitors are expected to behave in a civil and respectful manner. The board expressly prohibits unlawful discrimination, harassment and bullying

   Students are expected to comply with the behavior standards, established by board policy and the Code of Student Conduct. Employees are expected to comply with board policy and school system regulations. Volunteers and visitors on school property also are expected to comply with board policy and established school rules and procedures.

   Any violation of this policy is serious and school officials shall promptly take appropriate action. Students will be disciplined in accordance with the school's behavior management plan (see policy 4302, School Plan for Management of Student Behavior). Based on the nature and severity of the offense and the circumstances surrounding the incident, the student will be subject to appropriate consequences and remedial actions ranging from positive behavioral interventions up to, and including, expulsion.

   Employees who violate this policy will be subject to disciplinary action, up to, and including, dismissal. Volunteers and visitors who violate this policy will be directed to leave school property and/or reported to law enforcement, as appropriate, in accordance with policy 5020, Visitors to the Schools.

   When considering if a response beyond the individual level is appropriate, school administrators should consider the nature and severity of the misconduct to determine whether a classroom, school-wide or school system-response is necessary. Such classroom, school-wide or school system-wide responses may include staff training, harassment and bullying

prevention programs and other measures deemed appropriate by the superintendent to address the behavior.

2. Retaliation

The board prohibits reprisal or retaliation against any person for reporting or intending to report violations of this policy, supporting someone for reporting or intending to report a violation of this policy or participating in the investigation of reported violations of this policy.

After consideration of the nature and circumstances of the reprisal or retaliation and in accordance with applicable federal, state or local laws, policies and regulations, the superintendent or designee shall determine the consequences and remedial action for a person found to have engaged in reprisal or retaliation.

B. APPLICATION OF POLICY

This policy prohibits unlawful discrimination, harassment and bullying by students, employees, volunteers, and visitors. "Visitors" includes persons, agencies, vendors, contractors and organizations doing business with or performing services for the school system.

This policy applies to behavior that takes place:

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

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

3. at any bus stop;

4. during any school sponsored activity or extracurricular activity;

5. at any time or place when the individual is subject to the authority of school personnel; and

6. at any time or place when the behavior has a direct and immediate effect on maintaining order and discipline in the schools.

7. By way of inclusion, but not limitation, this policy applies to the use of

computers, text messaging, cell phones, or other medium in a manner that materially and substantially interferes with the requirements of appropriate discipline in the operation of the schools.

C. DEFINITIONS

For purposes of this policy, the following definitions will apply:

1. Discrimination

   Discrimination means any act or failure to act that unreasonably and unfavorably differentiates treatment of others based solely on their membership in a socially distinct group or category, such as race, ethnicity, sex, pregnancy, religion, age, or disability. Discrimination may be intentional or unintentional.

2. Harassment and Bullying

   Harassment or bullying behavior is any pattern of gestures or written, electronic or verbal communications, or any physical act or any threatening communication that:

   (1) Places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property.

   (2) Creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities or benefits.

   "Hostile environment" means that the victim subjectively views the conduct as harassment or bullying and that the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is harassment or bullying. A hostile environment may be created through pervasive or persistent misbehavior or a single incident, if sufficiently severe. Harassment and bullying include, but are not limited to, behavior described above that is reasonable perceived as being motivated by any actual or perceived differentiating characteristic or motivated by an individual's association with a person who has or is perceived to have a differentiating characteristic such as race, color, religion, ancestry, national origin, gender, socioeconomic status,

academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental or sensory disability. Examples of behavior that may constitute bullying or harassment include, but are not limited to, verbal taunts, name-calling and put-downs, epithets, derogatory comments or slurs, lewd propositions, exclusions from peer groups, extortion of money or possessions, implied or stated threats, assault, impeding or blocking movement, offensive touching or any physical interference with normal work or movement, and visual insults, such as derogatory posters or cartoons. Legitimate age-appropriate pedagogical techniques are not considered harassment or bullying.

Harassment, including sexual or gender-based harassment, is not limited to specific situations or relationships. It may occur: between fellow students or co-workers, between supervisors and subordinates, between employees and students, or between non-employees, including visitors, and employees or students. Harassment may occur between members of the opposite sex or the same sex.

a. Unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

(1) Submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, academic progress or completion of a school-related activity;

(2) Submission to or rejection of such conduct is used as the basis for employment decisions affecting the individual, or in the case of a student, submission to or rejection of such conduct is used in evaluating the student's performance within a course of study or other school-related activity; or

(3) Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with an Employees work or performance or a student's educational performance, limiting a student's ability to participate in or benefit from an educational program or environment, or creating an abusive, intimidating, hostile or offensive work or educational environment.

Sexually harassing conduct includes, but is not limited to, deliberate, unwelcome touching that has sexual connotations or is of a sexual nature, suggestions or demands for sexual involvement accompanied by implied or overt promises of preferential treatment or threats, pressure for sexual activity, continued or repeated offensive sexual flirtations, advances or propositions, continued or repeated verbal remarks about an individual's body, sexually degrading words used toward an individual or to describe an individual, or the display of sexually suggestive drawings, objects, pictures or written materials. Acts of verbal, nonverbal or physical aggression, intimidation or hostility based on sex, but not involving sexual activity or language, may be combined with incidents of sexually harassing conduct are sufficiently serious to create a sexually hostile environment.

b. Gender-based harassment is also a type of harassment. Gender-based harassment may include acts of verbal, nonverbal or physical aggression, intimidation or hostility based on sex or sex-stereotyping but not involving conduct of a sexual nature.

D. REPORTING AND INVESTIGATING COMPLAINTS OF DISCRIMINATION, HARASSMENT OR BULLYING

Employees are required to report any actual or suspected violations of this policy. Students, parents, volunteers, visitors or others are also strongly encouraged to report any actual or suspected incidents of discrimination, harassment or bullying. All reports should be made in accordance with policy 1720/4015/7225, Discrimination, Harassment and Bullying Complaint Procedure, and reported to one of the school officials identified in that policy. Reports may be made anonymously, and all reports shall be investigated in accordance with that policy.

E. TRAINING AND PROGRAMS

The board directs the superintendent to establish training and other programs that are designed to help eliminate unlawful discrimination, harassment and bullying and to foster an environment of understanding and respect for all members of the school community.

As funds are available, the board will provide additional training for students, employees and volunteers who have significant contact with students regarding the board's effort to address discrimination, harassment

and bullying and will create programs to address these issues. The training or programs should (1) provide examples of behavior that constitutes discrimination, harassment or bullying; (2) teach employees to identify groups that may be the target of discrimination, harassment or bullying; and (3) train school employees to be alert to locations where such behavior may occur, including locations within school buildings, at school bus stops, and on cell phones and the internet.

F. NOTICE

The superintendent is responsible for providing effective notice to students, parents and employees of the procedures for reporting and investigating complaints of discrimination, harassment and bullying. This policy must be posted on the school system website, and copies of the policy must be readily available in the principal's office, the media center at each school and the superintendent's office. Notice of this policy must appear in all student and employee handbooks and in any school system publication that sets forth the comprehensive rules, procedures and standards of conduct for students and employees.

G. COORDINATORS

The superintendent or designee shall appoint one or more individuals to coordinate the school system's efforts to comply with an carry out its responsibilities under federal non-discrimination laws. These responsibilities include investigating any complaints communicated to school officials alleging noncompliance with Title VI of Title IX of the Civil Rights Act, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA), the Age Discrimination Act and/or the Boy Scouts Act, ofr alleging actions which would be prohibited by those laws. The superintendent or designee shall publish the name (s), office address (es) and phone number (s)of the compliance coordinator(s) a manner intended to ensure that students, employees, applicants, employees, applicants, parents and other individuals who participate in the school system's programs are aware of the coordinator (s) .

H. RECORDS AND REPORTING

The superintendent or designee shall maintain confidential records of complaints or reports of discrimination , harassment or bullying. The records must identify the names of all individuals accused of discrimination

and the resolution of such reports or complaints. The superintendent also shall maintain records of training conducted and corrective actions or other steps taken by the school system to provide an environment free of discrimination, harassment and bullying.

The superintendent shall report to the State Board of Education all verified cases of discrimination, harassment or bullying. The report must be made through the Discipline Data Collection Report or through other means required by the State Board.

I. EVALUATION

The superintendent shall evaluate the effectiveness of efforts to correct or prevent discrimination, harassment and bullying and shall share these evaluations periodically with the board.

Legal References: Age Discrimination in Employment Act of 1967, 29 U.S.C. 621 *et seq.;* 34 C.F.R. pt. 110; Americans With Disabilities Act, 42 U.S.C. 12101 *et seq*.,, 28 C.F.R. pt. 35; Rehabilitation Act of 1973, 29 U.S.C. 705 (20), 794, 34 C.F.R. pt. 104; Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d e*t seq.*, 34 C.F.R. pt. 100; Title VII of the Civil Rights Act of 1964, 42 U.S.C, 2000e *et seq.*; 29 C.F.R. pt.1604; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 *et seq., 34* C.F.R. pt. 106; Boy Scouts of America Equal Access Act, 20 U.S.C. 7905, 34 C.F.R. pt. 108; *Racial Incidents and Harassment Against Students at Educational Institutions; Investigative Guidance*, U.S. Department of Education, Office for Civil Rights (1994); *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties,* U. S. Department of Education, Office for Civil Rights (2001); *Notice of Non-Discrimination,* U.S. Department of Education, Office for Civil Rights (2010); *Dear Colleague Letter*, U.S. Department of Education, Office for Civil Rights, (October 26, 2010, available at http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf; Dear Colleague Letter, U.S. Department of Education, Office for Civil Rights, (April 4, 2011) available at http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.pdf; *Oncale v. Sundowner Offshore Services, 523 U.S. 75 (1998);*G.S. 115C-335.5, -407.9 through -407.12;126-16; State Board of Education Policy HRS-A-007

Cross References: Discrimination, Harassment and Bullying Complaint Procedure (policy 1720/4015/7225), Nondiscrimination on the Basis of Disabilities (1730/4022/7231), Prohibition Against Retaliation (1760/7280), Equal Educational Opportunities (policy 4001), School Plan for Management of Student Behavior (policy 4302), Visitors to the Schools (policy 5020). Community Use of Facilities (policy 5030),

Recruitment and Selection of Personnel (policy 7100), Professional Employees: Demotion and Dismissal (7930), Classified Personnel: Suspension and Dismissal (7940)

Adopted: March 6, 2000
Revised: August 6, 2007
Revised: February 14, 2005
Updated: April 6, 2009
Updated: January 12, 2010
Updated: April 3, 2012
Updated:

The board recognizes that curriculum development must be an ongoing process in order to address continually the changing needs and diversity of all students and to fulfill the educational goals of the board. The board further recognizes that while educators must be responsible for developing the curriculum, parents, other governmental agencies, businesses and members of the public have valuable insights in the type of curriculum needed.

A. CURRICULUM DEVELOPMENT

The curriculum will be developed to meet state and board requirements, using the current statewide instructional standards as a foundation. The superintendent shall establish a curriculum committee to coordinate curriculum planning and ensure that the curriculum is aligned with the current statewide instructional standards and includes subject-area competencies for each grade level. The committee must include central office administrators, teachers and school administrators representing the various schools and grade levels. Teachers should receive appropriate training so that they may participate in curriculum development. The committee also must seek input from parents, the community and experts in order to make fully informed decisions.

The committee may recommend that the board expand subject areas and objectives of the curriculum to meet the educational goals of the board and state and federal laws. The committee also may recommend eliminating subject areas or objectives that are not state required or related to the educational goals of the board.

B. CURRICULUM MODIFICATION BY INDIVIDUAL SCHOOLS

The principal is the instructional leader of the school and is responsible for determining whether the curriculum meets the needs of the students of the school. Accordingly, the principal or his or her designee may consider modifying the curriculum.

If a school official wishes to modify the curriculum, he or she may submit its proposal to the central curriculum committee. Unless the curriculum committee has significant concerns about the proposal, the committee will approve the changes so long as the curriculum maintains continuity. After being approved by the curriculum committee, the proposal must be submitted to the board for approval as a part of the school improvement plan process, if the modifications include: (1) expanding or reducing the subject areas or objectives, (2) eliminating

subject areas or objectives not required by the state, or (3) waiving local board policies. The curriculum committee shall ensure that the curriculum continues to be aligned with the current statewide instructional standards.

C. EVALUATION

The superintendent shall ensure that the methods for meeting curriculum objectives are regularly evaluated for their effectiveness. The board also encourages external curriculum audits by professional curriculum assessors.

Legal References: G.S. 115C-47, -81

Cross References: Goals and Objectives of the Educational Program (policy 3000), School Improvement Plan (policy 3430)

Adopted: March 6, 2000
Updated: August 3, 2009
Updated: June 3, 2013
Updated:

The board recognizes that online instruction is a valuable tool for affording students extended educational options. The board will provide opportunities for students to participate in online instruction to the extent that it is academically and financially prudent.

School guidance counselors shall advise students on North Carolina Virtual Public School courses and other online courses available for credit. Enrollment in an online for credit course will count toward satisfying board requirements related to minimum instructional days, seat time policies, student attendance and athletic and/or extracurricular obligations.

