Policy Committee Agenda

October 20, 2026
4:30PM
Chappell Suite

Type of Meeting: Lee County School Board Policy Committee

Attendees: All Policy Committee Members

Revision Key:
Additions-double underline
Deletions- ~~strikethrough~~
General Statute changes- red
NCSBA changes- yellow highlight
Lee County Schools changes- blue
Attorney Rawson recommendations- green

Agenda Topics

Welcome and Call to Order.....Chris Gaster
Approval of October 20, 2026 Agenda.....Chris Gaster
Approval of August 18, 2026 Minutes.....Chris Gaster

POLICIES FOR REVIEW-NORTH CAROLINA SCHOOL BOARDS ASSOCIATION

I. Required Updates.....Ricky Secor

1310/4002 Parent Involvement
1510/4200/7270 School Safety
3420 Student Promotion and Accountability
3430 School Improvement Plan
4110 Immunization and Health Requirements for School Admission
4351 Short-Term Suspension
4400 Attendance
4720 Surveys of Students
5028/6130/7267 ~~Automated External Defibrillator~~ Cardiac Emergency Response
6430/8730 Purchasing Requirements for Equipment, Materials, and Supplies
6525 Instructional Materials Services
7130 Licensure
7300 Staff Responsibilities
7430 Substitute Teachers
7510 Leave

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7525 Paid Parental Leave
7810 Evaluation of Licensed Employees
7811 Plans for Growth and Improvement of Licensed Employees
9220 Security of Facilities

II. Strongly Recommended Updates.....Ricky Secor
1760/7280 Prohibition Against Retaliation
5070/7350 Public Records-Retention, Release, and Disposition

III. Recommended Policy.....Ricky Secor
4328 Gang-Related Activity

Lee County Board of Education
Policy Committee Meeting
Assembly Room, Basement
Heins Education Building
August 18, 2026
4:30pm

Members Present:
Chris Gaster-Chairman, Policy Committee, Lee County Board of Education
Cindy Ortiz-Lee County Board of Education Member
David Smoak-Lee County Board of Education Member
Dr. Chris Dossenbach-Superintendent
Dr. Natalie Kelly-Assistant Superintendent of Curriculum and Instruction
Stacie Eggers-Assistant Superintendent of Operations
Dr. Lisa Duffey-Executive Director of Student Services
Stefanie Clarke-Executive Director of Accountability, Planning, and Performance
Ricky Secor-Director of Federal Programs
Wendy Perrell-Principal, Broadway Elementary School
Elayne Monjar-Assistant Principal, Deep River Elementary School
Amy Lundy-Principal, Southern Lee High School
Susan P. Britt-Administrative Assistant

Members Present Remotely:
Stephen Rawson-Board Attorney

Chairman Chris Gaster called the meeting to order.

Due to the absence of Policy Committee member Laura Stryffeler, Cindy Ortiz served as her substitute.

Approval of August 18, 2026 Agenda-The August 18, 2026. agenda was approved.

Approval of May 19, 2026 minutes-The May 19, 2026, minutes were approved.

Policies for Review

North Carolina School Boards Association

Required Updates

Policy 3200-Selection of Instructional and Supplementary Materials
Policy 3210-Parent Inspection of and Objection to Instructional and Supplementary Materials
Policy 3510-Religious-Based Exemptions from School Programs
Policy 5150/7313-Reporting to External Agencies
Policy 6442-Vendor Lists
Policy 9115-Prequalification of Bidders for Construction Projects
Policy 9120-Bidding for Construction Work

Cindy Ortiz moved to accept the recommended policy updates for submission to the Board for first reading at its September 8, 2026, meeting. The motion was seconded by Chairman Gaster and was approved unanimously.

Strongly Recommended Updates

Policy 6420-Contracts with the Board

Cindy Ortiz moved to accept the recommended policy updates for submission to the Board for first reading at its September 8, 2026, meeting. The motion was seconded by Chairman Gaster and was approved unanimously.

Rescinding Policies

Policy 6402-Participation by Historically Underutilized Businesses
Policy 9125-Participation by Minority Businesses

At the recommendation of Attorney Rawson, these policies need to rescinded effective immediately along with further language to support other relevant policies. Attorney Rawson will provide a brief explanation at the September 8, 2026, meeting along with the suggested motions.

There being no further business, the meeting was adjourned at 5pm.

Fall 2026
Policy Updates

Updated Policy	Policy Title	Description of Updates	Legal Authority Involved	Notes
1310/4002	Parental Involvement	• Updates terminology in B.1, C.2.a, and E.5 based on state law changes. • Adds a reference in B.1 to the parental notification requirements in policy 3420. • Updates language in C.3.l based on statutory changes. • Adds a new annual parental notification regarding diabetes at C.3.s. • Based on new federal guidance, changes the information in C.4.e and D.9. • Updates the legal references. • Updates policy titles in the text and cross references.	S.L. 2026-41, sec. 7.4; G.S. ch. 115C, art. 8, pt. 3 S.L. 2026-41, sec. 7.9; G.S. 115C-81.36 S.L. 2026-41, sec. 7.32; G.S. 115C-375.3	The statutory changes adding English Language Arts apply beginning with the 2027-2028 school year.
1510/4200/7270	School Safety	• In D.5, adds the new statutory requirement to provide law enforcement and Department of Public Safety's Division of Emergency Management with access to school mapping data. • Adds the new statutory requirement to provide students with the Suicide and Crisis Lifeline and the NC Peer Warmline phone numbers. • Updates the legal references.	S.L. 2026-41, sec. 7.33; G.S. 115C-47(73) S.L. 2026-41, sec. 20.10; G.S. 115C-105.53, -105.54	
1760/7280	Prohibition Against Retaliation	• Updates the language throughout to more clearly address G.S. 126A art. 14. • Updates the legal references.	S.L. 2026-40, sec. 1; G.S. 126A art. 14	
3420	Student Promotion and Accountability	• Changes language in E.2 and N based on statutory changes.	S.L. 2026-41, sec. 7.8; G.S. 115C-83.6B	
3430	School Improvement Plan	• In B.3.c, removes language that was based on statutory language that has been repealed. • Updates the legal references. • Updates cross references.	S.L. 2026-41, sec. 7.4; G.S. 115C-98(b2) (repealed)	
4110	Immunization and Health Requirements for School Admission	• Updates a term based on state law changes.	S.L. 2026-41, sec. 7.4; G.S. 115C-390.2(l)(1)	

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Fall 2026
Policy Updates

4328	Gang-Related Activity	• Updates the definition of criminal gang to match that in state law.	S.L. 2026-37, sec. 2; G.S. 14-50.16A	
4351	Short-Term Suspension	• Updates a term based on state law changes. .	S.L. 2026-41, sec. 7.4; G.S. 115C-390.5(c)(1)	
4400	Attendance	• Revises the language throughout to align with the recently updated SBE policies and state law. • Updates the legal references. • Updates the cross references.	S.L. 2026-11, sec. 9; G.S. 115C-379 16 N.C.A.C. 6E .0102, .0103, .0104	The excused absences listed in this policy are in state law and/or 16 N.C.A.C. 6E .0102 as the valid/lawful excuses for temporary nonattendance of a student at school. 16 N.C.A.C. 6E .0102 also allows LEAs to excuse the temporary or occasional absence of a student for other reasons in accordance with policies adopted by the board, provided that the student is currently in membership. The board may add to the list of excused absences in this policy other reasons for which absences may be excused.
4720	Surveys of Students	• Based on new federal guidance, requires written parental consent for all protected topic surveys. • Updates a policy title referenced. • Updates the cross references.		In its August letter to SEAs and LEAs explaining their obligations under federal student privacy laws, the U.S. Department of Education Student Privacy Policy Office (SPPO) took the position that parental written consent is needed for all protected topic surveys. Previously, the Protection of Pupil Rights Amendment (PPRA) was understood to require parental consent only for protected topic surveys that were funded by the U.S. Department of Education. N.C. state law further required parental permission for all protected topic surveys, regardless of funding sources, except that parental opt-out was allowed for surveys given as part of the Centers for Disease Control and Prevention's Youth Risk Behavior Surveillance System or National Youth Tobacco Survey or the North Carolina Youth Tobacco Survey. Based on the SPPO's new interpretation of the PPRA, this policy now requires parental opt-in rather than opt-out for surveys given as part of the Centers for Disease Control and Prevention's Youth Risk Behavior Surveillance System or National Youth Tobacco Survey or the North Carolina Youth Tobacco Survey.

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5028/6130/7267	~~Automated External Defibrillator~~ Cardiac Emergency Response	• Updates the title of the policy. • Adds a new Section A about cardiac emergency response plans. • Updates the language in Section B to align with new statutory requirements. • Updates the legal references. • Updates the other resources.	S.L. 2026-41, sec. 7.38; S.L. 2026-61, sec. 3.10; G.S. 115C-47(73), -375.6	New G.S. 115C-375.6 requires that the board develop a cardiac emergency response plan (CERP) that addresses the appropriate response of school personnel to incidents involving individuals experiencing sudden cardiac arrest or a similar life-threatening emergency while on school grounds. The board must review and update the CERP annually.
5070/7350	Public Records – Retention, Release, and Disposition	• Adds school risk management plans, school mapping data, anonymous safety tip line information, volunteer information, and applicant criminal history as information not considered to be public record. • Changes some formatting. • Updates the legal references.	S.L. 2026-41, sec. 20.10; G.S. 143B-1209.103	
6430	Purchasing Requirements for Equipment, Materials, and Supplies	• Removes references to the repealed historically underutilized businesses policy.		
6525	Instructional Materials Services	• Updates terminology based on state law changes. • Updates legal references. • Updates cross references.	S.L. 2026-41, sec. 7.4; G.S. 115C-99, -100	
7130	Licensure	• Updates the language in B.5 based on changes to SBE policy. • Updates the legal references.	16 N.C.A.C. 6E .0302; SBE Policy DRIV-003	
7300	Staff Responsibilities	• Specifies that failure to carry out responsibilities is grounds for discipline. • Clarifies what constitutes a "conviction." • Updates the driver education instructor reporting requirements based on changes to SBE policies. • Updates the formatting. • Updates the legal references.	16 N.C.A.C. 6E .0302; SBE Policy DRIV-003	
7430	Substitute Teachers	• Updates the language in Section A.	16 N.C.A.C. 6C .0403	16 N.C.A.C. 6C .0403 requires the board to hire licensed teachers to serve as substitute teachers to the extent feasible. The other hiring priorities may be revised.
7510	Leave	• Removes Section D because paid parental leave is now addressed in policy 7525.		

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Fall 2026
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		• Adds references to new policy 7525 in the last section and in the cross references. • Updates the legal references.		
7525	Paid Parental Leave	• Creates a new policy regarding paid parental leave that aligns with state law and the paid parental leave policies of the State Human Resources Commission and the State Board of Education.	S.L. 2026-40, sec. 1; G.S. 126A-71	
7810	Evaluation of Licensed Employees	• Reorganizes information in the policy. • Updates language based on changes to SBE Policy EVAL-004. • Updates the legal references.	SBE Policy EVAL-004	
7811	Plans for Growth and Improvement of Licensed Employees	• Updates language based on changes to SBE Policy EVAL-004.	SBE Policy EVAL-004	
9220	Security of Facilities	• Adds the new statutory requirement to provide law enforcement and Department of Public Safety's Division of Emergency Management with access to school mapping data. • Updates the legal references.	S.L. 2026-41, sec. 20.10; G.S. 115C-105.53, -105.54	

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PARENTAL INVOLVEMENT

Policy Code: **1310/4002**

The board recognizes the critical role of parents in the education of their children and in the schools. The board directs school administrators to develop programs that will promote and support parental involvement in student learning and achievement at school and at home and encourage successful progress toward graduation. Each parent is encouraged to learn about the educational program, the educational goals and objectives of the school system, and his or her own child's progress. The board also encourages parents to participate in their children's education and in activities designed by school personnel to involve them, such as parent conferences, in order to foster effective teacher and parent communication. Parents are responsible for cooperating with school employees to facilitate their children's compliance with board policies concerning homework, school attendance, and behavior.

For purposes of this policy, "parent" includes parents, legal guardians, and legal custodians of students who are under 18 years old and who have not been emancipated.

A. PARENTAL INVOLVEMENT PLANS

1. Parental Involvement Plan as Part of the School Improvement Plan

   The board directs each principal to ensure that the school improvement team develops a plan for the school's parental involvement program as a part of the school improvement plan. The principal shall publicize drafts of the parental involvement plan prior to finalization and solicit input from parents of students in the school. This plan must include, at a minimum, efforts to enhance parental involvement by promoting the following priorities:

   a. regular, meaningful, two-way communication between home and school;

   b. responsible parenting;

   c. involvement of parents in student learning;

   d. parental volunteering in the school;

   e. involvement of parents in school decisions that affect children and families;

   f. parental training based on parents' informational needs;

   g. collaboration with community agencies and other organizations to provide resources to strengthen school programs, families, and student learning; and

   h. student health awareness among parents by addressing the need for health programs and student health services, which are linked to student learning.

2. Title I Parent and Family Engagement Plan

Each school participating in the Title I program must develop, with parents and family members, a school-level written parent and family engagement plan that involves parents in the planning and improvement of Title I activities and describes the means for carrying out school-level policy, sharing responsibility for student academic achievement, building the capacity of school staff and parents for involvement, and increasing accessibility for participation of all parents and family members of children participating in Title I programs. See policy 1320/3560, Title I Parent and Family Engagement.

3. Parental Involvement Component of a School Plan for Managing Student Behavior

Each school's plan for managing student behavior should include parental involvement strategies that address when parents will be notified or involved in issues related to their child's behavior. See policy 4302, School Plan for Management of Student Behavior.

B. PARENT COMMUNICATION, PARTICIPATION, AND CONFERENCES

1. Communication with Parents

The board encourages school personnel to have regular contact with parents for informational purposes as well as for commendation of students and notification of concerns. School personnel shall communicate with parents about student behavior issues in accordance with requirements of policy 4341, Parental Involvement in Student Behavior Issues, and about student attendance as described in policy 4400, Attendance. In addition, parents will be notified promptly if school personnel suspect that a criminal offense has been committed against the parent's child, unless notification would impede an investigation by law enforcement or the child welfare agency.

The principal must effectively communicate to parents the manner in which ~~textbooks~~ instructional materials are used to implement the school's curricular objectives. Any parent interested in learning more about their child's course of study or the source of any supplementary ~~instructional~~ materials should contact the principal for more information. If a parent would like to inspect and review particular instructional or supplementary materials, the parent should make such a request in accordance with policy 3210, ~~Parental~~ Inspection of and Objection to Instructional and Supplementary Materials.

To the extent practicable, parents and students will be provided advance notice of classroom discussions, activities, or assigned readings so that the parent has the opportunity to request that the student be excused from such classroom discussions, activities, or assigned readings in accordance with policy 3510, Religious-Based Exemptions from School Programs.

The principal shall ensure that information about the nature and purpose of all clubs and activities, curricular and extracurricular, offered at the school is available at the school's main office. Any parent who would like information about such clubs or activities should contact the school's main office.

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 3405, Students at Risk of Academic Failure. Parents of students who demonstrate difficulty with reading, are not reading at grade level, have failed to meet promotion standards, or are being retained shall receive notifications as described in policy 3420, Student Promotion and Accountability.

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

2. Parent Participation at Schools

The board encourages parents to engage in activities in their children's schools. Parents are welcome to visit schools in accordance with policy 5020, Visitors to the Schools, and, if interested, are urged to participate in school volunteer programs as described in policy 5015, School Volunteers. In addition, opportunities exist for parents to participate on school advisory councils, such as the school health advisory council (see policy 6140, Student Wellness), school improvement teams (see policy 3430, School Improvement Plan), school media and technology advisory committees (see policy 3200, Selection of Instructional and Supplementary Materials), and the business advisory council (see policy 2670, Business Advisory Council).

3. Conferences

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

C. PARENTAL NOTIFICATION

1. Title I Notifications

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 1320/3560) and the school-wide parent involvement plan.

2. Parent Guide for Student Achievement

Each year, the superintendent or designee shall create a parent guide for student achievement that meets the requirements of state law and the State Board of Education. All parents will receive a written copy of the guide, and information in the guide will be discussed at the beginning of each school year in meetings of students, parents, and teachers.

At a minimum the guide will include the following:

a. information for parents regarding the following as it pertains to their child: (1) requirements for promotion to the next grade, including the requirements of the North Carolina Read to Achieve Program as set forth in Part 1A of Article 8 of Chapter 115C; (2) the course of study, ~~textbooks,~~ instructional materials, and ~~other~~ supplementary ~~instructional~~ materials and policy 3210, ~~Parental~~ Inspection of and Objection to Instructional and Supplementary Materials, which provides for the inspection and review of those materials; (3) the child's progress toward achieving State and unit expectations for academic proficiency, including policies for student assessment, and the child's assessment results, report cards, and progress reports; (4) qualifications of the child's teachers, including licensure status; and (5) school entry requirements, including required immunizations and the recommended immunization schedule;

b. parental actions that can do the following: (1) strengthen the child's academic progress, especially in the area of reading as provided in the North Carolina Read to Achieve Program; (2) strengthen the child's citizenship, especially social skills and respect for others; (3) strengthen the child's realization of high expectations and setting lifelong learning goals; and (4) place a strong emphasis on the communication between the school and the home;

c. services available for parents and their children, such as family literacy services; mentoring, tutoring, and other academic reinforcement programs; after-school programs; and college planning, academic advisement, and student counseling services (see policy 3610, Counseling Program);

d. opportunities for parental participation, such as parenting classes, adult education, school advisory councils, and school volunteer programs;

e. opportunities for parents to learn about rigorous academic programs that may be available for their child, such as academically and/or intellectually gifted programming, honors programs, Career and College Promise and other dual enrollment opportunities, advanced placement, Advanced International Certificate of Education (AICE) courses, International Baccalaureate, North Carolina Virtual High School courses, and accelerated access to postsecondary education;

f. educational choices available to parents, including each type of public school unit available to residents of the county in which the child lives and nonpublic school options, educational choice options offered within the school system, and programs for scholarship grants for nonpublic schools (Part 2A of Article 39 of Chapter 115C) and for personal education student accounts for students with disabilities (Article 41 of Chapter 115C);

g. rights of students who have been identified as students with disabilities, as provided in Article 9 of Chapter 115C;

h. contact information for school and unit offices;

i. resources for information on the importance of student health and other available resources for parents, including the following information on available immunizations and vaccinations: (1) a recommended immunization schedule in accordance with the United States Centers for Disease Control and Prevention recommendations; and (2) 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 as required by G.S. 115C-375.4; and

j. this policy (policy 1310/4002, Parental Involvement); policy 1320/3560, Title I Parent and Family Engagement; policy 2670, Business Advisory Council; policy 3210, ~~Parental~~ Inspection of and Objection to Instructional and Supplementary Materials; policy 3430, School Improvement Plan; policy 3540, Comprehensive Health Education Program; policy 4400, Attendance; policy 5015, School Volunteers; policy 5020, Visitors to the Schools; and policy 6140, Student Wellness.

