



**Moore County Board of Education
Policy Committee Meeting**

Robert Levy, Chair

Elizabeth Carter

Ed Dennison

**Thursday, June 17, 2021 • 1:00 p.m. • Central Office Board Room
MINUTES**

The Moore County Board of Education’s Policy Committee met on June 17, 2021, with Committee Chair Robert Levy calling the meeting to order at 1:05 p.m. Also in attendance were committee members Libby Carter (who also chairs the Board of Education) and Ed Dennison (Board of Education Member) along with Board Attorney Jason Weber and Committee Liaison Anita Alpenfels.

After the Pledge of Allegiance and the observation of a moment of silence, Mr. Dennison made a motion to approve the agenda. After a second by Ms. Carter, the agenda was approved unanimously. Likewise, the Committee approved the minutes from the April 14, 2021, meeting unanimously (motion: Mr. Dennison; second: Mrs. Carter).

The Committee then discussed the policies below. The Committee tabled Policies 1311 – Special Meetings and 1312 – Emergency Meetings, so that they would have time to review a sample policy from the North Carolina School Boards Association (Policy 2300). Additionally, the committee determined it would not consider the addition of Draft Policy 1312 – Board Member Technology Use. The Committee members then reviewed and discussed each of the remaining policies. As the discussion concluded, Mr. Levy made a motion, with a second by Mr. Dennison, for the remaining policies below (with edits highlighted in yellow) to be approved on first reading at the July 12, 2021 Board of Education meeting. The motion was approved unanimously. Because the recommendation will be for approval on first reading, there will be the need for a motion to waive the Board policy requiring two readings.

Board Operating Procedures will be sent to the Board Chair for consideration and possible Board discussion about whether they are needed.

The meeting adjourned at 3:53 p.m. (motion by Mr. Levy, second by Mr. Dennison and approved unanimously).

1. **Policy 1311 – SPECIAL MEETINGS** page 6
2. **Policy 1312 – EMERGENCY MEETINGS**
As requested by Ms. Carter, these policies are provided for possible revision or elimination.
3. **Policy 1320 – BOARD MEMBER TECHNOLOGY USE** page 7
This sample policy from the North Carolina School Boards Association (NCSBA) is brought forward as a follow-up as requested from the April 15, 2021, Policy Committee meeting.
4. **Policy 1321 – BOARD MEETING AGENDA** page 11
As requested by Mr. Levy, the recommended revisions provide clarity for how a Board member may request removal of an agenda item from the consent agenda.
5. **Policy 1510 – POLICY DEVELOPMENT** page 12
As requested during the April 15, 2021, Policy Committee meeting, this policy is presented in its current form for consideration.
6. **Policy 2201 – ANNUAL INDEPENDENT AUDIT** page 14
Additions to this policy specify that the contract with the auditor will comply with state requirements.
7. **Policy 2550 – LIMITED CLAIM SETTLEMENT OF CLAIMS** page 15
Revisions better align the policy with settlement practices that have withstood legal challenge.
8. **Policy 3026/4026/6603 – SCHOOL SAFETY** page 18
Adjustments to this policy align it with NCSBA’s (North Carolina Schools Boards Association’s) sample policy and update legal references.
9. **Policy 3036/4036/8336 – STAFF-STUDENT RELATIONS** page 23
Revisions to this policy update reporting requirements.
10. **Policy 3060/4060/6060 – DISCRIMINATION AND HARASSMENT PROHIBITED BY FEDERAL LAW** page 27
A revision corrects the age discrimination standard.

11. **Policy 3085/4085 – DISCRIMINATION AND HARASSMENT IN THE WORKPLACE** page 37
Revisions add legal definitions for ‘sex’ and update legal references to include a relevant Supreme Court case.

12. **Policy 3090/4090/5090/6090 – ENSURING DIGNITY AND NONDISCRIMINATION**..... page 40
This policy is recommended for consideration by Mr. Dennison.

13. **Policy 3250/4250 – EMPLOYEE POLITICAL ACTIVITIES**..... page 42
Updated language clarifies that employment or volunteer service with the school system does not preclude an individual from participating in certain political activities.

14. **Policy 3260/4260 – ADMINISTERING MEDICINES TO STUDENTS** page 44
Revisions to this policy align its language with revisions to the School Health Program Manual.

15. **Policy 3600/4500 – PROFESSIONAL AND STAFF DEVELOPMENT** page 50
Adjustments to this policy update requirements for mental health training.

16. **Policy 4207/7104 – CLASSIFIED EMPLOYEES – DUTY TO DRIVE A BUS** page 52
Because this policy has created significant challenges to hiring employees in this category, it is recommended that this policy be eliminated.

17. **Policy 5031 – SCHOOL CALENDAR AND TIME FOR LEARNING**..... page 53
Revisions to this policy align it with NCSBA’s.

18. **Policy 5032 – SCHOOL DAY** page 55
This policy is recommended for deletion since its contents are addressed in the recommended revisions to Policy 5031 (above).

19. **Policy 5540 – GRADUATION REQUIREMENTS** page 56
Revisions update the graduation charts to comply with State Board Policy.

- 20. **Policy 6000 – ATTENDANCE**..... page 67
Revisions to this policy update language, including language around remote instruction.
- 21. **Policy 6023 – HOMELESS CHILDREN STUDENTS**..... page 73
Revisions reflect new language in the State administrative rules.
- 22. **Policy 6330 – COUNSELING PROGRAM** page 83
Revisions to this policy update the policy to reflect the current structure and goals of the counseling program and update reporting requirements.
- 23. **Policy 6730 – CHILD ABUSE AND RELATED THREATS TO CHILD SAFETY** page 86
Revisions to this policy update reporting requirements.
- 24. **Policy 6751 – STUDENT HEALTH SERVICES** page 91
Additions to this policy address the district’s mental health plan.
- 25. **Policy 6801 – EXTRACURRICULAR ACTIVITIES AND STUDENT ORGANIZATIONS**..... page 93
Revisions to this policy align it with NCSBA’s sample policy.
- 26. **Policy 7100 – USE OF STUDENT TRANSPORTATION SERVICES** page 97
This policy is revised to update training requirements.

**THE FOLLOWING POLICIES HAVE MINOR CHANGES,
SUCH AS CHANGES TO LEGAL REFERENCES.**

- 27. **Policy 3020 – RECRUITMENT AND SELECTION OF PERSONNEL** page 99
- 28. **Policy 3100 – LICENSURE**..... page 105
- 29. **Policy 5312 – ALTERNATIVE LEARNING PROGRAMS/ SCHOOLS** page 109
- 30. **Policy 5409 – COPYRIGHT COMPLIANCE** page 115
- 31. **Policy 5414 – PARENT AND FAMILY ENGAGEMENT** page 117
- 32. **Policy 5453 – ONLINE INSTRUCTION**..... page 125
- 33. **Policy 6842 – STUDENT VOTER REGISTRATION AND PREREGISTRATION**..... page 126
- 34. **Policy 6930 – CONCUSSION AND HEAD INJURY** page 127

35. **Policy 7040 – OPERATION OF SCHOOL NUTRITION SERVICES** page 130

36. **Policy 7102 – BUS ROUTES** page 133

37. **Policy 7150 – SAFETY AND STUDENT TRANSPORTATION SERVICES** page 135

38. **Policy 7401 – COMMUNITY USE OF FACILITIES** page 138

39. **Policy 7403 – VISITORS TO THE SCHOOLS** page 143

40. **Policy 8420 – DISTRIBUTION AND DISPLAY OF NON-SCHOOL MATERIAL**..... page 146

41. **CODE OF COOPERATION**.....page 151

1311 SPECIAL MEETINGS

The Chairman or any two members of the Board, upon giving at least 48 hours public notice, may call a Special Meeting of the Board and promptly shall notify the Secretary.

Legal Reference: G.S. 115C-41(b); 143-318.12

Adopted: August 29, 1988

1312 EMERGENCY MEETINGS

The Chairman, Vice Chairman or any two members of the Board may call an emergency meeting of the Board to consider any emergency situation created by generally unexpected circumstances that requires immediate consideration by the Board. Board members shall receive notice of an emergency meeting as far in advance as is reasonable under the circumstances of the emergency situation. Each newspaper, wire service, radio station and television station that has filed a written request for notice of special meetings shall be given notice of an emergency meeting, either by telephone or by the same method used to notify Board members, and such notice shall be given immediately after notice has been given to Board members. Only business which is related to the emergency may be considered at an emergency meeting.

Legal Reference: G.S. 115C-36; 143-318.12

Adopted: August 29, 1988

1320 BOARD MEMBER TECHNOLOGY USE

A. Board Member Use of School System Technological Resources

The Board provides its members with access to certain school system technology devices and accounts, including laptops and email accounts, for use in conducting school system business. Board members have a responsibility to use such devices and accounts in a manner that is ethical, respectful, and supportive of the Board's duty to provide students with the opportunity to receive a sound, basic education. Like all users of school system technological resources, Board members are expected to abide by the generally accepted rules of network etiquette.

1. Responsible Use of School System Technological Resources

Whenever a Board member uses school system computers or other technology devices or accounts or accesses the school network or the Internet using school system resources, the Board member must comply with Board Policy 3253/4253/5451 – Acceptable Use of Technology and Electronic Media. The rules contained therein are intended to clarify expectations for conduct but should not be construed as all-inclusive.

2. Privacy Expectations when Using School System Technological Resources

Board members should have no expectation of privacy in anything they create, store, send, delete, receive, or display when using the school system's network, devices, Internet access, email system, or other technological resources owned or issued by the school system, whether the resources are used on school system property or elsewhere, and even if the use is for personal purposes. Files or communications created, transmitted, or displayed using school system technological resources or stored on servers or on the storage mediums of individual devices will not necessarily be private. School system personnel may, without notice, (1) monitor, track, and/or log network access, communications, and use; (2) monitor and allocate files server space; and (3) access, review, copy, store, delete, or disclose the content of all user files, regardless of medium, the content of electronic mailboxes, and system outputs, such as printouts, for any lawful purpose. Such purposes may include, but are not limited to, maintaining system integrity, security, or functionality, ensuring compliance with board policy and applicable laws and regulations, protecting the school system from liability, and complying with public records requests. School system personnel may monitor online activities when the Internet is accessed via a school system-owned device. By using the school system's network, Internet access, email system, devices, or other technological resources, Board members consent to have that use monitored by authorized school system personnel as described in this section.

B. Board Member Use of Personal Technological Resources for School System Business

As much as is practicable, Board members should use school system technology devices and accounts for conducting school system business and storing school system electronically stored information (“ESI”). Though use of personal technology devices and accounts may be convenient for conducting school system business, such use is discouraged when school system resources are reasonably available.

1. Definition of Personal Technology Devices and Accounts

For purposes of this policy, “personal technology devices and accounts” means technology devices or accounts that are not under the control of the school system and which the school system does not have the ability to access without the Board member’s assistance. Personal technology devices include, but are not limited to, computers, phones, tablets, and other technological devices that are owned or leased by a board member. Personal accounts include, but are not limited to, personal email accounts and online file storage services (e.g., file hosting services, cloud storage services, social media sites, and online file storage providers that host user files via the Internet). Board member use of personal social media sites is also subject to Section C of this policy.

2. School System ESI on Personal Technology Devices and Accounts

School system business-related ESI sent and/or received by a Board member using a personal technology device or account may constitute a public record or student education record and, as a result, may require retention and disclosure by the school system. In the event of litigation, school system business-related ESI located on a personal technology device or account may be subject to discovery and a litigation hold. Board members are cautioned that using personal technology devices or accounts to conduct school system business or to store school system business-related ESI will significantly reduce their expectation of privacy in those devices or accounts. Board members should avoid the use of personal technology when conducting school system business to prevent a conflict between board members’ interests in privacy in their personal technology devices and accounts and the school system’s legal obligation to preserve certain school system business-related ESI.

Board members are expected to immediately transfer any school system business-related ESI sent and/or received by the board member using a personal technology device or account to a school system account for proper retention and storage. Board members shall cooperate with school officials in accessing any school system business-related ESI stored on personal technology devices or accounts.

C. Board Member Use of Personal Social Media

The Board recognizes that Board members may engage in the use of personal social media to communicate with friends, family, and/or the community. Board members are expected to exercise good judgment in their online interactions, remaining mindful of their ethical obligations as described in Board Policy 1419 - Code of Ethics for School Board Members.

1. Definition of Personal Social Media

For purposes of this policy, “personal social media” means any social media networks, tools, or activities that are not under the control of the school system. Social media refers to the various online technology tools that enable people to communicate easily over the Internet to share information and resources. It includes, but is not limited to: personal websites, blogs, wikis, social networking sites, online forums, virtual worlds, video-sharing websites, and any other Internet-based applications which allow the exchange of user-generated content. Examples of social media include Web 2.0 tools, Facebook, Twitter, LinkedIn, Flickr, YouTube, Instagram, Google+, and social media components of learning management systems such as Canvas, Moodle, or Edmodo.

2. Guidelines for All Types of Personal Social Media Use

Content posted online may be viewed by anyone, including students, parents, employees, and community members. As public officials, Board members should be aware that their online behavior serves as an example to employees and students even when they are not engaging directly in school system-related business. The following standards should guide Board members’ online conduct.

- a. Board members should be professional in all Internet postings related to or referencing the school system, students or their parents, and other employees.
- b. Board members may not post confidential information about students, employees, or school system business.
- c. Board members should not post identifiable images of a student or student’s family on a personal social media site without permission from the student and the student’s parent or legal guardian.
- d. Board members may not use postings to libel or defame the Board, individual Board members, students, or school system employees.
- e. Board members should not use personal social media to harass, bully, or intimidate students, employees, or other Board members.

f. Board members may not use personal social media to engage in any other conduct that violates Board policy or administrative procedures or state and federal laws.

3. Guidelines for Personal Social Media Use That Is School System-Related

The school system controls and maintains the school system's official website, as well as the school system's official Facebook and Twitter accounts. The school system website and social media accounts present information from the local school administrative unit and are not forums for expressing views of individual Board members, employees, or members of the public.

Individual Board members, acting in their capacity as public officials, may choose to establish personal social media accounts to facilitate their own communications with the community. The following standards are provided to guide Board members' personal social media use for school system-related purposes.

a. When presenting information on personal social media, Board members should clearly indicate that the information posted reflects the views of the individual board member and is neither endorsed by the Board nor necessarily reflective of the views of the Board or of an official Board policy.

b. A personal social media platform that allows comments from the community may elicit complaints or inquiries from parents or interested citizens concerning school matters. In such cases, the Board member should refer the complainant to the Superintendent or appropriate school system administrator.

c. Board members should be aware that when they use a personal social media account in their capacity as a public official and allow community members to post comments publicly on the account, they may be creating a "public forum" for speech protected by the First Amendment. If a "public forum" is created, the Board member must be careful not to engage in viewpoint discrimination by, for example, deleting a community member's comment because the Board member does not like the view expressed in the comment or blocking only certain individuals from being able to post based on their views. Board members are encouraged to consult with an attorney to create viewpoint-neutral rules to govern their school system business-related personal social media accounts.

Legal References: U.S. Const. amend IV; Stored Communications Act, 18 U.S.C. 2701, et seq.; Computer Fraud and Abuse Act, 18 U.S.C. 1030; G.S. 14-454, -458; *Davidson v. Randall*, 912 F.3d 666 (4th Cir. 2019)

Adopted: _____

1321 BOARD MEETING AGENDA

The chairperson and the Superintendent will prepare a proposed agenda for each Board meeting. A request to have an item of business placed on the agenda must be received by the chairperson and the Superintendent at least six working days before the meeting. Upon timely request, such an item shall be placed on the agenda of said meeting.

Each Board member will receive a copy of the proposed agenda three days prior to the meeting, and the proposed agenda will be available for public inspection and/or distribution when it is distributed to the Board members. At **or before** the meeting, **any item on the consent agenda shall be removed and considered separately upon the request of any Board member, provided that the request is made before the proposed agenda is adopted.** †The Board may **also**, by a majority vote, add an item that is not on the proposed agenda before the agenda is adopted. After the agenda has been adopted, a two-thirds vote is required to **add an item to amend** the agenda. **All items on the consent agenda will be considered with a single motion and voted on without discussion.**

ALTERNATIVE VERSION

~~The chairperson and the Superintendent will prepare a proposed agenda for each Board meeting. A request to have an item of business placed on the agenda must be received by the chairperson and the Superintendent at least six working days before the meeting. Upon timely request, such an item shall be placed on the agenda of said meeting.~~

~~Each Board member will receive a copy of the proposed agenda three days prior to the meeting, and the proposed agenda will be available for public inspection and/or distribution when it is distributed to the Board members. At the meeting, the Board may, by a majority vote, add an item that is not on the proposed agenda before the agenda is adopted. After the agenda has been adopted, a two-thirds vote is required to **add an item to amend** the agenda. **Any item on the consent agenda shall be removed and considered separately upon the request of any Board member, even if the request is made after approval of the agenda by the Board.**~~

Legal Reference: G.S. 115C-36

Adopted: August 29, 1988

Revised: February 27, 1995; June 24, 1996; January 7, 2010; August 5, 2019; May 10, 2021; _____

1510 POLICY DEVELOPMENT

An important function of the Board of Education is to adopt written policies or general principles to govern the discretionary actions of those to whom it delegates authority.

The Board of Education will establish annually a Policy Committee of at least three Board members as a standing committee of the Board whose charge is to review policy proposals and make recommendations to the Board of Education regarding proposals to revise or adopt new policies. The Superintendent will assign a staff member to serve as a liaison for this committee.

Initiation of Policy Revision or Addition

Review to determine whether revision of an existing policy or the adoption of a new policy may be needed may be initiated by a Board member, by the Superintendent or other school employees, by the Board attorney, or by changes in state or federal law.

The Policy Committee's liaison will work with the Board attorney to substantiate any recommended changes to current policy or any recommended new policies and ensure their consistency with existing Board policies and regulations, State Board of Education policies, Department of Public Instruction rules and guidelines and state and federal laws. The Superintendent has the authority to make technical and conforming changes to any existing policies, to include updates and corrections such as legal references and policy citations necessitated by changes in state and federal law. Such changes are effective immediately subject to ratification by the Board at its next regular meeting.

Any recommended revisions or new policies ~~will~~ shall be brought before the Policy Committee for review. Upon approval by the Policy Committee, these will be presented for first reading to the full Board at their next regular meeting. They will be presented for approval upon second reading at the subsequent regular Board of Education meeting.

In the event that a revised or new policy is not approved by the Policy Committee, a Board member may request that it be added as a separate item to the agenda of a subsequent Board of Education meeting in accordance with Policy 1321 – Board Meeting Agenda.

In emergency circumstances or when the timely passage of a policy is necessary to ensure the efficient operation of the school district, the Board may elect to waive the requirement of two readings with respect to any particular policy or policies by means of a two-thirds vote of the members present, but in no event less than a majority of the entire Board.

The Superintendent shall establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Board and any accompanying administrative procedures.

Legal Reference: G.S. 115C-36, -47, -51

Adopted: August 29, 1988

Revised: September 14, 2015; June 12, 2017

2201 ANNUAL INDEPENDENT AUDIT

The accounts of the school system and the individual schools will be audited as soon as possible after the close of each fiscal year by an independent, qualified auditor. The auditor will be approved by the Board, and the terms and conditions will be specified in a written contract [that complies with the requirements of 20 N.C.A.C. 03.0502\(c\)](#). The auditor will report directly to the Board.

The Superintendent shall assist the Board in providing for an annual independent audit that meets all requirements as provided by [G.S. 115C-447](#) and any other relevant statute. All employees and agents of the school system having custody of public money or responsibility for keeping records of public financial or fiscal affairs shall produce all books and records requested by the auditor and provide any information relating to fiscal affairs requested by the auditor. Any employee who fails to cooperate may be subject to disciplinary action, up to and including dismissal, and also may be found guilty of criminal conduct.

Legal References: [G.S. 115C-447](#); [20 N.C.A.C. 03.0502](#)

Adopted: February 8, 2010

[Revised:](#) _____

2550 LIMITED CLAIM SETTLEMENT OF CLAIMS

A. Applicability to Certain Claims

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

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

B. Procedure for Filing Claim

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

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

C. Settlement

~~In determining whether to settle a claim prior to the filing of a legal action, the Board will consider the factors listed below. Before any final decision is reached, the Board Attorney shall ensure that these factors were considered by the Board in arriving at its final decision. The resolution of claims requires the exercise of discretion by the Board. Therefore, to treat similarly situated claimants (claimants who are alike in all relevant respects) alike, the Board will be consistent in its settlement practices by using the factors listed below to evaluate all claims. The Board recognizes, however, that separate claimants often will be dissimilar with respect to one or more of the relevant factors, so the final decision regarding each claim will be based upon the specific circumstances. All factors need not be given equal weight, and no one factor will be controlling.~~

~~1. Whether there is a reasonable possibility that the potential defense costs to be paid by the Board, including an estimate of personnel time and school-district resources, will exceed the amount for which the case can be settled.~~

~~21. The extent to which an employee's actions or omissions may have caused, or contributed to, an injury. Whether there was a negligent act or omission by an employee or agent of the Board.~~

~~32. Whether an employee or agent of the Board intentionally caused an injury.~~

~~3. Whether an employee or agent of the Board violated any Board policies.~~

~~4. Whether there are any affirmative What, if any, defenses are available to the Board in the event of litigation and the viability of those defenses based upon the facts known at the time of settlement consideration. However, the Board shall not assert or consider the availability of Sovereign/Governmental Immunity for any pre-litigation claim.~~

~~5. Whether the demand is within the retention or deductible level for monetary payments pursuant to any applicable insurance or coverage agreement The claimant's likelihood of success in litigation.~~

~~6. The Superintendent is authorized to settle claims by the payment of up to \$5,000 when the Superintendent determines that the settlement is in the best interest of the school district, based on the assessment of the merits of the claim, the availability of potential defenses, the anticipated defense costs, and other relevant factors. The Superintendent will inform the Board of any such settlement of claims likely costs of defending the case.~~

~~7. The administrative burden and disruption that litigation would likely cause.~~

~~8. Whether the demand is with the retention or deductible level for monetary payments pursuant to any applicable insurance or liability coverage agreement and whether there is, or is likely to be, coverage under such agreements.~~

~~9. Goodwill on behalf of the citizens of the school community.~~

~~10. The best use of public funds in an effective manner.~~

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

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

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

Legal References: *Clayton v. Branson*, 170 N.C. App. 438 (2005); *Dobrowolska v. City of Greensboro-Wall*, 138 N.C. App. 1 (2000); G.S. 115C-47

Cross References:

Adopted: November 17, 2008

Revised: _____

3026/4026/6603 SCHOOL SAFETY

Safe schools are critical to creating a learning environment where students can succeed. Staff and students share in the responsibility to take reasonable precautions and following established safety measures to create and maintain safe schools. The following safety measures will 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: supervision must occur throughout 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 assure the safety of students on school grounds and on buses, before, during and after school.

Students who are subject to Policy 3025/4038/5415/6620/8570, Registered Sex Offenders, and are receiving educational services on school property must be supervised by school personnel at all times.

B. Supervision of Visitors

School administrators shall strictly enforce Policies 5422, School Volunteers, and 7403, Visitors to the Schools.

