

Policy 1310/4002 Parental Involvement

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 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 materials, the parent should make such a request in accordance with policy [3210](#), Parental Inspection of and Objection to Instructional Materials.

The principal also 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.

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 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, and other supplementary instructional materials and policy [3210](#), Parental Inspection of and Objection to Instructional 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;
- 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 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 [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 will be placed in an advanced mathematics course;
- m. a clear and concise explanation of the North Carolina testing and accountability system that includes all information required by federal law;
- n. 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;
- o. 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;
- p. 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\(c\)](#);
- q. supportive services available to students, including health services;
- r. 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;
- s. how to reach school officials in emergency situations during non-school hours;

- t. 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);
- u. information about the school breakfast program;
- v. information about the availability and location of free summer food service program meals for students when school is not in session;
- w. for parents of children with disabilities, procedural safeguards (see also policy [1730/4022/7231](#), Nondiscrimination on the Basis of Disabilities);
- x. 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;
- y. education rights of homeless students (see policy [4125](#), Homeless Students);
- z. the content and implementation of the local school wellness policy (see policy [6140](#), Student Wellness);
- aa. 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);
- bb. that the school system does not discriminate on the basis of race, color, national origin, sex, disability, or age, and that the school system provides 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, and [1730/4022/7231](#), Nondiscrimination on the Basis of Disabilities);
- cc. 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
- dd. 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 Center for Disease Control and Prevention's Youth Risk Behavior Surveillance System or National Youth Tobacco Survey (see policy [4720](#), Surveys of Students);

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

h. 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 Center for Disease Control and Prevention's Youth Risk Behavior Surveillance System or National Youth Tobacco Survey (see policy [4720](#), Surveys of Students);
10. disclosure of students' free and reduced price lunch eligibility information or eligibility status; and
11. students' access to school system technological resources, including the Internet, as described in policy [3225/4312/7320](#), Technology Responsible Use.

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 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:

<https://www.asheboro.k12.nc.us/ForFamilies.aspx>

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](#), [-81.25](#), [-81.30](#), [-81.36](#), [-105.37\(b\)](#), [-105.39A\(c\)](#), [-105.41](#), [-109.1](#), [-174.26\(d\)](#), [-307\(c\)](#), [-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](#)), Nondiscrimination on the Basis of Disabilities (policy [1730/4022/7231](#)), Student and Parent Grievance Procedure (policy [1740/4010](#)), Hearings Before the Board (policy [2500](#)), Business Advisory Council (policy [2670](#)), Selection of Instructional Materials (policy [3200](#)), Parental Inspection of and Objection to Instructional Materials (policy [3210](#)), Technology Responsible Use (policy [3225/4312/7320](#)), Evaluation of Student Progress (policy [3400](#)), Students at Risk of Academic Failure (policy [3405](#)), School Improvement Plan, (policy [3430](#)), Class Rankings (policy [3450](#)), Special Education Programs/Rights of Students with Disabilities (policy [3520](#)), Comprehensive Health Education Program (policy [3540](#)), Counseling Program (policy [3610](#)), 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), Bullying and Harassing Behavior Prohibited (policy [4329/7311](#)), 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](#))

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Asheboro City Schools

Policy Code: 1725/4035/7236 Title IX Sexual Harassment - Prohibited Conduct and Reporting Process

The board acknowledges the dignity and worth of all students and employees and strives to create a safe, orderly, caring, and inviting school environment to facilitate student learning and achievement. The board will not tolerate discrimination on the basis of sex, including any form of sexual harassment as that term is defined under Title IX, in any education program or activity of the school system. The board takes seriously all reports and formal complaints of sexual harassment. The school system does not discriminate on the basis of sex in its education programs or activities, including admission and employment, in accordance with Title IX of the Education Amendments Act of 1972 and federal regulations.

Sexual harassment, as that term is defined under Title IX, is prohibited. All incidents of conduct that could constitute sexual harassment under this policy are to be reported and treated in accordance with this policy, whether or not the incidents may also constitute violations of other board policies or standards of conduct.

Individuals who believe they have been subjected to sexual harassment prohibited by this policy or who have witnessed or have reliable information that another person has been subjected to sexual harassment prohibited by this policy should use the process provided in Policy 1726/4036/7237, Title IX Sexual Harassment Grievance Process.