3. Additional Annual Notifications

The principal or designee shall annually notify parents of the following information to the extent that it has not already been provided to parents as part of the parent guide for student achievement:

a. parental rights related to student records (see policy 4700, Student

Records);

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

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

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

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

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

g. policy 1735/4329/7311, Bullying and Harassing Behavior Prohibited;

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

i. 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 by the local board;

j. 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 policies 3400, Evaluation of Student Progress, and 3450, Class Rankings);

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

l. if applicable, that their child will be provided advanced learning opportunities in mathematics or English Language Arts or will be placed in an advanced mathematics or English Language Arts course;

m. when a student initially creates a career development plan, that the plan has been created and information on how to access the plan;

n. a clear and concise explanation of the North Carolina testing and

accountability system that includes all information required by federal law;

o. a report containing information about the school system and each school, including, but not limited to:

i. 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;

ii. 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;

iii. the percentage and number of students who are:
1. assessed,
2. assessed using alternate assessments,
3. involved in preschool and accelerated coursework programs, and
4. English learners achieving proficiency;

iv. the per pupil expenditures of federal, state, and local funds; and

v. teacher qualifications;

p. 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;

q. if the school and/or the school system is identified by the State Board of Education as low-performing, the notifications required by G.S. 115C-105.37(b) and/or G.S. 115C-105.39A(c);

r. supportive services available to students, including health services;

s. information about Type 1 and Type 2 diabetes, including: a description of Type 1 and Type 2 diabetes; a description of the risk factors and warning signs associated with Type 1 and Type 2 diabetes; a recommendation that if a student is displaying warning signs associated with diabetes, the student's parent or guardian consult with the student's primary care provider to determine if immediate screening for diabetes is appropriate; a description of the screening process for and stages of diabetes; a recommendation that if a student receives a diabetes diagnosis, the parent or guardian of the student consult with the primary care provider of the

student to develop an appropriate treatment plan; and notification that the school is required to assist students with diabetes in accordance with State Board of Education guidelines;

t. for parents of students in grades 5 through 12, information about cervical cancer, cervical dysplasia, and human papillomavirus, including the causes and symptoms of these diseases, how they are transmitted, how they may be prevented by vaccination, including the benefits and possible side effects of vaccination, and places parents and guardians may obtain additional information and vaccinations for their children;

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

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

w. information about the school breakfast program;

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

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

z. 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;

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

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

cc. 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 5015, School Volunteers);

dd. that the school system does not discriminate on the basis of race, color, national origin, sex, disability, or age, and the school system's processes for resolving discrimination and harassment complaints (see policies 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law, 1720/4030/7235, Title IX Nondiscrimination on the Basis of Sex, 1725/4035/7236, Title IX Sexual Harassment – Prohibited Conduct and

Reporting Process, 1726/4036/7237, Title IX Sexual Harassment Grievance Process, and 1730/4022/7231, Nondiscrimination on the Basis of Disabilities);

ee. that the school system provides equal access to its facilities, programs, and activities to the Boy Scouts and other designated youth groups (see policy 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law); and

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

4. Opportunities to Withhold Consent/Opt Out Notifications

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

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

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

c. 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 3540, Comprehensive 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 at 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;

d. 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, parents do not have the right to opt out of: (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; and (c) counseling if child abuse or neglect is suspected (see policies 3610, Counseling Program, and 4240/7312, Child Abuse and Related Threats to Child Safety);

~~e. their child's participation in any protected information survey given as part of the Centers for Disease Control and Prevention's Youth Risk Behavior~~

~~Surveillance System or National Youth Tobacco Survey or the North Carolina Youth Tobacco Survey (see policy 4720, Surveys of Students);~~

~~f.~~ e. 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;

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

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

Any parent or legal guardian who wishes to opt out/withhold consent must do so in writing after receiving notice. Otherwise, consent to the programs or activities is presumed. After the annual notification, the school is not required to provide further notice to the parent or legal guardian 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 system (see policy 6125, 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 4700, 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 3520, 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 that provide information about where to obtain contraceptives or abortion referral services;

9. students' participation in any protected information survey ~~other than those given as part of the Centers for Disease Control and Prevention's Youth Risk Behavior Surveillance System or National Youth Tobacco Survey or the North Carolina Youth Tobacco Survey~~ (see policy 4720, Surveys of Students);

10. disclosure of students' free and reduced price lunch eligibility information or eligibility status;

11. students' access to school system technological resources, including the Internet, as described in policy 3225/4312/7320, Technology Responsible Use; and

12. students sharing sleeping quarters with a member of the other biological sex during any activity or event authorized by the school, unless the member of the other biological sex is the student's immediate family member (see policies 3320, School Trips, and 3620, Extracurricular Activities and Student Organizations).

E. PROCEDURES FOR PARENTAL INVOLVEMENT IN STUDENT HEALTH

1. Parent Notifications Regarding Student Physical and Mental Health

At the beginning of each school year, the principal or designee shall notify parents of (1) each health care service offered at their children's schools and the means for parents to provide consent for any specific services; (2) acknowledgement that consenting to a health care service does not waive the parents' right to access their children's educational records or health records or to be notified of changes in their children's services or monitoring; and (3) the procedures to exercise the parental remedies for concerns related to student health provided by G.S. 115C-76.60 and described below in subsection E.6.

Before any student well-being questionnaire or health screening form is administered to students in kindergarten through third grade, the principal or designee shall provide parents with a copy of the questionnaire or form and shall inform parents of the means for parents to consent to the use of the questionnaire or form for their children.

The principal or designee shall notify parents of changes in services or monitoring related to their children's mental, emotional, or physical health or well-being and the school's ability to provide a safe and supportive learning environment for their children prior to or contemporaneously with the changes being made. In addition, the principal or designee shall notify parents before any changes are made to the names or pronouns used for their children in school records or by school personnel.

No school system policy, procedure, or form will expressly or otherwise prohibit

school employees from notifying parents about their children's mental, emotional, or physical health or well-being or a change in related services or monitoring, nor will any school system policy, procedure, or form intentionally encourage or be designed in a manner that is reasonably likely to have the effect of encouraging any children to withhold from their parents information about their mental, emotional, or physical health or well-being or a change in related services or monitoring. School personnel shall not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being.

2. Discussions Related to Student Well-Being

In accordance with the rights of parents provided in Chapter 114A of the General Statutes, when issues of a student's well-being arise, school personnel shall encourage the student to discuss the issues with his or her parent. As appropriate, school personnel may facilitate discussions of such issues with parents.

3. Parent Access to Student Records

Parents will not be prohibited from accessing any of their children's education and health records created, maintained, or used by the school system, except as permitted by law. See policy 4700, Student Records.

4. Student Support Services Training

Student support services training developed or provided by the school system to school personnel will adhere to student services guidelines, standards, and frameworks established by the Department of Public Instruction.

5. Instruction on Gender Identity, Sexual Activity, and Sexuality

Instruction on gender identity, sexual activity, or sexuality will not be included in the curriculum provided in kindergarten through fourth grade, regardless of whether the information is provided by school personnel or third parties. For purposes of this subsection, curriculum includes the standard course of study and support materials, locally developed curriculum, supplemental instruction, ~~and textbooks~~ instructional materials and ~~other~~ supplementary materials, but does not include responses to student-initiated questions.

6. Remedies for Parental Concerns Related to Student Health

If a parent has a concern about the school or school system's procedure or practice under Part 4 of Article 7B of Chapter 115C, as described here in Section E of this policy, the parent should submit the concern in writing to the principal. The principal shall schedule and hold a meeting with the parent within five days after the concern was submitted. The principal shall conduct any necessary

investigation. If possible, the principal should resolve the concern within seven days after the concern was submitted. If the principal cannot resolve the concern within seven days, the principal shall immediately notify the superintendent or designee. The superintendent or designee shall assist, as needed, in resolving the concern.

If the concern has not been resolved within 15 days after the parent initially submitted the concern, the superintendent or designee shall schedule a board hearing to be conducted pursuant to policy 2500, Hearings Before the Board, to occur within the next 15 days. If the concern is not resolved 30 days after the parent initially submitted the concern, the board will provide a statement of the reasons for not resolving the concern.

If the concern is not resolved within 30 days of initial submission, the parent has the right to pursue additional remedies as provided in G.S. 115C-76.60(b).

F. PARENT REQUESTS FOR INFORMATION

A parent may request in writing from the principal any of the information the parent has the right to access under Part 3 of Article 7B of Chapter 115C. The principal, within 10 business days, shall either provide the requested information to the parent or provide an extension notice to the parent that, due to the volume or complexity of the request, the information will be provided no later than 20 business days from the date of the parental request.

If the principal (1) denies or fails to respond to the request for information within 10 business days or (2) fails to provide information within 20 business days following an extension notice, the parent may then submit the written request for information to the superintendent, along with a statement specifying the time frame of the denial or failure to provide information by the principal.

If the superintendent denies or does not respond to the request for information within 10 business days, the parent may appeal the denial or lack of response to the board no later than 20 business days from the date of the request to the superintendent. The board will place the parent's appeal on the agenda for the next board meeting occurring more than three business days after submission of the appeal.

The information in this Section F will be posted on the school system's website along with the list of parents' legal rights for their child's education as described in G.S. 115C-76.25.

G. COMMUNITY SERVICES AVAILABLE

A variety of community services are available to provide parents and families of students in the school system with needed information, support, and resources. Parents are encouraged to utilize applicable community services such as the following:

-Family Promise of Lee County: https://www.familypromiseofleecounty.org/

-Lee County Department of Social Services: https://www.ncdhhs.gov/divisions/social-services/lee-county-department-social-services

-Lee County Partnership for Children and Families: https://www.pfcf.org/

H. REPORTING REQUIREMENTS

By September 15 of each year, the superintendent or designee shall report to the State Board of Education parental involvement information as required by State Board of Education Policy PRNT-002 and G.S. 115C-76.70.

Legal References: 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. 245; 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, -21.10B; 95-28.3; 114A-10; 115C-47(47), -47(51), -47(54), -47(58), -76.1, -76.20, -76.25, -76.30, -76.35, -76.40, -76.45, -76.50, -76.55, -76.60, -76.65, -76.70, -76.110, -81.25, -81.30, -81.36, -105.37(b), -105.39A(c), -105.41, -109.1, -158.10, -174.26(d), -307(c), -375.3, -375.4, -390.2, -391.1, -402.15, -407.16; 16 N.C.A.C. 6D .0307, 6G .0701; State Board of Education Policies KNEC-002, PRNT-000 and -002, TEST-001

Cross References: Title I Parent and Family Engagement (policy 1320/3560), Discrimination and Harassment Prohibited by Federal Law (policy 1710/4020/7230), Title IX Nondiscrimination on the Basis of Sex (policy 1720/4030/7235), Title IX Sexual Harassment – Prohibited Conduct and Reporting Process (policy 1725/4035/7236), Title IX Sexual Harassment Grievance Process (policy 1726/4036/7237), Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231), Bullying and Harassing Behavior Prohibited (policy 1735/4329/7311), Student and Parent Grievance Procedure (policy 1740/4010), Hearings Before the Board (policy 2500), Business Advisory Council (policy 2670), Selection of Instructional and Supplementary Materials (policy 3200), ~~Parental~~ Inspection of and Objection to Instructional and Supplementary Materials (policy 3210), Technology Responsible Use (policy 3225/4312/7320), School Trips (policy 3320), Evaluation of Student Progress (policy 3400), Students at Risk of Academic Failure (policy 3405), Student Promotion and Accountability (policy 3420), School Improvement Plan, (policy 3430), Class Rankings (policy 3450), Religious-Based Exemptions from School Programs (policy 3510), Special Education Programs/Rights of Students with Disabilities (policy 3520), Comprehensive Health Education Program (policy 3540), Counseling Program (policy 3610), Extracurricular Activities and Student Organizations (policy 3620), Homeless Students (policy 4125), Student Insurance Program (policy 4220), Child Abuse and Related Threats to Child Safety (policy

4240/7312), Student Behavior Policies (4300 series), Rules for Use of Seclusion and Restraint in Schools (regulation 4302-R), Parental Involvement in Student Behavior Issues (policy 4341), Attendance (policy 4400), Student Fees (policy 4600), Student Records (policy 4700), Surveys of Students (policy 4720), School Volunteers (policy 5015), Visitors to the Schools (policy 5020), Registered Sex Offenders (policy 5022), Student Health Services (policy 6120), Administering Medicines to Students (policy 6125), Student Wellness (policy 6140), Free and Reduced Price Meal Services (policy 6225), Pest Management (policy 9205)

Adopted: November 7, 2023

Revised: March 12, 2024; November 12, 2024; June 9, 2026

SCHOOL SAFETY

Policy Code: **1510/4200/7270**

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

A. SUPERVISION OF STUDENTS

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

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

B. SUPERVISION OF VISITORS

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

C. SAFETY OF SCHOOL BUILDINGS AND GROUNDS

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

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

Any employee who observes any potential hazards must notify the principal or the employee's supervisor immediately. The principal or supervisor must notify the superintendent immediately of unsanitary conditions or repairs needed 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 hazards or recommended safety precautions must be posted.

D. TRAFFIC AND PARKING CONTROLS

The Superintendent shall develop and enforce such rules and regulations necessary to ensure the safe flow and control of traffic on the grounds of the Lee County Public Schools. Designated fire lanes must be maintained.

Unauthorized motor vehicles and horseback riding are prohibited on school grounds. Licensed motor vehicles are permitted on school grounds in approved areas only. During special events, restricted areas, with the exception of fire lanes, may be approved for parking.

E. ESTABLISHING PROCESSES TO ADDRESS POTENTIAL SAFETY CONCERNS AND EMERGENCIES

1. Responding to Student Altercations and Other Threats to Safety

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

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

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

shall be used to re-establish a safe environment.

Employees should take further action as appropriate in accordance with any response protocols established by the principal or superintendent. All employees are responsible for knowing and following such protocols to the fullest extent reasonable under the circumstances at the time.

2. School Rules

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

3. Training

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

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

Training must be provided annually for all school system stakeholders (including staff, students, parents, coaches, volunteers, and community members) on how to recognize, and how and when to report, threats to the school population or community.

4. Safety Equipment

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

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

The board, in coordination with local law enforcement and emergency management agencies, will adopt a school risk management plan relating to incidents of school violence for each school in the school system. The superintendent must provide the Department of Public Safety's Division of Emergency Management (Division) with emergency response information it requests for the school risk management plan and updated emergency response information when such updates are made.

The superintendent must also provide the Division and local law enforcement with schematic diagrams, including digital schematic diagrams, of all school facilities and updates of the schematic diagrams when the school system makes substantial facility modifications, such as the addition of new facilities or modifications to doors or windows. Schematic diagrams must meet any standards established by the Center for Safer Schools for the preparation and content of the diagrams. In addition, the superintendent shall provide the Division and local law enforcement with access to school mapping data developed pursuant to G.S. 143B-1209.103. The superintendent shall also provide local law enforcement with (1) either keys to the main entrance of all school buildings or emergency access to key storage devices for all school buildings and (2) updated access to school buildings when changes are made to the locks of the main entrances or to the key storage devices.

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

6. Reporting Risks to the School Population

Students should notify any staff member of any acts of violence, harassment, or bullying or any other unusual or suspicious behavior that may endanger safety. Middle and high school students may also use the anonymous safety tip line to report any risks to the school population or buildings.

Ongoing student education efforts will aim at minimizing any fear, peer pressure, embarrassment, or other impediments to students reporting potential problems.

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

School officials shall investigate and act upon any report of such behavior, including, when appropriate, referring reports to the school threat assessment team and reporting criminal activities to law enforcement, the State Board, the State Superintendent of Public Instruction, and the superintendent or designee (see policies 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law, 1725/4035/7236, Title IX Sex Discrimination – Prohibited Conduct and Grievance Procedures, 1735/4329/7311, Bullying and Harassing Behavior Prohibited, 4040/7310, Staff-Student Relations, and 4335, Criminal Behavior).

7. Potential Threats of Registered Sex Offenders

The principal of each school shall register with the North Carolina Sex Offender and Public Protection Registry to receive e-mail notification when a registered sex

offender moves within a one-mile radius of the school.