A student, with the principal's prior approval, may enroll in an online course with assistance from the school e-learning advisor. The principal shall designate a guidance counselor at the school to serve as the e-learning advisor, who will be responsible for coordinating the enrollment of students in online courses, monitoring students' progress in those courses and supervising any required testing. In addition, the principal shall ensure that the e-learning advisor implements a plan for supporting credit recovery students throughout the semester.

The superintendent shall develop regulations consistent with State Board of Education requirements and this policy for students enrolling in online instruction.

Legal References: 2011 Session Law Chapter 145 Section 7.22 (h)(2);State Board of Education Policy GCS-M-001

Cross References: Dual Enrollment (policy 3101)

Adopted: December 3, 2012
Updated:

INNOVATION IN CURRICULUM AND INSTRUCTION

Policy Code: **3110**

The board welcomes new and innovative ideas in curriculum as additional opportunities to achieve the goals and objectives of the educational program. Administrators are encouraged to pursue innovative programs and to take advantage of community resources in order to enhance and enrich the learning process. In addition, the board believes that parental involvement is vital to the development and implementation of new programs and encourages administrators to involve parents in plans for innovative projects.

The board encourages schools to use community resources, including businesses, that can effectively contribute to the advancement of educational goals. Resource persons in the community may be used in the classroom to help with teaching the prescribed curriculum. High school administrators are encouraged to partner with local businesses to facilitate high school-to-work partnerships for students who have indicated that they are unlikely to seek higher education. The board encourages local businesses to work with high school administrators to create opportunities for students to complete job shadows, internships or apprenticeships. The career and technical education administrator shall designate a career development coordinator at each high school to be the contact person for local businesses.

The superintendent shall periodically consult with local industries, employers, and the local workforce development board to identify industry certification and credentials the board may offer to best meet workforce needs. The superintendent shall consider this information in planning the educational program.

Other innovative pilot programs may be initiated by any school with the approval of the board. Such programs should be included in the proposed school improvement plan. If the program will modify the curriculum, the proposal should first be submitted to the curriculum committee in accordance with board policy 3100, Curriculum Development. If a school improvement plan is already in effect, the school administrators may submit a modified plan for board approval. Board approval is required before implementation may take place.

All pilot projects and educational programs will follow state and federal laws and regulations. Parents and guardians of children in the applicable federally funded programs have the right to inspect all instructional materials used in connection with such programs.

The superintendent shall develop administrative regulations, as necessary, to implement this policy.

Legal References: 20 U.S.C. §1232h; G.S. 115Cart. 16, 115C; -36, -47, -156.2(a) ,

Cross References: Goals and Objectives of the Educational Program (policy 3000), Curriculum Development (policy 3100), School Improvement Plan (policy 3430)

Adopted: March 6, 2000
Updated: December 5, 2011
Updated:

STUDENTS AT RISK OF ACADEMIC FAILURE *Policy Code:* **3405**

It is the goal of the board that all students will make adequate academic progress each year and thereby acquire the skills necessary for secondary education and career success. To realize this goal, students who are at risk of academic failure and who are not successfully progressing toward grade promotion and graduation must be identified and provided additional assistance.

The principal or designee is responsible for ensuring that teachers identify students at risk and that those students receive assistance in compliance with G.S. 115C-105.41.

A. PERSONAL EDUCATION PLANS

Identification of students at risk of academic failure must occur as early as reasonably may be done, beginning in kindergarten. In addition, no later than the end of the first quarter or after the teacher has had up to nine weeks of instructional time with a student, a personal education plan with focused intervention and performance benchmarks for academic improvement must be developed or updated for each student at risk of academic failure who is not performing at least at grade level.

The principal or designee shall notify the student's parent that the student has a personal education plan and provide the parent with a copy of the plan or report card containing the plan. Parents should be included in the implementation and ongoing review of personal education plans.

B. TRANSITION PLANS

Transitions in the school environment can be stressful experiences that pose academic, social and emotional challenges for students. Addressing students' academic, social and emotional needs to create successful transitions provides students with a better chance of academic success. A comprehensive and coordinated transition plan will be implemented for students who are at risk of academic failure in order to facilitate their educational transitions between elementary school and middle school and between middle school and high school.

The superintendent shall appoint a transition team to design, implement and evaluate a school system transition plan. This team will be comprised of stakeholders who can identify the needs of students at the different developmental levels and implement plans that produce positive results for students at risk of academic failure. Such stakeholders may include principals, teachers, support staff and other school system employees, parents of students in the school system, and local business and community leaders such as civic

group leaders, health department personnel, preschool and Head Start program personnel, faith community leaders, and personnel from local colleges, universities and community colleges. At each school, the principal shall lead a school transition team or an existing school-based leadership team in using the school system transition plan to design a school-based transition plan tailored to meet the specific needs of that school's population.

The transition plans should be designed to encourage successful transitions that foster respect for individual difference, encourage understanding of the whole child, create a sense of trust and belonging, and reduce child and family anxiety about school. The plans must include an on-going evaluation process to verify that the outcomes established for the different transition levels are being accomplished and that these goals are updated as student data and environmental changes occur.

Legal References: G.S. 115C-105.41

Cross References:

Other Resources: *Transition Planning for the 21st Century Schools,* N.C. State Board of Education/Department of Public Instruction, available at http://www.dpi.state.nc.us/docs/curriculum/home/transitions.pdf.

Adopted: August 2, 2010
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.

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. TESTS, SCREENINGS, AND ASSESSMENTS

The superintendent shall provide for the secure administration of all state-required tests, screenings, and 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 have discretion to determine whether and how results from the North Carolina final exams will be used in determining students' final grades and whether high school seniors will be exempt from the common exams.

The superintendent may plan and provide for the administration of end-of-course tests for high school courses that are not included in the North Carolina Testing Program.

B. TEST ADMINISTRATORS

The superintendent shall develop test security and administration procedures and shall ensure that all personnel who are responsible for the testing program are instructed in such testing 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 tests and individual school tests. Failure to follow procedures 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.

C. 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 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, -83.5, -83.6 -174.11, -174.12(a), -174.22, -174.25, -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.dpi.state.nc.us/acre/assessment/guide/: Measures of Student Learning: NC's Common Exams (NCDPI, March 2013), available at

http://www.ncpublicschools.org/docs/effectiveness-model/measures/implementation-guide.pdf

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Updated: June 1, 2009
Updated: March 6, 2010
Updated: December 6, 2011
Updated: January 14, 2013
Updated: June 3, 2013
Updated:

A. PRINCIPLES

Principals, assistant principals, teachers and other instructional staff are responsible for designing and implementing strategies to reach the educational goals of the board. Input from the school community, including parents, students and representatives from businesses and other agencies, is critical in developing an educational program that will meet the needs of the students and the community.

The board affirms the General Assembly's belief that all children can learn and that the mission of public schools is to challenge, with high expectations, each child to learn, achieve and fulfill his or her potential.

Accordingly, the board has established in its policies, its vision, standards and means of accountability for the educational program. The superintendent shall provide guidance and establish any other standards necessary for effective implementation of the board's policies. Principals shall lead each school in implementing the policies. The school improvement plan is one tool school administrators should use to upon the creativity and innovation of the staff and the community. This plan, in its two parts, should identify the school's efforts to improve student performance and reach the educational goals of the board.

B. STATE PROGRAM FOR SCHOOL-BASED MANAGEMENT AND ACCOUNTABILITY

The board endorses the principles set forth by the State Board of Education that all children need to master basic skills and knowledge and build upon this foundation for lifelong learning. Therefore, in developing their school improvement plans, all schools should ensure, to the extent possible, that sufficient resources and curriculum are directed towards meeting the goal of having all students performing at grade level or higher in the basic subject and skill areas identified by the State Board.

1. School Improvement Team

   Each school must have a school improvement team that develops the school improvement plan. The school improvement team will consist of the principal, representatives of the assistant principals, instructional personnel, instructional support personnel and teacher assistants assigned to the school building, and parents of students attending the school. Each group of school personnel shall elect representatives from

their respective group by secret ballot. Parents are to be elected in accordance with G.S. 115C-105.27(a). The school improvement team is encouraged to involve and seek assistance from central office personnel. The school improvement team, especially at the middle and high schools, also is encouraged to seek input from students. The superintendent shall provide guidance to principals to ensure that the principals establish and work together with school improvement teams to develop, review and amend school improvement plans.

The school improvement team will follow all legal requirements in developing and obtaining school approval of the school improvement plan. School improvement team meetings will be held at a convenient time to facilitate substantial parent participation. The principal shall ensure that the school improvement team complies with the Open Meetings Law in regard to its meetings. Deliberations on the school safety components of the plan must be in closed session in accordance with G.S. 143-318.11(a)(8).

2. Mandatory Components of the State Plan

A school improvement plan must include the following components:

a. The plan must specify the effective instructional practices and methods to be used to improve the academic performance of students identified as at-risk of academic failure or at-risk of dropping out of school.

b. The plan must take into consideration the minimum annual performance goal established by the State Board and the goals set out in the mission statement for public schools adopted by the State Board of Education.

c. The plan must be, to the greatest extent possible, data driven. The team shall use the Education Value Added Assessment System (EVAAS) or a compatible and comparable system approved by the State Board of Education to analyze student data to identify root causes for problems and determine actions to address them and to appropriately place students in courses such as Algebra I. The plan must contain clear, unambiguous targets, explicit indicators and actual measures, and expeditious time frames for meeting measurement standards.

d. The plan must identify how staff development funds allocated to the school will be used.

e. The plan must provide a duty-free lunch period for every teacher on a daily basis or as otherwise approved by the school improvement team.

f. The plan must provide a duty-free instructional planning time for every full-time assigned classroom teacher, with the goal of providing an average of at least five hours of planning time per week.

g. The plan must attempt to identify and eliminate unnecessary and redundant reporting requirements for teachers and, to the extent practicable, streamline the school's reporting system and procedures, including requiring forms and reports to be in electronic form when possible and incorporating relevant documents into the student accessible components of the Instructional Improvement Systems.

h As part of the school system's efforts to maintain safe and orderly schools, the plan must address safety and discipline concerns, these concerns, include any special conditions at the school. The plan should include the components of any positive behavior management or positive behavior support programs that have been adopted at the school and should comply with the requirements of policy 1510/4200/7270, School Safety, and all protocols established by the superintendent or designee under that policy.

i For schools identified by the Department of Public Instruction as Focus or Priority schools, the plan must identify the interventions the school will implement to address students' academic needs. Such interventions must include strategies to address the needs of all children, particularly the lowest-achieving, and how those needs will be met in a timely and effective manner.

j. In accordance with policy 1310/4002, Parental Involvement, the plan must identify the goals and strategies for parents to be involved in their child's education and in the educational program of

the school.

k. The plan must include a process by which the school improvement team will review the school improvement plan at least once a year. The annual review process must include (1) a review of student scores on all state and board mandated tests and (2) a means for the school improvement team to modify the plan, if necessary, when the school has not met the expected growth score established by the state.

l. The plan must require the principal to notify the superintendent if the school improvement team has modified a board accepted school improvement plan.

3. Optional Components of the State Plan

Part One of the school improvement plan may include any or all of the following components:

a. The plan may include a request for waivers of state laws, rules or policies. Any waiver request must (1) identify the school making the request; (2) identify the particular state law, rule or policy that inhibits the school's ability to improve student performance; (3) set out with specificity the circumstances under which the waiver may be used; and (4) explain how the requested waiver will permit the school to improve student performance.

b. The plan may include a request to transfer state funds from one allotment category to another, as permitted by state law. The request must identify the funding allotment categories involved in the transfer and identify how the transfer will facilitate improving student performance.

c. The plan may include a comprehensive conflict resolution plan as provided in G.S. 115C-81(a4), in order to help create a safe school.

d. The plan may include the use of textbooks that have not been adopted by the State Board.

4. Develop and Review of the Plan

School improvement teams should review student performance data from the preceding school year in developing the school improvement plan. Based on availability of data and when specific school standards are established by the State Board, the superintendent shall establish the date by which school improvement plans must be submitted.

The principal first shall present the proposed school improvement plan to all of the assistant principals, instructional personnel, instructional support personnel, and teacher assistants assigned to the school building for their review and vote by secret ballot. The principal then shall submit the school improvement plan to the superintendent only if the proposed school improvement plan has the approval of a majority of the staff who voted on the plan.

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

The board will review the school improvement plans. The review of the school safety components of the plans must be in closed session. The board shall make findings on the safety components of the plan. Neither the safety components of the plans nor the board's findings on the safety components of the plans may be set out in the minutes of the board.

After review of the school improvement plans, the board will accept or reject each school improvement plan. If a plan is rejected, the board will explain the specific reason(s) for the rejection. Any plan modified by the school improvement team after being rejected by the board must be resubmitted to the school personnel for vote and, upon majority approval, resubmitted to the superintendent for review. The superintendent will re-submit the modified plan to the board with his or her recommendations as soon as practical. The board will review the modifications along with any recommendations from the superintendent and accept or reject the plan.