C. Safety of School Buildings and Grounds

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

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

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

The principal must notify the Superintendent or designee immediately of repairs needed in order to meet safety standards.

All warning systems must meet building and equipment codes required by law and must be properly maintained. When necessary, proper signs indicating potential danger are to be posted.

D. Establishing Processes to Address Potential Safety Concerns

1. Responding to Student Altercations and Other Threats to Safety

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

Teachers, teacher assistants, coaches, and other employees with responsibility for supervising students will use appropriate student behavior management techniques to maintain order and discipline on school property, at school events, and anywhere that students are under the employees' authority. Such employees must enforce the Code of Student Conduct and address student behavior in accordance with the school plan for management of student behavior (see policy 6501 - Management and Placement of Disruptive Students).

When employees with responsibility for supervising students have personal knowledge or actual notice of a student altercation or other situation that poses an immediate threat to safety, they shall use their professional judgment to determine how best to address the situation to protect the safety of everyone in the vicinity.

Depending on the circumstances, reasonable measures may include, but are not limited to, issuing verbal directives to end the altercation, immediately reporting the situation to the administration or other appropriate authority, using reasonable force and/or removing bystanders from the immediate area. For purposes of this policy, reasonable force is the use of limited physical contact or restraint to the extent necessary to re-establish a safe environment. Employees shall follow any additional instructions or guidance from supervisors in implementing this policy and shall comply at all times with Board Policy – Use of Reasonable Force and Seclusion and Restraint. To the extent possible under the circumstances, any emergency procedures identified in a student's Behavior Intervention Plan should also be followed to the maximum extent possible under the circumstances.

2. School Rules

The principal or designee is encouraged to develop rules to help prevent accidents in buildings, on school grounds or on the playgrounds.

3. Training for Staff and Students

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

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

4. Safety Equipment

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

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

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

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

As appropriate, the Superintendent shall consult with local law enforcement agencies and emergency responders to plan for and conduct emergency drills. 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 school system emergency plans and procedures. At least one school-wide tabletop exercise and drill that meets the requirements of state law and is based on the procedures documented in the school risk management plan will be **had held** annually at each school.

6. Reporting Risks to the School Population

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

Maintaining a safe school environment that is conducive to learning requires staff to be proactive in dealing with violence, harassment and bullying. Staff 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~~ School officials shall investigate and act upon any reports of such behavior including, when appropriate, reporting criminal activities to law enforcement, the Superintendent or designee and the State Board.

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: 29 C.F.R. part 1904; G.S. 14-208.18; 95-129(1); 115C-36, -47, -105.49, -105.51, -105.53, -105.54, -166, -167, -288, -289.1, -307, -390.3, -391.1, -521, -524, 525; 13 N.C.A.C. 7A.0301; 16 N.C.A.C. 6E.0107; State Board of Education Policies ~~SSCH-000~~, SCFC-005

Adopted: June 12, 1998

Revised: May 22, 2006; January 12, 2009; May 10, 2010; March 12, 2012; February 10, 2014; September 8, 2014; January 12, 2015; May 9, 2016; July 17, 2017; January 16, 2018; November 5, 2018; _____

3036/4036/8336 STAFF-STUDENT RELATIONS

The Board expects all employees to maintain the highest professional, moral and ethical standards in their interactions with students. Employees are required to provide an atmosphere conducive to learning through consistently and fairly applied discipline and established and maintained professional boundaries. Employees are expected to motivate each student to perform to his or her capacity while modeling the behavior expected of students in staff-student relationships.

The interactions and relationships between staff and students must be based upon cooperation, mutual respect and an understanding of the appropriate boundaries between adults and students inside and outside of the educational setting. Employees are expected to demonstrate good judgment and to avoid the appearance of impropriety in their interactions with students. Employees must consult their supervisor any time they suspect or are unsure whether conduct is inappropriate or otherwise constitutes a violation of this or other Board policy.

For the purposes of this policy, the terms “staff” and “employees” include independent contractors and volunteers, but do not include student employees or student volunteers. The term “parent” includes, parent, legal guardian or legal custodian.

A. Romantic Relationships and Sexual Contact Prohibited

All volunteers and employees, including student teachers, substitutes and contractors hired to perform instructional or professional services are prohibited from dating, courting, or entering into a romantic relationship or having sexual contact with any student enrolled in the school system regardless of the student’s age, regardless of whether the involvement is consensual and regardless of the nature of the relationship, whether face-to-face or via electronic means such as telephone, texting or social media. Employees engaging in such inappropriate conduct will be subject to disciplinary action, up to and including dismissal, and may be subject to criminal action as provided in G.S. 14-202.4 and 14-27.32. Further, school system personnel shall provide no assistance to an employee in finding another job, beyond the routine transmittal of personnel or administrative files, if the employee engaged in sexual misconduct with a minor or a student in violation of the law.

B. Restrictions on Electronic Communications

1. In accordance with Policy 3252/4252/5452 - Employee Use of Social Media, employees are prohibited from communicating with current students through non-school-controlled social media without parental permission except to the extent that the employee and student have an appropriate relationship which originated outside of the school setting. Any communication through social media authorized under

Policy 3252/4252/5452 must meet the professional standards established in this policy and must otherwise be consistent with law and all other Board policy.

2. Instant messages will be treated as a form of communication through social media subject to the terms of Policy 3252/4252/5452 and subsection B.1 above, regardless of whether the messaging service is actually provided through a social media service or otherwise.

3. Employees are prohibited from engaging in other forms of one-to-one electronic communications (e.g., voice, voice mail, email, texting, and photo or video transmission) with students without written prior approval of the employee's supervisor and the student's parent. This rule shall not apply, however, if one or more of the following circumstances exist:

a. the communication (1) is for an educational purpose, (2) is conducted through a school system-provided platform which archives all such communications for a period of at least three years, (this requirement does not apply to telephone or voice mail communications), or is conducted via an electronic video-conferencing platform (e.g., Zoom, Webex, Google Meet) that has been approved by the Superintendent or designee for instructional use, and (3) occurs after the employee has given prior notice to his or her supervisor or designee that such communications will occur and when they will occur;

b. the communication serves an educational purpose and is simultaneously copied or transmitted to the employee's supervisor or designee and, upon request, to the parent or guardian;

c. the communication is necessary in a bona fide emergency, provided the communication is disclosed to the supervisor and parent or guardian as soon as reasonably possible; or

d. the communication derives from a relationship or association outside of the school setting and occurs with the consent of the parent or guardian, provided such communication does not otherwise violate this or other Board policy.

Any one-to-one electronic communication permitted by this subsection must meet the professional standards established in this policy and must otherwise be consistent with law and all other Board policies.

4. It is the duty of every employee to notify his or her supervisor of any unsolicited one-to-one communication, in any form, electronic or otherwise, received from a student when the communication lacks a clear educational

purpose. School counselors are excluded from this requirement only to the extent that it conflicts with their professional duties.

5. Violations of this section will be considered unprofessional behavior subject to discipline, up to and including dismissal. Factors that may be relevant to the determination of an appropriate disciplinary response to unauthorized communications with students include, but are not limited to:

- a. the content, frequency, subject, and timing of the communication(s);
- b. whether the communication(s) was appropriate to the student's age and maturity level;
- c. whether the communication(s) could reasonably be viewed as a solicitation of sexual contact or the courting of a romantic relationship, including sexual grooming;
- d. whether there was an attempt to conceal the communication(s) from the employee's supervisor and/or the student's parent or guardian;
- e. whether the communication(s) created a disruption of the educational environment; and
- f. whether the communication(s) harmed the student in any manner.

C. Reporting Inappropriate Conduct

1. Reporting by Employees

Any employee who has reason to believe any of the following shall immediately report that information to the Superintendent or designee:

- a. that another employee is involved in a romantic or other inappropriate relationship or has had sexual contact with a student;
- b. that another employee has engaged in other behavior prohibited by this policy; or
- c. that the employee has witnessed behavior by another employee that has the appearance of impropriety, whether or not the behavior may have a valid purpose.

An employee who fails to inform the Superintendent or designee as provided in this section may be subject to disciplinary action, up to and including dismissal.

2. Reporting by Students

Any student who believes that he or she or another student has been subject to misconduct that violates this policy should immediately report the situation to the principal, school counselor, or the Title IX coordinator designated in Policy 3065/4065/6065 - Title IX Nondiscrimination on the Basis of Sex.

3. Report of Criminal Misconduct

Any principal who has reason to believe that a student has been the victim of criminal conduct shall immediately report the incident in accordance with Policy 3038/4039/8338 – Reporting Information to Administrators and External Agencies.

4. Report to State Superintendent of Public Instruction

Any administrator, including the Superintendent, chief/executive officer or principal, who knows or has reason to believe that a licensed employee has engaged in conduct which that would justify automatic revocation of the employee's professional license pursuant to G.S. 115C-270.35(b) or involves physical or sexual abuse of a child, shall report that information to the State Superintendent of Public Instruction within five working days of any disciplinary action, dismissal or resignation based on the conduct. For purposes of this subsection, physical abuse is the infliction of physical injury other than by accidental means or in self-defense, and sexual abuse is the commission of any sexual act upon a child student or causing a child student to commit a sexual act, regardless of consent and the age of the child student. Failure to report such conduct may result in the suspension or revocation of an administrator's license by the State Board of Education.

This reporting requirement applies in addition to any duty to report suspected child abuse in accordance with state law and Policy 6730 –Child Abuse and Related Threats to Child Safety.

Legal Reference: Elementary and Secondary Education Act, 20 U.S.C. 7926; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 et seq., 34 C.F.R. pt. 106; G.S. 14-27.32, -202.4; 115C-47(18), -270.35(b); 16 NCAC 6C .0372, .0373, .0601, .0602; State Board of Education Policies EVAL-014, LICN-007, NCAC-039

Adopted: January 31, 1994

Revised: June 11, 2007; November 17, 2008; March 12, 2012; January 17, 2017; July 17, 2017; January 16, 2018; February 10, 2020; July 13, 2020; September 14, 2020; March 8, 2021; _____

3060/4060/6060 DISCRIMINATION AND HARASSMENT PROHIBITED BY FEDERAL LAW

The Board acknowledges the dignity and worth of all students and employees and strives to create a safe, orderly, caring, and inviting school environment to facilitate student learning and achievement. The Board prohibits discrimination on the basis of race, sex, color, national origin, religion, disability, or age (~~over~~ 40 or older), 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 or harassment in any of its education activities or programs. All forms of prohibited discrimination and harassment are subject to this policy except the following, for which the Board has established more specific policies.

- Discrimination and harassment on the basis of sex is addressed in Policy 3065/4065/6065, Title IX Nondiscrimination on the Basis of Sex.
- Discrimination and harassment in employment is addressed in Policy 3085/4085, Discrimination and Harassment in the Workplace.

In addition, the process set out in this policy for bringing complaints does not apply to the following.

- Complaints of sexual harassment will be brought in accordance with the processes established in policies 3070/4070/6070, Title IX Sexual Harassment – Prohibited Conduct and Reporting Process, and 3075/4075/6075, Title IX Sexual Harassment Grievance Process.
- Employee allegations of discrimination or harassment will be addressed using the process established in Policy 3085/4085, Discrimination and Harassment in the Workplace.
- Allegations regarding or related to the identification, evaluation, educational placement, or free appropriate public education of a student under Section 504 or the IDEA may be raised through the system of procedural safeguards established under Policy 3011/4011/6890, Nondiscrimination on the Basis of Disabilities, (for Section 504 complaints) or in accordance with the procedures described in *Parents Rights & Responsibilities in Special Education*, published by the NC Department of Public Instruction (for IDEA complaints).

The Board takes seriously all reports of unlawful discrimination and harassment and directs school officials to take prompt action to investigate and remedy violations of this policy. The Superintendent or designee, as appropriate, is responsible for providing effective notice of this policy to students, parents, and employees.

The Board encourages students, visitors, and other non-employee individuals who believe that they may have been discriminated against or harassed in violation of this policy, (including on the basis of disability, as specified in Policy 3011/4011/6890, Nondiscrimination on the Basis of Disabilities), to report such conduct as soon as possible through the process provided in Section B of this policy. Employees who believe that they may have been discriminated against or harassed should report through the process provided in Policy 3085/4085, Discrimination and Harassment in the Workplace. Individuals who have witnessed or who have reliable information that another person has been subject to unlawful discrimination or harassment may report the conduct to an individual designated in Section B of this policy.

Any report made through the process established in this policy may be made anonymously, except mandatory employee reports.

A. Prohibited Behavior

Students, school system employees, volunteers, and visitors are expected to behave in a civil and respectful manner. The Board expressly prohibits unlawful discrimination and harassment as defined below by students, employees, board members, volunteers, or visitors. "Visitors" includes parents and other family members and individuals from the community, as well as vendors, contractors, and other persons doing business with or performing services for the school system.

1. Discrimination

Discrimination is any act or failure to act, whether intentional or unintentional, by an employee or agent of the school system that unreasonably and unfavorably differentiates treatment of others based solely on their membership in a legally-protected class so as to interfere with or limit their ability to participate in or benefit from the services, activities, or privileges offered by the school system's education program. For purposes of this policy, the legally protected classes are race, color, national origin, religion, and disability.

2. Harassment

Prohibited harassment is deliberate unwelcome conduct directed at another person or group of persons based on their membership in a legally protected class that creates a hostile environment. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive, or persistent so as to interfere with or limit a person's ability to participate in or benefit from the services, activities, or opportunities offered by the school system.

Examples of behavior that may constitute harassment include, but are not limited to, acts of disrespect, intimidation, or threats, such as verbal taunts, name-calling and put-downs, epithets, derogatory comments or slurs, exclusion 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. Harassment may occur through electronic means, such as through the Internet, email, or text message. Legitimate age-appropriate pedagogical techniques are not considered harassment.

3. Application of the Policy

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

This policy will not be construed to allow school officials to punish student expression or speech based on undifferentiated fear or apprehension of a disturbance or out of a desire to avoid the discomfort and unpleasantness that may accompany an unpopular viewpoint.

B. Reporting Discrimination or Harassment

1. Any person who believes that he or she has been discriminated against or harassed in violation of this policy by any student, employee, or other person under the supervision and control of the school system, or any third person who knows or suspects conduct that may constitute discrimination or harassment should inform a school official designated in Section C below. Reports also may be made anonymously through the anonymous tip line.

2. Mandatory Reporting by School Employees

Any employee who witnessed or who has reliable information or reason to believe that a student or other individual may have been discriminated against or harassed in violation of this policy must report the offense immediately to an appropriate individual designated in Section C below. Any doubt about whether particular conduct is possible discrimination or harassment under this policy or any other policy of the Board must be resolved in favor of reporting the conduct.

Employees who observe an incident of harassment are expected to intervene to stop the conduct in situations in which they have supervisory control over the perpetrator and it is safe to do so. If an employee knows of an incident involving discrimination or harassment and the employee fails to report the conduct or take proper action or knowingly provides false information in regard to the incident, the employee will be subject to disciplinary action up to, and including, dismissal.

3. Preliminary Inquiry

School officials may make a preliminary inquiry when a report is received to understand what occurred and to determine whether further action under this policy or otherwise is necessary.

C. Complaints of Discrimination and Harassment

1. A student, visitor, or other non-employee individual who believes he or she is the victim of unlawful discrimination or harassment in violation of this policy, or any person who has witnessed or who has reliable information that another person has been subject to unlawful discrimination or harassment under this policy, may make a formal written complaint to any of the following persons:

- a. the principal or assistant principal of the school at which either the alleged victim or alleged perpetrator attends or is employed;
- b. the Section 504 coordinator or the ADA coordinator for claims of discrimination on the basis of a disability; or
- c. for claims of other forms of prohibited discrimination, the applicable civil rights coordinator as established in Section I of this policy.

If a written complaint alleges that the perpetrator is an employee, the school official receiving the complaint shall notify the Executive Officer for Human Resources official without delay.

2. A written complaint alleging that a student has been discriminated against or harassed will be addressed in accordance with this policy.

A written complaint alleging that an employee has been discriminated against or harassed will be addressed in accordance with Policy 3085/4085, Discrimination and Harassment in the Workplace.

A written complaint alleging that person who is not a student or employee has been discriminated against or harassed will be addressed in accordance with

the general process for resolving complaints provided in Policy 8450, Complaints, not this policy.

3. Time Period for Making a Complaint

Alleged discrimination or harassment should be reported as soon as possible but no later than 30 days after disclosure or discovery of the facts giving rise to the complaint. Complaints submitted after the 30-day period may be investigated; however, individuals should recognize that delays in reporting may significantly impair the ability of school officials to investigate and respond to such complaints.

D. School Officials' Response to Reports and Complaints of Discrimination or Harassment

1. Investigation

School officials shall investigate all formal written complaints received. Reports of discrimination or harassment that are not followed by a formal written complaint may be investigated at the discretion of school officials and may be investigated even if the alleged victim does not seek action by school officials.

a. The principal or designee or site supervisor will be the investigator when the alleged perpetrator is a student or third party. The Executive Officer for Human Resources or designee will be the investigator when the alleged perpetrator is an employee. The Superintendent or designee, as appropriate, may determine that individual circumstances warrant the assignment of a different investigator.

Notwithstanding the above designations, (1) if the alleged perpetrator is the Executive Officer for Human Resources, the Superintendent will be the investigator, and (2) if the alleged perpetrator is the Superintendent or a member of the Board, the board chair shall direct the board attorney to investigate, unless the board chair determines that outside counsel should be engaged to investigate.

b. As applicable, the investigator shall immediately notify the Section 504, ADA, or other relevant coordinator of the complaint, and, as appropriate, may request assistance from the coordinator in conducting the investigation.

c. If the investigator, after interviewing the complainant and/or the alleged victim and consulting with the board attorney, if appropriate, determines that the allegations submitted, even if factual, do not

constitute discrimination or harassment as defined in this policy or Policy 3011/4011/6890, Nondiscrimination on the Basis of Disabilities, school officials shall address the matter outside the scope of this policy. Information regarding the investigator's determination and the process for addressing the complaint will be provided to the complainant.

d. Any investigation conducted must be impartial, prompt, and thorough. The investigator shall investigate the facts and circumstances related to the allegation(s) of discrimination or harassment and give the alleged perpetrator an opportunity to respond to the allegations.

The investigator shall consider all the evidence collected, the context in which the alleged incidents occurred, the age and maturity of the parties, and any other relevant circumstances, and, in consultation with the board attorney, as appropriate, shall determine whether the alleged act(s) constitutes a violation of this policy, Policy 3011/4011/6890, Nondiscrimination on the Basis of Disabilities, and/or any other Board policy or expected standard of student or employee behavior.

e. The complaint and investigation will be kept confidential to the extent possible and consistent with law. Information may be shared only with individuals who need the information in order to investigate and address the complaint appropriately and those with a legal right to access the information.

2. Investigator's Findings

a. If the investigator finds that discrimination occurred, the investigator shall take or recommend steps to address the discrimination.

b. If the investigator finds that harassment occurred and created a hostile environment, the investigator shall assign or recommend appropriate disciplinary consequences for the perpetrator and/or take or recommend other reasonable measures to eliminate the hostile environment and prevent its recurrence.

c. If the investigator finds that the conduct did not violate this policy but violated Policy 3080/4080/6080, Bullying and Harassing Behavior Prohibited, or another Board policy or expected standard of conduct, the investigator shall assign or recommend discipline or other action appropriate to the violation.

d. The investigator shall make a record of the evidence and findings of the investigation and the assigned or recommended discipline and/or other remedial action and provide a copy to the appropriate civil rights coordinator. If the investigator recommends a disciplinary consequence or remedial action that is beyond his or her authority, the investigator shall provide a copy of the record to the Superintendent for further action.

e. The investigator shall inform the alleged victim and alleged perpetrator of the outcome of the investigation.

3. Steps to Reasonably End Discrimination or Harassment

a. The Superintendent is responsible for taking or causing appropriate action to be taken in response to discrimination and harassment in violation of this policy. Appropriate action must include:

i. reasonable, timely, age-appropriate corrective action intended to end the discrimination or harassment and prevent it from recurring;

ii. as needed, reasonable steps to address the effects of the discrimination or harassment on the victim; and

iii. as needed, reasonable steps to protect the victim from retaliation as a result of the complaint.

b. The Superintendent or designee may take non-punitive measures to end or prevent instances of discrimination or harassment regardless of whether any individual has been found responsible for the discrimination or harassment. The Superintendent or designee also may implement or direct the implementation of classroom-wide, school-wide, or school system-wide responses and other measures reasonably calculated to end the behavior, eliminate a hostile environment and its effects if one has been created, and prevent recurrence of the behavior.

c. The Executive Officer for Human Resources shall encourage victims of discrimination and harassment to report any subsequent problems and may conduct follow-up inquiries as warranted to determine if there have been any new incidents of discrimination or harassment or any instances of retaliation.

E. Appeals

1. If the alleged victim is dissatisfied with the outcome of the investigation, he or she may appeal the decision to the Superintendent (unless the alleged perpetrator is the Superintendent, in which case the alleged victim may appeal directly to the Board in accordance with the next paragraph). The appeal must be submitted in writing within three school business days of receiving the notice of the outcome of the investigation. The Superintendent may review the documents, conduct any further investigation necessary, or take any other steps the Superintendent determines to be appropriate in order to respond to the complaint. The Superintendent shall provide a written response within 10 days after receiving the appeal, unless further investigation is needed.

2. Student victims may appeal the Superintendent's decision to the Board in accordance with subsection 6902.4, Step III, of Policy 6902, Student and Parent Grievance Procedure. Employees may appeal the Superintendent's decision to the Board in accordance with subsection B, Step III, of Policy 3900/4800 Grievance Procedure for Employees.

3. Any student or employee subject to discipline for violating this policy will be accorded all rights provided by law.

F. Retaliation Prohibited

The Board prohibits retaliation against any person for making a report or complaint of a violation of this policy, supporting someone for reporting or intending to report a violation of this policy, or participating in the investigation of a reported violation of this policy. No reprisals will be taken by the Board against a complainant or other individual who makes a good faith report of discrimination or harassment. Any person who is found to have engaged in retaliation will be subject to discipline, up to and including dismissal. Acts of retaliation may also be subject to Policy 3051/4051, Prohibition Against Retaliation.

G. Training and Programs

The Board directs the Superintendent or designee, as appropriate, to establish training and other programs that are designed to prevent discrimination and harassment and to foster an environment of understanding and respect for all members of the school community. Information about the prohibited conduct and complaint procedure in this policy and those in policies 3070/4070/6070, Title IX Sexual Harassment – Prohibited Conduct and Reporting Process, and 3075/4075/6075, Title IX Sexual Harassment Grievance Process, must be included in the training plan.

As funds are available, the Board will provide students, employees, and volunteers who have significant contact with students with additional training regarding the

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

H. Records

The Superintendent or designee shall maintain confidential records of complaints or reports of discrimination or harassment. The records must identify the names of all individuals accused of such offenses and the resolution of such complaints or reports. The Superintendent or designee also shall maintain records of training conducted and corrective action(s) or other steps taken by the school system to provide an environment free of discrimination and harassment.