8. Student Behavior Standards

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

F. THREAT ASSESSMENT TEAMS

In accordance with G.S. 115C-105.65, the superintendent shall establish a multidisciplinary threat assessment team for each school within the school system to identify, assess, and manage behavior of students or others who may pose a risk of violence or harm to self or others. The threat assessment teams will include, but are not limited to, individuals with expertise in counseling, instruction, school administration, and law enforcement. When practicable, at least one school psychologist, one staff member knowledgeable about and experienced in working with students with special needs, and one staff member knowledgeable about and experienced in working with students with disabilities will be assigned to each threat assessment team. If a school psychologist is not available, a licensed mental health professional may be assigned instead. A member of each threat assessment team will operate as team leader with the responsibility to ensure adherence to the threat assessment process, ensure proper documentation of reports of threats and threat assessment activities, and facilitate collaborative team discussions to ensure various perspectives are considered.

The superintendent shall designate a school system administrator to oversee the school system's threat assessment program and to serve as liaison between the school system and the North Carolina Center for Safer Schools (CSS). The superintendent or designee shall also establish a committee composed of individuals with expertise in human resources, education, school administration, mental health, and law enforcement that will coordinate and monitor the threat assessment teams operating within the school system.

1. Training

All team members will receive behavioral threat assessment and management training annually prior to the start of the school year. Individuals who join the team in the middle of the school year must receive training within 60 calendar days of joining the team.

2. Assessment and Intervention

Unless the superintendent establishes a different classification system in the threat assessment protocols developed pursuant to subsection E.4 of this policy, threat assessment teams will use the levels of concern table listed in the behavioral threat assessment and management guidance issued by CSS in assessing the level of threat posed and forming a response to threats.

Upon determining that a student poses a threat, the threat assessment team will

develop a written student support, intervention, and monitoring management plan that establishes interventions and specifies required monitoring times of the student based on the level of concern the student presents. To effectively manage and mitigate potential risk, interventions must focus on building resilience and protective factors for the student while also addressing safety concerns.

3. Information Sharing

Parents of a student or minor will be notified as soon as practicable that a threat assessment will be or is being conducted on their child. The threat assessment team will contact the parents and provide them the opportunity to participate in the threat assessment. The team is not required to extend the invitation to participate if the student or minor discloses abuse or neglect from the parent. Once a threat assessment is completed, the team will provide its findings and conclusions to the parents, including any interventions the team is recommending be put in place for the well-being of their child and the school community and any school system or community resources that may be useful for the parents in seeking help for their child.

When the threat assessment team learns that an individual has threatened specific harm to an identifiable potential victim, the team will provide notice of the threat to the potential victim and, if the potential victim is a student or minor, provide notice to the parents.

Any information sharing by, with, or between members of the threat assessment teams will be done in accordance with the federal Family Educational Rights and Privacy Act (FERPA) and any other applicable state or federal law. (See policy 2125/7315, Confidential Information). Members of a threat assessment team who are not school system employees must sign a written agreement to adhere to the responsibilities and requirements of FERPA before having access to student records.

4. Threat Assessment Protocols

In consultation with CSS guidance and with established threat assessment teams within the school system, the superintendent shall develop, implement, and update threat assessment protocols and procedures that comply with the requirements of G.S. 115C-105.65. At a minimum, these protocols and procedures will delineate the roles and duties to be performed by designated threat assessment team members, the expertise and training of professionals who will serve on threat assessment teams, the steps to be followed in the threat assessment process, including the implementation of interventions, supports, and community services, the timeframe required to responsibly act upon reported concerns, and the engagement of school resource officers and/or law enforcement in the threat assessment process, and the process of documenting reports of threats and threat assessment activities. The protocols and procedures will differentiate between assessment and intervention at

the elementary, middle, and high school levels, as appropriate.

The superintendent or designee shall send a copy of this policy and the threat assessment protocols and procedures to CSS when approved or revised. In addition, the superintendent shall ensure that quantitative data on the activities of all threat assessment teams is reported to CSS as required by G.S. 115C-105.65(h) and CSS guidance.

G. LIFELINE AND WARMLINE INFORMATION FOR STUDENTS

The superintendent shall ensure that students are provided the current phone numbers for the Suicide and Crisis Lifeline and the NC Peer Warmline in accordance with the requirements of G.S. 115C-47(73). Display of the NC Peer Warmline number will include notice that it is only for ages 18 and older.

Legal References: 29 C.F.R. part 1904; G.S. 14-208.18; 95-129(1); 115C-36, -47, -105.49, -105.51, -105.53, -105.54, -105.65, -166, -167, -288, -289.1, -307, -390.3, -391.1, -521, -524, -525; 143B-1209.103; 13 N.C.A.C. 7A .0301; 16 N.C.A.C. 6E .0107; State Board of Education Policy SCFC-005

Cross References: Discrimination and Harassment Prohibited by Federal Law (policy 1710/4020/7230), Title IX Sexual Harassment – Prohibited Conduct and Reporting Process (policy 1725/4035/7236), Title IX Sexual Harassment Grievance Process (policy 1726/4036/7237), Confidential Information (policy 2125/7315), School Improvement Plan (policy 3430), Staff-Student Relations (policy 4040/7310), Student Sex Offenders (policy 4260), Student Behavior Policies (4300 series), Bullying and Harassing Behavior Prohibited (policy 4329/7311), School Volunteers (policy 5015), Visitors to the Schools (policy 5020), Registered Sex Offenders (policy 5022), Weapons and Explosives Prohibited (policy 5027/7275), Public Records – Retention, Release, and Disposition (policy 5070/7350), Relationship with Law Enforcement (policy 5120), Occupational Exposure to Hazardous Chemicals in Science Laboratories (policy 7265), Staff Responsibilities (policy 7300), Security of Facilities (policy 9220)

Other Resources: *Practical Information on Crisis Planning: A Guide for Schools and Communities*, U.S. Department of Education, Office of Safe and Drug-Free Schools (January 2007), available at https://www.ed.gov/sites/ed/files/admins/lead/safety/emergencyplan/crisisplanning.pdf; *Behavioral Threat Assessment and Management: Best Practice Guidance for North Carolina Behavioral Threat Assessment and Management Teams for Harm Prevention*, N.C. Department of Public Instruction Center for Safer Schools (March 2024)

Adopted:

Revised: December 12, 2017; December 11, 2018; December 8, 2020; June 8, 2021; January 11, 2022; February 21, 2023; October 8, 2024; June 9, 2026

STUDENT PROMOTION AND ACCOUNTABILITY *Policy Code:* 3420

A. PURPOSE

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

B. STANDARDS FOR PROGRESSION

The superintendent will establish standards and a process for determining a student's readiness to progress to the next level of study. The standards will be based, in part, upon proficiency in reading. The standards and process must provide multiple criteria for assessing the student's readiness, such as standardized tests, formative and diagnostic assessments, grades, a portfolio or anthology of the student's work and, when appropriate, consideration of accepted standards for assessing developmental growth. The standards and process will incorporate all state laws and State Board of Education policy requirements, including those for the assessment and promotion of third grade students a described in G.S. 11SC-83.6 *et seq.* and State Board of Education Policies KNEC-002 and -003. Principals will ensure that the standards are used by teachers and school administrators in assessing each student's readiness to progress to the next level of study.

The promotion standards also will require that students not be promoted from eighth grade until a career development plan is completed in accordance with the requirements of G.S. 115C-158.10 and State Board of Education rules and not be promoted from tenth grade until the career development plan is revised. Any high school student who does not already have a career development plan must complete the plan within 90 days of enrollment in school. Career development plans must be easily accessible to students and parents.

Principals have the authority to promote and to retain students based upon the standards approved by the board and the State Board of Education. Students may be retained no more than once in grades K-2, 3-5 or 6-8 and no more than twice in grades K-8. To reduce the number of students who do not meet promotion standards, the board directs school administrators and teachers for grades 6-13 to use personal plans for success (PPS) to address the needs of students who are not making adequate academic progress as required by policy 3405, Students at Risk of Academic Failure.

C. STUDENT ACCOUNTABILITY AND PROMOTION STANDARDS

In addition to any other promotion standards established by the board and/or superintendent, students must meet the promotion and accountability standards set by the

State Board. In order to receive a North Carolina high school diploma, all students must complete the requirements set forth in policy 3460, Graduation Requirements.

D. APPEALS OF PROMOTION DECISIONS

1. To the Superintendent

Within five working days of receiving the principal's written decision to promote or retain a student, the student's parents may appeal the decision to the superintendent. The superintendent may overturn the principal's decision only upon a finding that the principal's decision was arbitrary and capricious (i.e., without rational basis) or otherwise an abuse of discretion.

The superintendent must render a decision within 10 working days of receiving the appeal.

The superintendent may support the principal's decision, remand it back to the principal for consideration of additional issues or revere the decision.

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

2. To the Board of Education

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

E. LITERACY INTERVENTIONS

1. Reading Camps

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

The superintendent or designee shall notify interested parents of the application procedure for the fee-based reading camps.

2. Individual Reading Plans

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

3. Digital Children's Reading Initiative

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

4. Approval of Literacy Intervention Plan

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

F. PROMOTION STANDARDS FOR STUDENTS WITH DISABILITIES

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

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

G. CREDIT BY DEMONSTRATED MASTERY

~~Beginning with the 2015-16 school year,~~ ~~t~~The superintendent shall provide opportunities for students in grades 9 through 12 to earn course credit by demonstrating mastery of

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

H. CREDIT RECOVERY

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

Any EOC exam associated with the credit recovery course may be administered no later than 30 days upon completion of the credit recovery course. The credit recovery will be graded as a numeric grade, and it will impact the student's grade point average.

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

I. CREDIT FROM STUDYING ABROAD

The board encourages students to participate in foreign exchange student programs to enhance their high school academic experience and heighten their awareness and knowledge of global cultures. With careful planning, students may receive credit for courses taken abroad that have substantial equivalency to school system high school courses in content and in hours.

Students who wish to receive high school credit for courses taken during the school year in a foreign country should file a request for student abroad credit with the principal or designee by July 1 of the year preceding the proposed study. To receive credit, the student must submit a copy of the syllabus of the course with the hours of student and grading system described. The student should promptly notify the principal or designee of any course changes.

J. ACCELERATION

Some students may need less time to learn the curriculum. Teachers are encouraged to challenge these students by expanding the curriculum, providing opportunities to explore the subject in greater detail or providing different types of educational experiences.

To sufficiently challenge a student, the principal may reassign the student to a different class or level of study, and/or may identify other concurrent enrollment or other curriculum expansion options (see policy 3101, Dual Enrollment).

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

Students also have the option of using an accelerated pathway to complete high school in three years rather than four (see policy 3460, Graduation Requirements).

K. Reporting Requirements

1. Superintendent's Report to Board

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

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

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

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

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

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

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

3. Publication on the School System Website

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

L. Resources

Consistent with the objective of improving student performance, the board will provide maximum flexibility to schools in the allocation of state funds. School personnel are

expected to budget financial resources in a manner that will meet the standards established in this policy. The board will consider requests to transfer funds from other funding allotment categories to intervention strategies as a part of the school improvement plan submitted by school officials. All funds will be used in a fiscally sound manner in accordance with policy 8300, Fiscal Management Standards.

M. NOTIFICATION TO PARENTS

The superintendent will ensure that a copy of this policy is provided to all students and parents. In addition, if a kindergarten, first grade, second grade or third grade student (1) is demonstrating difficulty with reading development, or (2) is not reading at grade level the student's teacher shall provide the student's parents timely written notice advising that if the student is not demonstrating reading proficiency by the end of third grade, the student will be retained, unless exempt from mandatory retention for good cause. Parents also will receive notice when a fourth or fifth grade student is demonstrating difficulty with reading development or is not reading on grade level as determined by diagnostic reading assessments. Parents are encouraged to be involved in helping their children meet the promotion standards, and will have opportunities to discuss the promotion standards and procedures with teachers and the principal and that all parents or guardians are requested to sign parental expectation agreements. Information provided to parents should be in the parents' native language.

In addition, the teacher(s) of a student who does not meet the standards in this policy must notify the student's parents that the student has failed to meet the test standards and must provide the parents with information concerning retesting, intervention review and appeal opportunities. When a student is to be retained, the principal shall provide the student's parents written notice of the retention and if the student will be retained in accordance with G.S. 115C-83.7(a) for failure to demonstrate reading proficiency, (1) written notice of the reason the student is not eligible for a good cause exemption as provided in G.S. 115C-83.7(b) and (2) a description of proposed literacy interventions that will be provided to the student to remediate areas where the student has not demonstrated reading proficiency. Teachers shall provide parents of students retained under GS. 115C-83.7(2) at least monthly written reports on student progress toward reading proficiency. The evaluation of a student's progress will be based upon the student's classroom work, observations, tests, assessments and other relevant information.

N. CHILDREN OF MILITARY FAMILIES

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

Legal References: G.S. 115C-36, -45(c), -47, -81.5, -83.2, -83.3, -83.6, -83.6A, -83.6B, -83.7, -83.7A, -83.8, -83.9, -83.10, -83.11, -83.31, -105.21, -174.11, -288(a), -407.5, -407.12; S.L. 2021-8; 16 N.C.A.C. 6D .0510; State Board of Education Policies CCRE-001, GRAD-001, GRAD-006, KNEC-002, KNEC-003

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

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

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SCHOOL IMPROVEMENT PLAN

Policy Code: **3430**

A. Principles

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

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

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

B. Development of the School Improvement Plan

Each school must develop a school improvement plan that considers the goals set out in the mission statement for the public schools adopted by the State Board of Education ("State Board") and the annual performance goals for that school as established by the State Board under G.S. 115C-105.35 In developing their school improvement plans, all schools should ensure, to the extent possible, that sufficient resources and curricula are directed towards meeting the goal of having all students performing at grade level or higher in the basic subject and skill areas identified by the State Board.

The board also expects schools to be guided by the educational goals of the board. The board encourages schools to consider innovative means of educating students to meet educational goals. Many board policies provide an opportunity for a school to incorporate innovative ideas into its school improvement plan; however, if a school would like to try an innovative method that requires deviation from board policy, the school may submit a request to the board of a waiver of the board policy (See also policy 2400, Board Policies.) Any waiver request must identify the particular board policy that inhibits the school's ability to improve student performance, set out with specificity the circumstances under which the waive may be used and explain how the requested waiver will permit the school to improve student performance. The board will consider such requests to the extent the waiver is permissible by law and likely to result in improved student performance at the school.

1. School Improvement Team

Each school must have a school improvement team that develops the school improvement plan. The school improvement team must follow all legal requirements for developing and obtaining school approval of the school improvement plan. School improvement teams also must be familiar with state and local board requirements related to managing and using fiscal resources and must comply with these requirements in developing and implementing school improvement plans.

The school improvement team will consist of the principal, representatives of the assistant principals, instructional personnel, instructional support personnel and teacher assistants assigned to the school building, and parents of students attending the school. Representatives of each group of school personnel shall be elected by their respective groups by secret ballot. Parents are to be elected in accordance with G.S. 115C-105.27(a). The school improvement team is encouraged to involve and seek assistance from central office personnel. The school improvement team, especially at the middle and high schools, also is encouraged to seek input from students. The superintendent shall provide guidance to principals to ensure that the principals establish and work together with school improvement teams to develop, review and amend school improvement plans.

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

2. Mandatory Components of the Plan

A school improvement plan must include the following components:

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

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

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

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

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

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

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

h. As part of the school district's efforts to maintain safe and orderly schools, the school improvement plan must address safety and discipline concerns. These concerns include any special conditions at the school and any requirements in the local level safe schools plan for school level objectives or strategies, including the components of any positive behavior management or positive behavior support programs that have been adopted at the school and should comply with the requirements of policy 1510/4200/7270, School Safety, and all protocols established by the superintendent or designee under that policy. The safe school plan should be integrated into the school improvement plan.

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

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

k. The plan must require the principal to notify the superintendent if the school improvement team modifies a board accepted school improvement plan.

l. The plan must include strategies for meeting the educational objectives of the board (policy 3000, Goals and Objectives of the Educational Program).

m. The plan must include intervention strategies for students who are not at grade-level proficiency or who are not likely to meet standards of promotion measured by other means (policy 3420, Student Promotion and Accountability).

3. Optional Components of the Plan

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

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

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

~~c. The plan may provide for the use of textbooks that have not been adopted by the State Board (see policy 3200, Selection of Instructional materials).~~

c. The plan may include innovative effort to meet local educational goals. The following are examples of innovative efforts identified in board policies that the plan may address:

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

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

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

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

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

vi. expanding the subject areas or objectives of the curriculum (policy 3100, Curriculum Development);

vii. eliminating curricula on subject areas or objectives that are not state-required (policy 3100); and

viii. modifying the system-wide instructional and curriculum guides (see policy 3115, Curriculum and Instructional Guides).

4. Development and Review of the Plan

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

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

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

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

After review of the school improvement plans, the board will accept or reject each school improvement plan. If a plan is rejected, the board will explain the specific reason(s) for its rejection.

Any plan modified by the school improvement team after being rejected by the board must be resubmitted to the school personnel for vote and, upon majority approval, resubmitted to the superintendent for review. The superintendent shall re-submit the modified plan to the board with his or her recommendations as soon as practical. The board will review the modifications along with any recommendations from the superintendent and accept or reject the plan.

If the board and the school improvement team cannot reach agreement on the plan within 60 days after its initial submission, the board or school may request to use the dispute resolution process developed by the State Board under G.S. 115C-105.20(b) (5) or, if use of the dispute resolution process is not requested, the board may develop a school improvement plan for the school.

A school improvement plan may remain in effect for no more than two years. The plan must be reviewed at least annually by the school improvement team in accordance with the review process established in the school's plan. If a school does not earn an overall performance grade of at least a C or does not meet its expected growth standard

established by the State Board the principal must submit to the superintendent and the board a report of the school improvement team. The report must explain the reasons for the standard(s) not being met and describe any modifications that will be made in the school improvement plan. After considering any recommendations of the superintendent, if the board is not satisfied with the response of the school improvement team, the board may suggest modifications to the plan or may vacate those portions of the plan that impede student performance and require the school improvement team to revise the plan.