If the board and the school improvement team cannot reach agreement on the plan within 60 days after its initial submission, the board or school may

request to use the dispute resolution process developed by the State Board under G.S. 115C-105.20(b)(5). Alternately, if use of the dispute resolution process is not requested, the board may develop a school improvement plan for the school.

A school improvement plan may be in effect for up to three years. The plan must be reviewed at least annually by the school improvement team in accordance with the review process established in the school's plan. If a school does not meet its expected growth standard as established by the State Board or if more than 25% of the students performed below grade level, the principal must submit to the superintendent and the board a report of the school improvement team. The report must explain the reasons why the standard(s) was not met and describe any modifications that will be made in the school improvement plan. After considering any recommendations of the superintendent, if the board is not satisfied with the response of the school improvement team, the board may suggest modifications to the plan or may vacate those portions of the plan that impede student performance and require the school improvement team to revise the plan.

5. Elimination of Redundant or Unnecessary Reporting Requirements

If, at any time before or after the board approves the school improvement plan, the school improvement team identifies a more expeditious manner of providing the information to the board that will eliminate a redundant or unnecessary reporting requirement for teachers at its school, the team may make a written request to the superintendent to eliminate the redundant or unnecessary report. The superintendent shall recommend to the board whether the reporting requirement should be eliminated for that school. If the superintendent does not recommend elimination of the reporting requirement, the school improvement team may request a hearing by the board as provided in policy 2500, Hearings Before the Board.

6. Compliance with Requirements

Any employee, parent, or other interested party is encouraged to notify the principal of any concerns regarding compliance with this policy or G.S. 115C-105.27. In addition, any employee, parent, or other interested party may submit in writing to the superintendent concerns regarding compliance with this policy or G.S. 115C-105.27. The superintendent

shall make a good faith effort to investigate the concern and shall provide a written response upon request.

C. PART TWO OF THE SCHOOL IMPROVEMENT PLAN: LOCAL EDUCATION REFORM INITIATIVES

In addition to the basics emphasized in the state testing program, the board expects schools to be guided by the educational goals of the board. The board encourages the schools to consider innovative means of educating students to meet these educational goals. The board has established a vision, standards and means of accountability in its educational policies to provide guidance to the schools. Many of these policies provide an opportunity for schools to develop innovative plans as a part of their school improvement plan. Part two of the school improvement plan should reflect the school's efforts to meet the educational goals of the board.

1. Mandatory Components of the Local Plan

   Part Two of the school improvement plan must include the following:

   a. strategies for meeting the educational objectives of the board (policy 3000, Goals and Objectives of the Educational Program):.

   b. ~~i~~ntervention strategies for students who are not at grade level proficiency or who are not likely to meet standards of promotion measured by other means (Student Progression and Placement, policy 3420)

2. Optional Components of the Local Plan

   The board strongly encourages school employees to be innovative in their efforts to meet local educational goals. Although not limited to these options, the board has encouraged innovation specifically through its policies on the following issues:

   a. modifying the school calendar (see policy 3300, School Calendar and Time for Learning);

   b. implementing alternative scheduling of classes or other strategies intended to reduce transitional time and limit interference from non-instructional activities (policy 3300);

c. adding hours of instructional time (policy 3300);

d. providing additional means for evaluating instructional programs policy 3140,(Evaluation of Instructional Programs);

e. developing and implementing pilot programs (policy 3110, Innovation in Curriculum and Instruction);

f. expanding the subject areas or objectives of the curriculum (policy 3100, Innovation in Curriculum Development); and

g. eliminating curriculum on subject areas or objectives that are not state required. (policy 3100).

A school also may submit a request to the board for a waiver of board policies. Any waiver request must identify the particular board policy that inhibits the school's ability to improve student performance; set out with specificity the circumstances under which the waiver may be used; and explain how the requested waiver will permit the school to improve student performance.

3. Process

Part Two of the plan should be submitted at the same time as Part One of the plan. However, a school improvement team may submit a request to the superintendent for an additional month to complete Part Two of the plan. The superintendent may approve the request if the school is working in good faith to complete the plan.

The board will act on the plan at the first meeting in which it is presented, unless further time for review is necessary. The board may accept the plan with or without modifications or reject the plan and provide an explanation of the deficiencies of the plan. If modifications are required for board approval, the board may either make the modifications or request the school improvement team to make the modifications and resubmit the plan.

If a school improvement team is not satisfied with any modifications made by the board, it may submit alternative modifications for consideration to the board. Until the board acts on the school improvement team’s

alternative modifications, the modifications made by the board will be in effect.

The Part Two plan may be in effect for no more than two years. The board encourages the school to evaluate the plan continually. At any time during the two-year period, a school improvement team may submit an expanded or modified school improvement plan for board consideration. Furthermore, at any time during the two-year period, the superintendent and the board may review the plan and the board may take any actions provided in this subsection.

D. POSTING THE SCHOOL IMPROVEMENT PLAN ONLINE

The school improvement plan, except for its school safety components which are not public record, must be posted on the school's website. The names and positions of the members of the school improvement team, along with the date of each member's election to the team, must also be posted on the website.

E. STAFF DEVELOPMENT

The superintendent shall develop a process by which schools can learn from each other's school improvement plans. The superintendent and the schools are encouraged to use staff development resources to provide training to staff on the development, implementation and evaluation of school improvement plans.

School administrators must be evaluated by their supervisors on the school-based management process as required by board policy and state law and on the effectiveness of the school improvement plan.

Legal References: U.S. Department of Education approval of Elementary and Secondary Education Act (ESEA) Flexibility Request (May 29, 2012); G.S. 115C -47(38), -81, -84.2, -98, -105.20, 105.21, -105.25, -105.26, -105.27, -105.32, -105.35, 301.1, -307(g); 143, art. 33C

Cross References: Parental Involvement (policy 1310/4002), School Safety (policy 1510/4200/7270), Compliance with the Open Meetings Law (policy 2320), Hearings Before the Board (policy 2500), Goals and Objectives of the Educational Program (policy 3000), Curriculum Development (policy 3100), Innovation in Curriculum and Instruction (policy 3110), Evaluation of Instructional Programs (policy 3140), Time for Learning (policy 3300), Student Promotion and Accountability (policy 3420)

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Updated: August 3, 3009
Updated: January 12, 2011
Updated: December 5, 2011
Updated: January 14, 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.

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 (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, 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 END OF COURSE TESTING

Students must take all end-of-course tests required by the State Board of Education.

1. If required by the State Board of Education, students who do not score at Level III or above on the first administration of an EOC test shall be retested.

   The EOC test results will count as 25 percent of a student's final grade in each high school course for which an EOC test is available, except that this requirement does not apply to students following the Occupational Course of Study.

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. A student who completes the requirements of the North Carolina Academic Scholars Program will receive recognition, including a seal affixed to his or her diploma. 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

   Beginning with the graduating class of 2014-2015, students will have the opportunity to earn an endorsement to their diploma identifying a particular area of focused study including: (1) Career Endorsement, (2) College Endorsement, (3) College Plus Endorsement, and/or (4) North Carolina Academic Scholars Endorsement. No endorsement is required to receive a diploma, and a student may earn more than one endorsement.

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-N-004, -010

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

COMPREHENSIVE HEALTH EDUCATION PROGRAM

Policy Code: **3540**

The board is committed to a sound, comprehensive health education program that provides students with accurate information and encourages them to be responsible for their own health and behavior. The board recognizes the primary role of parents in providing for the health and well-being of their children and seeks to involve parents as provided in this policy. The comprehensive health education program provided by the school district will meet the requirements of the Basic Education Program (BEP), as articulated in G.S. 115C-81(e1) and aligned state-adopted standards. The board may, in its discretion, expand on the subject areas to be included in the program and on the instructional objectives to be met.

A. COMPREHENSIVE HEALTH EDUCATION PROGRAM

A comprehensive health education program must be taught to students from kindergarten through ninth grade. As required by law, the health education program must include age-appropriate instruction on bicycle safety, nutrition, dental health environmental health, family living, consumer health, disease control, growth and development, first aid and emergency care, mental and emotional health, drug and alcohol abuse prevention, preventing sexually transmitted diseases (STDs), including HIV/AIDS and other communicable diseases, and reproductive health and safety education..

As required by law, reproductive health and safety education in seventh grade and beyond will include age –appropriate instruction on sexual abstinence until marriage, STDs, the human reproductive system, preventable risks for preterm birth in subsequent pregnancies, effective contraceptive methods for preventing pregnancy and awareness of sexual assault and sexual abuse.

B. PARENTAL OPPORTUNITIES TO REVIEW MATERIALS AND WITHHOLD CONSENT FOR STUDENT PARTICIPATION

Each year before students participate in reproductive health and safety education or in other separate instruction on the prevention of STDs, including HIV/AIDS, or the avoidance of out-of-wedlock pregnancy, the principal or designee shall provide and notify parents of a reasonable opportunity to review the materials and objectives that will be used in instruction. A copy of all objectives and materials will be available for review in the media center of each school where these subjects will be taught.

The principal or designee shall also notify parents of the right to withhold or withdraw consent for their child's participation in all reproductive health and safety education instruction or in specific topics such as STDs, the effectiveness and safety of contraceptive methods and awareness of sexual assault and sexual abuse. Parents may also withhold consent to student participation in other separate instruction on the prevention of STDs, including HIV/AIDS, or the avoidance of out-of-wedlock pregnancy. Any parent wishing to withhold or withdraw consent must do so in writing to the principal.

C. STANDARDS FOR INSTRUCTION

For reproductive health and safety education, teachers shall follow the instructional objectives and only use the age-appropriate materials that have been made available to parents for review in accordance with this policy. Information conveyed during instruction will be objective and based upon scientific research that is peer reviewed and accepted by professionals and credentialed experts in the field of sexual health education.

A determination of what is an appropriate education for a student with disabilities must be made in accordance with the student's individualized education plan, following all procedures as provided in the *North Carolina Procedures Governing Programs and Services for Children with Disabilities*.

Legal References: G.S. 115C art. 9; 115C-36, -81(e1); State Board of Education Policies GCS -D-000, GCS-F-007; *Policies Governing Services for Children with Disabilities, available at http://ec.ncpublicschools.gov/policies/nc-policies-governing-services-for-children-with-disabilities*

Cross References:

Adopted: March 6, 2000
Updated: June 1, 2009
Updated: August 2, 2010
Updated:

STUDENT VOTER REGISTRATION

Policy Code: **3640/5130**

The board is committed to securing the future of democracy by preparing young people to be educated, engaged voters. Further, the board is committed to working in collaboration with the local board of elections to encourage students who are to register to vote as permitted by North Carolina law.

In keeping with this commitment, the board directs the superintendent to establish a committee of high school social studies teachers and other appropriate school personnel to collaborate with the local board of elections to facilitate and encourage voter registration at all high schools in the school system.

In compliance with G.S. 163-82.23, the principal of each high school shall make available to all students and others who are eligible to register to vote the application forms described in G.S. 163-82.3.

Legal References: G.S. 115C-47(58), -81(g1)(1)b; -82.3, -82.23

Cross References: Citizenship and Character Education (policy 3520)

Adopted: August 3, 2010
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 to a school in the attendance area where he or she is physically located or wherever the interests of the child are best met.

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, not including periods of active duty for training for less

than 30 days, 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. Assignment under this subsection is only available if some evidence of the deployment, medical discharge, retirement, or death 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.

E. Appeal of Admission Decisions

Within 10 working days of receiving all of the information required under this policy, the superintendent or designee shall provide a written decision to the applicant for admission to the school system. The superintendent’s decision reqarding admission of the student may be appealed to the board in

accordance with subsection E.5 in policy 1740/4010, Student and Parent Grievance Procedure.

Legal References: 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-106,2,-106.3, -107.6, -108.1(a), -366, -407.5, *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:

The board recognizes that concussions and other head injuries may be serious and potentially life threatening and that such injuries may result in serious consequences later in life if managed improperly. The board is committed to practices that reduce the potential for short-term or long-term effects from such injuries. In support of this commitment, the board directs school employees to comply with the concussion safety requirements for interscholastic athletic competition established by G.S. 115C-12(23) as amended in the Gfeller-Waller Concussion Awareness Act of 2011, and to implement and follow all concussion safety requirements set forth in State Board of Education rules and policies for middle and high schools. The superintendent or designee shall develop a plan consistent with state requirements and shall implement and monitor compliance with this policy. The superintendent is authorized to investigate the use of baseline testing for student-athletes and require that student-athletes undergo such testing prior to their participation in any interscholastic athletic competition.

A. DEFINITION OF CONCUSSION

A concussion is a traumatic brain injury caused by a direct or indirect impact to the head that results in disruption of normal brain function, which may or may not result in a loss of consciousness.

B. SCHOOL HEAD INJURY INFORMATION SHEET

Each year, all coaches, school nurses, athletic directors, first responders, volunteers, student-athletes, and parents of student-athletes must be provided with a concussion and head injury information sheet that meets the requirements of the State Board. Before any student, school employee, volunteer or first responder will be allowed to participate in interscholastic athletic activities, including tryouts, practices or competitions, he or she must sign the head injury information sheet and return it to the coach. Parents also must sign the sheet and return it to the coach before their children may participate in any interscholastic athletic activity. The principal of each school shall ensure that a complete and accurate record of the returned signed sheets is maintained in accordance with law and State Board policy.