I. Contacts for Inquiries

The Superintendent has appointed individuals to coordinate the school system's efforts to comply with and carry out its responsibilities under federal nondiscrimination laws, including investigating any complaints communicated to school officials alleging noncompliance with those laws. Inquiries about the application of the nondiscrimination laws addressed in this policy may be referred to the designated civil rights coordinator and/or the Assistant Secretary for Civil Rights in the Office for Civil Rights at the U.S. Department of Education.

The contact information for the designated civil rights coordinators is as follows.

- a. The Section 504 Coordinator is: **Assistant Director for Student Support Services**
Office Address: **P.O. Box 1180, 5277 Highway 15-501 South, Carthage, NC 28327**
Email Address: **hrpolicy@ncmcs.org**
Phone Number: **(910) 947-2976**
- b. The ADA Coordinator is: **Executive Officer for Human Resources**
Office Address: **P.O. Box 1180, 5277 Highway 15-501 South, Carthage, NC 28327**
Email Address: **hrpolicy@ncmcs.org**
Phone Number: **(910) 947-2976**
- c. The Age Discrimination Coordinator is: **Executive Officer for Human Resources**
Office Address: **P.O. Box 1180, 5277 Highway 15-501 South, Carthage, NC 28327**
Email Address: **hrpolicy@ncmcs.org**

Phone Number: **(910) 947-2976**

- d. The Coordinator for Other Non-discrimination Laws is: **Executive Officer for Human Resources**

Office Address: **P.O. Box 1180, 5277 Highway 15-501 South, Carthage, NC 28327**

Email Address: **hrpolicy@ncmcs.org**

Phone Number: **(910) 947-2976**

The contact information for the U.S. Department of Education Office for Civil Rights with jurisdiction over North Carolina is as follows.

4000 Maryland Ave, SW
Washington, DC 20202-1475
Telephone: 202-453-6020
FAX: 202-453-6021

TDD: 800-877-8339
Email: OCR.DC@ed.gov

Legal References: Age Discrimination in Employment Act of 1967, 29 U.S.C. 621et seq., 34 C.F.R. pt. 110; Americans with Disabilities Act, 42 U.S.C. 12101et seq., 28 C.F.R. pt. 35; Boy Scouts of America Equal Access Act, 20 U.S.C. 7905, 34 C.F.R. pt. 108; Individuals with Disabilities Education Act, 20 U.S.C. 1400et seq.; 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. 2000det seq., 34 C.F.R. pt. 100; *Racial Incidents and Harassment Against Students at Educational Institutions; Investigative Guidance*, U.S. Department of Education, Office for Civil Rights (1994), available at <https://www2.ed.gov/about/offices/list/ocr/docs/race394.html>; *Notice of Non-Discrimination*, U.S. Department of Education, Office for Civil Rights (2010); *Dear Colleague Letter* (Harassment and Bullying), U.S. Department of Education, Office for Civil Rights (2010), available at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf>; G.S. 115C-407.15 through -407.18; 126-16; 16 N.C.A.C. 6E.0107 State Board of Education Policy SSCH-000; *Parent Rights & Responsibilities in Special Education*, (N.C. Dept. of Public Instruction, Exceptional Children Division), available at <https://ec.ncpublicschools.gov/parent-resources/parents-rights-handbook>

Adopted: September 14, 2020

Revised: March 8, 2021; _____

3085/4085 DISCRIMINATION AND HARASSMENT IN THE WORKPLACE

The Board prohibits unlawful discrimination in employment based on race, color, religion, national origin, military affiliation, genetic information, sex **(including pregnancy, childbirth, sexual orientation and gender identity)**, age (40 or older), disability, or other unlawful grounds. Harassment is a form of unlawful employment discrimination. The Board recognizes that all forms of harassment of employees or applicants is harmful behavior that negatively impacts the workplace environment.

Any employee who engages in discrimination or harassment prohibited by this policy or who contributes to the development of a hostile work environment is subject to discipline, up to and including dismissal.

A. Discrimination Prohibited

Discrimination is any act or failure to act, whether intentional or unintentional, by an employee or agent of the school system that unreasonably and unfavorably differentiates treatment of others based solely on their membership or that of an associate in a legally-protected class.

Discrimination in employment based on the characteristics listed above is prohibited in all employment-related practices, including hiring, compensation, terms, conditions, and other privileges of employment, except when sex, age, or physical requirements are essential occupational qualifications.

B. Harassment Prohibited

Harassment prohibited by this policy is unwelcome conduct based on race, color, religion, national origin, military affiliation, genetic information, age (40 or older), sex **(including pregnancy, childbirth, sexual orientation and gender identity)**, or disability where:

1. enduring the offensive conduct becomes a condition of continued employment; or
2. the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive, even if the complaining individual is not the intended target.

A single incident of harassment, if physically threatening or humiliating, can create a hostile work environment. The complaining individual need not be the target of the harassment.

Examples of unwelcome conduct that may violate this policy include, but are not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or

threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance.

Petty slights, annoyances, simple teasing, offhand comments, or isolated incidents (unless extremely serious) are not harassment under this policy, nor are reasonable performance management actions taken to direct and control how work is performed or to monitor and give feedback on work performance. The exercise of legitimate authority administered in a professional and constructive manner is not harassment under this policy.

C. Sexual Harassment Prohibited

Sexual harassment is a particular type of workplace harassment. Sexual harassment prohibited by this policy may also violate Policy 3070/4070/6070, Title IX Sexual Harassment – Prohibited Conduct and Reporting Process, and in such cases school officials must proceed in accordance with the requirements of that policy.

Prohibited sexual harassment is unwelcome conduct which is either of a sexual nature, or is directed at a person because of the person's sex (including pregnancy, childbirth, sexual orientation and gender identity), when:

1. submission to the conduct is made either explicitly or implicitly a term or condition of a person's employment;
2. submission to or rejection of such conduct is made the basis for decisions affecting a person's employment; or
3. the conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, or verbal, nonverbal, or physical aggression, intimidation, or hostility that is based on actual or perceived gender and sexual stereotypes, sexual orientation, or gender identity. Consensual conduct between adults that is not directed at a third party is not sexual harassment.

D. Reporting Discrimination and Harassment

Applicants and employees should promptly report orally or in writing any instance of alleged or potential discrimination, including harassment, to their principal or supervisor or the senior human resources official. Upon receiving a written complaint, the principal, supervisor, or senior human resources official shall

promptly investigate the written complaint and cause or recommend appropriate corrective action if the written complaint is substantiated. Oral reports of violations may be investigated at the discretion of the school officials designated above. All reports and complaints of harassment under this policy will be investigated in a manner that protects the employee or applicant and maintains confidentiality to the greatest extent possible as permitted by law.

E. Retaliation Prohibited

The Board prohibits retaliation against any person for making a report or complaint of a violation of this policy, supporting someone for reporting or intending to report a violation of this policy, or participating in the investigation of a reported violation of this policy. No reprisals will be taken by the Board against a complainant or other individual who makes a good faith report of discrimination or harassment. Any person who is found to have engaged in retaliation will be subject to discipline, up to and including dismissal. Acts of retaliation may also be subject to Policy 3051/4051, Prohibition Against Retaliation.

Legal References: Age Discrimination in Employment Act of 1967, 29 U.S.C. 621et seq., 34 C.F.R. pt. 110; Americans with Disabilities Act, 42 U.S.C. 12101et 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 II of the Genetic Information Nondiscrimination Act of 2008; Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000eet seq., 29 C.F.R. pt. 1604; Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. 4301et seq.; *Bostock v. Clayton County*, 590 U.S. _____, 140 S. Ct. 1731 (2020); G.S. 143-422.2

Adopted: September 14, 2020

Revised: March 8, 2021; _____

3090/4090/5090/6090 ENSURING DIGNITY AND NONDISCRIMINATION

Moore County Schools recognizes the equality and rights of all persons. It is the intent of Moore County Schools that students, teachers, administrators, and other school employees respect the dignity and differing opinions of others, acknowledge the right of others to express differing opinions, and foster and defend intellectual honesty, freedom of inquiry and instruction, and freedom of speech and association.

- A. For the purposes of this section, "promote" shall mean any of the following:
1. Compelling students, teachers, administrators, or other school employees to affirm or profess belief in the concepts described in subsection B.
 2. Including concepts described in subsection B in curricula, reading lists, seminars, workshops, trainings, or other educational or professional settings in a manner that could reasonably give rise to the appearance of official sponsorship, approval, or endorsement.
 3. Contracting with, hiring, or otherwise engaging speakers, consultants, diversity trainers, and other persons for the purpose of advocating concepts described in subsection B of this section.
- B. Public school units Moore County Schools shall not promote the following concepts:
1. One race or sex is inherently superior to another race or sex.
 2. An individual, solely by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.
 3. An individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.
 4. An individual's moral character is necessarily determined by his or her race or sex.
 5. An individual, solely by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex.
 6. Any individual, solely by virtue of his or her race or sex, should feel discomfort, guilt, anguish, or any other form of psychological distress.
 7. The belief that the United States is a meritocracy is an inherently racist or sexist belief, or that the United States was created by members of a particular race or sex for the purpose of oppressing members of another race or sex.

C. Nothing in this section shall be construed as prohibiting the following:

1. Speech protected by the First Amendment of the U.S. Constitution.
2. Accessing materials on an individual basis that advocate concepts described in subsection B for the purpose of research or independent study.
3. Stating concepts described in subsection B of this section or assigning materials that incorporate such concepts for educational purposes in contexts that make clear ~~the public school unit~~ that Moore County Schools does not sponsor, approve, or endorse such concepts or works.

Legal References: U.S. Const. amend 1; G.S. 115C-47(18); *Boring v. Buncombe County Bd. of Educ.*, 136 F.3d 364 (4th Cir. 1998); *Lee v. York County Sch. Div.*, 484 F.3d 687 (4th Cir. 2007)

Adopted: _____

3250/4250 EMPLOYEE PERSONNEL – POLITICAL ACTIVITIES

~~The Board of Education recognizes the right of employees to participate in political affairs in a manner afforded other citizens, including the right to vote, the right to be active members of a political party of their choice, the right to campaign for candidates, and the right to seek, campaign for, and serve in public office, provided there is no local, state, or federal law prohibiting a teacher from seeking a certain political office. Employment or volunteer service with the school system does not preclude an individual from participating in political activities, such as registering and voting, campaigning for candidates or issues, running for or serving in public office, attending political events and contributing funds to partisan groups or candidates. These political activities must not (1) take place during work hours; (2) involve school system funds or materials; or (3) make use of an official school position to encourage or to coerce students, employees or others to support or oppose a political party, candidate or issue.~~

~~A teacher, upon request to the Superintendent and Board, shall be granted a leave of absence without pay for the purpose of serving in the North Carolina General Assembly or the United States Congress.~~

~~Employees shall not involve students on school time, campaign on school premises or on school time, or use school equipment or supplies while participating in political affairs. The position of any personnel will not be in jeopardy due to his political activity as long as he adheres to the terms of this policy.~~

As specified in Policy 1700 - Official School Spokesperson, the Chairperson of the Board or designee and the Superintendent or designee are the official spokespersons for the school district. Employees, when exercising their rights as citizens, should take steps to ensure that their personal political activities or opinions are not erroneously attributed to the Board of Education or the school district.

~~Nothing in this policy shall be interpreted to restrict the neutral and objective teaching of political issues as part of the prescribed curriculum or the dissemination of factual information approved by the Board or central office administration about legislation or other political matters, so long as there is no expenditure of public funds in support of or opposition to any referendum, election or candidate for political office. This policy should not be construed as prohibiting the impartial study and discussion of political or other controversial issues in the classroom setting. However, employees must be mindful of their responsibility to deliver the curriculum of the school system and may not present their personal political views to students in the classroom or when otherwise engaged in the instruction of students.~~

Legal Reference: U.S. Const. amend. I; G.S. 115C-46.1, -47(18); *Boring v. Buncombe County Bd. Of Educ.*, 136 F.3d 364 (4th Cir. 1998); *Lee v. York County Sch. Div.*, 484 F.3d 687 (4th Cir. 2007)

Adopted: July 30, 1990

Revised: January 17, 2017; _____

3260/4260 ADMINISTERING MEDICINES TO STUDENTS

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

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

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

A. Medication Administration by School Employees

1. Conditions for Administering Medication

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

- a. **Parental Consent:** The student's parent must make a signed, written request that authorizes school personnel to administer the medication to the student.
- b. **Medication Authorization/Order:** A health care practitioner must prescribe the medication for use by the student and provide explicit written instructions for administering the medication.

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

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

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

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

2. Procedures for Administering Medications

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

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

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

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

504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

d. Except as permitted by this policy, no student may possess, use, sell, deliver or manufacture any drug or counterfeit drug prohibited by law nor be under the influence of any drug in violation of Board Policy.

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

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

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

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

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

B. Emergency Medication

Students who are at risk for medical emergencies, such as those with diabetes, asthma, or severe allergies, must have an emergency health care plan developed

for them to address emergency administration of medication. Students must meet the requirements of subsection A.1, above, including providing authorization and instructions from the health care practitioner and written consent of the parent, in order for emergency medication to be administered by school personnel while the student is at school, at a school sponsored activity, and/or while in transit to or from school or a school-sponsored event.

C. Student Self-Administering Medications

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

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

1. Authorization to Self-Administer Medication

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

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

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

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

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

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

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

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

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

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

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

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

2. Responsibilities of the Student

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

3. Consequences for Improper Use

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

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

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

Adopted: July 30, 1990

Revised: May 18, 1998; Revised: May 23, 2005; January 12, 2009; January 7, 2010; June 10, 2013; January 12, 2015; September 14, 2015; June 29, 2016; July 17, 2017; January 16, 2018; November 5, 2018; February 10, 2020; _____

3600/4500 PROFESSIONAL AND STAFF DEVELOPMENT

The Board believes a strong relationship exists between the quality of education provided to students and the competency and training of all personnel employed by the school system. The Board places a high priority on securing the most competent personnel available and, once they are employed, providing them with opportunities for professional growth and development throughout their careers. The Board supports professional and staff development programs and opportunities to improve the instructional program and create a safe learning environment for all students by improving and expanding the skills for the professional staff and support personnel.

A. Professional and Staff Development

The Superintendent or designee shall provide ongoing professional and staff development opportunities for licensed and support staff and shall require participation by such personnel as appropriate. The Superintendent or designee shall seek input from employees when developing system-wide programs. The principal shall seek input from school personnel when planning professional and staff development programs for his or her school.

Professional and staff shall include all topics required by law or Board policy, including but not limited to (1) the effective delivery of the required curriculum as required by G.S. 115C-81.45(d) and -81.20(f); (2) a program of technology-related professional development as required; and (3) a mental health training program, which includes all components- in even numbered years, a two-hour child sexual abuse and sex trafficking education and awareness training program for teachers, instructional support personnel, principals and assistant principals in grades K-12, as required by G.S. 115C-375.20, G.S. 115C-376.5(d), and State Board of Education Policy SHLT-003.

B. Self-Improvement

Licensed employees are responsible to engage in self-directed activities to improve their professional skills. These employees are encouraged to seek information and training through professional development programs as well as other opportunities in order to meet this responsibility.

C. Plans for Growth and Improvement

Supervisors and principals also may require licensed employees to enter into plans, including mandatory improvement plans established by state law and individual, monitored and/or directed growth plans established by the State Board of Education, for professional growth and improving performance. Plans should set clear expectations and facilitate clear communication between the evaluator and

the evaluatee. Goals should be individualized and have a direct impact on instruction.

A performance improvement plan could involve participation in a professional development program or encompass a variety of strategies that are related to professional growth or improving performance.

D. Payment of Costs

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

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

Legal Reference: Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., 34 C.F.R. pt. 106; G.S. 115C-81.20(f), -81.45(d), -333, 333.1, -375.20; -376.5(d); State Board of Education Policies EVAl-004, SHLT-003

Adopted: July 30, 1990

Revised: February 8, 2010; June 10, 2013; July 17, 2017; January 16, 2018; July 13, 2020; _____

~~4203/7104 CLASSIFIED EMPLOYEES – DUTY TO DRIVE A SCHOOL BUS~~

~~To ensure the safe and efficient transportation of students to and from school, and to ensure an adequate number of regular and substitute school bus drivers to meet the needs of the Moore County Schools, the Board adopts the following policy.~~

~~All teacher assistants, custodians and child nutrition assistants employed by the Moore County Schools must be qualified, licensed, and willing to drive a school bus. Bus driving duty shall be considered an essential function of these classified positions, and these employees must sign a bus driving agreement as a condition of new or continued employment. Continued employment will be contingent upon the employee completing all requirements and maintaining the appropriate license and certification to drive a bus. For any such employee first hired after the effective date of this policy, that employee shall become licensed to drive a bus within ninety (90) calendar days after completing the first school bus driver certification class following the employee's start date.~~

~~Teacher assistants, custodians and child nutrition assistants first hired before August 1, 2019, are exempt from this policy. The Superintendent shall develop procedures to implement this policy, including procedures under which other exceptions to this policy, if any, may be established.~~

~~Bus driving assignments shall be made by the Superintendent or the Superintendent's designee to best meet the needs of the Moore County Schools. Nothing in this policy is intended to establish or create a right to drive a school bus.~~

~~Legal References: G.S. 115C-47, -245, -276~~

~~Adopted: July 9, 2019~~

~~Effective: August 1, 2019~~

5031 SCHOOL CALENDAR AND TIME FOR LEARNING

~~The Superintendent shall make a recommendation to the Board annually regarding establishment of the school calendar.~~

- ~~1. Insofar as possible, the calendar shall be responsive to the instructional needs of teachers, students and parents.~~
- ~~2. The calendar shall provide for a minimum of One Hundred Eighty five (185) days of instruction or One Thousand Twenty five (1,025) hours of instruction, covering at least nine (9) calendar months. Allowances consistent with state law shall be included for making up days that may be needed because of inclement weather or other unforeseen occurrences that might make it necessary to temporarily close a school or schools.~~
- ~~3. The calendar shall provide for appropriate timing of parent teacher conferences and grade reporting.~~
- ~~4. The calendar shall make provisions for the in-service education needs of the school system.~~
- ~~5. The ten month calendar will be adopted in accordance with established procedures.~~

The Board believes that time is a variable in the educational process and that students may need different amounts of instructional time in order to fulfill the educational goals and objectives of the Board. The Board also recognizes that the school day and school year should be planned in such a manner as to facilitate student learning and to permit an accurate assessment of student achievement in scheduled testing periods.

A. Instructional Time

The Board will approve the length of the school day, which may vary from school to school. Breaks in the instructional day for changing classes, homeroom, lunch, pep rallies and similar non-instructional activities are not part of the instructional day and are not considered instructional hours.

Interruptions of instructional time and time off task must be kept to a minimum. The principal is responsible for ensuring that instructional time is maintained and protected in the school schedule. Each teacher is responsible for ensuring optimal use of instructional time in his or her classes. School personnel are encouraged to seek creative means of reducing transitional time and scheduling non-instructional activities. A proposal for alternative scheduling of classes or other such strategies may be a part of a school improvement plan.

B. School Calendar

The Board will establish a school calendar that is consistent with the requirements of G.S. 115C-84.2 and any other applicable legal requirements.

The Board may offer supplemental or additional educational programs or activities outside the adopted school calendar.

1. Waiver of **Opening** or Closing Dates

Upon a showing of good cause, as defined by G.S. 115C-84.2(d), the Board may seek a waiver of the opening date from the State Board of Education.

The Board will revise the closing date only if necessary to comply with the minimum requirements for instructional days or instructional time.

2. Converting to a Year-Round Calendar

The Board may initiate or review recommendations from the Superintendent or a school improvement team for modifying a school's traditional school calendar to a year-round calendar. The Superintendent and individual schools are encouraged to obtain input from teachers and other personnel as well as from the community in developing proposals for modifying the school calendar to year-round. A year-round school may be included as a part of a school improvement plan.

Legal Reference: P.L. 108-447, div. J, title I, sec. 111 (codified as a statutory note to 36 U.S.C. 106(d); G.S. 115C-12(33), -36, -47, -84.2, -105.21(b)(2), -239238.31, -288; State Board of Education Policy BEPL-001; N.C. *Employment Benefits and Policy Manual* (most current version), North Carolina Department of Public Instruction, available at <http://www.ncpublicschools.org/district-humanresources/key-informationdpi.nc.gov/districts-schools/districts-schools-support/district-human-capital/employee-policy>

Adopted: November 26, 1990

Revised: March 22, 1999; August 23, 1999; March 12, 2007; January 12, 2009; March 12, 2012; June 10, 2013; July 17, 2017; _____

~~5032 SCHOOL DAY~~

~~Upon the recommendation of the Superintendent, the Board shall approve the school day, which shall consist of no less than six (6) hours of actual instructional time.~~

~~Legal Reference: G.S. 115C-84~~

~~Adopted: November 26, 1990~~

~~Revised: August 23, 1999~~

5540 GRADUATION REQUIREMENTS

The Board recognizes the importance of setting rigorous graduation requirements in order to help ensure that students are receiving an education that will prepare them to be productive members of society. The Board believes students should be well-rounded learners fully prepared for college or the career of their choice. This preparation includes the acquisition of 21st century skills such as innovation, application of technology to solve problems, and the ability to think critically about the key issues of our times. To this end, students are encouraged and expected to explore a wide range of curricular offerings that extend learning beyond core curriculum coursework and include courses in the arts, career and technical education, wellness, and world languages.

In order to graduate from high school, students are required to meet the following:

1. successful completion of all course unit requirements mandated by the State Board of Education (see chart below);
2. 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. [Guidancee School counseling](#) program staff shall assist students in selecting their high school courses to ensure that students are taking all of the required units and selecting electives consistent with their post-graduation plans. For students who have transferred to the school system during high school or who, for other reasons, have completed course work outside of the school system, the principal shall determine what course work will be applied as credit toward graduation. The principal shall consider the requirements of the Interstate Compact on Educational Opportunity for Military Children ([G.S. 115C-407.5](#)) [and the requirements of subsection C.4 of this policy](#) in determining the graduation requirements for children of military families.

A. Course Units Required

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

In accordance with Board Policy 5541, Dual Enrollment, and State Board of Education requirements, students may earn high school credit for college courses completed. In addition, students may earn credit for certain high school courses in the Future-Ready Core Course of Study completed while in middle school, as

authorized by the State Board of Education. Students also have the opportunity to meet course unit requirements without completing the regular period of classroom instruction by demonstrating mastery of the course material in accordance with Board Policy 5530, Promotion and Retention of Students, and State Board of Education requirements.

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

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

Courses Required*	State Requirements
English	4 sequential (English I, II, III and IV)
Mathematics	4 (NC Math 1, 2 and 3 and a fourth math course aligned with the student's post-high school plans.)** (A principal may exempt a student from this math sequence. Exempt students will be required to pass NC Math 1 and 2 and two other application-based math courses or selected CTE courses, as identified on the NC DPI math options chart.)***
Science	3 (a physical science course, Biology and earth/environmental science)
Social Studies	4 (including: (1) a founding principles course which shall be either American History: Founding Principles, Civics and Economics or Founding Principles of the United States of America and North Carolina: Civic Literacy;† (2) two American history courses which shall be either (a) American History I and II, (b) American History I or II and another Social Studies course, or (c) American History and another Social Studies course; and (3) World History)
Health/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, JROTC, Arts Education, or any other subject area or cross-disciplinary course. A four-course

	concentration is recommended.) [‡]
Total Credits	22

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

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

***Students seeking to complete minimum course requirements for UNC universities must complete four mathematics courses, including a fourth math course with Math 3 as a prerequisite. The math options chart is available at <https://files.nc.gov/dpi/documents/files/nc-2020-21-mathematics-options-chart-rev-june-2020-1.pdf> <https://sites.google.com/dpi.nc.gov/k-12-mathematics/resources/hs-mathematics/math-options-charts?authuser=0>.