5. Elimination of Redundant or Unnecessary Reporting Requirements

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

6. Compliance with Requirements

Any employee, parent, or other interested party is encouraged to notify the principal of any concerns regarding compliance with this policy or G.S. 115C-105.27. In addition, any employee, parent, or other interested party may submit in writing to the superintendent concerns regarding compliance with this policy or G.S. 115C-105.27. The superintendent shall make a good faith effort to investigate the concern and shall provide a written response upon request.

C. Posting the School Improvement Plan Online

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

D. Staff Development

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

School administrators must be evaluated by their supervisors on the school-based management process and on the effectiveness of the school improvement plan.

Legal References: G.S. 115C-47(38), -81.15, -83.15, -84.2, ~~-98~~, -105.21, -105.25, -105.26, -105.27, -105.32, -105.35, -105.37, -105.41(b), -105.47, -301.1, -307(g); 143, art. 33C

Cross References: Parental Involvement (policy 1310/4002), School Safety (policy 1510/4200/7270),Compliance with the Open Meetings Law (policy 2320), Board Policies (policy 2400), Hearings Before the Board (policy 2500), Goals and Objectives of the Educational Program (policy 3000), Curriculum Development (policy 3100), Innovation in Curriculum and Instruction (policy 3110), Curriculum and Instruction Guides (policy 3115), Lesson Planning (policy 3120), Evaluation of Instructional Programs (policy 3140), ~~Selection of Instructional Materials (policy 3200),~~ School Calendar and Time for Learning (policy 3300), Students at Risk of Academic Failure (policy 3405), Student Promotion and Accountability (policy 3420)

Other Resources: *North Carolina School Improvement Planning Implementation Guide, Version 2.3 – July 2016,* N. C. State Board of Education/Department of Public Instruction, available at https:www.dpi.nc.gov/media/46732/download

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IMMUNIZATION AND HEALTH REQUIREMENTS FOR SCHOOL ADMISSION

Policy Code: **4110**

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

A. IMMUNIZATION

1. Requirements for Initial Entry

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

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

   b. poliomyelitis (polio);

   c. measles (rubeola);

   d. rubella (German measles);

   e. mumps;

   f. Haemophilus influenzae, type b (Hib);

   g. hepatitis B;

   h. varicella (chickenpox);

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

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

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

2. Additional Requirements

   a. All students entering seventh grade or who have reached age 12, whichever

comes first, are required to receive the following:

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

ii. the meningococcal conjugate vaccine (MCV).

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

3. Certificate of Immunization

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

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

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

B. HEALTH ASSESSMENT/VISION SCREENING

Within 30 calendar days of the first day of school entry, all students entering public schools for the first time, regardless of grade level, must furnish to the principal a form that meets the requirements of state law indicating that the student has received a health assessment pursuant to G.S. 130A-440. A student who fails to meet this requirement will not be permitted to attend school until the required health assessment form has been presented. Such absences will not be considered suspensions, and the student will be given an opportunity to make up work missed during the absence as described below. The principal or designee shall, at the time of enrollment, notify the parent, guardian, or person standing in loco parentis that the completed health assessment form is needed on or before the child's first day of attendance. The date the student's health assessment form is received will be recorded in the student's official record, and the form will be maintained on file in the school. The assessment must include a medical history and physical examination with screening for vision and hearing and, if appropriate, testing for anemia and tuberculosis. The health assessment must be conducted no more than 12 months prior to the date of

school entry. Exceptions to the health assessment requirement will be made only for religious reasons.

Within 180 days of the start of the school year, the parent of the child must present to the principal or designee certification that within the past 12 months, the child has obtained a comprehensive eye examination performed by an ophthalmologist or optometrist or has obtained a vision screening conducted by a licensed physician, an optometrist, a physician assistant, a nurse practitioner, a registered nurse, an orthoptist, or a vision screener certified by Prevent Blindness North Carolina.

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

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

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

C. HOMELESS STUDENTS

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

D. FOSTER CHILDREN

Notwithstanding the provisions of this policy, admissions for students in foster care will not be prohibited or delayed due to the student's inability to provide documentation of immunizations or health assessments. The enrolling school will immediately contact the

school last attended by the foster child to obtain any relevant documentation.

E. CHILDREN OF MILITARY FAMILIES

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

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

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

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

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SHORT-TERM SUSPENSION

Policy Code: **4351**

A short-term suspension is the disciplinary exclusion of a student from attending his or her assigned school for up to 10 school days. A short-term suspension does not include (1) the removal of a student from class by the classroom teacher, the principal or other authorized school personnel for the remainder of the subject period or for less than one-half of the school day (2) the changing of a student's location to another room or place on the school premises, or (3) a student's absence under G.S. 130A-440(for failure to submit a school health assessment for within 30 days of entering school). A student who is placed on a short-term suspension will not be permitted to be on school property or to take part in any school function during the period of suspension without prior approval from the principal.

The principal or designee has the authority to determine when a short-term suspension is an appropriate consequence and to impose the suspension as provided in G. S. 115C-391, so long as all relevant board policies are followed.

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

A. PRE-SUSPENSION RIGHTS OF THE STUDENT

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

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

B. STUDENT RIGHTS DURING THE SUSPENSION

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

1. the opportunity to take ~~textbooks~~ instructional materials home for the duration of the suspension;

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

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

C. NOTICE TO PARENT OR GUARDIAN

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

The initial notice may be by telephone, but it must be followed by timely written notice. The written notice must include all of the information listed above and may be sent by fax, e-mail or any other method reasonably designed to give actual notice. School officials also shall maintain a copy of the written notice in the student's educational record.

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

Legal References: 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), 34 C.F.R. pt. 104; Americans with Disabilities Act, 42 U.S.C. 12131 *et seq.* 4, 28 C.F.R. pt. 35; G.S. 115C, art. 9; 45(c); 115C-47, -276(r), -288, -307, -390.1, -390.2, -390.5, -390.6; 130A-440; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000

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

Adopted: October 9, 2000

Revised: April 8, 2008; February 10, 2009; July 19, 2011: June 3, 2014; May 10, 2016; June 13, 2017

ATTENDANCE

Policy Code: **4400**

School attendance and class participation are integral parts of academic achievement and the teaching-learning process. Through regular attendance, students develop patterns of behavior essential to professional and personal success in life. Regular and punctual attendance is expected of each student enrolled in the Lee County Public Schools. 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 have the responsibility for ensuring that students attend and remain at school daily. School administrators shall communicate attendance expectations and procedures to parents and guardians before the first day of each school year and shall work with students and their families to overcome barriers to attendance.

In addition to other requirements, to receive credit for any course, high school students are permitted no more than 8 absences out of the total days in the semester for a semester long course or 16 absences out of the total days in the school year for a yearlong course. Elementary and middle school students are permitted no more than 16 absences during the school year. These absences include excused, unexcused, and out of school suspensions. This policy is subject to the provisions regarding "make up opportunities" as outlined in Section C. below.

A. ATTENDANCE RECORDS

Teachers and ~~S~~school officials shall keep accurate records of attendance and tardies, including accurate attendance records in each class. Students will be considered in attendance if present at least half of the instructional day on-site in the school under the supervision of school personnel or at a place other than the school with the approval of the appropriate school official attending a~~n authorized~~ school-related activity.

To be in attendance during remote instruction days ~~(with the exception of the initial enrollment day)~~, students must: ~~(1)~~ complete their daily assignments, either online or offline, consistent with the school system's remote instruction plan~~; and/or (2) have a daily check-in through two-way communication with (a) the homeroom teacher for grades K-5 or (b) for all other grade levels, each course teacher as scheduled.~~ School officials shall communicate the remote instruction attendance procedures to students and their families before the first day remote instruction begins. A student shall not participate in remote instruction until the student has been in physical attendance for at least one 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.

Any disciplinary consequences for unexcused tardiness or unexcused early departures from school or class will be consistent with Section D of policy 4300, Student Behavior Policies.

The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for such offenses. Consequences may not exceed a short-term suspension of two days.

C. EXCUSED ABSENCES

When a student must miss school, a written excuse signed by a parent or guardian ~~must~~ should be presented to the student's teacher on the day the student returns after an absence. ~~Absences due to extended illness may also require a statement from a health care practitioner.~~ An absence will ~~may~~ be excused if ~~T~~the Superintendent or designee or principal or ~~teacher~~ designee determines by a preponderance of the evidence that the absence was for ~~excuse a child temporarily from school for~~ any of the following reasons:

1. The student or, if the student is a custodial parent, a child in the student's care, has a physical or mental ~~personal~~ illness or injury that prevents ~~makes~~ the student from being ~~physically un~~able to attend school.~~;~~

2. The student is isolating~~ion~~ in accordance with directives from ~~ordered by~~ the local health department ~~officer~~, the North Carolina Department of Health and Human Services, or the Centers for Disease Control and Prevention ~~or State Board of Health or isolation or quarantine that is a required state or local control measure~~;

3. The student has suffered the death of ~~in the~~ an immediate family member.~~:~~ ~~For~~ purposes of this policy, "immediate family member" means a spouse, parent, legal guardian or custodian, child, grandchild, grandparent, brother, sister, half-sibling, or step-sibling of the student. The term applies to any such relationship whether by blood, adoption, or marriage.

4. The student or, if the student is a custodial parent, a child in the student's care, has a medical or dental appointment.~~:~~

5. The student is a party to or is under subpoena as a witness ~~in 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. The student is absent due to a religious observance required by the faith of the student or the student's parent or legal guardian. A student is entitled to at least two absences for this purpose each school year, but the parent or legal guardian must provide notice of the intended absence at least one instructional day in advance. ~~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; with written prior approval from the principal;~~

7. The student is absent due to participation in a valid educational opportunity outside of school, such as ~~travel or~~ service as a legislative or Governor's page, with prior approval from the ~~principal~~ superintendent or designee.~~;~~

8. The student cannot safely travel to school due to a natural disaster, provided the area in which the student resides or through which the student must travel has been declared a disaster area by the Federal Emergency Management Agency.

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

9. ~~a minimum of two days each academic year for visitation with the student's parent or legal guardian, if~~ The student satisfies the following criteria for military-affiliated absences: (a)the student is not identified as at risk of academic failure because of unexcused absences; ~~and~~ (b) the student's, parent or legal guardian ~~(a)~~ is an active duty or inactive member of the uniformed services as defined by policy 4050, Children of Military Families~~,~~; and (~~b~~c) has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting. A student is entitled to at least two absences for this purpose each school year, but the parent or legal guardian must provide notice of the intended absence at least one instructional day in advance.

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

10. The student is absent due to immediate demands of the farm or the home in certain seasons of the year if determined appropriate based on guidelines set by the State Board of Education.

11. The student is absent due to participation in equestrian sporting events, livestock shows, or similar agricultural events. A student is entitled to at least two absences for this purpose each school year.

12. The student is absent for released time religious instruction in accordance with policy 3510, Religious-Based Exemptions from School Programs.

D. MAKE UP OPPORTUNITIES

High Schools

1. Makeup opportunities for work missed

In the case of absences and out of school suspensions, the student shall be permitted to make up his or her work. The student is responsible for finding out what assignments are due and what tests were missed. These assignments/tests should be completed within a reasonable time period specified by the teacher.

2. Makeup opportunities for time missed

Any student who has missed eight days or more is classified as an "At-Risk" student and may be allowed to make up days or classes during non-school hours. The time must be made up on an hour-for-hour/day-for-day basis. For attendance purposes, time can be made up as long as the makeup time is part of an administratively approved program.

3. In accordance with 115C-375.5 homework and make-up work will be made available to pregnant and parenting students to ensure that they have the opportunity to keep current with assignments and avoid losing course credit because of their absence from school and, to the extent necessary, a homebound teacher shall be assigned.

Elementary and Middle Schools

1. Opportunities to make up work will be offered at each school.

2. In accordance with 115C-375.5 homework and make-up work shall be made available to pregnant and parenting students to ensure that they have the opportunity to keep current with assignments and avoid losing course credit because of their absence from school and, to the extent necessary, a homebound teacher shall be assigned.

~~**E. School-Related Activities**~~

~~While recognizing the importance of classroom learning, the board also acknowledges that out-of-classroom, school-related activities can provide students with valuable experiences not available in the classroom setting.~~

~~The following school-related activities will not be counted as absences from either class or school:~~

~~1. field trips sponsored by the school;~~

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

~~3. school-initiated and scheduled activities;~~

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

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

~~6. In addition, students participating in disciplinary techniques categorized as in-school suspensions.~~

E. SCHOOL-RELATED ACTIVITIES

While recognizing the importance of classroom learning, the board also acknowledges that out-of-classroom, school-related activities can provide students with valuable experiences not available in the classroom setting. A student will be considered present for the day when participating in ~~T~~the following school-related activities ~~will not be counted as absences from either class or school~~ instead of attending their normally scheduled courses:

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;~~

3. school athletic events that require early dismissal from school; ~~and~~

4. Career and Technical Education student organization activities approved in advance by the principal; and~~.~~

5. other school-initiated and -scheduled activities.

~~6.~~

In addition, students will not be considered absent when: (1) receiving educational services through the Teacher-in-Treatment Program administered by the North Carolina Department of Health and Human Services; (2) receiving educational services outside of school due to medical necessity initiated by a medical report or physician's orders and documented in the student's written homebound instruction plan, Section 504 plan, or Individualized Education Program (IEP); (3) receiving educational services outside of school because the student's IEP team has determined that placement of the student outside of school is the least restrictive environment available given the student's need

and has documented that need in the student's IEP or Section 504 plan; or (4) participating in disciplinary techniques categorized as in-school suspension.

F. MAKEUP WORK

In the case of excused absences, short-term out-of-school suspensions, and absences under G.S. 130A-440 (for failure to submit a school health assessment form within 30 days of entering school), the student will be permitted to make up his or her missed work. (See also policies 4110, Immunization and Health Requirements for School Admission, and 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 tie period.

G. UNEXCUSED ABSENCES

~~The principal~~ School officials shall notify parents and take all other steps required by the Compulsory School Attendance Law (see G.S. 115C-378) and State Board policy for excessive, unexcused absences. Absences resulting from a child's suspension or expulsion are not considered unexcused absences for purposes of the Compulsory Attendance Law.

Any school disciplinary consequences for unexcused absences will be consistent with Section D of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for such offenses. Consequences may not exceed a short-term suspension of two days.

~~Students with excused absences due to documented chronic health problems are exempt from this policy. In addition, for students experiencing homelessness (see board policy 4125, Homeless Students), school officials must consider issues related to the student's homelessness, such as a change of caregivers or nighttime residence, before taking disciplinary action or imposing other barriers to school attendance based on excessive absences or tardies.~~

The principal or designee will notify the parent, guardian, or custodian of his or her child's excessive absences after the child has accumulated three unexcused absences in a school year. After not more than six unexcused absences, the principal will notify the parent, guardian or custodian by mail that he or she may be in violation of the Compulsory Attendance Law and may be prosecuted if the absences cannot be justified under the established attendance policies of the Board and the State Board of Education. Once the parents, guardians or custodians are notified, the social worker will work with the child and his or her family to analyze the causes of the absences and determine steps to eliminate the problem, including adjustment of the school program or obtaining supplemental services.

After ten (10) accumulated unexcused absences in a school year, the principal will review any report or investigation prepared under G.S. 115C-381 and will confer with the student

and his or 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, he or she will notify the district attorney. If the principal determines that the parent, guardian or custodian has, he or she may file a complaint with the juvenile intake counselor pursuant to Chapter 7B that the child is habitually absent from school without a valid excuse.

The absence of a student which results from the suspension or expulsion of that student for misconduct pursuant to the provisions of G.S. 115C-391 may not be used for a compulsory attendance violation.

Excessive absences may impact eligibility for participation in interscholastic athletics. See policy 3620, Extracurricular Activities and Student Organizations.

Attendance Requirement for Receiving High School Credit.

1. In order to receive credit for any course, high school students must attain a passing average and are permitted no more than 8 absences out of the total days in the semester for a semester course or 16 absences out of the total days in the school year for a yearlong course.

2. All absences (excused and unexcused) will be counted in computing attendance requirement.

3. Students taking courses for high school credit may only make up time missed due to absences under the procedures established by Lee County Schools.

4. Students who fail to meet the attendance requirement in a course or program of study and elect not to attend make-up sessions will receive no credit. If a student has a failing average regardless of the attendance requirement, then the actual grade will be recorded. If a student fails to meet the attendance requirement but otherwise has a passing average, then a grade of "FF" (no credit) will be recorded.

5. If the time is not made up by the end of the current semester a student receives a grade of FF. At the discretion of the principal, the time for makeup may be extended. When time has been made up successfully the student's actual grade will replace the FF as the final grade.

H. CHRONIC ABSENTEEISM

Because class attendance and participation are critical elements of the educational process, any absences, whether excused or unexcused, can have a negative impact on a student's academic achievement. Regular attendance must be prioritized within each school and encouraged throughout the community. School administrators shall monitor and analyze

attendance data to develop and implement strategies for reducing chronic absenteeism. Such strategies should involve engaging students and parents, recognizing good and improved attendance, providing early outreach to families of students missing school, and identifying and addressing barriers to attendance.

I. SPECIAL CIRCUMSTANCES

1. Students with Chronic Health Problems

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

2. Students Experiencing Homelessness

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

3. Attendance Requirements for Extracurricular Activities

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

J. REVIEW PROCESS

1. Students, who have accumulated excessive absences, may appeal to the Counseling Department for a finding of extenuating circumstances (e.g. illness or hospitalization). It is the responsibility of students/parents to file an appeal according to the procedures of the school's attendance waiver plan.