C. REMOVAL FROM AND RETURN TO PLAY

Any student-athlete who is exhibiting signs or symptoms consistent with a concussion must be removed from athletic activity immediately. Further, the student-athlete must not be allowed to return to play or practice that day or on any subsequent day until he or she has been evaluated and has received written clearance for participation that complies with the requirements of G.S. 115C-12(23) and any other applicable law or State Board policy.

D. EMERGENCY ACTION PLANS

Each principal or designee shall develop a venue-specific emergency action plan to respond to serious medical injuries and acute medical conditions in which the condition of the injured student may deteriorate rapidly. All such plans must include a delineation of roles, methods of communication, available emergency equipment and a plan for emergency transport. The plans must be (1) in writing, (2) reviewed by an athletic trainer who is licensed in North Carolina, (3) approved by the principal if developed by a designee, (4) distributed, posted, reviewed and rehearsed in accordance with G.S. 115C-12(23), and (5) compliant with any other requirements of state law and State Board policy.

E. RECORD KEEPING

The superintendent shall require each principal to maintain complete and accurate records of actions taken in his or her school to comply with this policy and applicable legal authority. Records shall include accounts of any education or training as may be required by law or State Board of Education policy.

The superintendent's annual report to the board on compliance with laws and policies related to student wellness shall include a report on the system's compliance with laws and policies related to concussions and head injuries. (See Section G of policy 6140, Student Wellness.)

Legal References: G.S. 115C-12(23); S.L. 2011-147

Cross References: Student Wellness (policy 6140)

Other Resources: Matthew Gfeller Sport-Related TBI Research Center at UNC website *http://tbicenter.unc.edu/MAG_Center/Home.html ; Report to the North Carolina General Assembly: Study of Sports Injuries at Middle School and High School Levels*, N.C. Department of Public Instruction (2011), available at http://www.ncleg.net/documentsites/committees/JLEOC/Reports%20Received/2011%20Reports%20Received/Study%20of%20Sports%20Injuries%20at%middle%20and%20High%20School%20Levels.pdf

Adopted: October, 2011
Updated:

School officials have the authority to conduct reasonable searches and seize materials in accordance with this policy for the purpose of maintaining a safe, orderly environment and for upholding standards of conduct established by the board or school. Any searches or seizures must be conducted in accordance with the standards described in this policy and any other applicable legal requirements. All school officials carrying out a search or seizure are expected to be knowledgeable about the constitutional rights of students and the appropriate procedures for conducting the search or seizure. All school officials carrying out a search or seizure are expected to be knowledgeable about the constitutional rights of students and the appropriate procedures for conducting the search or seizure. A search must be justified at its inception and permissible in scope. School officials shall make reasonable, good faith efforts to investigate allegations of misconduct before a student search is conducted.

This policy applies to searches conducted on school grounds, in school facilities, or at school-sponsored events.

Policy 3225/4312/7310, Technology Responsible Use, not this policy, applies to the search of school system-owned technological resources and the data located on school system-owned electronic equipment.

A. SEARCHES BASED ON INDIVIDUALIZED REASONABLE SUSPICION

A student or the student's possessions may be searched whenever a school official has reasonable suspicion that the search will turn up evidence that the particular student has violated or is violating a specific law or school rule. This reasonable suspicion must be based upon specific and articulable facts, which have been acquired through reliable and/or corroborated information from employees, students, law enforcement officers, or other credible sources, or upon visual or other evidence (e.g., the smell of alcohol or marijuana, an alert from a metal detector or drug dog) viewed in light of the totality of the circumstances and the school official's professional judgment. The scope of the search and the methods used to conduct the search must be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Reasonable suspicion is not required if a student freely, voluntarily and knowingly consents and agrees to the search of his or her person or personal effects.

In accordance with the standards described above, the board authorizes the following types of searches based on reasonable suspicion.

1. Searches of Personal Effects

   School officials may search at student's desk, locker, and/or personal effects, including but not limited to purses, bookbags, and outer clothing. Policy 4318, Use of Wireless Communication Devices, addresses the circumstances under which searches of student cell phones and other electronic devices may be conducted.

2. Searches of Motor Vehicles

   School officials may search the interior of a student's motor vehicle.

3. "Pat-down" Searches

   A school official may conduct a frisk or "pat-down" search of a student's person. The search must be conducted in private by a school official of the same sex and with an adult witness present, when feasible.

4. More Intrusive Personal Searches

   More intrusive personal searches are discouraged and are to be used only in very limited circumstances. A personal search is more intrusive when it extends beyond a student's personal effects and outer clothing and potentially exposes intimate body parts and/or undergarments. Such intrusive personal searches will be permissible only if: (1) the schoo official has reasonable suspicion that a search of a particular student will yield dangerous contraband (e.g., drugs or weapons); and (2) the school official has reasonable suspicion that the student has hidden the contraband in his or her undergarments.

   This search may be conducted only in private by a school official of the same gender, with an adult witness of the same gender present, and only upon the prior approval of the superintendent or designee, unless the health or safety of students will be endangered by the delay that might be caused by following these procedures. Body cavity searches and searches that require a student to completely disrobe are strictly prohibited.

5. Metal Detector Searches

   Except as provided in Section B.2, below a metal detector may be used to search a student's person and/or personal. The search must be conducted by a school official. The search will be conducted in private, when feasible.

B. SUSPICIONLESS GENERAL SEARCHES

In an effort to maintain a safe, drug-free, and weapon-free learning environment, school officials may conduct certain types of general, suspicionless searches in the schools. All general searches must be conducted in a minimally-intrusive, non-discriminatory manner (e.g., all students in randomly selected classrooms, every third individual entering a school-sponsored extracurricular activity) and may not be used to single out a particular individual or category of individuals. The searches must be conducted in accordance with standardized procedures established by the superintendent or designee. Absent exigent circumstances (e.g., a report of a weapon on campus), prior to conducting general searches, school administrators must: (1) demonstrate to the superintendent or designee the need for general searches based upon a pattern of expectation of violence or disruption; and (2) provide written notice, to students and parents of the school policy and/or procedures governing general searches, but not of specific times when or places where searches will be conducted.

When conducted in accordance with the standards described above and any corresponding procedures, the board authorizes the following types of general, suspicionless searches.

1. Searches of Desks and Lockers

   School officials may conduct routine searches of student desks and lockers. Student desks and lockers are school property and remain at all times under the control of the school. However, students are expected to assume full responsibility for the security of their desks and lockers. Student desks and lockers may not be used to store illegal, unauthorized or contraband materials.
   A student's personal effects found within a desk or locker, such as a backpack~~s~~, gym bag or purse, may be searched only in accordance with the guidelines for personal individualized searches of personal effects described in Section A, above.

2. Point-of-Entry Metal Detector Searches

Due to the increasing problem of weapons in schools, school officials may use metal detectors to conduct general point-of-entry searches of students and other persons for weapons.

3. Use of Trained Dogs

With the prior approval of the superintendent, and in conjunction with local law enforcement school officials may use trained dogs (canines) to locate illegal materials. All dogs must be accompanied by a certified and authorized trainer who is responsible for the dog's actions and who is able to verify the dog's reliability and accuracy in sniffing out illegal material. Trained dogs may sniff lockers, desks, book bags motor vehicles and other inanimate objects. Dogs may not be used to sniff students or other persons under any circumstances. No students may be present during a dog search. Before a search occurs in a classroom, students will first be moved to a location outside the classroom.

C. SEIZED ITEMS

Any illegal contraband seized by school officials must be promptly turned over to the proper law enforcement authorities.

D. FAILURE TO COOPERATE

A student's failure to cooperate with a reasonable search or seizure as provided in this policy will be considered a violation of the expected standard of behavior, and will subject the student to appropriate consequences.

E. NOTICE

School principals shall take reasonable steps to provide notice of this policy to students and parents at the start of each school year.

Legal References: U.S. Const. amend. IV; *New Jersey v. T.L.O.,* 469 U.S. 325 (1985), *Safford United School District #1 v. Redding,* 557 U.S. 364 (2009); G.S. 115C-47, -288, -307, 390.2

Cross References: Technology Responsible Use (policy 3225/4312/7320), School Plan for Management of Student Behavior (policy 4302), Use of Wireless Communication Devices (policy 4318), School Level Investigations (policy 4340)

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

All student records must be current and maintained with appropriate measures of security and confidentiality. The principal is responsible for meeting all legal requirements pertaining to the maintenance, review and release of records retained at the school.

A. ANNUAL NOTIFICATION OF RIGHTS

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

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

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

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

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

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

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

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

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

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

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

B. DEFINITION OF PARENT, AND ELIGIBLE STUDENT

1. Parent

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

2. Eligible Student

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

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

C. CLASSIFICATION AND MAINTENANCE OF RECORDS

Information about students that is collected and stored by school personnel may be separated into several categories, including, but not limited to, the following records.

1. Cumulative Records

   The cumulative record is the official record for each student. The cumulative record includes student identification information, such as the student's name, address, sex, race, birthplace and birth date; family data including the parents' names, addresses, work and home phone numbers and places of employment; academic work complete; grades; standardized test scores' health screenings and immunization records; honors and activities; class rank; date of graduation; and follow-up records.

2. Discipline Records

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

3. Records of Students with Disabilities

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

4. Records Received from the Department of Social Services

   The Department of Social Services may disclose confidential information to the school system in order to protect a juvenile from abuse or neglect. Any confidential information disclosed under these circumstances must remain

confidential and may only be disclosed for purposes directly connected with carrying out the school system's mandated educational responsibilities.

5. Juvenile Records

Juvenile records include documentation or information regarding students who are under the jurisdiction of the juvenile court. These records may be received from local law enforcement and/or other local agencies authorized to share information concerning juveniles in accordance with G.S. 7B-3100. These records also may include notice from the sheriff to the board that a student has been required to register with the sheriff because the student has been found to be a danger to the community under G.S. Chapter 14, Part 4. Such documents must not be part of the student's official records but must be maintained by the principal in a safe, locked storage area that is separate from the student's other records. The principal shall not make a copy of such documents under any circumstances.

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

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

If the student is transferring, the principal shall provide the juvenile court counselor with the name and address of the school to which the student is transferring.

6. Other Student Records

   School system personnel may also keep other student records but must review such records annually and destroy them when their usefulness is no longer apparent or when the student leaves the school system.

7. Sole Possession, Employment and Law Enforcement Records

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

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

   b. Employment records of student employees if those records relate exclusively to the student in his or her capacity as an employee and are not made available for any other use; and

   c. Records created by a law enforcement unit of the school system if created for a law enforcement purpose and maintained solely by the law enforcement unit of the school system. This does not include information obtained from the student's confidential file or other education records that is contained in a law enforcement record.

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

Records of students participating in the North Carolina Address Confidentiality Program must show only the substitute address provided by the Address Confidentiality Program and must not be released to any third party other than a school to which the student is transferring, or as otherwise provided by law.

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

E. RECORDS OF MISSING CHILDREN

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

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

F. RECORDS OF MILITARY CHILDREN

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

In addition, children of military families, as defined by policy 4050, are entitled to the following.

1. For Students Leaving the School System

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

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

2. For Students Enrolling in the School System

   Upon receiving an unofficial education record from the student's previous school, school administrators shall enroll the student and place him or her in

classes as quickly as possible based on the information in the unofficial records, pending validation by the official records.
Simultaneous with enrollment and conditional placement of the student, school administrators shall request the student's official record from his or her previous school.

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

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

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

A parent, guardian or eligible student has the right to challenge an item in the student record believed to be inaccurate or inappropriate. The principal will examine a request to amend a student record item and respond in writing to the person who challenges the item. Subsequent steps, if necessary, will follow the student grievance procedures as provided in board policy 1740/4010, Student and Parent Grievance Procedure.

C. RELEASE OR DISCLOSURE OF RECORDS TO OTHERS

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

1. Release/Disclosure With Parental Consent

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

2. Release/Disclosure Without Parental Consent

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

   When personally identifiable information from a student's record is released or disclosed without prior written consent of the parent or eligible student, the party to whom the information is released must agree not to disclose the information to any other party without the prior consent of the parent or eligible student. This restriction does not apply to the release of directory information, release of information to parents of non-eligible students, release of information to parents of dependent students, or release of information in accordance with a court order or subpoena.

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

3. Release of Directory Information

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

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

      1) name;

2) address;

3) telephone listing;

4) electronic mail address;

5) photograph

6) date and place of birth;

7) participation in officially recognized activities and sports;

8) weight and height of members of athletic team;

9) dates of attendance;

10) grade level

11) Diplomas (including endorsements earned, industry credentials/, certification and awards received; and

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

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

c. As required by law, the names, addresses and telephone numbers of secondary school students shall be released, upon request, to military recruiters or institutions of high learning, whether or not such information is designated directory information by the school system. Students or their parents, however, may request that the student's name, address and telephone number not be released without prior written parental consent. School officials shall notify parents of the option to make a request and shall comply with any request made.