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

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

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

Courses Required*	State Requirements
English	4 sequential (English I, II, III and IV)
Mathematics	4 (NC Math 1, 2 and 3 and a fourth math course aligned with the student's post-high school plans.)** (A principal may exempt a student from this math sequence. Exempt students will be required to pass NC Math 1 and 2 and two other application-based math courses or selected CTE courses, as identified on the NC DPI math options chart.)***
Science	3 (a physical science course, Biology and

	earth/environmental science)
Social Studies	4 (including: (1) a founding principles course which shall be either American History: Founding Principles, Civics and Economics or Founding Principles of the United States of America and North Carolina: Civic Literacy; [†] (2) an American history course which shall be either (a) American History I, (b) American History II, or (c) American History; (3) World History); [±] and (4) Economics and Personal Finance [^]
Health/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, JROTC, Arts Education, or any other subject area or cross-disciplinary course. A four-course concentration is recommended.) [‡]
Total Credits	22

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

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

***Students seeking to complete minimum course requirements for UNC universities must complete four mathematics courses, including a fourth math course with Math 3 as a prerequisite. The math options chart is available at <https://files.nc.gov/dpi/documents/files/nc-2020-21-mathematics-options-chart-rev-june-2020-1.pdf> <https://sites.google.com/dpi.nc.gov/k-12-mathematics/resources/hs-mathematics/math-options-charts?authuser=0>.

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

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

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

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

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

<u>Courses Required*</u>	<u>State Requirements</u>
<u>English</u>	<u>4 sequential (English I, II, III and IV)</u>
<u>Mathematics</u>	<u>4 (NC Math 1, 2 and 3 and a fourth math course aligned with the student's post-high school plans.)**</u> <u>(A principal may exempt a student from this math sequence. Exempt students will be required to pass NC Math 1 and 2 and two other application-based math courses or selected CTE courses, as identified on the NC DPI math options chart.)***</u>
<u>Science</u>	<u>3 (a physical science course, Biology and earth/environmental science)</u>
<u>Social Studies</u>	<u>4 (including: Founding Principles of the United States of America and North Carolina: Civic Literacy;† Economics and Personal Finance;‡ American History; and World History)</u>
<u>Health/PE</u>	<u>1</u>
<u>Electives</u>	<u>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, JROTC, Arts Education, or any other subject area or cross-disciplinary course. A four-course concentration is recommended.)‡</u>
<u>Total Credits</u>	<u>22</u>

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

**Students who are learning disabled in math may have other options for meeting the four mathematics credits requirement. See DPI memo of

August 24, 2016, available at <http://bit.ly/DPIMemo>, and the math options chart linked below.

***Students seeking to complete minimum course requirements for UNC universities must complete four mathematics courses, including a fourth math course with Math 3 as a prerequisite. The math options chart is available at <https://sites.google.com/dpi.nc.gov/k-12-mathematics/resources/hs-mathematics/math-options-charts?authuser=0>.

† This course must follow the North Carolina Standard Course of Study (NCSCOS) in its entirety and may not be satisfied by any other courses. See SBE Policy GRAD-004.

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

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

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

Courses Required*	State Requirements
English	4 sequential (English I, II, III and IV)
Mathematics	3 (including Introduction to Math, NC Math I and Financial Management)
Science	2 (including Applied Science and Biology)
Social Studies	2 (including American History I and American History II* OR (1) American History: Founding Principles, Civics and Economics or Founding Principles of the United States of America and North Carolina: Civic Literacy; and (2) American History I or American History II or American History)**
Health/PE	1
Career/Technical	4 (Career/Technical Education electives)
Occupational Preparation	6 (including: <u>(1) Occupational Preparation or Employment Preparation I: Science; (2) Occupational Preparation II or Employment Preparation II: Citizenship IA and Employment Preparation II: Citizenship IB; (3) Occupational Preparation III or Employment Preparation</u>

	<u>III: Citizenship IIA and Employment Preparation III: Citizenship IIB; and (4) Occupational Preparation IV or Employment Preparation IV: Math I, II, III and IV, which require 150 hours of school-based training, 225 hours of community-based training, and 225 hours of paid employment^{***})</u>
Work Hours	600
Electives	0
Other Requirements	<ul style="list-style-type: none"> • Completion of IEP objectives • Career Portfolio
Total Credits	22

* Applicable only to students entering the ninth grade for the first time prior to 2017-2018.

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

~~***Paid employment is the expectation; however, when paid employment is not available, 225 hours of unpaid vocational training, unpaid internship experience, paid employment at community rehabilitation facilities and volunteer and/or community service hours may substitute for 225 hours of paid employment. The work hours must include: (1) 150 hours of school-based training with work activities and experiences that align with the student's post-school goals; (2) 225 hours of community-based training; and (3) 225 hours of paid employment or 225 hours of unpaid vocational training, unpaid internship, paid employment at community rehabilitation facilities, and volunteer and/or community services hours, for a total of 600 required work hours.~~

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

Courses Required*	State Requirements
English	4 sequential (English I, II, III and IV)
Mathematics	3 (including Introduction to Math, NC Math I and Financial Management)
Science	2 (including Applied Science and Biology)
Social Studies	2 (including <u>(1) a founding principles course which shall be either American History: Founding Principles, Civics and Economics or</u> Founding Principles of the United States of America and North Carolina: Civic Literacy and

	<u>(2) Economics and Personal Finance)</u>
Health/PE	1
Career/Technical	4 (Career/Technical Education electives)
Occupational Preparation	6 (including: <u>(1) Occupational Preparation or Employment Preparation I: Science; (2) Occupational Preparation II or Employment Preparation II: Citizenship IA and Employment Preparation II: Citizenship IB; (3) Occupational Preparation III or Employment Preparation III: Citizenship IIA and Employment Preparation III: Citizenship IB; and (4) Occupational Preparation IV or Employment preparation IV: Math I, II, III and IV, which require 150 hours of school-based training, 225 hours of community-based training, and 225 hours of paid employment*</u>)
<u>Work Hours</u>	<u>600</u>
Electives	0
Other Requirements	<ul style="list-style-type: none"> • Completion of IEP objectives • Career Portfolio
Total Credits	22

* Paid employment is the expectation; however, when paid employment is not available, 225 hours of unpaid vocational training, unpaid internship experience, paid employment at community rehabilitation facilities and volunteer and/or community service hours may substitute for 225 hours of paid employment. The work hours must include: (1) 150 hours of school-based training with work activities and experiences that align with the student's post-school goals; (2) 225 hours of community-based training; and (3) 225 hours of paid employment or 225 hours of unpaid vocational training, unpaid internship, paid employment at community rehabilitation facilities, and volunteer and/or community services hours, for a total of 600 required work hours.

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

<u>Courses Required*</u>	<u>State Requirements</u>
<u>English</u>	<u>4 sequential (English I, II, III and IV)</u>
<u>Mathematics</u>	<u>4 (including Introduction to Math, NC Math I, Financial Management, and Employment Preparation IV: Math (to include 150 work hours))</u>
<u>Science</u>	<u>3 (including Applied Science, Biology, and Employment Preparation I: Science (to include 150 work hours))</u>

<u>Social Studies</u>	<u>4 (including Founding Principles of the United States of America and North Carolina: Civic Literacy, Economics and Personal Finance, Employment Preparation II: Citizenship IA (to include 75 work hours), and Employment Preparation II: Citizenship IB (to include 75 work hours)</u>
<u>Health/PE</u>	<u>1</u>
<u>Career/Technical</u>	<u>4 (Career/Technical Education electives)</u>
<u>Additional Employment Preparation*</u>	<u>6 (including: (1) Occupational Preparation or Employment Preparation I: Science; (2) Occupational Preparation II or Employment Preparation II: Citizenship IA and Employment Preparation II: Citizenship IB; (3) Occupational Preparation III or Employment Preparation III: Citizenship IIA and Employment Preparation III: Citizenship IB; and (4) Occupational Preparation IV or Employment preparation IV: Math I, II, III and IV, which require 150 hours of school-based training, 225 hours of community-based training, and 225 hours of paid employment*)</u>
<u>Electives</u>	<u>0</u>
<u>Other Requirements</u>	<ul style="list-style-type: none"> • <u>Completion of IEP objectives</u> • <u>Career Portfolio</u>
<u>Total Credits</u>	<u>22</u>

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

B. High School End-of-Course and Other Testing

High school students must take all end-of-course (EOC) tests and Career and Technical Education State Assessments required by the State Board of Education and pursuant to Board Policy 5600, Testing and Assessment Program.

C. Special Circumstances

The Board adopts the following policies with regard to graduation.

1. Graduation Exercises

The time, date, and location of graduation exercises shall be approved by the Superintendent. The graduation program shall be approved by the principal.

2. Honor Graduates

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

3. 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.

4. 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 to whom the Interstate Compact on Educational Opportunity for Military Children applies.

a. Waiver Requirements

Specific coursework required for graduation will be waived if similar coursework 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 the student may graduate on time.

b. Testing Requirements for Graduation

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

c. Transfers During Senior Year

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

5. 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.

6. Graduation Certificates

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

7. Diploma Endorsements

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

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

Adopted: November 26, 1990

Revised: June 24, 1996; June 28, 1999; January 23, 2006; May 12, 2008; January 7, 2013; February 10, 2014; January 12, 2015; September 14, 2015; December 14, 2015; July 17, 2017; August 13, 2018; July 13, 2020; March 8, 2021; _____

6000 ATTENDANCE

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

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

A. Attendance Records

School officials shall keep accurate attendance records, including accurate attendance records in each class ~~where appropriate~~. Students will be considered in attendance if present at least half of the instructional day on-site in the school or at a place other than the school attending an authorized school-related activity. To be in attendance during remote instruction days, students must: (1) complete their daily assignments, either online or offline; and/or (2) have a daily check-in through two-way communication with (a) the homeroom teacher for grades K-5 or (b) for all other grade levels, each course teacher as scheduled.

~~Attendance records will be used to enforce the Compulsory Attendance Law of North Carolina.~~

To be counted present, a student shall be in attendance at least one-half of the ~~student~~ school's instructional day.

B. Late Arrivals and Early Departures

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

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

BC. Excused Absences

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

1. personal illness or injury that makes the student physically unable to attend school;
2. isolation ordered by the local health officer or State Board of Health;
3. death in the immediate family;
4. medical or dental appointment;
5. participation under subpoena as a witness in a court proceeding attendance at the proceedings of a court or administrative tribunal if the student is party to the action or under subpoena as a witness;
6. a minimum of two days each academic year for observance of an event required or suggested by the religion of the student or the student's parent or legal guardian;
7. participation in a valid educational opportunity, such as travel or service as a legislative or Governor's page, with prior approval by the principal;
8. pregnancy and related conditions or parenting, when medically necessary; or
9. a minimum of two days each academic year for visitation with the student's parent or legal guardian if the student is not identified as at risk of academic failure because of unexcused absences and the student's parent or legal guardian (a) is an active duty member of the uniformed services as defined by Policy 6024 – Military Children Enrollment and Placement, and (b) has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting.

~~In the case of excused absences, any short term out-of-school suspensions and absences under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school), the student will be permitted to make up his or her work (see Policy 6021—Immunization and Health Requirements for School Admission, and Policy 6515—Due Process). The teacher will determine when work is to be made up. The student is responsible for finding out what assignments are due and completing them within the specified time period.~~

CD. School-Related Activities

~~All classroom activities are important and difficult, if not impossible, to replace if missed. Principals shall ensure that classes missed by students due to school-related activities are kept to an absolute minimum. While recognizing the importance of classroom learning, the Board also acknowledges that out-of-classroom, school-related activities can provide students with valuable experiences not available in the classroom setting.~~ The following school-related activities approved in advance by the principal will not be counted as absences for either class or school:

1. field trips sponsored by the school;
2. job shadows and other work-based learning opportunities, as described in G.S. 115C-47(34a);
3. school-initiated and -scheduled activities;
4. athletic events requiring early dismissal from school; and
5. Career and Technical Education student organization activities approved in advance by the principal; ~~and~~
6. In addition, students participating in disciplinary techniques categorized as in-school suspensions will not be counted as absent.

~~Assignments missed for these reasons are eligible for makeup by the student. The teacher will determine when work is to be made up. The student is responsible for finding out what assignments are due and completing them within the specified time period.~~

E. Makeup Work

In the case of excused absences, short-term out-of-school suspensions and absences under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school), the student will be permitted to make up his or her missed work. (See also Policies 6021 – Immunization and Health Requirements for School Admission and 6515 – Due Process.) Assignments missed due to participation in school-related activities also are eligible for makeup by the student. The teacher shall determine when work is to be made up. The student is responsible for finding out what assignments are due and completing them within the specified time period.

DE. Unexcused Absences

Any absence not meeting the requirements of an excused absence shall be an unexcused absence. This includes, but is not limited to:

1. any absence not classified as excused above.
2. any absence as excused above for which proper and timely notification is not furnished to the principal.

Any absence of a student that results from a suspension of that student for misconduct pursuant to G.S. 115C-391 shall not be considered an unexcused absence for purposes of the Compulsory Attendance Law. A student who has been suspended pursuant to G.S. 115C-391 shall be provided an opportunity to make up any work missed during the suspension.

EG. Excessive Absences

The principal or his/her designee shall notify the parent, guardian, or custodian after the child has accumulated three (3) unexcused absences in a school year. After not more than six (6) unexcused absences, the principal shall notify the parent, guardian or custodian by mail that he/she may be in violation of the Compulsory Attendance Law and may be prosecuted if the absences cannot be justified. Once the parents are notified, the school social worker shall work with the child and his family to analyze the causes of the absences and determine steps, including adjustment of the school program or obtaining supplemental services, to eliminate the problem.

After ten (10) accumulated unexcused absences in a school year, the principal shall review any report or investigation prepared by the school social worker in accordance with N.C. Gen. Stat. § 115C-381 and shall confer with the student and his/her parent, guardian, or custodian if possible to determine whether the parent, guardian, or custodian has received notification pursuant to this section and made a good faith effort to comply with the law. If the principal determines that the parent, guardian or custodian has not made a good faith effort to comply with the law, he/she shall notify the district attorney and the director of social services of the county where the child resides. If the principal determines that the parent, guardian, or custodian has not made a good faith effort to comply with the law, he/she may file a complaint with the juvenile intake counselor pursuant to Chapter 7B of the North Carolina General Statutes that the child is habitually absent from school without a valid excuse. Upon receiving notification by the principal, the director of social services shall determine whether to undertake an investigation pursuant to N.C. Gen. Stat. § 7B-302.

Teachers shall follow the process for notifying the principal when student absences, excused or unexcused, from either homeroom or an individual class, reach five (5) in a semester or eleven (11) in a year in grades 9-12, or fifteen (15)

in a year in grades K-8. The principal shall in turn notify parents or guardians of the absences in writing and by such other means as the principal deems appropriate. The notice to parents or guardians shall include a warning of the possible consequences of additional absences and/or a copy of this policy. Students at any age who accumulate excessive absences may experience consequences ranging from extra make-up work to grade retention.

Students in grades 9-12 who are absent from a class more than eight (8) days during a semester course shall not receive credit for the semester or year where applicable. The maximum numerical grade recorded for such a student for the semester or for the year shall be fifty (50).

At the end of each semester, the principal shall appoint an interdisciplinary attendance committee to advise him/her whether circumstances for each student who has exceeded the requisite number of days warrant waiver of the no-credit or retention provisions of this policy. Such hearings for each student shall be mandatory. The principal shall notify the student and his/her parents or guardians concerning the time and place of such hearings and indicate that their presence is required. The principal shall have authority to waive the no-credit or retention provisions of the policy before or after a hearing by the committee.

Students in grades K-8 who are absent more than twenty (20) days during a year shall be referred to an interdisciplinary attendance committee which shall determine if the student should be retained. The committee may substitute summer school experiences for retention if it determines them to be of greater educational benefit to the child than retention. The committee will also review any additional educational experiences that the child might have received during the absences as it makes its determinations.

Students with excused absences due to documented chronic health problems are exempt from this policy. In addition, for students experiencing homelessness (see Board policy 6023 – Homeless Children), school officials must consider issues related to the student's homelessness, such as a change of caregivers or nighttime residence, before taking disciplinary action or imposing other barriers to school attendance based on excessive absences or tardies.

Excessive absences may impact eligibility for participation in interscholastic athletics.

H. Special Circumstances

1. Students with Chronic Health Problems

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

2. Students Experiencing Homelessness

For students experiencing homelessness (see Board Policy 6023 – Homeless Children), school officials must consider issues related to the student’s homelessness, such as a change of caregivers or nighttime residence, before taking disciplinary action or imposing other barriers to school attendance based on excessive absences or tardies.

3. Attendance Requirements for Extracurricular Activities

Absences may impact eligibility for participation in extracurricular activities. Principals shall inform students and parents of the applicable attendance standards for the various types of extracurricular activities, including interscholastic athletics. See also Policy 6801 – Extracurricular Activities and Student Organizations.

Legal Reference: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, et seq.; G.S. 115C-47, -84.2, -288(a), -375.5, -378 through -383, -390.2(d), -390.2(l), -390.5, -407.5; 130A-440; 16 N.C.A.C. 6E .0102, -.0103, .0106; State Board of Education Policies ATND-000, -003, ~~NCAC-007~~

Adopted: November 29, 1990

Revised: October 24, 1994; October 25, 2004; January 12, 2009; April 11, 2011; July 18, 2011; September 14, 2015; June 13, 2016; July 17, 2017; August 13, 2018; August 5, 2019; February 10, 2020; _____

6023 HOMELESS ~~CHILDREN~~ STUDENTS

As required by the North Carolina Constitution and North Carolina law, the Board of Education is committed to providing the opportunity for a sound, basic education to all children who are legally entitled to enroll in the school system. In accordance with the McKinney-Vento Homeless Assistance Act and the North Carolina State Plan for Educating Homeless Children, the Board will make reasonable efforts to identify homeless children and youth of school age within the area served by the school system, encourage their enrollment, and eliminate barriers to their receiving an education which may exist in district policies or practices. Based on individual need, homeless students will be provided services available to all students, such as preschool, free or reduced school meals, services for English learners, special education, career and technical education (CTE), academically or intellectually gifted (AIG) services and before- and after-school care.

The provisions of this policy will supersede any and all conflicting provisions in Board policies that address the areas discussed in this policy.

A. Definition of Homeless Students

Homeless students are children and youth who lack a fixed, regular and adequate nighttime residence. The term “homeless student” will also be deemed to include the term “unaccompanied youth,” which includes a youth who is not in the physical custody of a parent or guardian. Homeless children and youth include those students who are as follows:

1. sharing the house of other persons due to loss of housing, economic hardship, or similar reason;
2. living in motels, hotels, transient trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
3. living in emergency or transitional shelters;
4. abandoned in hospitals;
5. living in a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings;
6. living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings; or
7. living in a migratory situation that qualifies as homeless because the child lacks a fixed, regular and adequate nighttime residence.

B. Enrollment, Assignment and Transportation of Homeless Students

1. Enrollment

a. Eligibility

Notwithstanding the enrollment eligibility requirements established by the Board elsewhere in policy, school personnel shall immediately enroll homeless students even if they do not have proof of residency, school and immunization records, birth certificates, or other documents; have missed application or enrollment deadlines during a period of homelessness; have outstanding fees; or are not accompanied by an adult. The homeless liaison shall assist the students and parents or guardians in securing appropriate records or otherwise meeting enrollment requirements.

b. Records

Homeless students transferring into the school district may provide cumulative and other records directly to school system personnel. The Superintendent or designee shall not require that such records be forwarded from another school district before the student may enroll. However, school personnel will immediately request the official records from the previous school.

Information regarding a child or youth's homes situation must be treated as a student record and protected accordingly. See Policy 6300 – Student Records.

2. Assignment

A homeless student (or the student's parent or guardian) may request to attend (1) his/her school of origin or (2) any public school that other students living in the same attendance area are eligible to attend. The school of origin is defined as the school the student attended before losing permanent housing or the school in which the student was last enrolled, including a preschool. When a student completes the final grade level served by the school of origin, the school of origin includes the designated receiving school at the next grade level for all feeder schools. Unless not in the student's best interest, a homeless student who continues attending the school of origin will remain enrolled in the school of origin for the entire time the student is homeless and until the end of any academic year in which the student moves into permanent housing.

The Superintendent or the Superintendent's designee, in consultation with the homeless liaison, will decide which school a homeless student will attend. The decision must be based upon consideration of student-centered factors related to the student's best interests, including factors concerning the impact of mobility on achievement, education, health and safety of homeless students, giving priority to the request of the student's parent or guardian or the unaccompanied youth. The Superintendent's designee must presume that keeping the student in the school of origin is in the student's best interest unless contradicted by the student's parent or guardian or the unaccompanied youth.

If the Superintendent or designee determines that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian or unaccompanied youth, he/she must provide a written explanation of the reasons for the determination to the parent or guardian or unaccompanied youth, along with information regarding the right to appeal the placement decision as described in Section D, below.

3. Transportation

The Board of Education will provide homeless students with transportation services comparable to those of other students. In addition, at the parent or guardian's request (or the request of the homeless liaison for unaccompanied youth), the Board will provide transportation services to/from the school of origin. The Superintendent or designee and the homeless liaison shall coordinate homeless students' transportation needs, based on the child's best interest. In situations where a student attends school in this system but his or her temporary housing is in another system (or vice versa), the Superintendent or designee shall work with the other system to share the cost and/or responsibility for transportation. If an agreement cannot be reached between the districts, the cost of such transportation will be divided evenly.

If a homeless student becomes permanently housed and chooses to remain in his or her school of origin, the Board will provide transportation to the student for the remainder of the school year.

C. Eligibility for Title I Services

Homeless students are automatically eligible for Title I services. The homeless liaison and the Title I director shall collaborate to identify the needs of homeless students.

D. Dispute Resolution Process

A parent, guardian or unaccompanied youth who disagrees with a decision of school officials with regard to eligibility, school selection or enrollment of a student who is homeless (hereinafter, referred to as a “complainant”) may appeal the decision to the school system’s homeless liaison in accordance with this section upon registering or attempting to register the child or youth at the school in which enrollment is sought.

Any employee who is aware that an unaccompanied youth or a parent or guardian of a homeless student is dissatisfied with a decision of school officials with regard to eligibility, school selection or enrollment should immediately refer that individual to the school system’s liaison for homeless students.

As used in this section, “school days” means days when students are scheduled to be in attendance.