2. The counselor and or social worker will make a recommendation to the principal.

3. The principal will automatically review the academic and attendance records of any student who otherwise has a passing average but who receives "no credit" based on failure to meet the attendance requirement.

4. The principal will take into consideration all factors that may be relevant to each student's situation, including but not limited to, the reasons for the student's absences, quantity and quality of make-up work, exam grades, standardized texts, and teachers' statements.

5. Each teacher who awards a grade of "FF" (no credit), for a high school course will forward to the Principal a statement explaining the reasons for the student's passing average.

6. The principal will make a decision to award credit, not to award credit, or to follow the established Lee County Schools "make-up" plan to receive credit. If denial of credit would result in non-promotion, the principal should also consider all factors involved in placement decisions.

7. If the principal decides to award credit for a course, then the student's actual passing average will replace the FF as the Final grade.

K. APPEAL PROCESS

1. A student or his or her parents may appeal to the superintendent a principal's decision to deny credit based on the attendance policy. A written request for appeal must be submitted in writing with the notice of appeal.

2. The superintendent will review each appeal based on the written documentary record and make a decision to award or not award credit.

3. A decision by the superintendent will be considered final.

Legal References: McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, *et seq.;* G.S. 115C-47, -84.2, -288(a), -375.5, -378 to -383, -390.2(d), -390.2(1), -390.5, -407.5; -407.12; 130A-440; 16 NCAC 6E. 0102, .0103, .0106; State Board of Education Policies ATND-000, -003, NCAC-007

Cross References: Religious-Based Exemptions from School Programs (Policy 3510)Extracurricular Activities and Student Organizations (policy 3620), ~~Education for~~ Pregnant and Parenting Students and Employees (policy 4023/7233), Children of Military Families (policy 4050), Immunization and Health Requirements for School Admission (policy 4110), Homeless Students (policy 4225), Short-Term Suspension (policy 4341)

Other Resources: NC DPI Multi-Tiered System of Support Implementation Guide, available at https://www.livebinders.com/play/play?id=2957986#anchor

Adopted: October 9, 2000

Revised: May 8, 2007; June 30, 2008; February 10, 2009; February 8, 2011; July 19, 2011; June 11, 2013: June 3, 2014; December 9, 2014; June 2, 2015; May 10, 2016; June 13, 2017, June 12,

2018; October 23, 2018; December 10, 2019; December 8, 2020; June 8, 2021; January 11, 2022; June 14, 2022; February 14, 2023

SURVEYS OF STUDENTS

Policy Code: **4720**

The superintendent will ensure that all notification and other requirements of state law and the Protection of Pupil Rights Amendment are met, including all legal requirements regarding the surveying of students.

A. SURVEYS INVOLVING PROTECTED TOPICS

1. Definition of Protected Topic Survey

   For purposes of this policy, the following are considered a "protected topic":

   a. political affiliations or beliefs of the student or the student's parent;

   b. mental or psychological problems of the student or the student's family;

   c. sex behavior or attitudes;

   d. illegal, anti-social, self-incriminating, or demeaning behavior;

   e. critical appraisals of other individuals with whom respondents have close family relationships;

   f. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;

   g. religious practices, affiliations, or beliefs of the student or the student's parent; or

   h. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

   For purposes of this policy, a "protected topic survey" is any survey, analysis, or evaluation that reveals information concerning any of the protected topics.

2. Rules Regarding Protected Topic Surveys

   a. Protection of Student Privacy

      The school district will take measures to protect the identification and privacy of students participating in any protected topic survey. These measures may include limiting access to completed surveys and to survey results, as allowed by law.

b. Parental Notification and Consent

The school district will notify parents at the beginning of each school year of the specific or approximate dates of administration of protected topic surveys. At least 10 days prior to the administration of a protected topic survey, parents and eligible students (students who are 18 years of age or older or who are emancipated minors) will be provided the opportunity to review both electronically and in person the process for providing consent to participate in the protected topic survey and the full text of the protected topic survey.

~~Parents will be provided notice of the opportunity to opt out of any protected topic survey given as part of the Centers for Disease Control and Prevention's Youth Risk Behaviors Surveillance System or National Youth Tobacco Survey.~~ Before a student will be permitted to participate in any ~~other~~ protected topic the parent or eligible student must provide prior written or electronic consent.

B. WELL-BEING QUESTIONNAIRES AND HEALTH SCREENING FORMS

Before any student well-being questionnaire or health screening form is administered to students in kindergarten through third grade, the principal or designee shall provide parents with a copy of the questionnaire or form and shall inform parents of the means for parents to consent to the use of the questionnaire or form for their children. See also policy 1310/4002, Parental Involvement.

If a well-being questionnaire or health screening form falls under the definition of a protected topic survey, all rules for protected topic surveys, as described above in subsection A.2, also apply.

C. OTHER SURVEYS CREATED BY A THIRD PARTY

Parents and eligible students have the right, upon request, to inspect any other survey created by a third party before the survey is administered or distributed to a student.

D. COLLECTION OF STUDENT DATA FOR MARKETING PURPOSES

The school district generally will not collect, disclose or use personal student information for the purpose of marketing or selling the information or otherwise providing the information to others for that purpose. However; in the event the board approves a collection , disclosure, or use of personal student information for one of those purposes,

the school system will (1) notify parents at the beginning of each school year of the specific or approximate dates of such collection , disclosure, or use, (2) allow parents to inspect any instrument used to collect the information before the instrument is administered or distributed to a student, and (3) offer the parent the opportunity to opt out of the collection, disclosure, or use of the student's personal information.

The preceding rules of the collection, disclosure, and use of personal student information do not apply if the school district collects, discloses, or uses such personal information from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

1. college or other postsecondary education recruitment or military recruitment;

2. book clubs, magazines, and programs providing access to low-cost literary products;

3. curriculum and instructional material used by elementary schools and secondary schools;

4. tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;

5. the sale by students of products or services to raise funds for school-related or education-related activities; and

6. student recognition programs.

E. OTHER RELEVANT POLICIES

In addition to this policy, the board, with parental and community input, has developed other policies concerning surveys and related matters as required by the Protection of Pupil Rights Amendment. These policies include: 1310/4002, Parental Involvement; 3210, ~~Parental~~ Inspection of and Objection to Instructional and Supplementary Materials; 4700, Student Records; and 5240, Advertising in the Schools.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, 34 C.F.R. pt. 99; Protection of Pupil Rights Amendment, 20 U.S.C. 1232h; G.S. 115C-36, -76.25(a)(11), -76.45(a)(3), -76.65, -402.15

Cross References: Parental Involvement (policy 1310/4002), Student and Parent Grievance Procedure (policy 1740/4010), ~~Parental~~ Inspection of and Objection to Instructional and Supplementary Materials (policy 3210), Student Discipline Records (policy 4345), Student Records (policy 4700), Advertising in the Schools (policy 5240)

Adopted: April 4, 2006

Revised: January 8, 2008; December 9, 2008; January 11, 2022; November 7, 2023; March 12, 2024

~~AUTOMATED EXTERNAL DEFIBRILLATOR~~ CARDIAC EMERGENCY RESPONSE

Policy Code: **5028/6130/7267**

A. CARDIAC EMERGENCY RESPONSE PLAN

The board is committed to providing a healthy and safe environment for its students, employees, and visitors. To that end, the superintendent is directed to develop a cardiac emergency response plan (CERP) ~~provide opportunities for assistance to~~ that addresses how school personnel will response if an individuals ~~who~~ experiences sudden cardiac arrest or a similar life-threatening emergency while on school property~~.~~.

At a minimum, the CERP will do all of the following:

1. establish a cardiac emergency response team;

2. describe how the response team will be activated in response to a cardiac emergency, including how automatic external defibrillators (AEDs) will be used in the school system;

3. identify the school staff who will receive annual training on cardiopulmonary resuscitation (CPR) and use of AEDs; at a minimum, school nurses and any staff with supervisory responsibility over students participating in physical activity shall complete this training;

4. plan annual practice drills for the response team; and

5. describe how local emergency service providers will be integrated into the plan.

The superintendent shall submit the CERP to the board annually for its review and approval, subject to any changes requested by the board.

B. AUTOMATED EXTERNAL DEFIBRILLATORS

In accordance with state law, the board authorizes the placement of ~~automatic external defibrillators~~ (AEDs) in designated locations in schools and other board-owned or operated facilities and at designated events to be accessed by trained personnel. There must be at least one AED located in each school building.

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

The superintendent, in consultation with medical professionals trained in ~~cardiopulmonary resuscitation (~~CPR~~)~~ and AED use, shall develop an AED program ~~procedures~~ to address access to AEDs, AED training and use, and maintenance of AEDs in the school system~~implement this policy~~. The ~~Procedures~~ program must comply with the requirements of state and federal law and State Board of Education policy and must include information regarding the following.~~:~~

1. Medical/healthcare provider oversight:

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

2. CPR and AED use training for anticipated responders:

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

3. Coordination with the emergency medical services (EMS) system:

   Appropriate local EMS officials must be notified of the location and most recent placement of AEDs within a reasonable period of time of placement.

4. Appropriate device maintenance and testing.

   The AED program coordinator or designee(s) shall inspect the school system's AEDs regularly, restock supplies, and arrange for any needed maintenance. The AED program coordinator shall periodically check for software updates and recalls.

5. Placement of AEDs.

   Appropriate AED placement will be determined from guidelines set by the American Heart Association or an organization focused on emergency cardiovascular care. At a minimum, the placement must (1) be identified with appropriate signage, (2) not require a key to access the AED or otherwise store the AED behind a lock, and (3) be such that an AED is able to be placed on a victim within three minutes.

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

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

C. IMMUNITY

The board and its employees expressly reserve all immunities from civil liability which are available to them under state or federal law, including governmental immunity and the statutory immunities set forth in ~~North Carolina General Statutes~~ G.S. 90-21.14, 90-21.15 ~~and~~ 115C-375.1, and 115C-375.6 and federal statute 42 U.S.C. 238q.

Legal References: G.S. 90-21.14, -21.15; 115C-375.1, -375.6; 42 U.S.C. 238q

Cross References: Student Health Services (policy 6120)

Other Resources: *N.C. Emergency Guidelines for Schools,* (NCDHHS 2009), available at https://digital.ncdcr.gov/Documents/Detail/n.c.-emergency-guidelines-for-schools/2601242 ~~http://www.nchealthyschools.org/rexources~~; Implementing an AED Program, (American Heart Association 2012), available at http://www.heart.org/idc/groups/heart-public/@wcm/@ecc/documents/downloadable/ucm_438703.pdf

Adopted: July 12, 2016

PURCHASING REQUIREMENTS FOR EQUIPMENT, MATERIALS, AND SUPPLIES

Policy Code: **6430/8730**

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

The chief finance officer will ensure that written specifications for desired products are descriptive, clear and incorporate the quality requirements and service needs of the school district. There is no minimum number of bids, proposals or quotes required for the purchase of apparatus, goods, supplies and equipment (whether formally or informally bid); however, the board encourages the chief finance officer to obtain at least two (2) bids, proposals or quotes when feasible.

Except as otherwise required by law or specified by the board, the board delegates to the superintendent the authority to award contracts for the purchase of equipment, material and supplies, involving amounts up to $50,000. Any purchases or contracts involving expenditures greater than this amount must be approved by the board. The chief finance officer and any additional staff deemed appropriate by the superintendent will review submissions of bids, proposals or quotes to determine if they are responsive to the district's specifications, and will make recommendations to the superintendent. The superintendent will award the contract based upon such recommendations or will make a recommendation to the board for award of the contract by the board.

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

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

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

bids. The board authorizes the use of newspaper advertisement, electronic advertisement or both for formal bids; however, the superintendent has the authority to determine which method will be used for a specific purchase or categories of purchases.

Awards will be made to the lowest responsible bidder(s) whose bid/proposal meets the requirements and criteria set forth by the school district, taking into consideration quality, performance and the time specified in the proposal for the performance of the contract. To be eligible for an award of a contract subject to G.S. 143-129, the contractor and its subcontractors, if any, must demonstrate compliance with all applicable provisions of G.S. Chapter 64, Article 2, including the responsibility to use E-Verify.

All contracts awarded must be in writing.

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

1. Competitive Sealed Bids

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

2. Reverse Auction

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

3. Exceptions to Formal Bids

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

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

The purchase of apparatus, supplies, materials or equipment for expenditures of $30,000 to $90,000 must be secured through the informal bidding process governed by G.S. 143-131. The superintendent, in consultation with the chief finance officer, is authorized to determine the best method for informally bidding a product. The chief finance officer will

oversee the use of any purchasing method and will ensure that all state requirements are met, including maintaining records of all bids submitted. Records of informal bids will not be available for public inspection until the contract has been awarded. Awards will be made to the lowest responsible bidder(s) whose bid or proposal meets the requirements and criteria set forth by the school district, taking into consideration quality, performance and the time specified in the proposal for the performance of the contract.

1. Competitive Sealed Bids

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

2. Quotations

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

3. Reverse Auction

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

4. Exceptions to Informal Bids

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

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

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

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

D. ELECTRONIC BIDDING

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

E. EXCEPTIONS TO THE FORMAL AND INFORMAL BIDDING REQUIREMENTS

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

1. Purchases from Other Governmental Agencies

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

2. Special Emergencies

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

3. Competitive Group Purchasing

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

4. State Term Contract

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

5. Sole Source Items

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

6. "Piggybacking" or Previously Bid Contracts

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

7. Purchases of Information Technology Goods and Services

In addition, the school district also may purchase information technology goods and services by using a request for proposal (RFP) pursuant to G.S. 143-129.8, provided that the following requirements are met: (1) notice of the request is provided consistent with the formal bidding notice requirements and (2) contracts are awarded to the person or entity that submits the best overall proposal as determined by the chief finance officer and superintendent. The RFP should describe the scope of work, general terms and conditions, specifications of the product needed by the school district, and the application process. The information technology supervisor will assist the chief finance officer in reviewing the responsiveness of any RFP submitted pursuant to this subsection. RFPs will be evaluated using the "best value" method as defined in G.S. 143-135.9(a) (1), so that the district can select the most appropriate technological solution to meet the school

district's objectives. However, in situations where the chief finance officer considers the purchase to be highly complex or is unable to clearly determine what the optimal solution for the school district is, the "solution-based solicitation" or "government-vendor partnership" method may be used. The chief finance officer may negotiate with the proposer to obtain a final contract that meets the best needs of the school district, as long as the alterations based on such negotiations do not deprive proposers/potential proposers of the opportunity to compete for the contract and do not result in the award of the contract to a different person or entity than it would have been if the alterations had been included in the RFP.

8. Gasoline, Fuel, and Oil Purchases

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

9. Used Products

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

10. Published Materials

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

F. LEASE PURCHASE CONTRACTS AND OTHER CONTRACTS FINANCED OVER TIME

Lease purchase contracts, contracts that include options to purchase, and leases for the life of equipment all must be bid consistent with the requirements of G.S. 149-129 and 149-131. The chief finance officer will ensure that such contracts meet the legal requirements and the provisions of board policy 8720, Contracts with the Board.

G. USE OF SCHOOL SYSTEM TERM CONTRACTS

The school district may create and use term contracts for items that are routinely purchased by the school district. If the estimated expenditure for a routine item under the term contract exceeds $90,000, the contract must be formally bid. If the estimated expenditure is between $30,000 and $90,000, the contract must be informally bid. The chief finance officer may incorporate the use of a term contract in the bidding specifications. If term contracts are used, the contracts will be created and/or reviewed by the board attorney, in

consultation with the chief finance officer.

~~**H. HISTORICALLY UNDERUTILIZED BUSINESSES**~~

~~The board affirms the state's commitment to encourage the participation of historically underutilized businesses in purchasing functions. The board will comply with all legal requirements and the standards in policy 8702, Participation by Historically Underutilized Businesses.~~

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

Cross References: ~~Participation by Historically Underutilized Businesses (policy 8702),~~ Organization of the Purchasing Function (policy 8710), Contracts with the Board (policy 8720),Federal Grant Administration (policy 8305)

Adopted: March 18, 2002

Revised: March 14, 2005; January 9, 2007; June 9, 2009; June 11, 2013; December 10, 2013; February 9, 2016; July 12, 2016; December 12, 2017; January 6, 2020

INSTRUCTIONAL MATERIALS SERVICES

Policy Code: **6525**

All students will be ~~issued the necessary textbooks~~ provided instructional materials, as defined by policy 3200, Selection of Instructional and Supplementary Materials, for their course work free of charge. In an effort to reduce educational costs and to promote individual responsibility for public property, the board establishes the following requirements for this service.

1. ~~Records will be kept on~~ ~~t~~The condition of all ~~textbooks~~ non-consumable instructional materials, ~~including the condition of the books at the time~~ will be recorded before they are issued to students.

2. Instructional personnel shall emphasize to students their responsibility to maintain instructional materials in good condition.

3. Students who lose ~~or fail to return issued textbooks~~ instructional materials shall be charged the cost of the ~~book~~ material before a replacement will be issued.

4. Students who return a ~~book~~ non-consumable material in such condition as to make it unusable for another student or who fail to return the material shall be charged for replacing it.

5. Parents or guardians will be notified of the student's responsibility in caring for ~~textbooks~~ instructional materials properly and of the parents' or guardians' responsibility for paying for any ~~textbooks~~ instructional materials that are lost or appreciably damaged.

Legal References: G.S. 115C-99, -100, -384(c), -398, -523

Cross References: Selection of Instructional and Supplementary Materials (policy 3200)

Adopted: October 9, 2000

Revised: August 11, 2009

RNC: 4/9/09

LICENSURE

Policy Code: **7130**

The board intends to fully comply 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.

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.