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

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

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

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

4. Records of Students with Disabilities

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

5. Disclosure of De-Identified Information

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

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

I. WITHHOLDING RECORDS

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

J. RECORD OF ACCESS AND DISCLOSURE

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

K. DESTRUCTION OF STUDENT RECORDS

School officials shall only destroy student records in accordance with state and federal law and the *Records Retention and Disposition Schedule for Local Education Agencies.* After notifying parents, school officials may destroy student records when the records are no longer needed to provide educational services to the student or to protect the safety of the student or others. School officials must destroy student records if the parent or eligible student requests their destruction and if such records are no longer needed to provide educational services to the student or to protect the safety of the student or others. School officials shall not destroy student records if there is an outstanding request to inspect the particular records.

L. LONGITUDINAL DATA SYSTEM

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

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, h, 34 C.F.R. pt. 99; Individuals with Disabilities Education Act, 20 U.S.C. §1411 *et. seq*.; G.S. 7B-302, -3100; 14-208.29; 115C-47(26), -109.3, -402, -403, -407.5; 116E-6; *Records Retention and Disposition Schedule for Local Education Agencies,* N.C. Department of Cultural Resources, Division of Archives and History (1999), available at http://www.ncdcr.gov/Portals/26/PDF/schedules/schoolschedulefinal.pdf

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

Adopted: April 10, 2000
Updated: January 12, 2009
Updated: August 3, 2010
Updated: January 14, 2013
Updated:

The board recognizes that the public schools are an integral part of the community and that the public has a vested interest in having students develop into productive members of the workforce and of society. The board encourages the community to be involved in the school system and to assist the school system in the goal of providing every student with a sound basic education.

Each year the board will ensure that the report card issued for the school system by the State Board of Education receives widespread distribution to the local press or to other local channels of news and information. In addition, the school system shall publish on its website all information required by law, including performance information and information on how state funds have been used to address local educational priorities.

A. POLICIES

The following policies address the relationship between the school system and the community:

1. Parental Involvement (policy 1310/4002);
2. Public Records—Retention, Release and Disposition (policy 5070/7350);
3. School Volunteers (policy 5015);
4. Compliance with the Open Meetings Law (policy 2320);
5. Registered Sex Offenders (policy 5022);
6. Distribution and Display of Non-School Material (policy 5210);
7. Community Use of Facilities (policy 5030); and
8. Visitors to the Schools (policy 5020).

B. SCHOOL ADMINISTRATORS

School administrators shall:

1. demonstrate a commitment to working with the community;

2. identify appropriate opportunities for community input;

3. communicate to the public the goals and objectives of the school system; and

4. provide the public with school progress and performance reports as required by state and federal law.

Legal References: No Child Left Behind Act of 2001, 20 U.S. C. 6318; G.S. 115C-12(9)c3, -36, -47, -83.10, -105.25(c)

Cross References: Parental Involvement (policy 1310/4002), Compliance with the Open Meetings Law (policy 2320), School Volunteers (policy 5015), Visitors to the Schools (policy 5020), Registered Sex Offenders (policy 5022),

Community Use of Facilities (policy 5030), Public Records—Retention, Release, and Disposition (policy 5070/7350), Distribution and Display of Non-School Material (policy 5210)

Adopted: April 10, 2000
Revised: January 12, 2009
Updated: April 13, 2010
Updated: January 14, 2013
Updated:

The board is committed to the safety of students and other persons on school property. In order to maintain a safe school environment, the superintendent and all school personnel shall enforce the provisions of this policy at all times.

A. REGISTERED SEX OFFENDERS BANNED FROM ALL SCHOOL PROPERTY

In accordance with G.S. 14-208.18, all persons who (1) are required to register under the Sex Offender and Public Protection Program AND (2) have been convicted of any offense in Article 7A of Chapter 14 of the General Statutes or any offense in which the victim was under the age of 16 years at the time of the offense are expressly forbidden to knowingly be present on any property owned or operated by the school system, including school buildings, athletic fields, playgrounds, parking lots, school buses, activity buses or other property of any kind for any reason, including attendance at sporting events or other school-related functions, whether before, during or after school hours. In addition, sex offenders subject to G.S. 14-208.18 may not attend or be present at any student function or field trip on or off school property that is (1) school-sponsored or (2) otherwise under the official supervision or control of school personnel. This policy applies to all covered sex offenders regardless of their relationship to or affiliation with a student in the school system.

B. PERSONS PROHIBITED FROM SCHOOL PROPERTY

The superintendent or designee shall consult with the board attorney and create and maintain a list of the criminal offenses that subject a person to the requirements of Section A above.

C. ENFORCEMENT

All school personnel must immediately report to a school administrator the presence or suspected presence of a known or suspected registered sex offender on school property. School administrators and other supervisory personnel shall report to the superintendent and law enforcement when they reasonably believe that a registered sex offender is or has been on school property or at a school event.

School administrators also shall notify the superintendent or designee of any known student or parent or guardian of a student at their school who is suspected to be a registered sex offender.

D. EXCEPTIONS

A person who is banned from school property under G.S. 14-208.18 may be on

school property only under the following circumstances.

1. Students

   Students who are subject to G.S. 14-208.18 may be on school property only in accordance with policy 4260, Student Sex Offenders.

2. Voters

   Voters who are subject to G.S. 14-208.18 and are eligible to vote may be present on school property for the sole purpose of voting if the school property is being used as a voting place. The voter must notify the principal of the school that he or she is registered under the Registry Program and the voter must remain at all times in the portion of the school being used as the polling place. The voter must leave school grounds immediately after voting.

3. Parents or Guardians

   a. An individual who is subject to this policy and is the parent or guardian of a student enrolled in school may be on school property only for the following reasons:

      1) to attend a scheduled conference with school personnel to discuss the child's academic or social progress; or

      2) at the request of the principal or designee, for any reason relating to the welfare or transportation of his or her child.

   b. For each visit authorized by the principal in accordance with subsection (a) above, the parent or guardian must provide the principal with prior written notice of his or her registration on the Sex Offender Registry and notice of his or her presence at school. Notice of his or her presence at school includes the nature and specific times of the visit.

   c. For each visit authorized by subsection (a) above, the parent or guardian must arrange to meet a staff member at the edge of school property, check in at the principal's office upon arrival and departure, and remain under the direct supervision of school personnel at all times. If school personnel are not available to supervise the parent or guardian during any visit, then the parent or guardian will not be permitted to enter or remain on school property.

   d. For each visit authorized by subsection (a) above, the parent or

guardian must comply with all reasonable rules and restrictions placed upon him or her by the principal, including restrictions on the date, time, location and length of meeting.

E. CONTRACTUAL PERSONNEL

In order to ensure compliance with this policy, each contract executed by the board must include a provision that requires the other party to the contract to conduct an annual check of the State Sex Offender and Public Protection Program and the State Sexually Violent Predator Registration Program on all employees who may be sent to perform tasks on or deliver products to school property. Persons who are subject to Section A of this policy may not be sent onto school property for any reason.

In addition, each time the board enters into any contract or agreement for contracted services that involve direct interaction with children, the contract must include a provision that requires the other party to the contract to conduct an annual check of the National Sex Offender Registry on all contracted employees who may have direct contact with children.

No contractor or employee of a contractor registered with the State Sex Offender and Public Protection Program, the State Sexually Violent Predator Program or the National Sex Offender Registry may have direct interaction with children. This provision applies to contracts with a single individual.

Legal References: G.S. ch. 14, art. 7A, 14-208.18, -208.19; 115C-332, -332.1

Cross References: School Safety (policy 1510/4200/7270), Student Sex Offenders (policy 4260), Visitors to the Schools (policy 5020), Recruitment and Selection of Personnel (policy 7100)

Adopted: January 12, 2009
Updated:

WEAPONS AND EXPLOSIVES PROHIBITED

Policy Code **5027/7275**

The board of education is committed to providing a safe school environment that is free from violence, to the maximum extent possible. Employees, visitors and other persons are prohibited from possessing, carrying, using or threatening to use, or encouraging another person to possess, carry, use or threaten to use, weapons or explosives on school property or while attending curricular or extracurricular activities sponsored by the school. This policy applies to weapons or explosives carried openly or concealed.

Any employee who violates this policy will be subject to immediate termination. Any visitor or other person who violates this policy will be escorted from the premises and/or school activity immediately. The superintendent or principal will immediately report any violations of this policy to law enforcement officials. Any employee who is aware that a weapon or explosive is present on school property or at a school event in violation of this policy must immediately report it to the principal or designee or the school resource officer as appropriate.

Students who violate this policy are subject to discipline as provided in policy 4333, Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety.

A. WEAPONS AND EXPLOSIVES DEFINED

For purposes of this policy, a weapon includes, but is not limited to, any gun, rifle, pistol or other firearm of any kind; or any BB gun, stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades (except solely for personal shaving), fireworks or any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction and/or maintenance on educational property. For purposes of this policy, an explosive includes, but is not limited to, any dynamite cartridge, bomb, grenade, mine or powerful explosive as defined in G.S. 14-284.1.

B. SCHOOL PROPERTY

For purposes of this policy, school property is any school building or bus, school campus, grounds, recreational area, athletic field, or other property owned, used or operated by the board of education.

C. EXCLUSIONS

This policy will not apply to:

1. a weapon or an explosive used solely for educational or school-

sanctioned ceremonial purposes, or used in a school-approved program conducted under the supervision of an adult whose supervision has been approved by the school authority;

2. a handgun in a closed compartment or container within the person's locked vehicle or in a locked container securely affixed to the person's vehicle if the person has a concealed handgun permit valid under state law or is exempted by state law from needing a permit to carry a concealed handgun (the person may unlock the vehicle to enter or exit the vehicle provided the handgun remains in the closed compartment at all times and the vehicle is locked immediately following the entrance or exit;

3. firefighters, emergency service personnel, North Carolina Forest Service personnel, and any private police employed by the board of education, when acting in the discharge of their official duties; or

4. law enforcement officers or other persons as provided in G.S. 14-269.2(g)(1a); or

5. a volunteer school safety resource officer providing security at a school pursuant to an agreement as provided in G.S. 115C-47(61), provided that the volunteer school safety resource officer is acting in the discharge of his or her official duties and is on the educational property of the school that the officer was assigned to by the head of the local law enforcement agency.

Legal References: G.S. 14-69.2, -269.2, -284.1; 20-17; 115C-47(61), -288(g)

Cross References: Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety (policy 4333)

Adopted: April 10, 2000
Updated: December 8, 2010
Updated:

Automated External Defibrillator

Policy Code: **5029/ 6130/7267**

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

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

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

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

2. CPR and AED use training for anticipated responders: Training will be completed in accordance with nationally recognized training programs, including those approved and provided by the American Heart Association or American Red Cross. Any person without such training in AED use will not be authorized to use a school-owned AED. Appropriate records of training will be maintained.

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

4. Appropriate device maintenance and testing.

5. Placement of AEDs.

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

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

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

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

Cross References: Student Health Services (policy 6120)

Other References: *N.C. Emergency Guidelines for Schools,* (NCDPI 2009), available at http://www.nchealthyschools.org/docs/school/nc-emergency-guidelines.pdf; Implementing an AED Program, (American Heart Association 2012), available at http://www.heart.org/idc/groups/heart-public@wcm@ecc/documents/downloadable/ucm_438703.pdf

Adopted:

The board is committed to providing access to public records and public information. All employees shall comply with the public records law and this policy.

A. PUBLIC RECORD DEFINED

Any record, in any form, that is made or received by the board in connection with the transaction of public business is a public record that must be made available to the public, unless such record is protected from disclosure by federal or state law or is otherwise exempted from the public records law, G.S. 132-1 through 132-9. (See policy 5071/7251, Electronically Stored Information Retention, for specific information regarding public records in electronic form).

Though the school improvement plan is a public record, the school safety components of the plan are not public records subject to public record law.

The official records of students are not public records subject to inspection and examination. (For further information regarding the release of information about students, see policy 4700, Student Records).

Information in school system employee personnel files is protected from disclosure in accordance with G.S. 115C-319, except that the following employee information is public record:

1. name;
2. age;
3. the date of original employment or appointment;
4. 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;
5. current position;
6. title;
7. current salary (includes pay, benefits, incentives, bonuses, deferred compensation and all other forms of compensation paid to the employee);
8. the date and amount of each increase or decrease in salary with the board;
9. the date and type of each promotion, demotion, transfer, suspension, separation or other change in position classification with the board;
10. the date and general description of the reasons for each promotion with the board;
11. the date and type of each dismissal, suspension or demotion for

disciplinary reasons taken by the board, 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

12. the office or station to which the employee is currently assigned.

The name of a participant in the North Carolina Address Confidentiality Program is not a public record and must be redacted from any records released. As necessary, school personnel may combine public and confidential records to meet the business needs of the system. However, if a record contains confidential information as well as public information, school officials must provide the requested public record with the confidential information removed or redacted. The school system will bear the cost of separating confidential information that is commingled with public records. The release of public information from student records is addressed in policy 4700, Student Records.