1. Notice, Stay Put and Informal Resolution

Upon learning of a complainant’s disagreement with a decision of school officials, the homeless liaison shall take the following actions.

a. The homeless liaison shall arrange to have the student immediately admitted to the school in which enrollment is sought (either the school of origin or the school located in the attendance zone of the student’s temporary residence) if enrollment is at issue. Once enrolled, the student must receive all services for which he or she is eligible and must be allowed to participate fully in school activities, pending resolution of the dispute.

b. ~~Immediately, but not later than~~ Within one school day ~~after of~~ learning of the complainant’s disagreement, the homeless liaison shall provide the complainant a copy of the school system’s uniform statement of rights and procedures that is written in a language, manner and form the complainant can understand, to the extent the school system deems practicable, ~~to the extent practicable, in a language that the complainant can understand~~. The written statement must include all of the following:

1. contact information, including telephone number, e-mail address, and physical address of the homeless liaison and of the State Coordinator for homeless education, with a brief description of their roles;

2. notice that, within two school days of the school’s decision, the complainant has the right to notify the homeless liaison that the complainant intends to appeal the decision;

3. an explanation of the appeal procedure, including the timeline and process for making the initial appeal and for pursuing a subsequent appeal to the Superintendent and Board, as provided by this policy;
 4. a **simple** complaint form that a complainant can understand, complete and submit to the homeless liaison to initiate the dispute resolution process and to pursue any subsequent appeals to the Superintendent and Board;
 5. notice that the Board of Education or a designated panel of the Board will make the final decision on behalf of the school system;
 6. notice of the right to appeal, or request an extension of time to appeal, the final decision of the school system to the State Coordinator within three school days of receipt of the final decision and the option to request an extension from the State Coordinator, along with a step-by-step description of how to file the appeal;
 7. notice of the right to enroll immediately in the school located in the assignment area of the student's temporary residence or remain in the school of origin with transportation provided by the school system pending resolution of the dispute, if such transportation is requested by the parent, guardian or homeless liaison on behalf of the youth;
 8. notice that ~~immediate the right to enrollment~~ includes the right to fully participate in all school activities;
 9. notice of the right to obtain assistance of advocates or attorneys; and
 10. notice of the right to provide supporting written or oral documentation during the appeals process.
- c. The homeless liaison shall attempt to informally resolve the matter. Complainants are encouraged to attempt informal resolution through discussion with the homeless liaison when possible.
- d. If informal resolution is unsuccessful, the homeless liaison shall inform the complainant of the right to appeal the matter by initiating the dispute resolution process provided in subsection D.2. below.

e. If the complaint initiates the dispute resolution process, the homeless liaison shall expedite the process so that a final decision in the dispute is reached within 15 school days or 30 calendar days, whichever is less.

2. Steps in the Dispute Resolution Process and Related Timelines

a. Homeless Liaison Review

i. If informal resolution of a complaint is unsuccessful, the complainant may initiate the dispute resolution process by making a formal appeal to the homeless liaison, either directly or through the principal of the school in which enrollment is sought. The appeal must be presented within five school days of the decision giving rise to the complaint unless the homeless liaison agrees to an extension of up to five additional school days for good cause.

ii. The appeal may be made orally or in writing on the designated complaint form. If the complainant makes an oral appeal, the homeless liaison shall complete the written complaint form on the complainant's behalf without delay.

iii. The complaint should include the date of the filing, a description of the disputed action pertaining to eligibility, school selection or enrollment, the name of the person(s) involved and a description of the relief requested. The complainant must be informed of the right to provide supporting written or oral documentation and to seek the assistance of an advocate or attorney.

iv. No more than two school days after the complainant initiates the dispute resolution process, the local liaison shall (1) inform the Superintendent, other appropriate school officials participating in the dispute resolution process and the State Coordinator of the dispute immediately after the parent, guardian or unaccompanied youth has initiated the dispute resolution process and (2) provide a written decision, including the reasons for the decision, to the complainant and the Superintendent.

~~v. Within two school days after receiving the formal complaint, the homeless liaison shall provide a written decision, including the reasons for the decision, to the complainant and the Superintendent.~~

b. Appeal to the Superintendent of the Liaison's Decision

i. Within two school days of receiving the liaison's decision, the complainant may appeal the decision to the Superintendent orally or in writing using the form designated for this purpose. Oral appeals must be made to the homeless liaison, who shall commit the appeal to writing on the designated form. The homeless liaison shall ensure that the Superintendent receives copies of the written complaint and the response of the liaison.

ii. The Superintendent or designee shall schedule a conference with the complainant to discuss the complaint.

iii. Within four school days of receiving the appeal, the Superintendent or designee shall provide a written decision to the complainant including a statement of the reasons for the decision.

c. Appeal to the Board of the Superintendent's Decision

i. If the complainant is dissatisfied with the Superintendent's decision, he or she may file an appeal with the Board of Education within two days.

ii. The appeal may be filed orally or in writing using the form designated for this purpose. Oral appeals must be made to the homeless liaison, who shall commit the appeal to writing on the designated form.

iii. The Board or a panel of at least two Board members acting on behalf of the Board will ~~hear~~ render a decision on the appeal. The Board or Board panel will provide the complainant with a written decision within five school days of receiving the appeal. In unusual circumstances, the Board or Board panel may extend this time but will avoid exceeding the less of (1) 15 school days from when the complaint was received or (2) 30 calendar days from when the complaint was received.

iv. The Board or Board panel's decision will constitute the final decision of the school system for purposes of the complainant's right to appeal to the State Coordinator.

v. If the matter under appeal is a school assignment, a Board panel decision will be a recommendation that must be submitted to the full Board for a final determination as required by state law and Policy 6201 – School Assignment. However, in order to ensure an expedited appeals process for students who are homeless, the recommendation of the Board panel shall be

considered the final decision of the Board for purposes of appeal to the State Coordinator if a final determination by the full Board reasonably cannot be accomplished by the deadline described in the previous paragraph.

vi. The written statement of the final decision will include the name and contact information of the State Coordinator for homeless education and will describe the appeal rights to the State Coordinator. If the matter under appeal is a school assignment and the appeal was not heard by the full Board, the written decision will also note that review of the matter by the full Board as required by state law is pending.

3. Appeal to the State Coordinator of the Board's Decision

If the complainant is dissatisfied with the decision of the Board or Board panel, he or she may file an oral or written appeal with the State Coordinator for homeless education within three school days of receiving the Board or panel's decision. The State Coordinator will issue a final decision on the complaint. The appeal must include the following:

- i. the name of the complainant and, physical address if available, his or her physical address, e-mail address and telephone number of the complainant;
- ii. the relationship or connection of the person to the child in question;
- iii. the name of the school system and the specific school in question;
- iv. the federal requirement alleged to have been violated;
- v. how the requirement is alleged to have been violated; and
- vi. the relief the person is seeking.

Within three school days following a request from the State Coordinator, the homeless liaison shall provide the record of complaint, a copy of the Board or panel's decision and any other supporting documents necessary to complete the record.

B. Homeless Liaison

The Superintendent or designee shall appoint and train a school employee to serve as the homeless liaison. In addition to the duties specifically assigned elsewhere in

this policy, the homeless liaison's duties shall include, but not be limited to, the following:

1. ensuring that school personnel identify homeless children and youth;
2. ensuring school/preschool enrollment of and opportunities for academic success for homeless children and youth;
3. ensuring that homeless families and children have access to and receive educational services for which they are eligible;
4. ensuring that homeless families and children receive referrals to healthcare, dental, mental health and substance abuse, housing and other appropriate services;
5. informing parents or guardians and any unaccompanied youth of available transportation services and helping to coordinate such services;
6. ensuring that public notice of the educational rights of homeless students is disseminated in locations frequented by parents or guardians and unaccompanied youth;
7. informing parents or guardians of educational and related opportunities available to their children and ensuring that parents or guardians have meaningful opportunities to participate in their children's educations;
8. communicating the dispute resolution process to parents, guardians and unaccompanied youth experiencing homelessness;
9. helping to mediate enrollment disputes, including ensuring that a homeless child or youth is enrolled immediately pending final resolution of the dispute;
10. developing a uniform written notice that explains to parents, guardians and unaccompanied youth their rights and the process for appealing a decision of school officials, as required by subsection D.1.B of this policy. The notice must be written in a simple and understandable format and translated to other languages as needed and practicable;
11. ensuring that, when parents, students and unaccompanied youth initiate the dispute resolution process, all parties comply with the dispute resolution policy and that parents, students and unaccompanied youth are provided with the information listed in subsection D.1.b of this policy;

12. informing unaccompanied youth of their status as independent students and assisting in verifying such status for the purposes of the Free Application for Federal Student Aid;

13. ensuring that school personnel providing services to homeless students receive professional development and other support;

14. working with school personnel, the student, parents or guardians and/or other agencies to obtain critical enrollment records, including immunization and medical records, in a timely manner; and

15. working with the Superintendent or designee to identify Board policies or procedures that might serve as a barrier to enrollment of homeless students, including those related to immunization records, medical records, uniforms or dress codes, school fees and school admission.

Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, *et seq.*; *Non-Regulatory Guidance on Education for Homeless Children and Youths Program*, U.S. Department of Education (July 2016); G.S. 115C-366(a2); -369; 16 N.C.A.C. 6H.01124, .0115, .0116; State Board of Education Policies SBOP-020, SPLN-000

Adopted: October 25, 2004

Revised: March 12, 2007; June 11, 2007; January 17, 2017; June 12, 2017; January 14, 2019; _____

6330 COUNSELING PROGRAM

Guidance and counseling programs are provided by the school system with the ultimate aim of improving student performance by implementing strategies and activities that support and maximize student learning; helping students to grow in their personal and social development; and providing a foundation for acquiring the skills that enable students to ~~make a successful transition from school to the world of work~~ graduate career and college ready and prepared to be lifelong learners. The principal of each school shall develop a counseling program that is data-driven and meets the objectives of the State Board of Education's comprehensive school counseling program curriculum and the academic, career and social/emotional developmental needs of the student population at that school. The program will include individual and group counseling, classroom presentations, academic advising, career development services, consultation, parent education and other responsive services.

~~School guidance counselors and other guiding adults in middle and high schools will provide guidance and information to students about high school course selections and requirements prior to ninth grade, in order to inform them about the requirements for college entry, including accelerated preparation for college entry. Guidance counselors shall encourage ninth grade students to complete these requirements in less than four years if feasible and appropriate.~~

In addition, the counseling program will incorporate the following specific elements.

A. Involvement of Parents and Others

The counseling program is the shared responsibility of teachers, counselors, parents and community members, and should operate with the collaboration of all individuals involved in educating students, including those who assist children with special needs or students who are at risk of dropping out of school or not meeting performance expectations. Input from parents and students should be sought in accordance with the school's parental involvement plan ~~for involvement of the community in school programs~~. (See Policy 5414 – Parent and Family Engagement.)

Each year, the principal or designee shall inform parents of the guidance and counseling services available to students. Parents will be notified of the right to opt their students out of participation in certain group academic or career guidance or personal or social counseling services of a generic nature (see ~~All schools must follow the Parental Involvement Plan (Policy 5414) in regard to parental notification/permission for counseling programs. In addition, school personnel shall annually provide all students in Grades 9 through 12 with information on the manner in which a parent may lawfully abandon a newborn baby with a responsible person, in accordance with G.S. 7B-500~~

B. Provision of Counseling Services

Counseling services may be provided on an individual basis or in small or large groups. ~~School counselors may refer students who have extensive needs or needs that go beyond the purpose of the counseling program to community resources.~~

~~Students may seek counseling or be referred by staff or parents. School officials and teachers may recommend a counseling program to help a student meet standards of conduct and academic performance established by the Board and school system administrators. If students have extensive needs or needs that go beyond the purpose of the counseling program, school counselors may refer them to community resources. Any staff member who is aware that a student is contemplating suicide or is otherwise suffering from an emotional or psychological crisis must immediately notify the counseling program in accordance with any rules established by the Superintendent or principal. Any counselor or other staff member who knows of or has cause to suspect child abuse, neglect, dependency or death as a result of maltreatment must report the information as provided in Policy 6730 – Child Abuse and Related Threats to Child Safety, and as required by law.~~

Counseling programs are most effective when voluntarily entered into by a student. ~~School officials and teachers may recommend a counseling program to help a student meet standards of conduct and academic performance established by the Board and school system. However, s~~Students will not be required to attend individual or small group counseling sessions to address identified significant personal issues unless agreement has been reached with the parent and student in a behavior contract, an intervention plan or, for special education students, in an individualized education plan.

C. Academic Advising

~~School counselors and other guiding adults in middle and high schools shall support equitable access to opportunities and rigorous and relevant curricula for all students. Prior to the ninth grade, students will be informed about the course requirements for regular and accelerated college entry. School counselors shall encourage ninth grade students to complete the requirements for college entry in less than four years, if feasible and appropriate.~~

D. Notification of Safe Surrender Law

School personnel shall annually provide all students in grades 9 through 12 with information on the manner in which a parent may lawfully abandon a newborn baby with a responsible person, in accordance with G.S. 7B-500.

E. Employee Mandatory Reporting

Any staff member who is aware that a student is contemplating suicide or is otherwise suffering from an emotional or psychological crisis must immediately notify the counseling program in accordance with any rules established by the Superintendent, Superintendent's designee or principal.

Any counselor or other staff member who knows or has cause to suspect maltreatment of a child must report the information as provided in Policy 6730 – Child Abuse and Related Threats to Child Safety, and as required by law.

F. Confidentiality

Information obtained in a session with a counselor may be privileged and protected from disclosure as provided by law. A counselor cannot be required to testify concerning privileged information unless, as provided by G.S. 8-53.4, the student waives the privilege or the court compels testimony as necessary to the proper administration of justice. The school counselor privilege does not, however, exempt the counselor from reporting child abuse as required by law and Policy 6730 G.S. 7B-301.

Any notation made by a counselor for his or her own use is a confidential document and is neither a public record nor a part of the student's record. Such confidential documents do not have to be shared with parents or others except as required by law. Any document prepared by a counselor that is shared or intended to be shared with other staff is considered an educational record of the student and is available to the parent or eligible student in accordance with Policy 6300 – Student Records.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; G.S. 7B-301, -500; 8-53.4; 110-105.4; 115C-12, -400, -401; State Board of Education Policy GRAD-006, SCOS-011

Adopted: May 22, 2006

Revised: July 17, 2017; January 14, 2019; July 13, 2020; _____

6730 CHILD ABUSE AND RELATED THREATS TO CHILD SAFETY

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

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

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

The Board of Education supports all employees who, in good faith, make a report under either of North Carolina's mandated reporting laws.

A. Duty to Report Certain Crimes Against Children to Local Law Enforcement

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

1. a sexual offense (which, for purposes of this policy, the Board interprets to mean any offense that relates to inappropriate sexual contact with a child;
2. an offense that inflicts serious bodily injury or serious physical injury upon the child by nonaccidental means;
3. An attempt, solicitation or conspiracy to commit either offense described above, or aiding and abetting either offense; or

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

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

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

B. Duty to Report Child Abuse, Neglect, Dependency, or Death as a Result of Maltreatment to the County Child Welfare Agency

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

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

C. Duty to Report Child Maltreatment in a Child Care Facility to the Division of Child Development and Early Education

A school employee, contractor or volunteer who has cause to suspect that a child in a child care facility has been maltreated by a caregiver or has died as a result of maltreatment occurring in a child care facility is legally required to report the case to the Department of Health and Human Services (DHHS), Division of Child Development and Early Education (DCDEE).

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

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

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

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

D. Cooperation with State and Local Agencies

1. The principal may establish a contact person in the school to act as a liaison with state and local agencies charged with investigating reports made pursuant to this policy.
2. Employees shall cooperate fully with agency personnel conducting an investigation.
3. In a case under the jurisdiction of local law enforcement in which the child’s parent, guardian or custodian is suspected of wrongdoing, employees shall permit the child to be interviewed by local law enforcement on school

campuses during school hours. Otherwise, permission from the parent, guardian or custodian must be obtained before the child may be interviewed by local law enforcement on school campus during school hours.

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

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

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

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

E. Sharing Information with Other Agencies

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

F. Child Sexual Abuse and Sex Trafficking Training Program

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

available resources for assistance. Designated school personnel shall participate in such training as required by law and Board policy.

The Superintendent shall develop any necessary procedures for making a report pursuant to this policy, for sharing information with designated agencies and for cooperating with investigations by the department of social services.

In addition to the requirement of this policy, any administrator who knows or has reason to believe that a licensed employee has engaged in conduct that would justify automatic revocation of the employee's license pursuant to G.S. 115C-270.35(b) or which involves physical or sexual abuse of a child shall report that information to the State Superintendent of Public Instruction in accordance with subsection C.4 of Policy 3036/4036/8336 – Staff-Student Relations.

Legal Reference: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 7B-101, -301, -302, -309, -3100, 8-53.4; 14-208.6, 318.2; -318.4, -318.6; 110-90.2, -105.3, -105.4, -105.5; 115C—270.35(b), 375.20, -400, -402; 126-5; 16 N.C.A.C. 6C.~~0312.0373~~; State Board of Education Policies LICN-007 and NGAC-039-SHLT0003

Adopted: November 20, 1990

Revised: May 20, 1996; March 12, 2007; January 16, 2018; August 5, 2019; February 10, 2020; July 13, 2020; _____

6751 STUDENT HEALTH SERVICES

A. Student Health Services Generally

The Board will provide health services to students as required by law. School employees may administer ~~drugs or~~ medication prescribed by a ~~doctor~~ health care practitioner only upon the written request of the parents; give emergency health care when reasonably apparent circumstances indicate that any delay would seriously worsen the physical condition or endanger the life of the student; and perform any other first aid or lifesaving technique in which training has been provided to school employees. A registered nurse also will be available to provide assessment, care planning and ongoing evaluation of students with special health care service needs in the school setting.

The Superintendent may develop procedures or delegate the development of procedures to each ~~school~~ principal for providing these health services and meeting the Board requirements listed below.

1. The principal shall determine at the beginning of each school year prior to the beginning of classes, and thereafter as circumstances require, which employees will be selected to participate in the health services program. The principal shall inform his or her staff about which health services duties are delegated to which employees.
2. Any employee designated to provide health care services must receive appropriate training.
3. Health manuals prepared by the governing state agencies must be followed in developing appropriate procedures and for determining which tasks must be performed by registered nurses.
4. Procedures must be consistent with all related Board policies, including policy 6910 - Communicable Diseases – Students, and policy 3260/4260 - Administration of Medication.
5. Procedures must be consistent with state and federal law for students with disabilities, including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act. The *Policies Governing Services for Children with Disabilities* will be followed, as applicable.
6. Procedures must be consistent with guidelines adopted by the State Board of Education under G.S. 115C-12(31) to serve students with diabetes, including developing and implementing individual diabetes care plans for such students and providing information and training to school personnel to appropriately support and assist such students, in accordance with their individual diabetes care plans

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

8. School personnel must obtain parental consent for medical services as required by law. Parents will be notified of their rights in accordance with Policy 5414, Parental Involvement.

9. Health professionals will be consulted in the development of health services. Opportunities also will be provided for input from staff, parents and students on the health services provided.

B. School System Mental Health Plan

The Superintendent or designee shall develop a school-based mental health plan that includes a mental health training program and suicide risk referral protocol that satisfies the requirements of State Board of Education Policy SHLT-003. The Superintendent or designee shall submit the plan to the Board for approval and direct implementation of the plan within all applicable deadlines.

By September 15 of each year, the Superintendent shall report to the Department of Public Instruction on (1) the content of the school system's mental health plan, including the mental health training program and suicide risk referral protocol, and (2) the school system's prior school year compliance with the requirements of State Board of Education Policy SHLT-003. The Board will review the components of the school system's mental health plan at least every five years, starting August 1, 2025, and will update the mental health plan in accordance with an updated requirements provided by the State Board of Education.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12134, 28 C.F.R. pt. 35; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), -794, 34 C.F.R. pt. 104; G.S. 115C-12(12), -12(31), -36, -307(c), -375.1, -375.3, -376.5; 16 N.C.A.C. 6D.0402; 21 N.C.A.C. 36.0221, .0224; *Policies Governing Services for Children with Disabilities*, State Board of Education Policies ~~NCAG-015~~, EXCP-000, SHLT-003

Adopted: December 14, 2015

Revised: May 9, 2016; July 17, 2017; January 16, 2018; February 10, 2020;

6801 EXTRACURRICULAR ACTIVITIES AND STUDENT ORGANIZATIONS

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

A. Requirements for Participation in Extracurricular Activities

Participation in extracurricular school activities, including student organizations and interscholastic athletics, is a privilege, not a right, and may be reserved for students in good academic standing who meet behavior standards established by the Board, the Superintendent and or the school. Participation in extracurricular activities may be restricted if a student

1. Is not performing at grade level as provided in Policy 5530 – Promotion and Retention of Students,
2. Has ~~exceeded the number of absences allows by~~ failed to meet any applicable attendance requirements (see Policy 6000 – Attendance),
3. Has violated the student conduct standards found in Policy 6401 – Student Code of Conduct,
4. Has violated school rules for conduct,
5. Has a balance of unpaid fees or charges in excess of \$50 that has not been waived or reduced or
6. Has been charged with a criminal offense, in which case the student's principal shall investigate the circumstances of the charge to determine whether the student may continue to participate in extracurricular school activities. The principal may make his or her determination before the student's criminal case reaches final disposition.

B. Student Clubs and Organizations

1. Secret organizations shall not be permitted in any school in the system.
2. Clubs and organizations established and sponsored by outside agencies or groups shall not be considered school clubs and shall not function on school grounds or during the school day unless they meet the staff supervision and leadership requirements of the lead paragraph.

C. Additional Rules for Specific Activities

1. Interscholastic Athletics

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

Students in sixth grade are eligible to participate in all interscholastic athletics except football.

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

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

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

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

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

For purposes of this section, a noncurriculum-related student group is one that is not directly related to the curriculum. A student group will be considered

curriculum-related only if (1) the group's subject matter is taught in a regularly offered course or relates to the curriculum as a whole; (2) participation in the group is required as part of a course; or (3) participation in the group results in course credit.

D. Special Circumstances

1. Students with Disabilities

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

2. Military Children

School administrators shall facilitate the inclusion and participation in extracurricular activities of military children transferring into the school, to the extent they are otherwise qualified, by:

- a. Providing information about extracurricular activities to incoming military children; and
- b. Waiving application deadlines.

3. Athletic Participation by Home School Students

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

- a. The student must present a home school card from the Division of Non-Public Education for the previous and current years, as well as a transcript, attendance record and record of immunizations.
- b. The student must submit proof that the student has been enrolled in a registered home school for 365 days prior to participation in athletics.
- c. Prior to the first date of practice, the student must provide the results of a nationally standardized achievement test, taken within the last year, that indicates the student was on grade level at the time the test was taken.
- d. The student must participate in a class schedule that is at least one half of the assigned school's instructional day and approved by Moore County Schools.

- e. The student must pass all classes in which the student is enrolled at the assigned school in order to maintain athletic eligibility.
- f. Once dually enrolled and deemed eligible to participate in athletics, the student must maintain continuous dual enrollment. Failure to maintain continuous dual enrollment would render the student ineligible for athletic participation for 365 days.
- g. The student must notify the principal of the assigned school in writing of the student's intent to try out for an athletic team at least 10 days prior to the first practice date of each sport season in which the student wishes to participate. Failure to comply with this requirement renders the student ineligible for that sport season.
- h. The student must comply with all other applicable North Carolina High School Athletic Association rules and regulations regarding eligibility for athletic participation.