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

3. In extenuating circumstances when no other appropriately licensed professionals or persons who are eligible for a lateral entry 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. An emergency permit is not renewable.

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-15r7.1.

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

In accordance with G.S. 115C-298, an unlicensed faculty member of a higher education institution who meets the adjunct hiring criteria established by the State Board of Education may be employed as a temporary adjunct instructor for specific core academic subjects, fine and performing arts, and foreign language courses in grades kindergarten through twelve provided the individual first completes preservice training and meets all other statutory and State Board of Education requirements.

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

3. Interim Principals

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

4. Cherokee Language and Culture Instructors

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

5. Driver Education Instructors

An individual, not licensed in safety and driver education, is authorized to work as a driver education instructor if the individual meets the qualifications and continuing education requirements described in 16 N.C.A.C. 6E. 0302 ~~holds Certified Driver Training Instructor status according to minimum standards established by State Board of Education Policy DRIV-003~~.

6. Service Members and their Spouses Relocating to North Carolina

A service member or the spouse of a service member who is under military orders to relocate to North Carolina, is in possession of a current educator's license from another jurisdiction, and meets any other conditions established by 50 U.S.C. 4025a or State Board or Education Policy LICN-028 will be considered to hold a valid North Carolina educator's license until the military orders expire or June 30th of the year in which the military orders expire, whichever is later.

C. BEGINNING TEACHER SUPPORT PROGRAM

The superintendent or designee will 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 district will also participate in implementing a regionally-based annual peer review and support system.

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

D. LICENSE CONVERSION

The superintendent or designee shall designate a school official in the Beginning Teacher Support Program plan to be responsible for approving the acceptance of all continuing (Standard Professional 2) Licenses automatically converted from the initial (Standard Professional 1) license. The designated official shall reject an automatic conversion license and immediately notify DPI if (1) the teacher has not taught three years: or (2) the official has knowledge of any reason related to conduct or character to deny the individual teacher a continuing license.

Teachers must meet all requirements of the State Board of Education to do any of the following: convert a residency license to an initial professional license or a continuing professional license; move from an initial professional license to a continuing professional license; or move from a continuing professional license to a lifetime license.

E. LICENSE RENEWAL

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

The school district 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 will develop procedure to determine the appropriateness of any credit offered in advance of renewal activities.

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

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

F. REPORTING MISCONDUCT

Any administrator who knows, has reason to believe, or has actual notice of a complaint that a licensed employee has engaged in misconduct that (1) would justify automatic revocation of the employee's license pursuant to G.S. 115C-270.35(b), has resulted in a

criminal charge or indictment for any of the crimes listed in G.S. 115C-270.35(b), involved the infliction of physical injury against a child or student other than by accident or in self-defense, or involved any sexual contact with a child or student, and (2) resulted in dismissal, disciplinary action, or resignation shall report the misconduct in writing to the State Board of Education within five days of the dismissal, determination of disciplinary action, or acceptance of resignation. If the employee resigns within 30 days of a complaint for misconduct or during an ongoing investigation of a complaint, the alleged misconduct is presumed to have resulted in the resignation.

In addition, if a licensed employee is dismissed, is demoted, or resigns as the result of conduct that is not covered by the preceding paragraph but that may otherwise justify disciplinary sanctions against the employee's license under 16 N.C.A.C. 6C .0604, the superintendent or designee shall report the conduct in writing to the State Board of Education within 30 days of the dismissal, demotion, or resignation.

G. PARENTAL NOTIFICATION

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

The school 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.

H. EQUITABLE DISTRIBUTION OF HIGHLY QUALIFIED TEACHERS

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

Legal References: Elementary and Secondary Education Act 20 U.S.C. 6301 *et seq.;* 50 U.S.C. 4025a; 34 C.F.R. 200.55-57, 200.61; G.S. 115C art. 17E; 115C-157.1, -270.15, -270.20, -270.21, -270.35, 284, -295, -298.5, -325(e) (1) (m) (applicable to career status teachers), -325.4(a) (12) (applicable to non-career status teachers), -326.20 -333, -333.1, 16 N.C.A.C. 6C .0604, .0608; 16 N.C.A.C. 6E.0302; State Board of Education Policies CTED-004, DRIV-

003, ~~DRIV-004~~, EVAL-004, EVAL-023, LICN-001, -004, -005, LICN-021, LINC-018, LINC-014, LINC-028, NCAC-6C.0102. NCAC-6C.0307, TCED-016; *Beginning Teacher Support Program Handbook* NCDPI) available: https://sites.google.com/dpi.nc.gov/ncref/bt-support-program-resources

Cross References: Professional Personnel Contracts (policy 7415); Professional and Staff Development (policy 1610/7800)

Adopted: July 16, 2001

Revised: October 9, 2007; November 4, 2008; November 8, 2011; June 11, 2013; June 3, 2014; December 13, 2016; June 13, 2017; December 12, 2017; December 11, 2018; June 11, 2019; December 10, 2019; December 8, 2020; May 11, 2021; December 14, 2021; February 14, 2023; March 12, 2024; November 12, 2024; June 9, 2026

STAFF RESPONSIBILITIES

Policy Code: **7300**

For students to succeed, school employees must approach their responsibilities conscientiously, always remembering that the ultimate responsibility of the school district is to provide students with the opportunity to receive a sound basic education.

A. STAFF RESPONSIBILITIES GENERALLY

All school employees shall:

1. familiarize themselves with; comply with; support; and, when appropriate, enforce board policies, administrative procedures, school rules and applicable laws;

2. place the welfare of students as the first concern of the school district and attend to the safety and welfare of students, including the need to provide appropriate supervision of students;

3. properly use, take care of and protect school property, equipment and materials;

4. demonstrate integrity, respect and commitment to the truth through attitudes, behavior, dress, and communications with others;

5. regularly and promptly attend work;

6. carry out assigned responsibilities in a conscientious manner and maintain efficiency and knowledge of the developments in any relevant field(s) of work;

7. transact all official business with the properly designated officials in the school district and submit required reports promptly at the times specified;

8. work with other staff members to ensure the effective and efficient operation of the district's schools;

9. refrain from using school employment, contacts and privileges to promote partisan politics, personal or religious views or propaganda of any kind;

10. address or appropriately direct any complaints concerning school employees, the school program or school operations;

11. maintain just and courteous professional relationships with students, parents, staff members and others; and

12. support parents in effectively participating in their child's education and never encourage or coerce a child to withhold information from a parent. and;

13. support and encourage good school-community relations in all interactions with students, parents and members of the community, and establish cooperation between the community and the school district.

Failure by an employee to carry out responsibilities as described in this policy may lead to disciplinary action, up to and including dismissal.

B. DUTY TO REPORT

Employees shall notify the ~~human resources officer~~ Executive Director of Human Resources if they are arrested for, 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 shall be in writing, shall include all pertinent facts and shall be delivered to the ~~human resources officer~~ Executive Director of Human Resources no later than the next scheduled business day following the arrest, charge or conviction, unless the employee is hospitalized or incarcerated, in which case the employee shall report the alleged violation within 24 hours after his or her release. Upon judicial action in the matter, the employee must report the disposition and pertinent facts in writing to the ~~human resources officer~~ Executive Director of Human Resources no later than the next business day following adjudication. "Conviction" as used in this policy includes the entry in a court of law or military tribunal of: (1) a plea of guilty, *nolo contendere*, no contest, or the equivalent; (2) a verdict or finding of guilty; or (3) a prayer for judgment continued ("PJC"), a conditional discharge, or a deferred prosecution.

In addition, all driver education instructors must immediately report to the Executive Director of Human Resources ~~board~~ any conviction that results in three or more points, and any conviction that could cause suspension or revocation of the driver license in any state. The ~~board~~ superintendent or designee shall~~will~~ notify the Department of Public Instruction (DPI) within 30 days upon learning that ~~when~~ ~~an~~ driver education instructor ~~loses~~ has lost the ~~his or her~~ privilege to drive in North Carolina or any other state. The superintendent or designee shall ensure that all driver education instructors meet State Board of Education qualifications and continuing education requirements and report to DPI the status of each driver education instructor no later than July 1 of each year~~conduct annual checks or the driving records of all driver education instructors~~.

Failure by an employee to provide timely notice as described in this policy may lead to disciplinary action up, and including, dismissal.

Legal References: G.S. 114A-20; 115C-47, -307, -308; 16 N.C.A.C. 6E.0302; State Board of Education Policy~~ies~~ DRV-003, ~~DRIV-004~~

Cross References: Grievance Procedure for Employees (policy 1750/7220), Employee Dress and Appearance (policy 7340), Personnel Policies – Work Environment (7200 section policies), and Staff Responsibilities and Ethics (7300 section policies)

Adopted: May 11, 1992

Revised: July 16, 2001; November 4, 2008; December 11, 2018; November 7, 2023

SUBSTITUTE TEACHERS

Policy Code: **7430**

Teachers will notify the principal or his or her designee as soon as it is known that absence from school is necessary. It is the principal's or designee's responsibility to provide substitute teachers. The human resources officer shall make available to all school principals the names of the substitute teachers who have been approved by the board to serve as a substitute in the school district.

A. GENERAL EMPLOYMENT OF SUBSTITUTES

The school district shall employ the most competent substitute teachers available as deemed appropriate by the administration and in accordance with State Board policies. The board recognizes the importance of employing licensed teachers as substitutes and will give first priority to substitutes who hold ~~or have held~~ ~~any~~ teaching license, ~~and~~ ~~s~~Second priority will be given to those who previously held a teaching license that has expired and third priority to those who have completed Effective Teacher Training or comparable professional development courses. Teaching experience also will be considered.

A criminal history check will be conducted on applicants for substitute teaching positions in accordance with board policy 7100, Recruitment and Selection of Personnel, and administrative procedures.

B. TEACHER ASSISTANTS AS SUBSTITUTES

A teacher assistant may serve as a substitute teacher in the classroom(s) in which the assistant is regularly assigned and will be paid additional compensation according to state policies.

C. PARENTAL NOTIFICATION

In accordance with policy Involvement 1320/3560, Title I Parent and Family Engagement, school principals shall notify the parent of any child who receives instruction for four or more consecutive weeks from a substitute teacher who does not meet the certification and licensure standards for the grade level and subject area to which the substitute teacher has been assigned.

Legal References: Elementary and Secondary Education Act, 20 U.S.C. 6312(3) (1) (B) (ii); G.S. 115C-12, -36, -47, -332; 16 NCAC 6C.0313, 0403; *North Carolina Public Schools Benefits and Employment Policy Manual* (N.C. Dept. of Public Instruction, current version), available at https://www.dpi.nc.gov/districts-schools/districts-schools-support/district-human-capital/employee-policy

Cross References: Title I Parent and Family Engagement (policy 1320/3560), Recruitment and Selection of Personnel (policy 7100)

Adopted: May 11, 1992

Revised: July 16, 2001; November 4, 2008; June 11, 2013; December 13, 2016; June 13, 2017; November 5, 2019; May 11, 2021; October 2022

LEAVE

Policy Code: **7510**

The board of education believes that it is important for employees to have leave available to attend to personal, civic and professional matters as well as to meet family commitments. This need for leave is to be balanced with the need to provide an effective instructional program for students. No employee may be discharged, demoted or otherwise subjected to adverse employment action for taking leave in accordance with board policies and administrative procedures. However, failure of an employee to report to work at the expiration of a leave of absence shall be considered a resignation except in extraordinary circumstances or if an extension has been requested and granted.

The board grants to eligible employees the following types of leave: (1) holiday leave; (2) annual vacation leave; (3) sick leave; (4) personal leave; (5) educational/professional leave; (6) civil responsibility leave; (7) parental/child involvement leave; (8) compensatory leave; (9) workers' compensation leave; (10) military leave; and (11) other leave as allowed by state board policy. All requests for leave, with or without pay, must be addressed in accordance with state and federal law, as well as policies promulgated by the State Board of Education, including those specified in the most current edition of the *North Carolina Public Schools Benefits and Employment Policy Manual*, available at: https://www.dpi.nc.gov/districts-schools/districts-schools-support/district-human-capital/employee-policy.

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

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

A. MINIMUM LEAVE TIME

An employee, who does not require a substitute, may take any type of leave in increments of hours unless otherwise specified in this policy. Those who require a substitute will be required to take leave in half or whole days.

B. CONTINUOUS LEAVE OF MORE THAN 10 DAYS

An employee must comply with the notice and verification requirements as provided in policy 7520, Family and Medical Leave, for continuous leave of more than 10 days if: (1) the leave also is eligible for leave under the Family and Medical Leave Act (FMLA),

defined in policy 7520; and (2) the leave is designated as FMLA-eligible at the time it is taken or as soon as is feasible thereafter. See policy 7520, Family and Medical Leave.

C. SICK LEAVE

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

~~D. PAID PARENTAL LEAVE~~

~~An employee shall provide his or her supervisor and the assistant superintendent of human resources with 10 weeks' advance written notice of the intent to take paid parental leave when it is reasonably possible to do so. If 10 weeks' advanced written notice is not reasonably possible, the employee must provide as much notice as is reasonable under the circumstances.~~

D. PERSONAL LEAVE

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

E. VACATION LEAVE

Vacation may be taken only upon the authorization of the employee's immediate supervisor and in accordance with legal requirements and procedures established by the superintendent. To promote the efficient operation of the schools, the superintendent may designate certain periods during the non-academic year as preferred vacation periods for 12-month employees.

F. CIVIL RESPONSIBILITY LEAVE

No deduction shall be made from the salary of an employee who is absent from work to serve on a jury, to attend court in connection with his or her official duties, or to attend court under a subpoena or court order. The employee is entitled to keep any fees provided for jury duty, but may not receive witness fees in addition to regular salary. Attendance in court as plaintiffs or defendants for personal matters does not entitle the employee to civil responsibility leave.

G. PROFESSIONAL LEAVE

The board believes that there is a great value to the individual and to the school system for personnel to participate in appropriate professional meetings, conferences and similar

activities. To this end, teachers are allowed up to ten days of leave each year for professional purposes. The superintendent or designee will approve in advance absences for professional purposes that require expenditure of school district funds or that are in excess of one-half day absences. The employee's immediate supervisor shall approve other professional leave.

H. EXCHANGE TEACHING

Upon recommendation of the superintendent, the board may grant to career teachers a leave of absence of not more than two (2) semesters for exchange teaching. While engaged in an exchange of teaching service, the career teacher will be paid the same salary as he/she would have received in his or her regular assignment. The career teacher must agree to return to the service of the board for a period of at least one year following the period of exchange. Upon return to service, the career teacher will be assigned to the same duties or those of a similar nature as were performed prior to the beginning of the leave.

I. RELIGIOUS LEAVE

An employee may be allowed to be absent from school with pay to observe his/her bona fide religious holiday for a maximum of two days within any one school year, provided the employee works on another day for the amount of time for which the absence has been excused and that such requested leave days are not already scheduled as vacation days or holidays in the school calendar. The employee and his or her principal or immediate supervisor will agree upon the make-up date for religious leave.

J. COMMUNITY RESPONSIBILITY LEAVE

Upon approval of the supervisor, full or part-time employees may be granted leave to represent the school or administrative unit at community functions, such as the funeral of a school child or his or her parent. Employees absent for these reasons shall retain full salary during the time absent.

K. COMPENSATORY LEAVE

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

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

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

L. LEAVE TO TEACH AT A CHARTER, REGIONAL, OR LAB SCHOOL

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

M. DISCRETIONARY LEAVE OF ABSENCE WITHOUT PAY

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

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

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

N. OTHER LEAVE

Other types of leave, such as leave for observance of a bona fide religious holiday, professional leave, community responsibility leave, leave for jury duty or court attendance, elected officials leave, parental involvement in schools leave, ~~parental leave without pay~~ paid parental leave (see policy 7525, Paid Parental Leave), and military leave (see policy 7530, Military Leave), will be granted in accordance with the requirements of law and State Board of Education policy.

Legal References: G.S. 95-28.3; 115C-12, -36, -47, -84.2, -218.90(a)(3), -238.68(3), -285, -302.1, -316, -336, -336.1; 116-239.10(4); 126A-15(be19), -718.6; 143B-1033; 16 NCAC 6C.0402, 0404,~~401~~ - .0405; .0408,.0409; State Board of Education Policy BENF-001, *North Carolina Public Schools Benefits and Employment Policy Manual (N.C. Dept. of Public Schools*

Benefits and Employment Policy Manual (N.C. Dept. of Public Instruction, current version), available at https://www.dpi.nc.gov/districts-schools/districts-schools-support/district-human-capital/employee-policy

Cross References: Workday and Overtime (policy 7500), Compliance with State Board of Education Employment Policies (policy 7505), Family and Medical Leave (policy 7520), Paid Parental Leave (policy 7525), Military Leave (policy 7530), Voluntary Shared Leave (policy 7540), Absences Due to Inclement Weather (policy 7550)

Adopted: May 11, 1992

Revised: July 16, 2001; January 12, 2004; April 8, 2008; December 8, 2009; December 7, 2010; September 27, 2012; December 11, 2012; December 10, 2013; June 13, 2017; December 12, 2017; June 9, 2020; December 2020; June 8 2021; December 14, 2021; November 1, 2022; January 9, 2024

PAID PARENTAL LEAVE

Policy Code: 7525

Paid parental leave is designed to promote families' physical and mental health, increase employee retention, and improve employee productivity and morale. In accordance with G.S. 126A-71, the board has established the following policy governing paid parental leave. The information in this policy is intended to reflect the paid parental leave requirements of state law, State Human Resources Commission policy, and State Board of Education policy. In the event that changes to the law, State Human Resources Commission policy, or State Board of Education policy conflict with this policy, the board intends that its paid parental leave practices be modified to the extent necessary to comply with current legal requirements until such time as conforming changes to this policy are made.