B. DESIGNATION OF RECORDS OFFICER

The superintendent shall designate a records officer or otherwise ensure that the duties of a records officer are met;

1. Duties of the Records Officer

   The duties of the records officer include the following:

   a. determining whether records are public or confidential by law, with assistance from the local board attorney as necessary;

   b. determining the most cost-effective means of storing and retrieving public records that include confidential information;

   c. providing training, consultation and guidelines to school officials who respond to or are otherwise involved in public records requests;

   d. determining the actual cost of providing copies of public records in ~~the~~ various forms, such as paper or electronic media, in which school system is capable of providing the records;

e. determining the cost of a request for copies of public records when a special service charge is applicable or when the school system is voluntarily creating or compiling a record as a service to the requester; and

f. reviewing appeals of any denial of a request for public records.

2. Other Duties

Other duties to be performed by the records officer, a designated electronic records officer or other employees as determined by the superintendent include the following:

a. reviewing all electronic data processing systems being considered for lease or purchase to ensure that they will not impede the school system's ability to permit public inspection and examination of records;

b. ensuring that databases are indexed as required by law; and

c. conducting an inventory of electronic databases maintained by the school system on a regular basis.

C. INDEXING OF COMPUTER DATABASES

All computer databases compiled or created after June 30, 1998 will be indexed as required by law. The form and content of the indexes will conform to the guidelines issued by the North Carolina Division of Archives and History.

Any computer database that is being considered for purchase or lease by the school system that will be subject to the indexing requirements should include the statutorily required index provided by the vendor at no additional cost to the school system.

In addition, the school system will voluntarily index databases created or compiled prior to July 1, 1998, so long as the process is not unreasonably burdensome or costly. Any voluntary indexing does not have to meet statutory requirements or the guidelines issued by the North Carolina Division of Archives and History.

D. REQUESTS FOR PUBLIC RECORDS

All requests for examining or obtaining copies of public records should be in writing or recorded by school system personnel. Any denial of a public records request shall be made in writing and shall include the basis for the denial. Information will be made available to the requester concerning the cost of producing records and how to appeal a denial of a public records request. The superintendent or designee may issue additional guidelines consistent with this policy to further clarify the process for requesting public records.

E. FEES FOR COPIES OF PUBLIC RECORDS

Persons requesting copies of public records will be charged any applicable fees as determined by the records officer (see subsections B.1, (d) and B.1 (e) above) The school system shall not charge any fees for separating confidential information that is commingled with public records.

F. DESTRUCTION OF PUBLIC RECORDS

School personnel shall comply with the *Records Retention and Disposition Schedule for Local Education Agencies* adopted by the N.C. Department of Cultural Resources, Division of Archives and History. The superintendent may establish regulations for the destruction of records in accordance with the approved schedule.

G. COMMUNICATION

This policy, administrative guidelines, information on the actual cost for producing public records, information on how to reach the records officer and any computer database indexes shall be made available to employees and individuals requesting public records.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 115C-105.27(a2); 109.3, -319 to -321, -402; 14-113.8(6); 132-1 to -9,; *Public Database Indexing Guidelines and Recommendations*, N.C. Department of Cultural Resources, Division of Archives and History (1996); *Records Retention and Disposition Schedule for Local Education Agencies,* N.C. Division of Cultural Resources, Division of Archives and History (1999), available at

http://www.ncdcr.gov/Portals/26/PDF/schedules/schoolschedulefinal.pdf ; N.C. Attorney General Advisory Opinion, letter to Elizabeth Buford, February 26, 1996, available at http://www.ncdoj.gov/About-DOJ/Legal-Services/Legal-Opinions/Opinions/Public-Records;-Computer-Database-Index.aspx .

Cross References: North Carolina Address Confidentiality Program (policy 4250/5075/7316), Student Records (policy 4700), Confidentiality of Personal Identifying Information (policy 4705/7825), News Media Relations (policy 5040), Personnel Files (policy 7820)

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

RELATIONSHIP WITH LAW ENFORCEMENT *Policy Code:* **5120**

The board recognizes the importance of law enforcement authorities in providing safe schools. The board desires an effective working relationship with law enforcement. To this end, the superintendent and principals are expected to communicate the needs of the schools and work with law enforcement officials in developing joint programs and in establishing protocols for handling situations in which the assistance of law enforcement if helpful or necessary. The superintendent shall establish procedures for school contacts with law enforcement agencies.

The superintendent shall ensure that local law enforcement and emergency management agencies have 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 shall also provide local law enforcement agencies with keys to the main entrance of all school facilities.

School resource officers will be assigned duties as specified in a written understanding between the law enforcement agency and the school system.

Law enforcement officials are not to be used in conducting administrative investigations, including investigations to determine whether student behavior policies have been violated.

School administrators and employees are expected to cooperate in criminal investigations but should attempt to do so in a way that minimizes disruptions to the educational environment.

Visits by probation officers to students during the school day must be in accordance with policy 5020, Visitors to the Schools.

Legal References: G.S. 115C-36, -47; S.L. 2013-360

Cross References: School Safety (policy 1510/4200/7270), Student Searches (policy 4342), Visitors to the Schools (policy 5020)

Adopted: April 10, 2000
Updated: June 1, 2009
Updated: January 14, 2013
Updated:

OPERATION OF STUDENT FOOD SERVICES *Policy Code:* **6220**

All schools will participate in federal National Child Nutrition Programs, and will receive commodities donated by the United States Department of Agriculture. All federal and state revenues will be accepted and applied so as to maximize the use of such funds for the purposes of providing nutritional meals to students at the lowest possible price.

A. OPERATIONAL STANDARDS

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

1. No child will be discriminated against because of race, sex, color, national origin or disability, age, or eligibility status for free and reduced price meals.

2. The student child nutrition program will meet safety and sanitation will meet standards requirements established in local, state and federal rules and guidelines for school food service programs.

3. Menu preparation and purchasing will be consistent with applicable state and federal rules and guidelines.

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

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

6. Preference will be given in purchasing contracts to high-calcium foods and beverages, as defined in G.S. 115C-264.1.

7. Child Nutrition Program (CNP) funds will be used only for the purposes authorized by law. Indirect costs, as defined by law, will not be assessed to the CNP unless the program has a minimum of one month’s operating balance.

8. The price for meals will be determined in accordance with federal laws.

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

10. All school child nutrition programs will be operated on a nonprofit basis for the benefit of the CNP. School child nutrition programs are those which are operated from 12:01 a.m. until the end of the last established lunch period.

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

12. School child nutrition programs will not sell foods of minimal nutritional value.

The board authorizes the sale of other "competitive foods" during the lunch period in compliance with law, provided the foods meet all applicable standards, including those established under policy 6230, Nutritional Standards for Food Selection,

B. MEAL CHARGES

Students who are required to pay for meals are expected to provide payment in a timely manner. The board recognizes, however, that students occasionally may forget or lose their meal money. The board therefore directs the superintendent to develop a procedure to manage situations in which students are unable to pay for a meal on a particular

day. The superintendent shall ensure that federal child nutrition funds are not used to offset the cost of unpaid meals and that the CNP is reimbursed for uncollected student meal charges prior to the end of the year.

The superintendent or designee will establish other procedures as appropriate to help ensure compliance with board policy and legal requirements.

Legal References: Child Nutrition act of 1966, 42 U.S.C. 1771 *et seq.;* National School Lunch Act, 42 U.S.C. § 1751, *et seq*.; 7 C.F.R. pt. 210; 2. C.F.R. pt. 225, App. B; G.S.; 115C-47(7), -47(22), -263, -264, -264.1, -426, -450, -522; 16 N.C.A.C. 6H .0104; State Board of Education Policy TCS-S-000

Cross References: Goals of Student Food Services (policy 6200), Nutritional Standards for Food Selection (policy 6230), Beverage Vending Sales (policy 6235), Goals of the Purchasing Function (policy 6400)

Adopted: April 10, 2000
Updated: July 1, 2009
Updated: January 14, 2013
Updated:

STATE PURCHASING REQUIREMENTS FOR EQUIPMENT, MATERIALS AND SUPPLIES

Policy Code: **6430**

All purchases of apparatus, supplies, materials and equipment will be made in accordance with laws and regulations, including Chapter 143 Article 8 of the North Carolina General Statutes, board policies and school systems purchasing procedures. All employees involved in purchasing must be familiar with these requirements.

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

Except as otherwise required by law or specified by the board, the board delegates to the superintendent the authority to award contracts for the purchase of apparatus, supplies, materials and equipment involving amounts up to $10,000.00. Any purchases or contracts involving expenditures greater than this amount must be approved by the board. The purchasing officer and any additional staff deemed appropriate by the superintendent shall review submissions of bids, proposals or quotes to determine if they are responsive to the system's specifications and make recommendations to the superintendent. The superintendent may award the contract based upon such recommendations or make a recommendation to the board for award of the contract by the board.

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

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

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

authority to determine which method will be used for a specific purchase or categories of purchases.

Awards will be made to the lowest responsible bidder(s) whose bid or proposal meets the requirements and criteria set forth by the school system, taking into consideration quality performance and the time specified in the proposal for the performance of the contract.

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

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

1. Competitive Sealed Bids

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

2. Reverse Action

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

3. Exceptions to Formal Bids

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

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

The purchase of apparatus, supplies, material or equipment for expenditures of at least $30,000 by less than $90,000 must be secured through the informal bidding process governed by G.S. 143-131. The superintendent, in consultation with the purchasing officer, is authorized to determine the best method for securing informal bids on a product. The purchasing officer shall oversee the use of any purchasing method and ensure that all state requirements are met, including maintaining records of all bids submitted. Awards will be made to the lowest responsible, responsive bidder(s) whose bid or proposal meets the requirements and criteria set forth by the school system, taking into consideration quality, performance and the time specified in the proposal for the performance of the contract.

1. Competitive Sealed Bids

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

2. Quotations

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

3. Reverse Auction

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

4. Exceptions to Informal Bids

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

C. PURCHASES FOR LESS THAN $30,000

Purchases for apparatus, supplies, material and equipment costing less than $30,000 will be awarded pursuant to the standards provided in policy 6440, Local Purchasing Requirements for Equipment, Materials and Supplies.

D. ELECTRONIC BIDDING

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

E. EXCEPTIONS TO THE FORMAL AND INFORMAL BIDDING REQUIREMENTS

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

1. Purchases from Other Governmental Agencies

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

2. Special Emergencies

   Pursuant to G.S. 143-129(e)(2), competitive budding is not required in cases of special emergencies involving the health and safety of people or their property. For an emergency to exist under the statute, the following factors must exist: (1) the emergency is present, immediate and existing;

(2) the harm cannot be averted through temporary measures; and (3) the emergency was not self created by the school system.

3. Competitive Group Purchasing

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

4. State Term Contract

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

5. Sole Source Items

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

6. "Piggybacking" or Previously Bid Contracts

Pursuant to G.S. 143-129(g), upon approval of the board of education, the school system may purchase form any supplier that, within the previous 12 months, has contracted to furnish the needed item to the federal government, to any state government, or to any agency or political subdivision of the federal government or any state government. Before recommending a purchase using the piggybacking exception, the purchasing officer shall ensure that the following requirements are met: (1) the price and other terms and conditions of the contract are at least as favorable as the prior contract; (2) the contract was entered into following a public, formal bidding process substantially similar to that required by

North Carolina General Statutes; (3) the same vendor is used; and (4) notice of intent to award the contract without bidding is publicly advertised at least 10 days prior to the regularly-scheduled board meeting at which the contract will be approved. Before approving the contract, the board must determine that using the contract is in the best interest of the school system.

7. Purchases of Information Technology Goods and Services

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

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

8. Gasoline, Fuel, and Oil Purchases

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

9. Used Products.

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

F. LEASE PURCHASE CONTRACTS AND OTHER CONTRACTS FINANCED OVER TIME

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

G. USE OF SCHOOL SYSTEM TERM CONTRACTS

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

H. HISTORICALLY UNDERUTILIZED BUSINESSES

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

Legal References: G.S. 115C-522, 143, art. 8; 143-129, -129.9, -131, -135.9; Sess. Law 2013-128

Cross References: Participation by Historically Underutilized Businesses (policy 6402), Organization of the Purchasing Function (policy 6410), Contracts with the Board (policy 6420), Local Purchasing Requirements for Equipment, Materials and Supplies (policy 6440)

Adopted: April 10, 2000
Updated: April 2010
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, military affiliation, genetic information, sex, age or disability, 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 State Board policy.

A final candidate for employment or 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 for minor traffic offenses, 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. If the superintendent recommends to the board a candidate for employment or for hiring as an independent contractor and the candidate has been convicted of a criminal offense, other than a minor traffic violation, the board must be notified of the criminal history and the basis for the superintendent's determination.

The board has determined that every position with the school system, regardless of whether the position is located in a school or elsewhere, potentially entails contact with students, either on a regular, occasional, or emergency basis. For that reason, 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.*; Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. 2000ff *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.*; *Green v. Missouri Pacific Railroad* (8th Cir. 1975); *Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,* U.S. Equal Employment Opportunity Commission (April 25, 2012) available at http://www.eeoc.gov/laws/guidance/arrest_conviction_cfm ;G.S. 14-208.18; 15A-153;114-19.2; 115C-36, -47, -276j, -332; 126-7.1(f), -16; 127A-202.1; 127B-10, -12, -14; 16 N.C.A.C. 6C.0313; State Board of Education Policy TCP-C-017

Cross Reference: Registered Sex Offenders (policy 5022)

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

DRUG-FREE AND ALCOHOL-FREE WORKPLACE

Policy Code: **7240**

The board of education recognizes that reducing drug and alcohol abuse in the workplace improves the safety, health and productivity of employees. It is the policy of the board of education that a drug-free and alcohol-free workplace must be maintained.