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

E. Appeals Process

The grievance procedures provided in Policy 6902 – Student Grievances may be utilized by parents or students who believe that a student has been aggrieved by a decision made pursuant to this policy.

Legal Reference: Americans With Disabilities Act, 42 U.S.C. 12132, 28 C.F.R. pt. 35; Equal Access Act, 20 U.S.C. 4071-4074; Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 115C art. 9, 115C-47(4), -390.2, -407.5; 16 N.C.A.C. 6E .0204; State Board of Education Policy ATHL-001; *Policies Governing Services for Children with Disabilities, State Board of Education Policy EXCP-000*; N.C. High School Athletic Association Handbook, available at <https://www.nchsaa.org/students-and-parents/rules-and-regulations>; Middle-Junior High School Athletic Manual (NCDPI), available at <http://www.ncpublicschools.org/curriculum/healthfulliving/athletics> <https://sites.google.com/dpi.nc.gov/nchealthyschools/athletics>

Adopted: November 27, 1995

Revised: January 12, 2009; March 9, 2015; July 17, 2017; _____

7100 USE OF STUDENT TRANSPORTATION SERVICES

A. School System Transportation Services

The first priority of the school system transportation services is to provide eligible students transportation to and from school. The school system may make other transportation services available as funding permits and in accordance with legal requirements Board policy and the following standards:

- 1.** Yellow state-operated school buses may be used for instructional programs directly related to the curriculum when the trip and use of the bus are approved in accordance with Board policy;
- 2.** Yellow state-operated school buses may be used only for purposes expressly allowed by G.S. 115C-242;
- 3.** Yellow state-operated school buses may not be used for athletic activities or extracurricular activities; and
- 4.** As local funding permits, activity buses and other vehicles meeting federal safety standards may be used for travel to athletic activities and travel to other approved school-related activities. In addition to students receiving regular school bus safety training, safety instruction will be provided to students traveling on activity buses or commercial buses **as-needed**.

B. Special Use of School Buses

The Board may authorize special uses of school buses as provided by G.S. 115C-242 and 115C-254 and of activity and yellow school buses as provided by G.S. 115C-243 and 115C-247. The Board also may authorize the special use of activity buses for the purposes described in G.S. 66-58(c)(9b). The Superintendent shall present to the Board any requests for special uses and the statutory support for allowing such authorization.

C. Transportation for Special Needs Students

A student who is identified as having a disability following procedures in the North Carolina *Procedures Governing Services for Children with Disabilities* will be provided with transportation services as required by law. When the school system's transportation services are unable to provide transportation for a student with a disability, the Board may contract with public or private carriers to provide this service, pursuant to policy 7160, Contract Transportation.

The Board prohibits the use of 12-15 passenger vans for any school system purpose.

Legal References: Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq.; 49 U.S.C. §30125, -30165; G.S. 66-58(c)(9a) and (9b); G.S. 115C-239, -242, -243, -247, -254; 16 N.C.A.C. 6B.0111; G.S. 66-58(c)(9a) and (9b); *Policies Governing Services for*

Children with Disabilities, State Board of Education Policy ~~GCS-D-000~~ TRAN-000; ~~State Board of Education policies TRAN-000, -006~~; Memorandum to All Superintendents from Eddie M. Speas, Jr., Special Deputy Attorney General, January 14, 1988, available at <http://www.ncsba.org/wp-content/uploads/2017/03/AG-Memo-1988.pdf>

Adopted: November 29, 1990

Revised: March 12, 2007; January 12, 2009; January 7, 2010; June 12, 2017; August 13, 2018; _____

THE FOLLOWING POLICIES HAVE MINOR CHANGES, SUCH AS CHANGES TO LEGAL REFERENCES.

3020/4020 RECRUITMENT AND SELECTION OF PERSONNEL

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 will be evaluated on their merits and qualifications for positions. All employment decisions will be consistent with the Board's objective of providing students with the opportunity to receive a sound basic education, as required by state law.

The Board also is committed to diversity throughout the programs and practices of the school system. 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 will 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; however, the Superintendent or designee may forgo publicizing a vacancy if the position will be filled through a lateral assignment, reassignment or promotion of a current employee or if exigent circumstances necessitate that the position be filled immediately. Vacancies also may be publicized externally to attract qualified applicants.

C. Criminal History

Except as otherwise provided in Section D of this policy, applicants must notify the Executive Officer for 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 Officer for 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 Officer for 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 or designee. 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. Special requirements are described in Section D of this policy for criminal history checks of candidates for certain positions working with pre-school children or working in afterschool or developmental day programs.

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 (including entering a plea of guilty or nolo contendere) of a criminal offense, other than a minor traffic violation, the Superintendent or designee 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 or designee may exclude a final candidate based on his or past criminal convictions, the Superintendent or designee must give the candidate the opportunity to demonstrate that the exclusion does not properly apply to him or her. The requirements of this paragraph do not apply to a child care provider who is determined to be disqualified by the Division of Child Development and Early Education on the basis of a criminal history check conducted pursuant to G.S. 110-90.2, 42 U.S.C. 9858f and 45 C.F.R. 98.43 (see Section D of this policy).

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 3025/4038/5415/6620/8570, 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 services of independent contractors must require the contractor to check sex offender registries as specified in policy 3025/4038/5415/6620/8570, Registered Sex Offenders.

D. Criminal History Checks of Child Care Providers

For purposes of this section, a “child care provider” is

1. any person who works or is a final candidate seeking to work in a classroom or program licensed by the Department of Health and Human Services, Division of Child Development and Early Education (DCDEE); and
2. any person, including a volunteer, who has unsupervised contact with children enrolled in such classrooms or programs.

Before beginning initial employment or volunteer service and at least every three years thereafter, each child care provider must complete a criminal background check that meets the requirements of G.S. 110-90.2, 42 U.S.C. 9858f and 45 C.F.R. 98.43 and present a letter issued by DCDEE indicating that the individual is qualified to have responsibility for the safety and well-being of children based on the individual’s criminal history.

After September 30, 2019, no person shall (1) be employed, continue to be employed or be permitted to volunteer as a child care provider, or to otherwise have unsupervised contact with students enrolled in a licensed classroom or program operated by the school system or (2) be counted in the staff/child ratio of such classroom or program, unless the person holds a current valid qualification letter issued by DCDEE. However, a child care provider with provisional status may be employed pending final results of the criminal background check but shall be subject to the restrictions established by 10A N.C.A.C. 09.2703(f).

The application fee and cost of fingerprinting with the DCDEE criminal history check process shall be borne by the Board.

A child care provider who has incurred any pending charges, indictments or convictions (other than minor traffic offenses which does not include DWI) since the last qualification letter was issued by DCDEE shall notify the Executive Officer for Human Resources in writing of such charges within five business days or before returning to work, whichever comes first. The Executive Officer for Human Resources shall notify DCDEE within one business day of being notified.

The Superintendent or designee shall include the criminal history mandatory reporting requirement in all new employee orientation information for child care providers. The Superintendent shall also be responsible for establishing effective recordkeeping methods and other processes as necessary to ensure compliance with all legal requirements pertaining to criminal history record checks of child care providers.

E. Selection

1. Qualifications

Candidates for employment must 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 must be considered:

- a. application;
- b. education and training;
- c. licensure and certification (when applicable);
- d. relevant experience;
- e. personal interviews;
- f. references and/or background checks; and
- g. other relevant information related to the applicant's performance and conduct.

When several applicants for the same position are equally qualified and suitable for the position, employees within the school system will be given priority.

Hereafter, proficient performance shall be considered the minimum acceptable standard of performance for employees in this school system; however, proficient performance shall not constitute any assurance to any employees of rights to or consideration for employment or re-employment.

Subjective and objective appraisals of preparation for, performance of, and contribution toward the educational process and the needs of the school system shall be considered by the Board in making employment and re-employment decisions where applicable.

2. Nepotism

- a. For purposes of this policy, the following definitions apply.
 - i. "Immediate family" means spouse, parent, child, brother, sister, grandparent or grandchild. The term includes the step, half and in-law relationships.
 - ii. "Central office staff administrator" includes all central services administrators including, but not limited to, directors, supervisors, specialists, executive and chief officers and superintendents.

b. Before any immediate family of any Board of Education member, central office staff administrator, or principal is employed by the Board or engaged in any capacity as an employee, independent contractor or other paid role, (1) the Board member or central office staff administrator must disclose the immediate family relationship to the Board and (2) the prospective employment or engagement must be approved by the Board in a duly called open session meeting.

i. An employee who knowingly fails to disclose a familial relationship to the Board as required will be subject to disciplinary action up to and including dismissal.

ii. Notification by the employee to the Executive Officer for Human Resources will be deemed disclosure to the Board. The Executive Officer for Human Resources is responsible for conveying the disclosure to the Board before the Board takes action on the prospective employment or engagement.

c. When making recommendations for the selection and assignment of personnel, the Superintendent or designee 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 immediate family; a cousin, aunt/uncle, niece/nephew; anyone living in the employee's household and/or romantic partner.

d. No administrative or supervisory personnel may directly supervise or evaluate a member of his or her immediate family; a cousin, aunt/uncle, niece/nephew; anyone living in the employee's household and/or romantic partner.

In the event of a dismissal, demotion or other disciplinary or grievance proceeding involving an immediate family member of a Board member or other hearing panel member, the Board member or hearing panel member shall recuse himself/herself from participating in any such proceeding.

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 or designee 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 or designee shall develop any other procedures necessary to implement this policy.

The Superintendent or designee 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. 12101 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, 50 U.S.C. Appx. 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.; 42 U.S.C. 9858f; 45 C.F.R. 98.43; *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; 110-90.2; 115C-12.2, -36, -47, -276(j), -332; 126-7.1(i), -16; 127A-202.1 et seq.; 127B-10, -12, -14; 143B-421.1, -931; *Leandro v. State*, 346 N.C. 336 (1997); 10A N.C.A.C. 09.0102, -2701, -2702, -2703; 16 N.C.A.C. 6C .0313; State Board of Education Policy ies BENF-009 and NCAG-019

Adopted: July 30, 1990

Revised: February 8, 2010; February 10, 2014; January 12, 2015; July 17, 2017; August 13, 2018; August 5, 2019; February 10, 2020; _____

3100 LICENSURE

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

A. Licensure and Other Qualification Requirements

1. Except as otherwise permitted by the State Board of Education or state law, a person employed in a professional educator position must hold at all times a valid North Carolina professional educator's license appropriate to his or her position.
2. To the extent possible, all professional teaching assignments will be in the area of the professional employee's license except as may be otherwise allowed by state and federal law and State Board policy.
3. The Board may employ candidates entering the teaching profession from other fields who hold a residency license or an emergency license.
4. In extenuating circumstances when no other appropriately licensed professionals or persons who are eligible for a residency license are available to fill a position, the Board may employ an individual who holds a permit to teach issued by the State Board of Education.

B. Exceptions to Licensure Requirements

1. Adjunct CTE Instructors

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

2. Adjunct Instructors in Core Academic Subjects

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

3. Interim Principals

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

4. Cherokee Language and Culture Instructors

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

5. Driver Education Instructors

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

C. Beginning Teacher Support Program

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

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

D. License Conversion

Teachers must meet all requirements of the State Board of Education in order to move from an initial professional license or residency license to a continuing professional license. Licensing is a state decision and cannot be appealed at the local level. This policy serves to notify teachers and other licensed staff who may not qualify for professional license conversion that the process for appealing for additional time is through the state.

E. License Renewal

Licensure renewal is the responsibility of the individual, not of the school district. Any employee allowing a license to expire must have it reinstated prior to the

beginning of the next school year. A teacher whose license has expired is subject to dismissal.

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

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

F. Parental Notification

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

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

G. Equitable Distribution of Teachers

The Superintendent shall assess whether low-income, minority, learning disabled, and/or English language learners are being taught by inexperienced, ineffective or out-of-field teachers at higher rates than students who do not fall into these categories and shall develop a plan to address any such disparities. If DPI does not require such a plan of the LEA, the Superintendent is not required to develop a

plan under this subsection unless he or she determines that one is needed to address inequities within the school system.

Legal References: Elementary and Secondary Education Act, 20 U.S.C. 6301 et seq., 34 C.F.R. 200.55-57, 200.61; G.S. 115C art. 17E: 115C-270.21, -284, -295, -298.5, -325(e)(1)(m) (applicable to career status teachers), -324.4(a)(12) (applicable to non-career status teachers) -333, -333.1; State Board of Education Policies CTED-004, DRIV-003, DRIV-004, EVAL-004, EVAL-023, EVAL-034, LICN-001, LICN-005, LICN-021, LICN-022; NCAC-028, NCAC-035, NCAC-037, TCED-016; Beginning Teacher Support Program Handbook, available at <https://sites.google.com/dpi.nc.gov/ncref/bt-support-program-resources>

Adopted: July 30, 1990

Revised: June 11, 2007; March 12, 2012; October 21, 2013; April 10, 2017; July 17, 2017; August 13, 2018; November 5, 2018; August 5, 2019; February 10, 2020; March 8, 2021; _____

5312 ALTERNATIVE LEARNING PROGRAMS

A. Purposes

The Board is committed to the goal of providing a safe, orderly and inviting learning environment at each school. The educational program, school student behavior management plans, school improvement plans, and numerous other strategies identified in Board policy, are intended to create such an environment and help each student be a contributing and successful member of the school community. As used in this policy and context, an alternative learning program or school may serve as the site to: (1) deliver educational services required by G.S. 115C-390.9 or -390.10 to a student who is serving a long-term or 365-day suspension; (2) provide concentrated support for students at risk of academic failure; and/or (3) deliver educational and other services to students who are or may be disruptive to a safe and orderly learning environment in the regular educational setting.

B. Standards for Alternative Learning Programs/Schools

Prior to implementing a new alternative learning program or school, the Board will develop a program proposal that is consistent with the State Board of Education standards for alternative learning programs. The Board then will submit the proposal to the State Board for its review. After the proposal has been reviewed by the State Board, the Board will consider any recommendations from the State Board to modify the proposal before implementing the alternative learning program or school.

The Board will review on a regular basis whether the school system's alternative learning programs and schools comply with State Board standards.

C. Transfer to Alternative Learning Programs or Schools

1. Basis for Transfer

Students generally are assigned to a school based upon attendance area. However, as provided by law, the Board may assign any student to a school outside the attendance area in order for the student to attend a specialized school or for any reason the Board, in its sole discretion, deems sufficient. In all cases, the assignment or transfer of a student with a disability will comply with applicable federal and/or state requirements for students with disabilities.

Students may be transferred to an alternative learning program or school on a voluntary or involuntary basis under any of the following circumstances.

- a. The student's parent or guardian and the principal agree, and a multi-disciplinary team agrees, that the transfer would be in the best interest of the student and the efficient administration of the public schools,

- b. the student has been recommended for long-term suspension or expulsion;
- c. the student poses a significant disruption to the educational environment in the regular educational setting due to continuing social/behavioral problems;
- d. the student is at risk of dropping out or not meeting standards for promotion due to academic, developmental and/or behavioral problems, and resources in addition to or different from those available in the regular educational setting are needed to address the issue.
- e. the student is a clear threat to the safety of other students or personnel; or
- f. the student has been charged with a felony or with any crime that allegedly endangered the safety of others, and it is reasonably foreseeable that the student's continued presence will significantly disrupt the regular educational environment.

The Board encourages parental involvement in decisions regarding the child's education and in identifying effective options for addressing concerns regarding the child's behavior or academic performance.

2. Responsibilities of Personnel at Referring School

In addition to any other procedures required by this policy, prior to referring a student to an alternative learning program or school, the principal of the referring school must:

- a. document the procedures that were used to identify the student as being at risk of academic failure or as being disruptive or disorderly;
- b. provide the reasons for referring the student to an alternative learning program or school; and
- c. provide to the alternative learning program or school all relevant student records, including anecdotal information.

3. Referral

- a. Students who are recommended for long-term suspension or expulsion and who receive due process through the disciplinary process for violations of the Code of Student Conduct do not require additional referral procedures prior to transfer.
- b. Prior to a transfer in circumstances where a student is experiencing academic or developmental difficulties or continuing social/behavioral

problems, the principal or school-based committee of the referring school shall document the student's behavior and academic performance and efforts to assist the student in the regular educational environment. School administrators are encouraged to meet with the student's parents or guardians to try to reach a consensus on how to address the student's difficulties at school.

c. In all cases where a basis for transfer exists, other than where the student has received due process pursuant to a recommendation for long-term suspension or expulsion, the principal must refer the student to a multi-disciplinary team to determine whether the student should be transferred to an alternative school. The principal must provide in writing (1) an explanation of the student's behavior or academic performance that is at issue, (2) documentation or a summary of the documentation of the efforts to assist the student in the student's regular educational setting, if applicable, and (3) documentation of the circumstances that support the referral. A copy of the referral and other documentation must be provided to the parents or guardians by certified mail or in person.

The multi-disciplinary team shall consist of the student's parent or guardian and at least three school system employees who are informed about the student's needs. The team shall meet to consider the principal's referral and determine whether the student will be assigned to an alternative school and shall perform all other duties assigned to it by State Board of Education policy. The student's parent or guardian shall be provided written notice of the time, place and date of the meeting.

At the meeting, the multi-disciplinary team shall determine whether the student will be transferred to the alternative school. The student's parent or guardian shall be provided written notice of the team's decision, as well as notice of the parent or guardian's appeal and due process rights. If the student's parent or guardian attended the team meeting, such notice shall be provided at the end of the meeting. If the student's parent or guardian did not attend the meeting, such notice shall be provided by certified mail within one business day of the meeting. If the multi-disciplinary team approves the transfer, the principals of the regular educational setting and alternative school are to make all necessary arrangements.

4. Responsibilities of School Personnel at the Alternative Learning Program or School

Once a student is placed in an alternative learning program or school, the appropriate school personnel of the program or school must meet to review the student's records and any other documentation forwarded by the referring school. Based on these records and any input provided by the parent or guardian

concerning the student's needs, the personnel at the alternative program or school shall determine the support services and intervention strategies that are recommended for the student.

If a student who is subject to G.S. 14-208.18 is assigned to an alternative school, the student must be supervised by school personnel at all times.

5. Assignment of Student with Disabilities to Alternative Programs/Schools

Students who receive services under the Individuals with Disabilities Education Act (IDEA), are entitled to all of the processes and protections pursuant to the IDEA. All additional requirements specific to the assignment of students with disabilities to an alternative program or school established by the State Board of Education policy shall be observed.

D. Appeals Process

If the student's transfer is the result of an IEP team decision for a student with a disability, parents or guardians who are dissatisfied with the decision must comply with the due process procedures set forth in *Procedures Governing Policies and Services for Children with Disabilities*, as adopted by the State Board of Education.

In all other cases, within three business days of receiving written notice of the decision to assign the student to an alternative program or school, the parent or guardian may appeal the decision in writing to the Superintendent, who shall review the documentation and render a decision within five business days, absent extraordinary circumstances that require additional response time. Parents and guardians who are dissatisfied with the Superintendent's decision may appeal to the Board. The Board will hear the appeal in closed session and will follow its procedures as provided in Policy 1316 – Hearings Before the Board. During the period of the appeal, the student may be transferred to the alternative learning program or school, except as prohibited by the IDEA.

E. Administrative Assignments

1. Assignment During a Long-Term or 365-Day Suspension

Any student who receives a long-term or 365-day suspension must be offered alternative education services unless the Superintendent provides a significant or important reason for declining to offer such services. Alternative education services include, but are not limited to, the alternative programs or schools established in this policy in accordance with G.S. 115C-105.47A.

2. Assignment of Student Sex Offenders

The Board may decide, pursuant to G.S. 115C-390.11(a)(2), to assign a student who is subject to G.S. 14-208.18 to an alternative learning program or school.

F. Transition from Alternative Learning Programs or Schools

In most instances, the goal of the alternative school learning program or school will be to return the student to the regular educational setting as soon as practicable with the skills necessary to succeed in that environment as soon as practicable. The personnel of the alternative learning program or school and those of the regular educational setting shall work together to help create successful transition for the student.

If the student is not or will not be returned to the regular educational setting, the alternative learning program or school will assist in the student's transition to other educational settings, including any other programs offered by the school system or a community college or vocational school.

For students identified as eligible under the IDEA, the student's IEP team shall make all transition decisions that would result in a change in placement.

G. Assignment of Professional Personnel to Alternative Learning Programs or Schools

When assigning professional staff to the alternative learning program or school, the Superintendent shall consider the experience and evaluation ratings of professional employees who may be assigned to the program or school. As district resources allow, the Superintendent shall strive to avoid assigning to the alternative school or program less experienced professional personnel and professional personnel who have received unfavorable evaluations. Additionally, all school personnel at alternative learning programs or schools should receive training so that students enrolled in such programs or schools receive appropriate educational services.

H. Evaluation of Alternative Learning Programs or Schools

1. State Accountability

The Board will determine annually how each alternative school will participate in the State Alternative Schools' Accountability Model. The Superintendent shall provide for this information to be reported to the North Carolina Department of Public Instruction by August 1 of each year.

2. Information to be Reported to the Board of Education

Each year, the Board will periodically review each alternative learning programs or schools based upon reports provided by the Superintendent or designee and any other information the Board wishes to consider.

Legal Reference: G.S. 14-208.18; 115C-47(32a), -105.27, -105.47A, -105.48, -276(r), -288, -367, -369, -390.7, -390.9, 390.10, 370.11, 16 N.C.A.C. 6G.0314; State Board of Education Policy ACCT-038, ALTP-002, DROP-001, EXCP-000; *Policies Governing Services for Children with Disabilities*, as amended (Public Schools of North Carolina); *Policies and Procedures for Alternative Learning Programs and Schools* (North Carolina Department of Public Instruction, available at <https://www.dpi.nc.gov/students-families/enhanced-opportunities/alternative-learning-programs#development,-implementation,-and-operations>)

Adopted: May 22, 2006

Revised: May 12, 2008; July 18, 2011; March 12, 2012; September 14, 2015; June 12, 2017; November 5, 2018; July 13, 2020; _____

5409 COPYRIGHT COMPLIANCE

The Board recognizes and supports the limitations on unauthorized duplication and use of copyrighted materials. The Board does not condone any infringement on the property rights of copyright owners.

Employees, students and visitors are prohibited from the use or duplication of any copyright materials not allowed by copyright law, fair use guidelines sanctioned by Congress, licenses or contractual agreements. Willful or serious violations also are considered to be in violation of expected standards of behavior for employees and students and may result in disciplinary action in accordance with Board policy.

Unless allowed as "fair use" under federal law, permission must be acquired from the copyright owner prior to copying copyrighted material. Fair use is based on the following standards:

- a. the purpose and character of the use;
- b. the nature of the copyrighted work;
- c. the amount of and the substantiality of the portion used in relation to the copyrighted work as a whole; and
- d. the effect of the use upon the potential market for, or value of, the copyrighted work.

Personnel must follow federal law on the fair use of copyrighted materials, including in the following circumstances:

- a. single and multiple copying for instructional purposes;
- b. copying for performances and displays;
- c. off-air recording of copyrighted programs;
- d. use of "for home use only" videotapes or DVDs;
- e. computer software;
- f. copyrighted materials on the Internet and on-line databases;
- g. reproduction and loan of copyrighted materials by school media centers; and
- h. preparation of educational multimedia projects using portions of copyrighted works.