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

A. DEFINITIONS

1. Eligible Employee

An eligible employee is an employee who, at the time of a qualifying event, miscarriage, or stillbirth, has been in pay status for at least 1,040 hours without a break in service in the previous 12-month period in a permanent, time-limited, or probationary position with any of these employers: (1) the state of North Carolina agencies, departments, and institutions, including the University of North Carolina; (2) public school units that provide paid parental leave; or (3) North Carolina community college institutions. Employment with any of the listed employers will be combined to determine an employee's pay status during the prior 12-month period.

Temporary employees and independent contractors are not eligible employees.

Periods of leave without pay do not constitute a break in service. For a 10-month or 11-month employee whose employment will continue for the following school year, the time between the conclusion of one employment period and the commencement of the following employment period does not constitute a break in service. For an employee who transitions from one employer providing paid parental leave to another employer providing paid parental leave, the time between the separation from the first employer to the date of hire for the second employer does not constitute a break in service as long as the transition period does not exceed 31 days. Any period in which the employee was absent due to military service in the Armed Forces of the United States does not constitute a break in service.

Periods of worker's compensation or short-term disability in the 12 months preceding the qualifying event do not make the employee ineligible for paid parental leave.

2. Parent

   A parent is the legal guardian or custodian of a child through birth, adoption, foster care, or other legal placement.

3. Child

   A child is a newborn biological child or a newly placed adopted, foster, or otherwise legally placed child under the age of 18, whose parent is an eligible employee.

4. Qualifying Event

   A qualifying event is when an employee becomes a parent to a child.

B. ENTITLEMENT TO LEAVE

Paid parental leave will be provided as follows.

1. Leave After Qualifying Event

   Eligible employees may take up to 12 weeks of paid parental leave after a qualifying event.

2. Leave After Miscarriage or Stillbirth

   Eligible employees who were pregnant who then experienced a miscarriage or stillbirth after the 12th completed week of pregnancy may take up to four weeks of paid parental leave for recuperation. Paid parental leave is not provided for miscarriages occurring within the first 12 weeks of pregnancy.

3. Leave After Birth and Placement of Child

   Eligible employees who gave birth to a child and gave that child up for adoption, placed the child in foster care, or otherwise placed the child with another person to serve as the child's parent may take up to four weeks of paid parental leave for recuperation.

4. Leave After Death of Newborn

   When a child dies after childbirth is completed, each parent of the child who otherwise meets the eligibility requirements in this policy may take up to a full 12 weeks of paid parental leave.

5. Cancellation of Adoption or Placement

When an eligible employee who is a prospective adoptive parent or foster parent expects an adoption or placement but it does not occur, the employee does not receive leave under this policy.

6. Both Parents as Eligible Employees

   If both parents are eligible employees, each may receive paid parental leave for up to 12 weeks.

7. Compensation for Leave

   Paid parental leave will be compensated at 100% of the employee's regular, straight-time pay. Leave for part-time employees will be prorated from the amount of paid parental leave, as described above, corresponding to the percentage of hours they normally are scheduled to work.

C. USE OF LEAVE

Paid parental leave may be used in accordance with the following requirements.

1. Whenever possible, eligible employees shall provide at least 10 weeks of advanced written notice of their intention to use paid parental leave.

2. Paid parental leave may be used at any time during the 12 months following the birth or placement of a child with the eligible employee. If both parents are receiving paid parental leave, they may take their leave simultaneously or at different times.

3. Paid parental leave may be used for a qualifying event only once within a 12-month period. The fact that a multiple birth, adoption, or other legal placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the total amount of paid parental leave granted for that event.

4. Unused paid parental leave is forfeited 12 months from the date of the qualifying event. Paid parental leave does not accrue and may not be donated to other employees. Paid parental leave will not be used for calculating an employee's retirement benefits and will not be paid upon separation from employment.

5. Paid parental leave usage will be recorded in increments of half days and must be reported separately from all other paid leave. Employees and supervisors are responsible for accurate reporting of the use of paid parental leave on the employee's time record.

6. Paid parental leave may be taken either continuously or on an intermittent basis as requested by the employee. Except as agreed to by the employee, the school system shall not deny, delay, or require intermittent use of paid parental leave to an eligible

employee.

D. RELATIONSHIP TO OTHER TYPES OF LEAVE

1. Accrued Paid Leave

Paid parental leave is neither counted against nor deducted from the eligible employee's other accrued leave balances.

If an eligible employee requires leave before the actual birth or adoption due to medical reasons or to fulfill legal adoption obligations, other available leave balances must be utilized, as paid parental leave may not be used prior to the qualifying event.

2. Family and Medical Leave Act (FMLA)

Paid parental leave shall run concurrently with any leave to which the employee is entitled under the FMLA. The school system shall provide the employee with all legally required FMLA notices. See policy 7520, Family and Medical Leave.

An eligible employee will be provided paid parental leave even if the employee has exhausted FMLA leave.

E. CERTIFICATION OF ELIGIBILITY

Eligible employees must certify that they qualify for paid parental leave. As applicable, employees shall submit documentation of the birth, miscarriage or stillbirth, or placement of a child in order to be granted paid parental leave. Documents provided must show the date of birth, miscarriage in the 13th week of pregnancy or later, stillbirth, or date of placement, if placement was a date other than the date of birth. The name of the legal parent must appear on some legal document establishing the birth or placement, such as the birth certificate, a legal document establishing paternity, or a legal document establishing adoption, foster care placement, or custody.

Legal References: G.S. 126A-15.1(b)(1), -71; 16 N.C.A.C. 6C .0408; 25 N.C.A.C. 1E section .1900; State Board of Education Policy BENF-001, *North Carolina Public Schools Benefits and Employment Policy Manual* (N.C. Dept. of Public Instruction, current version), available at https://www.dpi.nc.gov/districts-schools/districts-schools-support/district-human-capital/employee-policy; State Human Resources Commission, *Paid Parental Leave Policy* (N.C. Office of State Human Resources, current version), available at https://oshr.nc.gov/hr-governance/policies/paid-parental-leave-policy

Cross References: Leave (policy 7510), Family and Medical Leave (policy 7520)

Adopted:

EVALUATION OF LICENSED EMPLOYEES

Policy Code: **7810**

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

The board places a high priority on securing the most competent personnel available and, once they are employed, ~~in~~ assisting them in their professional growth and development throughout their careers. Quality teaching is of critical importance to a sound educational program. The thorough and regular evaluation of teaching, supervisory and administrative performance is crucial to improving the total education process. An effective evaluation system also provides information to management and leadership personnel to assist them in making personnel decisions. Further, performance evaluation data is an important factor for consideration in decisions regarding continued employment. The superintendent must be able to substantiate any recommendation for continued employment with evaluation data, among other factors.

A. COMPLIANCE WITH STATE REQUIREMENTS

The superintendent is directed to develop and implement an effective evaluation system for licensed personnel that are consistent with State Board of Education (SBE) policies. School administrators who are responsible for conducting evaluations shall comply with all state requirements in regard to the type and frequency of evaluation, including as applicable, the processes for evaluating licensed employees in schools designated as low performing. School administrators may supplement the SBE evaluation processes by requiring additional observations or other evaluation measures.

All licensed personnel must be evaluated at least annually using state-approved evaluation instruments in conformance with any processes established by the ~~State Board~~ (SBE) in the North Carolina Educator Evaluation System for that class of personnel. The school principal, or an assistant principal in the limited circumstances authorized by law, shall evaluate teachers and may incorporate any guidelines or strategies developed by the ~~State Board~~ (SBE) to assist in the evaluations. The superintendent or designee shall evaluate principals and assistant principals. The annual evaluation of principals and assistant principals must include a mid-year review.

~~Teachers with fewer than three consecutive years of experience shall be evaluated annually in accordance with the comprehensive evaluation cycle established in State Board Policy TCP-C-004. For teachers with three or more years of experience, the abbreviated evaluation process established in State Board Policy TCP-C-004 satisfies the annual evaluation requirement; however, a teacher receiving an abbreviated evaluation may request that the evaluator conduct a formal observation. In addition, in any given year, the principal may elect to use the comprehensive or standard evaluation processes set forth in the State Board Policy TCP-C-004 or require additional formal or informal~~

~~observations to evaluate a teacher with three or more years of experience. The principal also may supplement the State Board evaluation processes for other categories of licensed personnel by requiring additional observations or other evaluation measures. The annual evaluation of principals and assistant principals must include a mid-year review.~~

B. EVALUATION SYSTEM STANDARDS

The evaluation system must incorporate the following directives.

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

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

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

4. Educators employed by the board for fewer than three consecutive years will be evaluated annually in accordance with the comprehensive evaluation cycle established in SBE Policy EVAL-004. For educators employed by the board for three or more consecutive years, the abbreviated evaluation process established in SBE Policy EVAL-004 satisfies the annual evaluation requirement; however, an educator receiving an abbreviated evaluation may request that the evaluator conduct formal observations in lieu of informal observations. In addition, in any given year, the principal may elect to use the comprehensive or standard evaluation processes set forth in SBE Policy EVAL-004 or require additional formal or informal observations to evaluate an educator who has been employed by the board for three or more consecutive years. For purposes of this policy, the term "educator" refers to teachers, teacher leadership specialists, career development coordinators, instructional technology facilitators, school counselors, school library media coordinators, school psychologists, and school social workers.

5. Peer observations of ~~teachers~~ educators with fewer than three consecutive years of ~~experience~~ employment by the board must be conducted as required by law and SBE policy using the evaluation instrument and process established by the ~~State Board~~ SBE and must be considered by the school administrator in evaluating ~~teacher~~ educator performance.

6. As required by law, all initially licensed and lateral entry teachers shall work cooperatively with their assigned mentors to promote growth and meet the performance board licensure requirements. All mentors shall follow local procedures in completing this cooperative relationship.

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

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

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

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

11. Evaluation data may be used in making employment decisions, including decisions related to contract renewal (see policy 7410, Teacher Contracts, policy 7425, School Administrator Contracts, and policy 7950, Non-Career Status Teachers: Nonrenewal), professional and staff development (see policy 1610/7800, Professional and Staff Development), suspension, demotion, or dismissal (see policy 7930, Professional Employees: Demotion and Dismissal, and reduction in force (see policy 7920), Reduction in Force: Teachers and School Administrators). Employment decisions may be made by the board and administrators regardless of whether evaluators have followed the evaluation system so long as there is a legally sufficient basis for the decisions.

12. If an evaluation is less than satisfactory, an action plan shall be developed, pursuant to policy 7811, Required Action Plans for Certain Licensed Employees. In addition, principals and supervisors are expected to exert appropriate effort to assist employees in the remediation of deficiencies disclosed by observations and evaluations, and to encourage teachers to develop their performance to an optimum degree.

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

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

Legal References: G.S. 115C-47(18), -286.1, -325, -333, -333.1; State Board of Education Policies EVAL-004 through -006, EVAL-021, EVAL-022, EVAL-025 through -033 ~~TCP-C-004, -005, -006, -002~~

Cross References: Professional and Staff Development (policy 1610/7800), Teachers Contracts (policy 7410, School Administrator Contracts (policy 7425), Plans for Growth and Improvement of Licensed Employees (policy 7811), Personnel Files (policy 7820), Reduction in Force: Teachers and School Administrators (policy 7920) Professional Employees Non-Career Status Teachers: Nonrenewal (policy 7950)

Adopted: May 11, 1992

Revised: July 16, 2001; January 9, 2007; December 8, 2009; December 7, 2010; November 8, 2011; June 11, 2013; December 10, 2013; June 2, 2015; July 12, 2016; December 12, 2017; November 1, 2022

PLANS FOR GROWTH AND IMPROVEMENT OF LICENSED EMPLOYEES

Policy Code: **7811**

Lee County Schools expects all professionally licensed employees to maintain high levels of performance. If an employee does not meet this standard, the superintendent and administrative staff shall address any identified performance or other deficiencies through appropriate means, including by placing the employee on an action plan when required by state law, state Board of Education (SBE) policy or local policy or when otherwise deemed necessary.

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

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

A. DEFINITIONS

1. As used in this policy, "~~teacher~~educator" refers to teachers, teacher leadership specialists, career development coordinators, instructional technology facilitators, school counselors, school library media coordinators, school psychologists, and school social workers ~~means an individual defined as a teacher in G.S. 115C-325(a) (6) (for career status teachers) or G.S. 115C-325.1(6) (for non-career status teachers).~~

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

3. "The North Carolina Educator Evaluation System" refers to the professional standards, processes, and rubrics approved by the SBE for each educator role in North Carolina public schools.

B. INDIVIDUAL, MONITORED, AND DIRECTED GROWTH PLANS FOR EDUCATORS

1. Use of Growth Plans for ~~Teachers~~ Educators

   a. ~~Teachers~~ Educators

~~Teachers~~ Educators who receive an overall rating of at least "proficient" on all standards on the North Carolina Educator Evaluation System ~~Teacher Evaluation~~ Rubric as indicated on the ~~Teacher~~ Summary Rating Form shall develop an individual growth plan designed to improve performance on specifically identified standards and elements.

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

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

b. School Administrators

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

The superintendent may move to dismiss or demote a licensed employee whether or not the employee has been first placed on a growth or other improvement plan. See policy 7930, Professional Employees: Demotion and Dismissal.

2. Components of Growth Plans for Educators

Individual growth plans may contain, but are not limited to, any of the

components listed below. However, monitored or directed growth plans must include at least the following components.

a. Identification of Performance Deficiencies

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

b. Performance Expectations and Goals

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

c. Strategies

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

d. Dates for Monitoring and Completion

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

3. Review of Growth Plans

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

In the case of an educator's ~~teacher's~~ monitored or directed growth plan, once the designated time period for completion of a plan has elapsed, the principal or supervisor shall review the ~~teacher's~~ educator's performance, including the results of any subsequent evaluation and determine whether the ~~teacher~~ educator continues to perform below the expected level in any area or whether the ~~teacher's~~ educator's performance has improved sufficiently. If the ~~teacher's~~ educator's performance remains below proficient, the principal or supervisor shall recommend to the superintendent one of the following:

a. the board non-renew, dismiss, ~~the teacher~~ or demote the educator, or transfer the ~~teacher~~ educator to a position in which the teacher can be successful;

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

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

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

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

C. MANDATORY IMPROVEMENT PLANS

1. Initiating a Mandatory Improvement Plan

a. Licensed Employees in Low-Performing Schools

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

b. ~~Teachers~~ Educators in Schools Not Identified as Low-Performing

If, in an observation report or year-end evaluation, an ~~teacher~~ educator in a school not identified as low-performing receives a rating that is below proficient or otherwise represents unsatisfactory or below standard performance on any standard that the ~~teacher~~ educator was expected to

demonstrate, the principal may place the employee on a mandatory improvement plan. The mandatory improvement plan will be utilized only if the superintendent or designee determines that an individual, monitored or directed growth plan would not satisfactorily address the deficiencies.

c. Any Licensed Employees Engaging in Inappropriate Conduct or Performance

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

2. Components of the Plan

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

a. Identification of Performance Deficiencies

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

b. Performance Expectations

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

c. Strategies

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

d. Dates for Monitoring and Completion

The plan must include dates upon which the employee's progress under the plan will be reviewed and the date by which performance is to be improved to the expected level.

3. Development and Implementation of the Plan

a. Licensed Employees in Low-Performing Schools

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

b. ~~Teachers~~ Educators in Schools Not Identified As Low-Performing

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

An ~~teacher~~ educator has five workdays after finalization of the mandatory improvement plan within which to submit a request to the principal for a qualified observer, as defined in G.S. 115C-333.1(c)(1), to observe the ~~teacher~~ educator in the area or areas of concern identified in the plan. In accordance with G.S. 115C-333.1(c) (2), the board will create and maintain a list of qualified observers who are employed by the board and available to conduct observations. The board will strive to limit the list to administrators and ~~teachers~~ educators who have excellent reputations for competence and fairness. Selection of the qualified observer and submission of the qualified observer's report to the principal will be in accordance with G.S. 115C-333.1(c) (3).

4. Reassessment

a. Licensed Employees in Low-Performing Schools

After the expiration of the time period for the mandatory improvement plan, the superintendent or designee or the assistance team shall assess the employee's performance. If the assessor determines that the employee has

failed to become proficient in any of the performance standards articulated in the mandatory improvement plan or to demonstrate sufficient improvement toward such standards, the superintendent shall recommend that the employee be dismissed or demoted under applicable state law.

b. ~~Teachers~~ Educators in Schools Not Identified As Low-Performing

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

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

Cross References: Professional and Staff Development (policy 1610/7800), Evaluation of Licensed Employees (policy 7810), Professional Employees: Demotion and Dismissal (policy 7930)

Adopted: January 13, 1999

Revised: July 16, 2001; December 8, 2009; April 5, 2011; November 8, 2011; June 3, 2014; June 13, 2017

SECURITY OF FACILITIES

Policy Code: **9220**

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

1. The school district shall must use a security control system that will limit access to keys or other building entry devices to authorized personnel and will safeguard against unauthorized individuals gaining entry to buildings.
2. The superintendent shall determine the need for and responsibilities of security personnel and shall make recommendations as appropriate to the board for funding security personnel positions or contracts.
3. As described in policy 1510/4200/7270, School Safety, the superintendent must provide the Department of Public Safety's Division of Emergency Management (Division) and local law enforcement with (1) schematic diagrams of all school facilities, (2) updates of the schematic diagrams when the school system makes substantial facility modifications, and (3) access to school mapping data developed pursuant to G.S. 143B-1209.103. The superintendent also must provide the Division with emergency response information it requests for the school risk management plan and updated emergency response information when such updates are made. ~~The superintendent must also provide the Division and local law enforcement with schematic diagrams including digital schematic diagrams of all school facilities them updates of the schematic diagrams when the school system makes substantial facility modifications, such as the addition of new facilities or modifications to doors or windows. 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 must 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.
4. The superintendent and principals shall ensure that all records and funds are kept in a safe, secure place.
5. Principals shall make reasonable efforts to secure buildings and other valuable property on school grounds when the school is closed or vacated.
6. Teachers shall make reasonable efforts to secure their assigned classrooms or other designated space when the school is closed or vacated or when the classroom or other designated space is not in use.
7. Principals are encouraged to involve teachers, other school staff, parents, students and law enforcement in identifying the security needs of the school.
8. Principals shall implement programs or make recommendations to the superintendent and board as appropriate to address the security needs of the school.