A. PROHIBITED ACTIVITIES

The board prohibits the unlawful manufacture, sale, distribution, dispensing, possession, or use of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroids, alcohol, stimulants, synthetic cannabinoids, counterfeit substances or any other controlled substance as defined in (1) schedules I through VI of the North Carolina Controlled Substances Act or in (2) schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and further defined by regulation at 21 C.F.R. 1300.01 through 1300.04 and 21 C.F.R. 1308.11 through 1308.15 . Employees must not be impaired by the excessive use of prescription or nonprescription drugs. This policy is not violated by an individual's proper use of a drug lawfully prescribed for that individual by a licensed health-care provider.

Employees are prohibited from using or being under the influence of alcohol while acting in the course and scope of employment duties, while at school-sponsored activities or while on school property. This policy does not apply to an employee's consumption of alcoholic beverages that are served at a reception or other similar function that occurs outside the regular workday and that the employee is authorized or required to attend as a part of his or her employment duties.

The school system reserves the right to test employees whose duty it is to drive a vehicle, repair vehicles or equipment, provides armed security and other persons in similar safety positions any time prior to or during employment. The system reserves the right to test any employee upon reasonable suspicion of drug or alcohol use.

Employees specified above who refuse to submit to any diagnostic test to detect alcohol and/or drug use or refuses to submit to search procedures after reasonable suspicion is established may be suspended immediately pending consideration of a decision to terminate employment

B. APPLICABILITY

This policy governs each employee before, during or after school hours while the employee is on any property owned or leased by the board of education; at anytime during which the employee is acting in the course and scope of his or her employment with the board of education; and at any time that the employee's violation of this policy has a direct and adverse effect upon his or her job performance.

C. REASONABLE SUSPICION TO SEARCH

An employee may be subjected to a search of his or her person or belongings or school property under the employee's control if there is reasonable suspicion that the employee has violated this policy. An employee also may be required to submit to a drug or alcohol test when there is reasonable suspicion of drug or alcohol use by the employee in violation of this policy. Reasonable suspicion shall be based on specific, contemporaneous observations concerning the physical, behavioral, speech, and/or performance indicators of drug or alcohol use. The observations must be made by a trained supervisor

D. DUTY TO REPORT

An employee must notify his or her supervisor in writing of any conviction under any criminal drug statute for a violation occurring within the scope of paragraph two of this policy. Notification must be given not later than the next scheduled business day after such conviction, in accordance with policy 7300, Staff Responsibilities. Within 10 days of receiving a notice of conviction by an employee whose position is funded in any part by a federal grant, the director of human resources or designee shall notify the funding agency of the conviction. "Conviction" as used in this policy includes the entry in a court of law or military tribunal of: (1) a plea of guilty, *nolo contendere,* no contest or the equivalent; (2) a verdict or finding of guilty; or (3) a prayer for judgment continued ("PJC") or a deferred prosecution.

E. CONSEQUENCES

Violation of this policy will subject an individual to disciplinary action by the board of education that could result in non-renewal or termination of employment with the school district or the requirement that the employee participate satisfactorily in a drug or alcohol abuse assistance or rehabilitation program approved by the board of education or federal, state or local health, law enforcement or other appropriate agency. Information concerning available counseling, rehabilitation and re-entry programs will be provided to employees.

All employees receive a copy of this policy.

Legal References: 21 U.S.C. 812; 41 U.S.C. 701 *et seq.;* 21 C.F.R. 1300.01 04 and 1308.11-1308.15; G.S. 20-138.2B; 90-89 to -94; 115C-36; *O'Connor v. Ortega,* 480 U.S. 709 (1987)

Cross References: Drug and Alcohol Testing of Commercial Motor Vehicle Operators (policy 7241), Staff Responsibilities (policy 7300)

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Updated: April 6, 2009
Updated: August 3, 2009
Updated: March 5, 2010
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~~Adopted: May 1, 2000~~
~~Updated: April 6, 2009~~
~~Updated: April 13, 2010~~
~~Updated: December 8, 2010~~
Deleted:

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

All requests for leave, with or without pay, must be addressed in accordance with state and federal law, as well as policies promulgated by the State Board of Education including those specified in the most current edition of the *North Carolina Public Schools Benefits and Employment Manual.*

In addition to applicable laws and regulations, the following board policies will apply to leave requests. The superintendent is directed to develop administrative procedures and make them available to any employee upon request.

A. MINIMUM LEAVE TIME

An employee may take any type of leave increments of hours unless otherwise specified in this policy. Any ten-month employee requiring a substitute who is absent less than one-half day will be charged with the use of one-half day of leave. If an absence is more than one-half day but less than one full day, one day of leave will be charged. Leave that is designated as eligible for leave under the Family and Medical Leave Act, defined in board policy 7410, may be taken in increments of hours.

B. CONTINUOUS LEAVE OF MORE THAN TEN DAYS

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

C. SICK LEAVE

The superintendent or designee may require a statement from a medical doctor or other acceptable proof that the employee was unable to work due to illness. Employees who anticipate using sick leave for more than a single day must

inform the principal or immediate supervisor in advance, so that arrangements may be made to reassign the employee's duties during the period of absence.

D. PERSONAL LEAVE

Teachers earn personal leave at a rate of .20 days for each full month of employment, not to exceed two days per year, Unused personal leave may be carried forward from one year to another and may be accumulated without limitation until June 30 of each year. On June 30, personal leave in excess five days shall be converted to sick leave so that a maximum of five days of personal leave is carried forward to July 1. At the time of his or her retirement, a teacher may also convert accumulated personal leave to sick leave for creditable service towards retirement.

Personal leave must be used in half or whole day units. Personal leave may be requested by application in accordance with the policies of the State Board of Education and may be used only upon the authorization of the teacher's immediate supervisor. A teacher shall not take personal leave on the first day he or she is required to report for the school year, on a required teacher workday, on days scheduled for State testing, or on the day before or the day after a holiday or scheduled vacation day, unless the request is approved by the principal. On all other days, if the request is made at least five days in advance, the request will be automatically granted subject to the availability of a substitute teacher. The teacher cannot be required to provide a reason for the request.

E. VACATION LEAVE

The superintendent or designee has the authority to approve the vacation schedules of all personnel. To promote the efficient operation of the schools, the superintendent may designate certain periods during the nonacademic year as preferred vacation periods for 12-month employees. Vacation is earned by 12-month teachers during the two months of "extended employment" will be taken only upon the authorization of the employee's immediate supervisor and in accordance with procedures established by the superintendent. Vacation earned by teachers and other 10-month employees during the 10-month school-year employment will be taken as outlined in the school-year calendar. If a teacher schedules vacation leave in accordance with the school calendar, the board and/or principal must give the teacher at least 14 calendar days notice before requiring the teacher to work on the scheduled day(s), unless the teacher waives the notice requirement.

Annual vacation leave may be accumulated without any applicable maximum until June 30 of each calendar year. On June 30, accumulated annual vacation

leave in excess of 30 days will be converted to sick leave so that only 30 workdays of annual vacation leave are carried forward.

An employee who has unused vacation from another school system in North Carolina may have the vacation time transferred to this school system.

Instructional personnel who must be replaced by a substitute may not take earned vacation on days when school is in session for students unless the employee's absence is due to the employee's own catastrophic illness and the employee has exhausted all of his or her sick leave or unless the employee qualifies as a new parent. In such instances, the employee will not be required to pay the substitute.

Within any given year, instructional personnel who do not require a substitute may be granted a maximum of five vacation days when students are in attendance. Such days may not be consecutive. Leave will not be granted for days immediately before or immediately following days when students are out of school. Leave will not be granted on mandatory staff development days. An exception to these restrictions may be made when an employee is absent due to a catastrophic illness and the employee has exhausted all of his or her sick leave.

The superintendent shall establish procedures for reviewing requests for the use of vacation leave for catastrophic illness by instructional personnel ~~and bus drivers~~.

F. CHILD-SCHOOL INVOLVEMENT LEAVE

All employees may take up to four hours of leave per year to attend or otherwise be involved in the school of a child for whom the employee is a parent, guardian or person standing in loco parentis. Employees must contact finance department prior to taking leave.

G. COMPENSATORY LEAVE

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

Employees who are not exempt from the provisions of the Fair Labor Standards Act may accrue compensatory time (comp time) at a rate of one and one-half hours for every ~~1~~ one hour worked in lieu of receiving overtime pay for each hour~~s~~ worked beyond 40 in a given workweek. For the purposes of compliance

with the Fair Labor Standards Act, the workweek for school system employees will be from 12:00 a.m. Saturday until 11:59 p.m. Friday. Supervisors shall arrange for employees to take comp time within one pay period following the time it is earned if possible. The superintendent or designee may exempt certain employees or categories of employees from this comp time provision when deemed necessary for the proper administration of the school system.

A n employees must obtain approval from his or her immediate supervisors before taking compensatory leave.

H. MILITARY LEAVE

Employees may take up to 15 workdays of paid military leave during the federal fiscal year, which runs from October 1 through September 30. Paid military leave may be used for: (1) active duty training in the Reserve Components of the U.S. Armed Forces, including the National Guard, the Army Reserve, the Naval Reserve, the Marine Corps Reserve, the Air Force Reserve and the Coast Guard Reserve; (2) required physical examinations relating to membership in a reserve component; and (3) regularly scheduled unit assemblies, also referred to as drills. For infrequent special activities in the interest of the state when authorized by the Governor or designee, members of the National Guard may be paid for up to 30 days in addition to the 15 days allowed for training.

I. LEAVE OF ABSENCE WITHOUT PAY

An employee may be granted a leave of absence without pay for the following reasons and for a period of time of up to one calendar year, renewable at the discretion of the superintendent with approval from the board:

1. military leave (see also policies 7520, Family and Medical Leave, and 7530 Military Leave);
2. personal illness in excess of sick leave;
3. family leave (see also policy 7520);
4. professional leave; and
5. other reasons the discretion of the superintendent with the approval of the board.

An employee seeking leave is responsible for making necessary arrangements as provided in the administrative procedures. Except in the case of an Emergency, an employee who desires a leave of absence without pay shall provide at least 30 days' notice and shall submit a request in writing to the board stating the beginning and ending dates of the desired leave of absence. The employee is expected to consult with the principal or his or her immediate

supervisor. The superintendent may request documentation from the employee in support of his or her request. In determining the length of absence without pay that will be approved, with the exception of military and family leave, due and proper consideration must be given to the welfare of the students as well as the employee. The superintendent may require the employee to give notice of his or her intent to return to work at reasonable time intervals during the leave.

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

Legal References: G.S. 95-28.3; 115C-12, -36, -47, -84.2, -285. -302.1, -316, -336, -336.1; 16 N.C.A.C. 6C. .0405; State Board of Education Policy TCP-D-003, *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/information/policymanual.pdf

Cross References: Family and Medical Leave (policy 7520), Military Leave (policy 7530), Voluntary Shared Leave (policy 7540), Absences Due to Inclement Weather (policy 7550)

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Updated: March 3, 2010
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Updated:

EVALUATION OF LICENSED EMPLOYEES

Policy Code: **7810**

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

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

The superintendent is directed to develop and implement an effective evaluation system for licensed personnel that is consistent with State Board of Education policies. School administrators who are responsible for conducting evaluations shall comply with all state requirements with regard to the type and frequency of evaluation. The school principal shall evaluate teachers and may incorporate any guidelines or strategies developed by the State Board to assist in the evaluations. The superintendent or designee shall evaluate principals and assistant principals.

All licensed personnel must be evaluated at least annually using state-approved evaluation instruments in conformance with any processes established by the State Board for that class of personnel. For a career teacher, the abbreviated evaluation process established in State Board Policy TCP-C-004 is sufficient to satisfy annual evaluation requirement; however, a teacher receiving an abbreviated evaluation may request that the evaluator conduct a formal evaluation. In addition, in any given year, the principal may elect to use the formal evaluation process set forth in the State Board of Education Policy TCP-C-004 to evaluate a career teacher. The annual evaluation of principals and assistant principals must include a mid-year review.

The evaluation system must incorporate the following directives.

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

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

3. Student performance and other student outcome data will be considered as a part of the evaluation of licensed personnel, as provided in the assessment rubric for the class of employees under evaluation. For teachers, such data shall include analysis of student work for performance-based courses and student performance as measured by the statewide growth model for educator effectiveness or as otherwise authorized by the State Board of Education and approved by the local board. Multiple means of assessing student performance must be used whenever possible. If only one method is used to measure student performance, it must be a clearly valid tool for evaluating an employee's impact on student performance.

4. Peer observations of probationary teachers must be conducted as required by law using the evaluation instrument and process established by the State Board and must be considered by the school administrator in evaluating teacher performance.