For guidance, see ncpublicschools.org/copyright1.html and <http://www.sandhills.edu/blackboard/copyright.html>

Legal References: 17 U.S.C. 101, 102, 106, 107, 108, 110, 117

Adopted: January 7, 2010

Revised: January 16, 2018; _____

5414 PARENT AND FAMILY ENGAGEMENT

The Moore County Board of Education 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 school system and his or her own child's progress. The Board also encourages parents to participate in activities designed by the schools 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/guardians in student learning;
4. promotion of volunteering;
5. involving parents/guardians in school 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 school personnel to have 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 strive, through oral or written communication or other means, to include the parents of students identified as at-risk in the

implementation and review of academic and/or behavioral interventions for their children in accordance with Policy 6225 - Personal Education Plans for At-Risk Students.

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 the following: (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 Chamber 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. Parental 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 students in Title I schools shall receive a copy of the system-wide Title I parent and family engagement policy (Policy 5417) and the school-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 6300 – Student Records);
2. parental rights related to student surveys (see Policy 6830 – Surveys and Interviews with Students for Research Purposes);
3. the approximate dates of any non-emergency, invasive physical examination 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 8810 – Pest Management);
5. student behavior policies, the Code of Student Conduct and school standards and rules (see policies in the 6000 series);

6. the permissible use of seclusion and restraint in the schools (see Policy 6500 and its accompanying regulations, 6500-R – Employee Use of Reasonable Force and Seclusion and Restraint);

7. Policy 3060/4060/6060 – Discrimination and Harassment Prohibited by Federal Law and the applicable policies referenced therein;

8. Policy 6902 - Student Grievances;

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 whether each test is required by the State Board of Education or the local Board;

10. grading practices that will be followed at the school and, for parents of high school students, the method of computing the grade point averages that will be used for determining class rank (see Policy 5520 – Evaluation of Student Progress, and Policy 5521 – 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. if applicable, that their child will be provided advanced learning opportunities in mathematics or will be placed in an advanced mathematics course;

~~12~~13. a clear and concise explanation of the North Carolina testing and accountability system that includes all information required by federal law;

~~13~~14. a report containing information about the school system and each school, including, but not limited to the following:

a. the following information both in the aggregate and disaggregated by category: student achievement, graduation rates, performance on other school quality and/or student success indicators, the progress of students toward meeting long-term goals established by the state, student performance on measures of school climate and safety, and, as available, the rate of enrollment in post-secondary education;

b. the performance of the school system on academic assessments as compared to the state as a whole and the performance of each school on academic assessments as compared to the state and school system as a whole;

- c. the percentage and number of students who are
 - i. assessed,
 - ii. assessed using alternate assessments,
 - iii. involved in preschool and accelerated coursework programs, and
 - iv. English learners achieving proficiency;
- d. the per pupil expenditures of federal, state and local funds; and
- e. teacher qualifications;

~~44~~15. the grade earned by the school on the most recent annual report card issued for it by the State Board of Education if the grade was a D or F;

~~45~~16. supportive services available to students, including guidance, counseling and health services (see Policy 6330 – Counseling Program);

~~46~~17. information about meningococcal meningitis and influenza, including the causes, symptoms and vaccines, how the diseases are spread and places where parents and guardians may obtain additional information and vaccinations for their children;

~~47~~18. for students in grades five 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;

~~48~~19. how to reach school officials in emergency situations during non-school hours;

~~19~~20. information about and an application form for free and reduced price meals and/or free milk;

~~20~~21. information about the school breakfast program;

~~21~~22. information about the availability and location of free summer food service program meals for students when school is not in session;

~~22~~23. for parents of children with disabilities, procedural safeguards (see Policy 3011/4011/6890 – Nondiscrimination on the Basis of Disabilities);

~~23~~24. 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;

~~24~~25. education rights of homeless students (see Policy 6023 – Homeless Children);

~~25~~26. the content and implementation of the local school wellness policy (see Policy 5060 – Student Wellness);

~~26~~27. their right to take four hours of unpaid 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 5422 – School Volunteers);

~~27~~28. that the school system does not discriminate on the basis of race, color, national origin, sex, disability, or age (see Policy 3037/4037/6640/8337 – Prohibition Against Discrimination, Harassment and Bullying, and Policy 3011/4011/6890 – Nondiscrimination on the Basis of Disabilities);

~~28~~29. that the school system provides equal access to its facilities, programs and activities to the Boy Scouts and other designated youth groups (see Policy 3060/4060/6060 – Discrimination and Harassment Prohibited by Federal Law); and

~~29~~30. the availability of and the process for requesting a waiver or reduction of student fees (see Policy 6805 – Student Fees).

C. Opportunities to Withhold Consent

As a part of the annual notification described above, parents will be effectively notified that they may opt out of any of the following instances:

1. release of student directory information about his or her child for school purposes or to outside organizations (see Policy 6300 – Student Records).
2. release of their child’s name, address and telephone listing to military recruiters or institutions of higher education (see Policy 6300 – Student Records).
3. their child’s participation in curricula related to (a) prevention of sexually transmitted diseases, including HIV/AIDS, (b) avoidance of out-of-wedlock

pregnancy, or (c) reproductive health and safety education as provided in Policy 5050/6750 – School Health Education Program. A copy of the materials 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 Policy 6330 – Counseling Program, and Policy 6730 – Child Abuse and Related Threats to Child Safety).

5. their child’s participation in non-Department of Education funded surveys concerning protected topics (see Policy 6830 – Surveys and Interviews of Students for Research Purposes).

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 6830 – Surveys and Interviews of Students for Research Purposes).

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

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 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 guidance programs are made available.

D. Parental Permission Required

Written parental permission is required prior to the following activities:

1. the administration of medications to students by employees of the school district (see Policy 3260/4260 – Administering Medicines to Students);
2. the release of student records that are not considered directory information, unless the release is allowed or required by law (see Policy 6300 – Student Records);
3. off campus trips;
4. students’ 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 students with disabilities (see Policy 6220 – Special Education Programs/Rights of Students with Disabilities);
6. certain health services, as required by law;
7. participation in a mental health assessment or mental health services under circumstances prescribed by federal law;
8. students’ participation in programs or services providing information about where to obtain contraceptives or abortion referral services;
9. students’ participation in surveys funded by the Department of Education that are conducted concerning protected topics (see Policy 6830 – Surveys and Interviews with Students for Research Purposes);
10. disclosure of a students’ free and reduced price lunch eligibility information or eligibility status; and
11. students’ independent access to the Internet, as described in Policy 3253/4253/5451 – Acceptable Use of Technology and Electronic Media.

Legal Reference: Americans with Disabilities Act, 42 U.S.C. 12101 et seq., 28 C.F.R. pt. 35; Asbestos Hazard Emergency Response Act, 15 U.S.C. 2641, et seq.; Boy Scouts of America Equal Access Act, 20 U.S.C. 7905, 34 C.F.R. 108.9; 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; Individuals with Disabilities Education Act, 20 U.S.C. 1400, et seq.; McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, et seq.; National School Lunch Program, 42 U.S.C. 1751, et seq.; 7 C.F.R. 210.12; 7 C.F.R. pt. 45; Protection of Pupil Rights Amendment, 20 U.S.C. 1232H, 34 C.F.R. pt. 98; 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 et seq., 34

C.F.R. pt. 100; Title IX of the Education Amendments Act of 1972, 20 U.S.C. 1681 et seq., 34 C.F.R. pt. 106; 20 U.S.C. 7908; G.S. 90-21.1, 95-28.3; 115C-47(47), -47(51), -47(54); -47(58); -81.25, -81.30, -81.36, -105.41; -109.1, -174.26(d), -307(c), -375.4; -390.2, -391.1, -407.16, 16 N.C.A.C. 6D.0307; State Board of Education Policies KNEC-002, PRNT-000. TEST-001

Adopted: May 19, 2003

Revised: July 31, 2006; June 11, 2007; June 9, 2008; January 12, 2009; May 11, 2009; February 8, 2010; May 10, 2010; April 11, 2011; October 21, 2013; February 10, 2014; January 12, 2015; July 17, 2017; January 16, 2018; January 14, 2019; July 13, 2020; September 14, 2020; March 8, 2021; _____

5453 ONLINE INSTRUCTION

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 (NCVPS) 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 school** counselor at the school to serve as the e-learning advisor, who will be responsible for coordinating the enrollment of students in online courses, monitoring students' progress in those courses and supervising any required testing. In addition, the principal shall ensure that the e-learning advisor implements a plan for supporting credit recovery students throughout the semester.

Legal References: G.S. 115C-238.85; State Board of Education Policy CCRE-001

Adopted: June 10, 2013

Revised: February 10, 2014; July 17, 2017; January 16, 2018; February 10, 2020; July 13, 2020; _____

6842 STUDENT VOTER REGISTRATION AND PREREGISTRATION

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 sixteen years of age or older to register or preregister to vote as permitted by North Carolina law.

The principal of each high school is encouraged to make the application forms described in G.S. ~~163-82.3A-862~~ available to all students and others who are eligible to register or preregister to vote.

Legal References: G.S. 115C-47(59), ~~81.45(c)(1)(b); 163-82.1, -82.3, -82.23 A-860, -862, -888 NAACP v. McCrory, 831 F.3d 204 (4th Cir. 2016)~~

Adopted: June 12, 2017

Revised: January 16, 2018; August 13, 2018; _____

6930 CONCUSSION AND HEAD INJURY

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

A. Definition of Concussion

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

B. Concussion Education Video for High School Student-Athletes

Per North Carolina High School Athletic Association rules, all high school student-athletes and parents of high school student-athletes must view the CrashCourse concussion education video prior to each sport season.

C. School Head Injury Information Sheet

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

D. Removal from and Return to Play

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

E. Return to Learning

The Superintendent or designee shall develop a plan that meets all the requirements of the State Board of Education for addressing the needs of students in pre-K through 12 who suffer concussions. Parents and students must be offered the opportunity annually to provide information related to any head injury or concussion the student may have incurred during the past year on the health history and emergency medical information update form.

F. Emergency Action Plans

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

G. Athletic Trainers and First Responders

Each high school principal shall designate at least one licensed athletic trainer or first responder who meets the requirements of state law and State Board of Education policy. The principal shall monitor each athletic trainer's or first responder's compliance with the duties assigned to the position by the State Board and any additional duties assigned by the Superintendent or designee, including, but not limited to, attendance at all football games and practices and compliance with all applicable training and certification requirements.

To the extent funding and resources are available, the Superintendent shall work toward having a licensed athletic trainer or first responder available for all school practices and games of all high school and middle school sports.

H. 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 5060 - Student Wellness.)

Legal References: G.S. 115C-12(23); S.L. 2011-147; Article 34 Chapter 90; 16 N.C.A.C. 6E.0206; State Board of Education Policies ATHL-000, ATHLH-003, SHLT-001; N.C. High School Athletic Association Handbook, available at <https://www.nchsaa.org/students-and-parents/rules-and-regulations>

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

Adopted: February 10, 2014

Revised: May 9, 2016; July 17, 2017; February 10, 2020; July 13, 2020; _____

7040 OPERATION OF SCHOOL NUTRITION SERVICES

All schools will participate in the National Child Nutrition Program 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. The Superintendent or designee shall develop procedures as necessary to implement the operational standards established in this policy.

A. Operational Standards

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

1. School officials may not discriminate based on race, sex, color, national origin, disability, age, or eligibility status for free and reduced price meals. School officials also are prohibited from retaliating against an individual for prior civil rights activity.
2. The school nutrition services program will meet safety and sanitation requirements established in local, state and federal rules and guidelines for school nutrition services programs.
3. The school nutrition services program will have a written food safety program that includes a hazard analysis critical control point plan for each school.
4. Menu preparation, purchasing and related record keeping will be consistent with applicable state and federal rules and guidelines.
5. Banking, financial record keeping, budgeting and accounting will be conducted in accordance with generally accepted practices and procedures, as dictated by the School Budget and Fiscal Control Act and in accordance with state and federal guidelines.
6. Commodity foods donated by the United States Department of Agriculture will be used and accounted for in accordance with federal regulations.
7. Preference will be given in purchasing contracts to high-calcium foods and beverages, as defined in G.S. 115C-264.1 and to foods grown or raised within North Carolina.

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

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

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

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

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

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

14. All employees whose job duties include procurement activities for the Child Nutrition Program shall adhere to the conflict of interest rules and standards for ethical conduct established by the Board in Policies [1420/3240/4240/8263](#) – Conflict of Interest/Unethical Influence, and [2510](#) – Federal Grant Administration. Failure to comply with these requirements will result in disciplinary action.

B. Meal Charges

Student 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 procedures as appropriate to help ensure compliance with board policy and legal requirements.

Legal References: Child Nutrition Act of 1966, ~~as amended~~, 42 U.S.C. § 1771, et seq.; National School Lunch Act, ~~as amended~~, 42 U.S.C. § 1751, et seq.; 2 C.F.R. pt. 200; 7 C.F.R. pt. §210.11(a); 7 C.F.R. pt. 215; 7 C.F.R. pt. 220; United States Department of Agriculture Policy Memos SP 46-2016, 47-2016 and 23-2017 available at <https://childnutrition.ncpublicschools.gov/regulations-policies/usda-policy-memos>; G.S. ~~143-64~~; 115C-47(7), -47(22), -263, -264, -264.1, -426, -450, -522; 147 art. 6E, art. 6G; 115C-31; 16 N.C.A.C. 6H.0104; State Board of Education Policy ~~EEO-S-000~~

Adopted: November 29, 1990

Revised: March 12, 2007; February 10, 2014; August 13, 2018; January 14, 2019;

7102 BUS ROUTES

The Superintendent or designee shall develop school bus routes in accordance with state law and regulations. All bus routes will be kept on file in the Superintendent's office, and all changes will be filed within 10 days after such change becomes effective.

Students will be assigned to a bus that passes within one mile of the student's residence.

Parents will be informed of students' scheduled school bus arrival times. It is the parent's responsibility to ensure that a student is present at a bus stop prior to the scheduled arrival time.

A. Transportation to Locations Other Than Home

Upon request, the Superintendent or designee may, but is not required to, assign a student to a bus to transport the student to and/or from a location other than home if the following conditions are met.

1. The student's parent or guardian submits a written, signed request to the principal that states the specific location other than home to which the student is to be transported and acknowledges that the parent or guardian and not the school system is responsible for the student's safety once the child has departed from the bus.
2. The request for such transportation does not require a bus to deviate in any significant way from an established route.
3. There is capacity on the bus if the request would necessitate the student's riding a different bus from the regularly assigned bus.
4. The student's residence and requested bus stop are within the zone eligible for transportation service.
5. The request for such transportation does not cause the school system to incur any additional cost.
6. The proposed bus stop meets safety standards established by law, the Board, the Superintendent or the designee.

Any changes in bus stops must be approved by the Superintendent or designee.

B. Bus Routes in Hazardous Conditions

School buses will not be allowed to operate if there is a serious threat to the safety of students or drivers. The Superintendent may develop a more limited bus route for hazardous weather conditions in order to operate only on roads that are safe. To the extent possible, parents will be notified in advance of the bus route that will be used in hazardous conditions. The hazardous conditions bus route will be on file in the Superintendent's office.

A student who is identified as having special needs following procedures in the North Carolina *Policies Governing Services for Children with Disabilities* will be provided with transportation services as required by law.

Legal References: Individuals with Disabilities Education Act Amendments of 1997, 20 U.S.C. 1400et seq.; G.S. 115C-240(d), -246; 16 N.C.A.C. 6B.0111; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000; State Board of Education Policies TRAN-000, -002, -006

Adopted: August 13, 2018

Revised: _____

7150 SAFETY AND STUDENT TRANSPORTATION SERVICES

Safety is of paramount concern in providing student transportation services. The Board recognizes that providing safe transportation requires the cooperation of students, parents, volunteers, personnel and other governmental agencies. The Board further recognizes that student transportation service is a privilege. Student transportation privileges may be revoked as a consequence for bus misbehavior as outlined in the Student Code of Conduct, Policy 6401. The Superintendent or designee shall make reasonable efforts to inform affected individuals or entities about safety issues and monitor compliance with legal requirements and this policy.

A. Student Behavior

A safe and orderly environment is critical whenever transporting students. The Code of Student Conduct and Board policies on student behavior apply as provided in ~~pPolicy 4300, Student Behavior Policies 6401~~. All students will receive training on school bus safety as required by law regardless of whether they regularly ride a school bus to and from school.

B. Transportation Safety Assistants and Bus Monitors

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

C. Maintenance

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

D. Safety Practices on School Buses and Activity Buses

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

1. All school bus drivers must utilize the North Carolina crossing signal to communicate to students when it is safe to cross the street to board the bus and when it is safe to cross the street after exiting the bus.

2. The number of students transported on any school bus, activity bus, commercial bus or contracted vehicle will not exceed the official rated capacity for the specific vehicle being used.
3. All riders must be seated while the vehicle is in motion.
4. No person will be permitted to stand or sit in the aisle or stepwell when the vehicle is in motion.
5. All school bus drivers are expected to use good judgment in determining whether it is safe to operate a school vehicle and to permit students to enter or leave the bus at particular locations.
6. Bus drivers must report immediately any suspected mechanical defects or other unsafe conditions, including road or traffic conditions that affect the safeness of the bus route or bus stops.
7. All school bus and activity bus drivers will refrain from the use of mobile devices while in operation of a school vehicle except in cases of emergency.

E. Training

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

1. students and bus drivers receive training as required by law, including training on the use of the North Carolina crossing signal;
2. students taking trips on activity buses or commercial buses receive safety instruction as needed, including, but not limited to, instruction on and demonstration of emergency exit operation for the vehicle on which they are riding for any specific trip; and
3. records of student training are made as required by the State Board of Education.

F. Accident Reporting

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

Legal References: [G.S. 115C-239, -240, -245, -248, -249.1](#); [16 N.C.A.C. 6B.0111](#); *Preventive Maintenance and Vehicle Replacement Manual (NC Bus Fleet Manual)*, State Board of Education Policy [TRAN-005](#), available at www.ncbussafety.org/documents/Buses/NCBusFleetManual.pdf; State Board of

Education Policies ~~TRAN-006~~, TRAN-011; *North Carolina School Bus Driver Handout*, Department of Transportation, Division of Motor Vehicles, available at <https://www.ncdot.gov/dmv/license-id/driver-licenses/new-drivers/Documents/school-bus-handbook.pdf>

Adopted: November 29, 1990

Revised: July 28, 2008; January 7, 2010; August 13, 2018; November 5, 2018; February 10, 2020; _____

7401 COMMUNITY USE OF FACILITIES

The Board endorses the goals of the Community Schools Act. The Board will make specified indoor and outdoor school facilities available for use by eligible community groups under agreements developed in accordance with this policy. The Board also will make some outdoor school facilities available for limited recreational use by the general public when not inconsistent with the Board's use of the facilities. Public use is subject to Section H of this policy.

A. General Principles

The use of school facilities by community groups should be consistent with the educational program and the goals and objectives of the Board and school system.

Priority for facility use will be given to community groups as outlined below in Section B. For-profit groups as identified in the Facility Use Application are permitted to use school facilities.

Use of school facilities will not be approved for activities that do any of the following:

1. violate federal, state, or local laws;
2. violate Board of Education policies or regulations;
3. advocate imminent violence;
4. damage or have the potential to damage school buildings, grounds, or equipment; or
5. are in conflict with scheduled school activities.

B. Priority in Use/Fee Structure

School-sponsored groups and activities, such as school athletic events, and school drama and choral productions, and meetings of student organizations, including organizations permitted to meet under the Equal Access Act, will have first priority in the use of school facilities.

Priority in the use of school facilities by other groups and the fee structure for such groups will be in accordance with law and the following user categories. Priority in use among groups within the same user category will not be based upon the viewpoints of the groups (see Policy 3060/4060/6060 – Discrimination and Harassment Prohibited by Federal Law). All groups within the same user category will be charged for facility use according to the uniform fee structure.

1. In accordance with G.S. ~~163A-1046~~ 163-129, as a polling place on election days

2. School-related groups (organizations formed to support the school in some manner, such as the PTA, PTO, teachers' and principals' organizations and booster clubs)

Fees: Fees for use of kitchens will be charged to cover costs. Custodial or other supervisory services may be charged.

3. In accordance with G.S. 115C-527, political parties for the express purpose of annual or biennial precinct meetings and county and district conventions

Fees: Custodial and utility fees may be charged.

4. Local government and youth organizations, including, but not limited to, scouts and 4-H

Fees: Utility fees for the use of facilities may be charged. Custodial, kitchen, and/or supervisory fees will be charged.

5. All other non-profit groups (all groups not included in the other categories as well as political parties when meeting for purposes other than precinct meetings or county or district conventions)

Fees: Rental, kitchen, utility, custodial, and supervisory fees will be charged.

6. For-profit groups as identified in the Facility Use Application.

Fees: Rental, kitchen, utility, custodial, and supervisory fees will be charged.

Prior to the beginning of each school year, the Superintendent shall submit for board approval a fee structure that lists the amount or method of calculating rent and fees to be charged for facility use.

C. Requests for Use of Facilities

An eligible individual or group that wishes to apply for permission to use a school facility must submit a written application to the principal of the school in which the facility is located. Facility use request forms will be available in the school administrative office and on the school district's website.

D. Facilities Available for Use

The Board permits eligible individuals or groups to use the facilities of those schools designated by the Board as “community schools.” A list of facilities available for community use is available to the public at the Superintendent’s office, at each principal’s office and on the school district’s website.

The Superintendent or designee is authorized to develop a list of school facilities available for community use. Among the types of facilities that may be available for community use are auditoriums, athletic fields, dining areas, kitchens, designated classrooms, gymnasiums, media centers, and playgrounds.

Other school facilities may be used only in exceptional circumstances based on a justified need and as approved by the Superintendent or designee. The Superintendent is authorized to determine the fees for the use of facilities in such circumstances.

E. Rules Governing Use of School Facilities

The Superintendent or designee shall develop regulations consistent with this policy. The regulations will include an application process and provisions regarding the supervision of groups using facilities, the care of facilities, prohibited conduct, and other issues deemed appropriate by the Superintendent. A copy of the regulations will be provided to all applicants at the time they receive the facilities use application form. In addition to the regulations established by the Superintendent, users of school facilities must comply with the following rules:

1. Users must comply with all federal, state and local laws and all rules established by the Board, the Superintendent or designee and the principal.
2. Users must comply with the requirements of the Americans with Disabilities Act (ADA) (particularly Subchapter III pertaining to Public Accommodations and Services Operated by Private Entities) and the federal regulations that have been adopted for the implementation of the ADA.
3. Users must comply with board policy and legal requirements forbidding the use of tobacco products in school facilities and on school grounds (see Policy 3032/4032/6610/8555 - Smoking and Tobacco Products).
4. Users must not consume or possess alcohol or drugs on school grounds.
5. Users must not possess weapons or explosives while on school grounds, except in the limited circumstances permitted by state law and Policy 3045/4045/6605/8565 - Weapons and Explosives Prohibited.

6. Users are responsible for supervising their activity and the people present at their activity. Users are responsible for maintaining order and safety during their activity.