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

Legal References: G.S. 115C-105.53, -105.54, 276(c), -288(f), -307(h), -523, -524; 143B-1209.103

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

Adopted: May 11, 1992

Revised: December 10, 2001; June 3, 2014; December 9, 2014; February 9, 2016

PROHIBITION AGAINST RETALIATION

Policy Code: **1760/7280**

Board members and employees are expected to be honest and ethical in the performance of their duties and to comply with applicable federal, state, and local laws, policies, and regulations. Employees have a duty to report evidence of the following types of wrongdoing as described in G.S. 126A-140: a violation of state or federal law, rule, or regulation; fraud; misappropriation of state resources; substantial and specific danger to the public health and safety; or gross mismanagement, a gross waste of monies, or a gross abuse of authority. Employees also have a duty to report violations of board policy or administrative regulations. ~~The board encourages employees to report possible financial improprieties, ethical violations, and other illegal practices and intends that e~~Employees who report such matters in good faith will not be subject to retaliation or other adverse employment consequences.

A. REPORTING WRONGDOING

If an employee reasonably believes that ~~(1) there has been a violation of federal, state, or local law, policy, or regulation, public policy, or an individual's ethical duties and (2) the violation is due to a practice, policy, act, or omission of the board of education, an individual board member, a school system employee, or an entity/person with whom the school system has a business relationship,~~ wrongdoing, as described in G.S. 126A-140, or a violation of board policy or administrative regulation has occurred, the employee should report ~~that matter~~ in accordance with ~~policy 1750/7220, Grievance Procedure for Employees, unless a policy with a more specific reporting or complaint procedure applies. Any complaint alleging a violation by the superintendent or the board should be filed with the board chair for investigation. The board chair will report the complaint to the board, and the board will authorize a prompt and thorough investigation or other action as necessary.~~ the guidelines below. Employees who report in accordance with this policy must be acting in good faith based on a reasonable belief that the report is accurate. Such employees will be protected by this policy even if the good faith allegations prove to be mistaken. The board reserves the right to discipline employees who know or have reason to believe that their report is inaccurate.

1. If the suspected wrongdoing is subject to a policy with a specific reporting or complaint procedure, the employee shall report the wrongdoing in accordance with that policy (see policies 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law; 1725/4035/7236, Title IX Sexual Harassment – Prohibited Conduct and Reporting Process; 1726/4036/7237, Title IX Sexual Harassment Grievance Process; and 1735/4329/7311, Bullying and Harassing Behavior Prohibited).

2. In the absence of a policy with a specific reporting or complaint procedure, the employee shall report the suspected wrongdoing to (a) the employee's own supervisor; (b) the supervisor of the employee suspected of wrongdoing; (c) the school system employee overseeing the contract of any entity suspected of

wrongdoing; or (d) the assistant superintendent of human resources.

3. Any report of suspected wrongdoing by the superintendent, the board, or an individual board member or any complaint that a board policy or administrative regulation violates state or federal law, rule, or regulation should be filed with the board chair for investigation. The board chair will report the matter to the board, and the board will authorize a prompt and thorough investigation or other action as necessary. Complaints regarding the board chair may be filed with the board attorney.

B. RETALIATION PROHIBITED

The board prohibits and will not tolerate any form of reprisal, retaliation or discrimination against any employee. ~~who~~ Employees shall not retaliate against another employee because (1) the employee, or a person acting on behalf of the employee, reports or is about to report, verbally or in writing, wrongdoing described in G.S. 126A-140 or a violation of board policy or administrative regulation; or (2) has refused to carry out a directive which may constitute a violation of federal, state or local law, policy, or regulation or poses a substantial or specific danger to public health and safety. Additionally, a supervisor or an employee exercising supervisory authority shall not discharge, threaten, or otherwise discriminate against an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment because (1) the employee, or a person acting on behalf of the employee, in good faith, reports or is about to ~~has made or intends to make a~~ report ~~of~~ wrongdoing described in ~~this policy~~ G.S. 126A-140 or a violation of board policy or administrative regulation; or (2) the employee has refused to carry out a directive ~~which may~~ that constitutes a violation of federal, state or local law, rule, policy, or regulation, or poses a substantial ~~or~~ and specific danger to public health and safety.

~~To be protected by this policy, employees who report violations or suspected violations must be acting in good faith based on a reasonable belief that the reported information represents wrongdoing of the sort described in this policy. The protection extends to those whose allegations are made in good faith but prove to be mistaken. The board reserves the right to discipline employees who know or have reason to believe that the report is inaccurate. Further, except as otherwise required by law,~~

~~The provisions of this policy apply only to those situations in which an employee brings the alleged wrongdoing to the attention of school officials or the board and provides school officials or the board with a reasonable opportunity to investigate and correct the alleged wrongdoing.~~ If necessary, the school officials or the board may specify reasonable steps to protect the ~~complaining~~ reporting employee from retaliation.

Each employee will receive a copy of this policy and will sign a statement verifying his or her receipt and understanding of this policy.

Legal References: Sarbanes-Oxley Act, 18 U.S.C. 1513(e); 41 U.S.C. 4712;G.S. 115C-335.5; 126A-15.1(e5b)(1); 126A art.14, 84, 85, 86, 87, 88

Cross Reference: Discrimination and Harassment Prohibited by Federal Law (policy 1710/4020/7230), Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231), Grievance Procedure for Employees (policy 1750/7220), Code of Ethics for School Board members (policy 2120), Board Member Conflict of Interest (policy 2121), Ethics and the Purchasing Function (policy 6401/9100), Staff Responsibilities (policy 7300), Employee Conflict of Interest (policy 7730)

Issued: February 13, 2006

Revised: November 4, 2008; June 8, 2010, July 12, 2016; December 8, 2020; November 12, 2024

PUBLIC RECORDS – RETENTION, RELEASE, AND DISPOSITION

Policy Code: **5070/7350**

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

A. PUBLIC RECORD DEFINED

Any record, in any form, that is made or received by the board or its employees in connection with the transaction of public business is a public record that must be made available to the public, unless such record is protected from disclosure by federal or state law or is otherwise exempted from the public records law, G.S. 132-1 through 132-9. (See policy 5071/7351, Electronically Stored Information Retention, for specific information regarding public records in electronic form.)

B. PUBLIC RECORD EXEMPTIONS

1. School Safety Information

Though the school improvement plan is a public record, the school safety components of the plan are not public records subject to public records law. School risk management plans adopted in accordance with G.S. 115C-47(40), schematic diagrams, as described in G.S. 115C-105.53 and -105.54, emergency response information, as described in G.S. 115C-47(40) and -105.54, and school mapping data, as described in G.S. 143B-1209.103 and G.S. 115C-105.53 and -105.54, are also not considered public records subject to public records law.

2. Student Records

The official records of students are not public records subject to inspection and examination. (For further information regarding the release of information about students, see policy 4700, Student Records.) Further, any written material containing the identifiable scores of individual students on any test taken pursuant to the state testing program described in Chapter 115C, Article 10A of the North Carolina General Statutes is not a public record.

3. Unreleased Tests

Any test that is developed, adopted, or provided as part of the state testing program is not a public record until the State Board of Education designates that the test is released.

4. Anonymous Safety Tip Line Information

All data and information acquired and stored by the anonymous safety tip line application are not considered public records and will not be subject to inspection and examination.

5. Volunteer Information

Any information collected by the school system regarding volunteers, former volunteers, and individuals applying to be volunteers that relates to the individual's application, selection or nonselection, performance, disciplinary action, or termination are not public records and will be open for inspection only as permitted under G.S. 115C-209.1.

6. Applicant Criminal History

All the information received by the board when checking the criminal history of an applicant for employment is privileged information and is not a public record.

7. Personnel Information

Any report received from the Teachers' and State Employees' Retirement System pursuant to G.S. 135-8(f)(2)(f) is not a public record and will be treated as confidential.

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

a. Name.

b. Age.

c. The date of original employment or appointment.

d. The terms of any past or current contract by which the employee is employed, whether written or oral, to the extent that the board has the written contract or a record of the oral contract in its possession.

e. Current position.

f. Title.

g. Current total compensation from all funding sources, including at least salary(including pay, benefits, incentives, supplements, bonuses, deferred compensation, and all other forms of compensation paid to the employee) and reimbursements and allowances (including travel-related reimbursements and allowances).

h. The date and amount of each increase or decrease in total compensation with the board.

i. The date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with the board.

j. The date and general description of the reasons for each promotion with the board.

k. The date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the board. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the board setting forth the specific acts or omissions that are the basis of the dismissal.

l. The office or station to which the employee is currently assigned.

The name of a participant in the North Carolina Address Confidentiality Program is not a public record and must be redacted from any records released. As necessary, school personnel may combine public and confidential records to meet the business needs of the system. However, if a record contains confidential information as well as public information, school officials must provide the requested public record with the confidential information removed or redacted.

C. DESIGNATION OF RECORDS OFFICER

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

1. Duties of the Records Officer

The duties of the records officer include the following:

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

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

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

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

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

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

2. Other Duties

A designated electronic records officer or other employee(s) as determined by the superintendent shall review all electronic data-processing systems created by the school system or being considered for acquisition through lease, purchase, or other means, to ensure they are designed and maintained in a manner that:

a. will not impede the school system's ability to permit public inspection and examination of public records; and

b. provides a means of obtaining copies of such records.

D. Requests for Public Records

All requests for examining or obtaining copies of public records should be in writing or recorded by school system personnel. This policy, administrative guidelines, information on the actual cost of producing public records, information on how to reach the records officer, information about how to appeal a denial of a public records request, and information regarding any computer database indexes must be made available to individuals requesting public records.

Any information not previously or currently in public record form (i.e. meeting the definition of a public record) will require a majority approval vote by the Lee County Board of Education. This request for information will include requests from all individuals (including board members).

Public records must be released in accordance with the law. Any denial of a public records request must be made in writing and must include the basis for the denial. The superintendent or designee may issue additional guidelines consistent with this policy to further clarify the process for requesting public records.

E. Fees for Copies of Public Records

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

F. ELECTRONIC MAIL LISTS

A school employee may be authorized by the superintendent or designee to maintain an electronic mail list of individual subscribers. Such a list may be used only: (1) for the purpose for which the subscribers subscribed to it; (2) to notify subscribers of an emergency to public health or public safety; or (3) in the event of deletion of the list, to notify subscribers of the existence of any similar lists. Although such electronic mail lists of individual subscribers shall be available for public inspection in either printed or electronic format to the extent permitted by law, school officials shall not provide anyone with copies of such lists. Release for public inspection of any subscriber list must be consistent with the Family Education Rights and Privacy Act (FERPA) if the list contains personally identifiable information from student education records. See policy 4700, Student Records.

G. DESTRUCTION OF PUBLIC RECORDS

To the extent required by law, school personnel shall maintain public records in accordance with the applicable records retention and disposition schedule(s) issued by the North Carolina Department of Natural and Cultural Resources. The superintendent may establish regulations for the destruction of records in accordance with the approved schedules.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 14-113.8(6); 115C-47(40), -105.27(a2), -105.51(e), -105.53, -105.54, -109.3, -174.13, -209.1, -319 to -321, -332(f), -402; 132-1 to -9; 135-8(f)(2)(f); 143B-1209.103; *Program Records Schedule: Local Public School Units*, N.C. Department of Natural and Cultural Resources (2021), available at https://archives.ncdcr.gov/documents/local-education-agencies-schedule; *General Records Schedule: Local Government Agencies*, N.C. Department of Natural and Cultural Resources (2021), available at https://archives.ncdcr.gov/government/retention-schedules/local-government-schedules/general-records-schedule-local-government

Cross References: Use of Personal Technology to Conduct School Business (policy 3228/7323), North Carolina Address Confidentiality Program (policy 4250/5075/7316), Student Records (policy 4700), Confidentiality of Personal Identifying Information (policy 4705/7825), News Media Relations (policy 5040), Electronically Stored Information Retention (policy 5071/7351), Personnel Files (policy 7820)

Adopted: March 12, 2001

Revised: October 9, 2007; March 11, 2008; April 21, 2009; June 10, 2010; February 8, 2011;

April 17, 2012; December 10, 2013; February 9, 2016; June 12, 2018; January 14, 2020; December 8, 2020; May 11, 2021; October, 2022; October 14, 2025

GANG-RELATED ACTIVITY

Policy Code: **4328**

The board strives to create a safe, orderly, caring, and inviting school environment. Gangs and gang-related activities have proven contrary to that mission and are prohibited within the schools. A gang is any ongoing organization, association, or group of three or more persons, whether formal or informal~~, having as one of its primary activities the commission of criminal acts and having~~ that shares a common name, identification, signs, symbols, tattoos, graffiti, attire, or other distinguishing characteristics, including common activities, customs, or behaviors, and engages in criminal gang activity ~~or common identifying sign, colors, or symbols~~. The violence and crime that accompany gangs pose a serious threat to the safety of students and employees of the school district. Even absent acts of violence or crime, the existence of gang-related activity within the schools creates an atmosphere of fear and hostility that obstructs student learning and achievement. Thus, the board condemns the existence of gangs and will not tolerate gang-related activity in the school district.

A. PROHIBITED BEHAVIOR

Gang-related activity is strictly prohibited within the schools. For the purposes of this policy, "gang-related activity" means: (1) any conduct that is prohibited by another board policy and is engaged in by a student on behalf of an identified gang or as a result of the student's gang membership; or (2) any conduct engaged in by a student to perpetuate, proliferate or display the existence of any identified gang.

Conduct prohibited by this policy includes;

1. wearing, possessing, using, distributing, displaying or selling any clothing, jewelry, emblems, badges, symbols, signs or other items with the intent to convey membership or affiliation in a gang;

2. communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.) with the intent to convey membership or affiliation in a gang;

3. tagging, or otherwise defacing school or personal property with symbols or slogans intended to convey membership or affiliation in a gang (see policy 4330, Theft, Trespass and Damage to property);

4. requiring payment of protection, insurance or otherwise intimidating or threatening any person related to gang activity (see policy 4331, Assaults and Threats);

5. inciting others to intimidate or to act with physical violence upon any related to gang activity (see policy 4331);

6. soliciting others for gang membership; and

7. committing any other illegal act or other violation of school district policies in connection with gang-related activity.

B. Notice

The superintendent or designee shall regularly consult with law enforcement officials to maintain current examples of gang-related activities, including but not limited to gang names and particularized examples of potential gang indicators including symbols, hand signals, graffiti, clothing, accessories and behaviors. Each principal shall maintain a list of current examples of gang-related activities to assist students, parents and teachers in identifying gang symbols and practices. The list shall be available in an easily accessible location in the main office of the school. Parents, students and school employees may, upon request, access the list, which shall include a warning that wearing or displaying clothing, hand signs or symbols identified in the list with the intent to convey membership or affiliation in any gang may subject a student to discipline under this policy.

In addition, the Code of Student Conduct and all student handbooks (or such other similar materials distributed to parents and students in lieu of a student handbook) shall contain notice that (1) current information on gang-related activities is maintained in the main office at each school; (2) information on gang-related activities is subject to change and the principal should be consulted for updates; and (3) wearing or displaying clothing, hand signs or symbols identified in the list with the intent to convey membership or affiliation in any gang may subject a student to discipline under this policy. The Code of Student conduct and student handbook (or such other similar materials) also shall provide the addresses of websites that contain additional information identifying gang signs, symbols, clothing and other gang indicators.

In providing this information for students and parents, the board acknowledges that not all potential gang indicators connote actual membership in a gang.

C. Consequences

Before receiving disciplinary consequences for a violation of subsection A.1 or A.2, above, a student shall receive an individualized warning as to what item or conduct is in violation of this policy and shall be permitted to immediately change or remove any prohibited items. A student may be disciplined only if he or she previously received notice that the specific item or conduct is prohibited.

Disciplinary consequences for violations of subsections A.1, A.2 and A.6, above, shall be consistent with Section D of policy 4300, Code of Student Conduct. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of these subsections.

Violations of subsections A.3, A.4, A.5 and A.7, above, are violations of both this policy and other board policies. Disciplinary consequences for such violations shall be consistent with Section E of policy 4300 and the specific range of consequences listed in the Code of Student Conduct for the other board policy violated. That the violation was gang-related shall be an aggravating factor when determining the appropriate consequences.

In a situation where a student has violated this policy or is otherwise suspected of gang affiliation through other circumstantial evidence, the principal shall conduct an intervention involving the principal, and/or assistant principal, the student and the student's parent. Such intervention also may include the school resource officer and others as appropriate. The purpose of an intervention is to discuss school officials' observations and concerns and to offer the student and his or her parents information and an opportunity to ask questions or provide other information to the school officials.

This policy shall be applied in a non-discriminatory manner based on the objective characteristics of the student's conduct in light of the surrounding circumstances.

Legal References: G.S. 115C-390.2

Cross References: Code of Student Conduct (policy 4300), Student Dress and Appearance (policy 4301), Theft, Trespass and Damage to Property (policy 4330), Assaults and Threats (policy 4331), Criminal Behavior (policy 4335)

Issued: July 19, 2011

Revised: June 12, 2018; December 8, 2020