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

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

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

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

9. Evaluation data will be used in making employment decisions, including decisions related to professional and staff development (see policy 1610/7800, Professional and Staff Development), ~~career status (see policy 7410, Career Status)~~ and suspension, demotion and dismissal of employees (policy 7930,

Professional Employees; Demotion and Dismissal, and policy 7940, Classified Personnel; Suspension and Dismissal). Employment decisions may be made by the board and administration regardless of whether evaluators have followed the evaluation system, so long as there is a legally sufficient basis for the decisions.

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

The superintendent shall develop any other necessary procedures and shall provide training, as necessary, to carry out the board directives and to meet state requirements.
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Legal References: G.S. 115C-47(18), -286.1, -325, -333; -333.1; State Board of Education Policies TCP-C-004, -005, -006, -022

Cross References: Professional and Staff Development (policy 1610/7800), School Administrator Contracts (policy 7425), Plans for Growth and Improvement of Licensed Employees (policy 7811), Personnel Files (policy 7820), Professional Employees: Demotion and Dismissal (policy 7930), Classified Personnel: Suspension and Dismissal (policy 7940)

Adopted: May 1, 2000
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PROBATIONARY TEACHERS: NONRENEWAL

Policy Code: **7950**

The board, upon recommendation of the superintendent, may refuse to renew the contract of any probationary teacher or to reemploy any teacher who is not under contract for any cause it deems sufficient, so long as the cause is not arbitrary, capricious or discriminatory or for personal or political reasons. Probationary teachers during the term of their contract will be demoted or dismissed only in accordance with policy 7930, Professional Employees: Demotion and Dismissal.

A. TEACHER RIGHTS UPON NONRENEWAL

By no later than May 15, the superintendent shall provide written notice to the probationary teacher of the superintendent's intent to recommend nonrenewal of the teacher's contract and the teacher's right, within 10 days of receipt of the superintendent's recommendation, to request and receive 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. The failure to file a timely request within 10 days shall result in a waiver of the right to this information. If a teacher files a timely request, the superintendent shall provide the requested information, and the teacher shall be permitted to submit supplemental information to the superintendent and board prior to the board's decision.

A probationary teacher, has the right to petition the board for a hearing regarding the superintendent's recommendation for nonrenewal. The board will notify the teacher of its decision whether to grant a hearing.

The teacher and Superintendent will be notified of the time, date, and place of the hearing. At least two work days before the day of the hearing, the teacher and Superintendent will provide to the Board and to one another copies of all documents to be presented at the hearing. Documents not exchanged in advance of the hearing may not be used as evidence without the consent of both parties or by a majority of the Board or Board panel. The teacher shall include with these documents a statement of the specific reasons for challenging the Superintendent's recommendation.

The board will notify the probationary teacher whose contract will not be renewed for the next school year of its decision by June 15. If, however, a teacher submitted a request for information or a hearing, the board shall provide the nonrenewal notification by July 1 or a later date upon the written consent of the superintendent and teacher.

Legal References: G.S. 115C-45(c), -325

Cross References: 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:

A. PRINCIPLES

The board strives to provide safe, orderly and inviting schools for students and staff. The board also strives to provide other facilities needed to support the educational program. Long-range planning by the board and superintendent is essential for providing an educational environment in which students can succeed.

B. LONG-RANGE PLAN

The board will adopt a long-range plan that identifies facility needs of the school system and sets forth a plan for how to meet those needs. The plan will address the issue of whether to renovate existing facilities or build new facilities. The plan also will incorporate, where appropriate, creative options for meeting the needs of the educational program such as expansion or reduction through modular construction, future alternative uses of space, the availability of community facilities, the use of temporary facilities or leasing arrangements, opportunities for capital lease financing of facilities through public/private partnerships, and sharing facilities with other school systems.

C. PROCESS

The following information will be considered in developing and adopting along-range plan.

1. data that reflect the possibility of enrollment declines or increases as well as other demographic changes in the population of students that is are or may be served.

2. a facilities inventory that includes the size of sites, building capacities, age of buildings, energy consumption, ability to utilize technology, the suitability of the space for its current or future purpose, and accessibility by the community; and

3. the availability or anticipated availability of innovations in construction or design that would allow existing buildings to be renovated or new facilities to be constructed at a lower cost, in a more energy- efficient manner, or in a way that would better meet the needs of the educational program.

The superintendent may utilize the services of consultants to obtain information necessary for the long-range planning process. All professional contracts must be approved by the board. School staffs, students and parents should be involved in considering the needs for new and renovated facilities.

The board will work with the board of county commissioners when possible in developing a five- year capital outlay plan. The board and superintendent will endeavor to communicate with other governmental bodies and the public in a positive and persuasive manner about the need for school construction and consequently, the need for necessary funding.

Legal References: G.S. 115C-47, -204, -276, -426.2, -521, -524, 530, -531, -532; 143-128.1C(1), -129; 153A-164

Cross References:

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FACILITY DESIGN

Policy Code: **9020**

The board is committed to designing new facilities and renovating existing facilities in a manner that maximizes the use of space, conserves environmental resources and produces structurally sound and safe buildings. All school buildings should be designed to create safe, orderly and inviting learning environments where students can succeed. School buildings also will be planned to the extent feasible for maximum use by the community and for providing extended services to students.

The superintendent is responsible for overseeing the design of facilities that have been identified in the long-range facility needs plan and been approved for funding. New or renovated facilities must be designed to meet all legal requirements, including legal standards for accessibility and use of facilities by persons with disabilities. The superintendent will utilize services of outside professionals, including architects and other consultants, in the facility design and construction. Any contract for professional services must be reviewed by the board attorney, approved by the board, and must meet any applicable board policies. (See policy 9110, Selection and Use of Architects and Engineers.)The superintendent also may involve school staff, parents and students in the design of school buildings.

Plans for science facilities in middle and high schools are subject to approval by the State Board of Education in accordance with G.S. 115C-521 (cl) and State Board of Education policy.

The superintendent will report periodically to the board on the development of facility plans. The superintendent also will report on the State Board's review of facility plans conducted pursuant to G.S. 115C-521(c) and will specifically address any concerns noted by the State Board. The board will give final approval of facility plans before investing money into new buildings or renovations.

Legal Reference: 29 U.S.C. §794(b); 34 C.F.R. pt. 104 (subpt. C); 42 U.S.C. §12101 et seq.; 28 C.F.R. pt. 35 (subpt. D); G.S. 115C-204, -521; 133, arts. 1 and 3; State Board of Education Policy TCS-P003, *North Carolina Public School Facilities Guidelines*;

Cross Reference: Selection and Use of Architects and Engineers (policy 9110)

Other Resources: North Carolina Department of Public Instruction School Planning Publications, available at http://www.schoolclearinghouse.org/
Adopted: May 1, 2000
Updated: March 3, 2010 Updated:

A. SERVICES FOR WHICH ARCHITECTS AND/OR ENGINEERS WILL BE USED

To the extent required by North Carolina General Statute 133-1.1, a registered architect or registered engineer, or both, will be used to design and inspect school system buildings being repaired or constructed. In addition, architects and/or engineers may be used for services, such as:

1. preparing feasibility studies for additions, alterations or renovations of existing facilities;
2. providing consulting services on technical matters;
3. providing services as agreed upon related to long range planning or facility design; and
4. assisting in the preparation and submission of any documents requested by other governmental agencies.

B. SELECTION PROCESS

In selecting an architect for facility design and related services, the superintendent will solicit proposals and provide to the board for consideration a list of architects and/or engineers who are selected based on the following criteria:

1. training and experience of project managers, project architects and project designers, especially in school-related designs;
2. planning ability and promptness;
3. experience in specification writing, including reputation for accuracy and sufficiency of detail;
4. reputation for quality of design in appearance and utility;
5. history of thorough inspections and follow through with jobs;
6. relationships with contractors; and
7. any other factors the board deems relevant.

The board will approve the selection of architects and/or engineers for school projects. The board will grant a North Carolina resident architectural or engineering firm a preference over a nonresident architectural or engineering firm, if the home state of the nonresident firm has a practice of granting a preference to its resident firms over North Carolina resident firms. Any preference granted to a resident firm will be in the same manner, on the same

basis and to the same extent as the preference granted by the nonresident firm's home state. The school district's bid documents will require that nonresident firms disclose and describe any construction contract preferences granted by the firm's home state.

Fees will be negotiated with the architect and/or engineer. If a fair and reasonable fee cannot be agreed upon, the board will select the next best qualified architect and/or engineer and negotiate fees. The contract with the architect and/or engineer must be reviewed by the board attorney, be approved by the board, and meet all applicable laws and board policies.

The board reserves the right to exempt itself from the process provided in this policy as permitted by G.S. 143-64.32 or other applicable statutes. The superintendent may recommend an exemption for particular projects by stating in writing the reasons and circumstances giving rise to the request.

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

Cross References: Site Selection (policy 9010), Facility Design (policy 9020)

Adopted: May 1, 2000
Updated: June 1, 2009
Updated:

The board strives to obtain high quality services at a reasonable price through the bidding process employed by the school system.

A. STANDARDS FOR PARTICIPATION IN CONSTRUCTION CONTRACTS

All contracts formally or informally bid will be awarded to the lowest responsible bidder, taking into consideration quality, performance, reliability and the time specified in the bids for performance of the contract. To be eligible for an award of a contract subject to G.S. 143-129, the contractor and its subcontractors, if any, must demonstrate compliance with all applicable provisions of S.S. Chapter 64, Article 2, including the responsibility to use E-Verify.

The board prohibits discrimination against any person or business on the basis of race, color, ethnic origin, sex, disability or religion. In addition, in accordance with G.S. 143-133.5, the board prohibits discrimination against a bidder or contractor for being party to, refusing to be party to, adhering to, or refusing to adhere to an agreement with a labor organization. The superintendent is required to conduct contracting and purchasing programs so as to prevent such discrimination.

The superintendent on behalf of the board, must certify that good faith efforts have been made to increase the participation in construction contracts by minority-owned and female-owned businesses, as required by policy 9125, Participation by Women and Minority- Owned Businesses.

The board will grant a North Carolina resident firm providing architectural, engineering, surveying, construction management at risk service, design-build services, or public-private construction services preference over a nonresident firm, if the home state of the nonresident firm has a practice of granting a preference to its resident firms over North Carolina resident firms. Any preference granted to a resident firm will be in the same manner, on the same basis and to the same extent as the preference granted by the nonresident firm's home state. The school system's bid documents will require that nonresident firms disclose and describe any construction contract preferences granted by the firm's home state.

B. BIDDING METHODS

The board may request bids for contracts for building projects using either single prime, multiprime (separate prime), construction management at-risk, dual bidding methods, design-build, design-build bridging, and public-private

partnership as permitted by law. The superintendent shall make a recommendation to the board as to the method(s) that should be used for a particular project.

If the superintendent believes the project cannot be reasonably completed under the methods authorized by G.S. 143-128, the superintendent shall so inform the board and make the recommendations to the board that it approve the use of alternative methods. Upon board approval, the superintendent shall submit to the State Building Commission a request to use an alternative contracting method along with supporting documentation.

C. FORMAL BIDDING

Construction and repair work requiring the estimated expenditure of $500,000 or more will be advertised for bid and will be awarded through formal bidding procedures. Dividing contracts to lower the expenditure amounts so as to evade these requirements is prohibited. The superintendent shall establish formal bidding procedures consistent with this policy and applicable law and make the procedures available to all bidders or potential bidders.

D. INFORMAL BIDDING

Informal bids will be obtained for construction and repair contracts between $30,000 and $500,000. Quotations from contractors may be solicited by telephone or in writing. Informal bids are recommended, but not required, for construction and repair work costing less than $30,000.

Dividing contracts to lower the expenditure amounts so as to evade the informal bidding requirements is prohibited. The superintendent shall develop informal bidding procedures consistent with this policy and applicable law and make the procedures available to all bidders and all potential bidders.

E. APPROVAL

All formally bid construction contracts must be reviewed by the board attorney and submitted by the superintendent to the board for approval.

The superintendent shall consult with the board attorney in developing standard form contracts for informally bid construction projects. Board approval of informally bid projects is not required, unless otherwise directed by the board on

specific projects.

F. RECORDS AND REPORTING REQUIREMENTS

Records of all informal or formal bids received will be maintained and will be available for public inspection. Such records should include the date the bid is received, from whom it is received, and what project it is for. The records will document why the selected contractor was the lowest responsive, responsible bidder if the contractor was not the low bidder.

The superintendent must submit required reports to the State and provide reports to the board on the progress being made towards reaching the board's goals.

G DISPUTE RESOLUTION PROCESS

The board establishes the following dispute resolution process to resolve issues arising out of construction and repair projects or contracts related to such projects. The dispute resolution process may be used by any party involved in the construction project for those disputes in which the amount in controversy is at least $15,000.

Prior to initiating litigation concerning a dispute, parties to the dispute must do the following: (1) submit the dispute for review by the superintendent or other designated school official and the project architect, as appropriate, and (2) participate in mediation, if the matter cannot be resolved by school officials and the architect. The cost of the dispute resolution process will be divided between the parties to the dispute. If the board is a party to the dispute, the board will pay at least one-third of the cost.

Legal References: G.S. 115C-521, -522; 143-64.31 and -128 to -135

Cross Reference: Participation by Women- and Minority-Owned Businesses (policy 9125)

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