A user's violation of the provisions of this policy or any applicable regulations is grounds for suspending the user's privilege to use school facilities for a period of time deemed appropriate by the principal, subject to the review of the Superintendent and the Board of Education.

F. Damages and Liability Insurance

Users of school facilities are responsible for all damage to school facilities, property or equipment that occurs while the facility is being used by the group, regardless of who caused the damage. Users also are responsible for the conduct of all persons involved in the users' activities while on school property.

All user groups, except school-sponsored groups, must furnish a certificate of insurance for general liability coverage with a total limit coverage of \$1,000,000 for each claim made.

G. Term and Acceptance of Lease

The Superintendent is authorized to enter into agreements with community groups for the lease of school property for terms of one year or less. All such leases must be reviewed and approved in advance by the board attorney. The Superintendent shall inform the Board of the execution of any lease at its next regularly scheduled meeting. Leases may be renewed following the same process.

Absent unusual circumstances, leases will not be granted for a term longer than one year. A lease for more than one year must be approved in advance by the Board. Long-term exclusive leases are subject to the provisions of Policy 2422 – Sale, Disposal and Lease of Board-Owned Real Property.

H. Use of Outdoor School Facilities by the General Public

Outdoor property and facilities of the school system will be open to limited use by members of the general public in accordance with rules to be established by the Superintendent or designee. Public use will be permitted only to the extent that it 1) is not inconsistent with the proper preservation and care of the outdoor school property; 2) does not interfere with the safe and efficient operation of the schools and school activities; and 3) does not conflict with use by any community group operating under a facility use agreement described in this policy. The Superintendent is authorized to restrict use during operating hours and to establish all terms, conditions, and rules necessary to regulate the use of outdoor facilities by members of the general public consistent with these requirements.

I. Review of Decisions Concerning Use of School Facilities

Any person or organization may request a review of any decision made by a school employee pursuant to this policy in accordance with Policy 6902, Student Grievances.

Legal Reference: Americans with Disabilities Act, 42 U.S.C. 12101 et seq., 28 C.F.R. pt. 35; Equal Access Act, 20 U.S.C. 4071-4074, 28 C.F.R. pt. 36; Boy Scouts of America Equal Access Act, 20 U.S.C. 7905, 34 C.F.R. pt. 108; 36 U.S.C. 20101 et seq.; G.S. 14-269.2; Community Schools Act, G.S. 18B-301(f)(7); 115C-203 to 209.1; 115C-524, -527; 160A-274; ~~163A-1046-129~~

Adopted: November 29, 1990

Revised: May 23, 2005; April 14, 2008; August 13, 2018; September 14, 2020;

7403 VISITORS TO THE SCHOOLS

The Board encourages the community and parents to be involved in and support the schools and the educational program of the schools.

A. Opportunities to Visit the Schools

To encourage involvement, the following opportunities are provided to visit the schools. For purposes of this policy, “schools” shall mean Moore County Schools’ facilities and sites, including administrative sites.

1. Visitors are welcome to observe and learn about the educational program at each school subject to reasonable rules developed by school administrators.
2. Visitors are encouraged to use school facilities made available to the public, such as media centers or meeting spaces, as provided in Policy 7401 – Community Use of Facilities.
3. Visitors are invited to attend school events that are open to the public, such as athletic events, musical programs and dramatic productions.

B. Requirements of Visitors to the Schools

While the Board welcomes visitors to the schools, the paramount concern of the Board is to provide a safe and orderly learning environment in which disruptions to instructional time are kept to a minimum. The Superintendent or designee and each principal shall establish and enforce reasonable rules to address this concern.

1. All school visitors during the school day must report immediately to the administrative office at the school to request and receive permission to be in the school. Each principal or site administrator shall ensure that signs are posted in the school to notify visitors of this requirement.
2. School visitors are expected to comply with all school rules and school board policies, including Policy 3007/4007/8307 – Drug-Free Workplace, Policy 3032/4032/6610/8555 – Smoking and Tobacco Products and Policy 3045/4045/6605/8565 – Weapons and Explosives Prohibited.
3. Persons who are subject to Policy 3025/4038/5415/6620/8570 – Registered Sex Offenders must comply with the provisions of that policy.

C. Additional Requirements of Probation Officers

To minimize disruption to student learning and school operations, the Board establishes the following additional requirements for visits by probation officers during the school day:

1. Probation officers may not visit students on school property during school hours unless the visit is conducted through the Section of Community Corrections' School Partnership Program.
2. Visits by probation officers must be authorized in advance by the school principal or designee or be the result of a request for assistance by a guidance-school counselor or school resource officer. The principal or designee at each school shall coordinate with probation officers to plan and schedule visits to occur at times least disruptive to the student's academic schedule and to school operations.
3. To protect the privacy of students, the principal or designee shall designate a private area for probation officers to meet with students away from contact with the general student population. Initial contact with the student will be made by a designated school employee, who shall direct the student to the private area to meet with the probation officer.
4. Probation officers may not initiate direct contact with any student while the student is in class or between classes.
5. All visits must be conducted in accordance with this policy and any additional guidelines developed by the Superintendent or designee.

D. Unauthorized, Disruptive or Dangerous Visitors

If a school employee becomes aware that an individual is on a school property without having received permission or that an individual is exhibiting unusual, threatening or dangerous behavior, the employee must either direct the individual to the administrative office or notify the principal, designee or school police officer, depending on the circumstances.

If a school employee suspects that an individual is on school property in violation of Policy 3025/4038/5415/6620/8570 – Registered Sex Offenders, the employee must immediately notify the principal, designee or school police officer.

Students will be instructed to notify a school employee of any unusual or suspicious behavior by visitors. School employees shall inform the principal or designee immediately of a student's report of suspicious behavior on the part of a school visitor.

When an individual disrupts the educational environment, acts in a disorderly manner, damages school property or violates board policy or the law, the principal or designee has authority to:

1. order the individual to leave school property;
2. notify law enforcement; or
3. take any other action deemed appropriate under the circumstances.

Failure to comply with a request to leave school grounds may result in the filing of trespass charges or other charges as appropriate against the offending individual.

The Superintendent or school/site administrator may deny an individual permission to come onto school grounds or enter a school facility for up to one school year if the individual is guilty of disruptive or dangerous behavior on school grounds. Consultation with the Chief of Police is encouraged.

Legal Reference: G.S. 14-132, -132.2, -159.11, -159.12, -159.13; -208.18; G.S. 115C-46.2, 523, -524, -526

Adopted: November 29, 1990

Revised: January 12, 2009; March 8, 2021; _____

8420 DISTRIBUTION AND DISPLAY OF NON-SCHOOL MATERIAL

Students and the educational program must be the focus of the school system. In order to maintain an educational environment conducive to learning and to minimize intrusions upon instructional time, distribution and display of non-school material will be limited in accordance with this policy and policy 8422, Advertising in the Schools. School officials shall screen and approve the distribution or display of non-school material on school property. (The term "non-school material" is defined in Section F below.)

This policy applies to the distribution and display of non-school material by students and school-related groups (as defined in Section F below) and by governmental agencies, educational institutions, and non-profit entities as permitted in Section C below. This policy will not be construed as applying to or prohibiting the display of compliant political signs permitted by G.S. 136-32.

A. Distribution and Display by Students

Students wishing to distribute or display on campus any publication, leaflet or other written material that is not school-sponsored must submit the publication or material to the principal for review prior to distribution. The principal shall prohibit distribution or display when the publication or material contains speech that is prohibited as specified in Section D below but otherwise shall not discriminate on the basis of viewpoint in granting or denying a student permission to distribute or display non-school publications or materials. If permission to distribute or display a publication or material is denied, the student may request review of the principal's decision as specified in Section E below.

B. Distribution and Display by Non-Students

1. Distribution and display of "school-sponsored or curriculum-related publications and materials" as defined in Section F are permitted during the school day, on school grounds and at school activities.
2. Distribution and display of publications and materials from school-related groups that have received prior approval of the principal or Superintendent or designee pursuant to the standards in Section D below and the standards for review of the decision in Section E below are permitted at reasonable times and places as designated by the principal or Superintendent or designee. The term "school-related group" is defined in Section F. The principal or Superintendent or designee shall not discriminate on the basis of viewpoint in granting or denying permitted school-related groups permission to distribute or display non-school material.

3. The following agencies and organizations are permitted to distribute or display educational information or information about programs and activities of interest to students:

- a. local, state and federal government agencies and departments;
- b. non-profit organizations that offer educational, recreational, cultural or character development activities or programs for school-aged children, including but not limited to scouts, YMCA or YWCA, organized youth sport leagues, etc.);
- c. school/business partnerships or incentive programs that directly enhance or support the school's educational program; and
- d. community colleges, universities, and other non-profit institutions of higher education.

All publications and materials that one of the permitted agencies or organizations would like to distribute or display must be submitted to the principal or Superintendent or designee for approval prior to distribution or display. Approval for distribution or display will be granted pursuant to the standards in Section D below and the standards for review of decisions in Section E below. If approved, the publications and materials will be distributed or displayed at reasonable times and places as designated by the principal or Superintendent or designee.

4. The principal or Superintendent or designee shall not discriminate on the basis of viewpoint in granting or denying permitted agencies and organizations permission to distribute or display non-school materials.

5. The Superintendent is authorized to adopt regulations regarding approval forms, how many times a year groups may distribute or display publications or materials, delivery and bundling requirements, etc.

6. Nothing in this policy will be construed to create a public forum that would allow non-students unrestricted access to school property for the purpose of distributing or displaying publications or materials.

C. Distribution and Display Standards for Non-School Materials

School officials shall apply the following standards to approve the distribution or display of all non-school material by individuals or groups authorized by this policy on school property:

1. While materials will not be screened for viewpoint, the reviewer shall prohibit the distribution or display of any publication or material that (a) is vulgar, indecent or obscene; (b) contains libelous statements, personal attacks or abusive language such as language defaming a person's character, race, religion, ethnic origin, gender, family status, or disability; (c) causes or clearly threatens to cause a material and substantial disruption of a school activity; (d) encourages the commission of unlawful acts or the violation of lawful school regulations; (e) is inappropriate considering the age of the students in the school; (f) contains information that is inaccurate, misleading or false; or (g) advertises any product or service not permitted to minors by law.

The principal or Superintendent's designee shall notify the Superintendent before approving or prohibiting distribution or display of any publications or materials that raise a question as to whether a specific action by school officials might violate the Establishment of Religion Clause, the Free Exercise of Religion Clause, or the free speech rights guaranteed by the First Amendment of the U.S. Constitution. The Superintendent shall consult with the board attorney to determine the legally appropriate course of action.

2. The distribution of non-school material must not interfere with instructional time.

3. Non-school publications and materials distributed or displayed to students must be clearly identified, through the method of distribution or otherwise, as non-school materials that are neither endorsed nor necessarily reflective of the views of the school board or the school system.

4. In order to minimize disruption to the learning environment, political campaign materials may not be distributed to students or employees (including through employee mailboxes and e-mail) or made available on school grounds during school time or at school events. However, on election days, posters and printed materials are permitted for viewing and distribution to the public at school buildings used as polling places in accordance with state law and board of elections requirements.

This provision does not prohibit a teacher from using political literature or campaign material for instructional purposes. However, any teacher using these materials for instructional purposes shall not use his or her position to promote a particular candidate, party or position on a specific issue. The teacher also shall attempt to use a variety of materials that represent balanced and diverse viewpoints on the political spectrum.

D. Procedures for Requesting Distribution or Display of Non-school Materials

1. Any individual or organization wishing to distribute or display non-school-sponsored publications or materials must first submit for approval a copy of the publication or material to the principal or Superintendent or designee at least five school days in advance of the distribution or display time, along with the following information: (a) the name and phone number of the individual submitting the request; (b) the date(s) and time(s) of day of intended distribution or display; (c) the desired location for distribution or display of material; and (d) if the distribution or display is intended for students, the grade(s) of students for whom the distribution or display is intended.

2. Within five school days, the principal or Superintendent or designee shall review the request and render a decision. In the event permission to distribute or display the material is denied or restricted, the individual submitting the request will be informed in writing of the reasons for the denial or restriction.

3. Any request denied or restricted by the principal or Superintendent or designee may be appealed in writing to the Superintendent or designee or Board, depending on who made the initial decision. If the principal made the initial decision, the Superintendent or designee shall review the decision and render a decision within 10 school days. Any request denied by the Superintendent or designee may be appealed to the Board of Education. The Board will review the request at its next regularly scheduled meeting. As appropriate, the Superintendent or the board will consult with the board attorney concerning a request to distribute or display non-school literature.

4. Permission or denial of permission to distribute or display material does not imply approval or disapproval of its contents by school system administrators, the school board or the individual reviewing the material submitted.

E. Definitions

The following terms used in this policy are defined as follows:

1. Obscene

"Obscene" describes any speech or work that the average person, applying contemporary community standards (as opposed to "national standards"), would find, taken as a whole, appeals to prurient interest; or that depicts or describes, in a patently offensive way, sexual conduct specifically defined by applicable law; and that, taken as a whole, lacks serious literary, artistic, political or scientific value.

2. Libelous Statement

Libelous statements are false and unprivileged statements about a specific person that injure that person's reputation in the community.

3. Non-School Material

Non-school material includes any publication or other written information that is not a school-sponsored or curriculum-related publication or material.

4. Material and Substantial Disruption

A material and substantial disruption is any conduct that for any reason, including inappropriateness of time, place or type of behavior, significantly interferes with school functions, classroom instruction, or the rights of other students or school employees. Examples of material and substantial disruption include, but are not limited to, demonstrations, destruction of property, injury to students or other persons, shouting or boisterous conduct, and anything that significantly distracts students from instruction or prevents school personnel from performing their educational responsibilities.

5. School-Sponsored or Curriculum-Related Publications and Materials

School-related materials or publications are: (a) materials published by the school system for distribution (i.e. school calendars, menus, school newsletters, etc.); (b) materials that are approved by school officials and related to activities or events that are officially sponsored by the school (i.e. announcements for sports teams, clubs, field trips, school plays and concerts); or (c) materials that are directly related to instruction.

6. School-Related Group

School-related groups are organizations formed to support the school in an area of recognized need, such as the PTA, the PTO, teachers' and principals' organizations, and booster clubs.

The Superintendent shall adopt necessary regulations to ensure that this policy is implemented throughout the school system.

Legal Reference: U.S. Constitution, Amendment I; *Peck v. Upshur*, 155 F.3d 274 (1998); G.S. 115C-36, -47;136-32; ~~163-129, -166.4163A-1046; 163A-1134~~

Adopted: November 29, 1990

Revised: November 17, 2008; October 21, 2013; February 10, 2020; _____

**MOORE COUNTY BOARD OF EDUCATION
CODE OF COOPERATION**

Adopted by the Moore County Board of Education on May 10, 2021

We do publically commit ourselves collectively and individually to the following items:

1. Treat Board members, staff, and the public with respect, modeling the behaviors we want for ourselves and others.
2. Come to any Board meeting prepared to discuss items on the agenda.
3. Share questions and concerns about meeting agendas in advance so staff may provide an informed and timely response.
4. Listen respectfully to each other, not engaging in side conversations.
5. Abide by confidentiality laws of closed sessions.
6. Always act in the best interests of Moore County Schools' students, staff, parents and guardians, and the residents of Moore County.
7. Not give directions to one another or staff.
8. Abide by the Code of Ethics adopted as Board policy.
9. Set clear goals for the Superintendent and define the evaluation process before beginning the process.

Board members who feel their colleagues have violated any portion of this agreement commit themselves to talking one-on-one with the member in question. If they cannot reach consensus on resolving the matter, the issue is to be brought before the entire Board.

MOORE COUNTY BOARD OF EDUCATION

BOARD OPERATING PROCEDURES

Adopted by the Moore County Board of Education on April 16, 2020

**School Board Operating Procedures are not intended to usurp or supplant Board Policy.*

Board Meetings	Policy	Board Procedures
1. Who develops the Board meeting agenda?	1321	Chair and Vice Chair in consultation with the Superintendent and Board Clerk.
2. How do I get something on the agenda?	1321	Board members make request to Chair and Superintendent.
3. When will I receive my Board packet?	1318.2	Meeting agendas and packets are posted on the district web site for Board members and the public on the Friday prior to Monday work sessions and regular meetings. In the event of rare called work sessions or special called meetings on any other day of the week, packets are posted on the school district web site at least 24 hours in advance.
4. If I have a question that will help me understand the Board packet, should I email the question to the Superintendent and all Board members? Should I repeat my question at the meeting for the public to hear?	1319	Email questions directly to the Senior Staff member responsible for the item and copy your email to the Superintendent.
5. If I hear negative feedback in the community regarding an agenda item on the upcoming Board meeting, should I inform the Superintendent? Full Board?	1319	Inform the Superintendent, who will inform the Board Chair and Board as needed.

6. How do I get an item pulled from the agenda?	1321	Consult with the Chair and Superintendent in advance of the meeting or work session or make a motion at the Board meeting or work session and vote.
7. How are items pulled from the consent agenda?	1321	Any Board member or Superintendent may request removal of an item from the consent agenda. Pending action items are reviewed and placed by the Board on the regular monthly meeting agenda as Board Action or Consent items during the preceding work session.
8. What is the public's access to the agenda?	1318	Publicized 48 hours prior to the meeting. The agenda is on the district website and distributed to the press.
9. What are the procedures for public comment? May I ask questions or provide answers?	1326	Individuals may sign up to speak up to 5 minutes prior to the meeting. Individuals can speak for up to 3 minutes. The Board Chair will thank the speaker, but discussion will be discouraged.
10. How should a board member handle it if too many requests are being made to the Superintendent and staff asking them to compile various types of information?	1210	Board members and/or the Superintendent express their concerns to the Chair.
11. What are the confidentiality guidelines for closed sessions?	1314	All matters discussed in closed session should be kept confidential.
12. What if a Board member has a concern about the appropriateness of a topic in a closed session?	1314	Any Board member may express concern. The Board attorney is present in closed sessions so any concerns can be addressed immediately.

13. What is our practice regarding the nomination and election of the Board Chair and Vice Chair?	1200	The Board annually selects the Chair and Vice Chair. Individuals are nominated and the selection is made by voting.
14. Do we currently have any Standing Committees? If so, will I receive an assignment?	1510	The District has 2 standing Board committees (Appeal and Policy), and additional liaisons. The Board Chair, in consultation with the members, determine all Board liaisons and the membership of each committee and including committee chair.
15. Do we have any Ad Hoc Committees?	1210	Ad Hoc Committees can be formed at any time by the Chair in consultation with the Superintendent.

Communication	Policy	Board Procedures
16. Who answers questions that come to the full Board?	1210	The Chair answers questions that come to the full Board.
17. What are guidelines regarding emails? Which are public information? Which ones must we save?	1319	All emails related to Board business are a matter of public record. If Board members receive emails related to Board business on personal email accounts, forward them to your MCS email account. Board members do not need to save emails on the MCS email account, as these are archived.
18. Other than contacting the Superintendent, what other staff may I contact? If I do contact a staff member should I inform the full Board?	1319	Email questions directly to the Senior Staff member responsible for the item and copy your email to the Superintendent.

19. Who is allowed to contact the Board attorney? If there is contact with the attorney, will the full Board be informed?	1900	The Chair and the Superintendent contact the Board attorney and, as appropriate, all Board members are informed of the content of the communication.
20. What is the established pattern of regular communication from the Superintendent?	1030	Board members receive a comprehensive update from the Superintendent at the end of each month.
21. How is the Board notified regarding a district-wide emergency, school emergency, student emergency, or staff emergency?	1030	The Board is notified via email from the Superintendent or his designee.
22. If information is sent to one Board member, will all others receive the same information?	1419	Yes.
23. What is our timeline and process for evaluating the Superintendent?	8180	The Superintendent is evaluated each year in June. The district uses the State Board of Education evaluation plan and evaluation instrument.
24. What are the procedures for the Board to develop its goals?	5910	As part of the School Board's ongoing assessment of its Strategic Plan, the Board will bi-annually assess, revise and update its strategic goals. Staff will present assessments of the Strategic Plan's domains and goals during work sessions in the fall of each odd-numbered year. The School Board will approve revisions to the Strategic Plan's domains and goals prior to March 1 of each even-numbered year.

25. Does the Board have a calendar of key events in the district?	3253/4253 /5451	The Instructional Technology Department has developed a calendar where Board members can view district-wide events. The Communications Department updates the district-wide events calendar and sends reminders to the schools to make sure their individual calendars are kept up to date.
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School Visits	Policy	Board Procedures
26. When are school visits appropriate?	1010	It is both appropriate and important for Board Members to visit schools, and such visits are encouraged. Members should remember that they are there representing the Board (except as described in item 28, or for other personal reasons), and the purpose of school visits is therefore to become acquainted with school programs, personnel, operations, and facilities or to participate in meetings and activities.

<p>27. What actions do I need to take prior to and during a school visit?</p>	<p>1010</p>	<p>Whenever possible, Board Members should work through the principal, the Board Clerk and/or the Superintendent's Office to schedule the visit so as to provide the school principal the courtesy of an advanced notice. Scheduling visits in advance will help avoid potential conflicts with student testing, staff evaluations, or other critical activity necessitating the attention or presence of the school principal. In the event of such conflict, the Board Clerk and/or Superintendent's Office will work with the Board member to schedule the visit for a mutually convenient time. When on campus, Board members should check in at the main office in the same manner as other visitors and should adhere to the normal expectations of the school for visitors on campus (wear a badge, etc.).</p>
<p>28. If I am meeting with the teacher of my child, should I tell the teacher I am on the Board of Education?</p>	<p>1420</p>	<p>It is not necessary to announce membership on the Board when visiting a school or classroom. However, as such visits rarely go unnoticed by school personnel, it may be helpful to clarify that you are there as a parent.</p>

29. What action should I take if I observe an issue at the school that needs attention?	1010	Board members should not give direction or make suggestions to personnel during the visit. Suggestions or observations should be communicated to the Superintendent, who will address with school administration and staff as appropriate.
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Community Relations	Policy	Board Procedures
30. Who is the official spokesperson for the district administration with the media?	1700	Communications Director.
31. Who is the official spokesperson for the Board	1700	Board Chair.
32. What should I do if a representative from the media wants to interview me?	1700	It is recommended that Board members not engage in individual interviews. Board members can always defer questions to the Superintendent or Board Chair, or indicate that an issue is still being studied by the full Board as appropriate. However, if a Board member does have an interview outside this recommendation, the Superintendent and Board Chair should be notified as a courtesy.

33. What are the practices regarding participating in blogs, Facebook, Twitter, and other social media?	5452	Though Board members have the same free speech right as any other citizen, it is not recommended that they address Board topics in such forums.
34. What should my response be to inquiries about a closed session?	1314	Explain your legal obligation not to share any confidential information from closed sessions.
35. How should I handle complaints from staff or the community?	1020.3	Report such concerns to the Superintendent.
36. Are there any specific issues regarding my participation in public meeting forums?	1419	The role of an individual Board member at a public forum is to listen.
37. Can I indicate my status as member of the Board of Education in a document, advertisement, or otherwise?	1419	It is okay for members to acknowledge their status as a member of the Board of Education, but should not do so if it involves personal gain.

Revised: _____