The board has also established grievance procedures for those who believe they have been victims of sexual harassment. Those grievance procedures are designed to achieve prompt and equitable resolution of formal complaints of sexual harassment through a formal investigation and adjudication of the allegations in the complaint or through informal resolution processes. The grievance process is provided in policy 1726/4036/7237, Title IX Sexual Harassment Grievance Process.

A. Inquiries About Title IX

The board has designated a Title IX Coordinator to coordinate its efforts to comply with its responsibilities under Title IX and its implementing regulations. Inquiries about the application of Title IX and its implementing federal regulations may be referred to the Title IX Coordinator and/or the Assistant Secretary for Civil Rights in the Office for Civil Rights at the U.S. Department of Education.

The contact information for the Asheboro City Schools Title IX Coordinator for students is:

Director of Support Services

1126 South Park Street

PO Box 1103

Asheboro, NC 27204

Office: (336) 625-5104

The contact information for the Asheboro City Schools Title IX Coordinator for staff is:

Executive Director of Human Resources

1126 South Park Street

PO Box 1103

Asheboro, NC 27204

Office: (336) 625-5104

The contact information for the Office for Civil Rights with jurisdiction over North Carolina is as follows:

4000 Maryland Ave, SW

Washington, DC 20202-1475

Telephone: 202-453-6020 TDD: 800-877-8339

Fax: 202-453-6021

Email: OCR.DC@ed.gov

B. Notice of the Board's Policy of Nondiscrimination on the Basis of Sex and Sexual Harassment Reporting and Grievance Process

The superintendent is responsible for providing notice of the board's nondiscrimination policy to students and their parents or legal guardians, employees, and applicants for admission or employment. The superintendent shall also ensure that each principal or site supervisor makes a copy of this policy and policy 1726/4036/7237 available to those persons. In addition, the following must be posted on the school system website and included in all student and employee handbooks: (1) a statement of the board's policy of nondiscrimination on the basis of sex; (2) contact information for the Title IX Coordinator; and (3) a statement that Title IX inquiries may be referred to the Title IX Coordinator or to the Assistant Secretary for Civil Rights.

C. Prohibited Behavior

1. Scope

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

2. Definition of Sexual Harassment

Sexual harassment prohibited under Title IX and by this policy is conduct on the basis of sex occurring in a school system education program or activity that satisfies one or more of the following:

- a. an employee of the school system conditioning the provision of an aid, benefit, or service of the school system on an individual's participation in unwelcome sexual conduct;
- b. unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school system's education program or activities. This determination requires consideration of all the facts and circumstances, including, but not limited to, the

ages and disability statuses of the harasser and the victim and the number of individuals involved and their authority;

c. sexual assault including rape, statutory rape, fondling, and incest;

d. dating violence;

e. domestic violence; or stalking Sexual assault, dating violence, domestic violence, and stalking will be defined in accordance with applicable law and the definitions will be incorporated into an administrative regulation developed by the superintendent.

Conduct that satisfies this standard is not sexual harassment for purposes of this policy if the conduct occurred (1) outside the United States or (2) under circumstances in which the school system did not have substantial control over both the harasser and the context in which the harassment occurred. All references to "sexual harassment" in this policy mean sexual harassment that meets this definition.

Conduct that is determined not to meet the definition above may violate other board policies or established standards of conduct and will be treated accordingly. For example, conduct that does not meet the definition of Title IX sexual harassment above may nevertheless violate other board policies, including: policy 1710/4021/7230, Prohibition Against Discrimination, Harassment, and Bullying or policy 4040/7310, Staff-Student Relations.

Nothing in this policy is intended to limit discipline for violation of other board policies when appropriate and consistent with law.

D. Additional Definitions

The following additional definitions apply in this policy and policy 1726/4036/7237, Title IX Sexual Discrimination and Harassment Reporting and Complaint Procedures.

1. Report

A report is an oral or written notification that an individual is an alleged or suspected perpetrator or victim of sexual harassment.

Making a report initiates the interactive process with the complainant described in Section E.1, below. No disciplinary action will be taken against a respondent for sexual harassment based on a report alone.

2. Formal Complaint

A formal complaint is a document signed and filed with the Title IX Coordinator by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that school officials investigate the allegation(s). Filing a formal complaint initiates the grievance process set forth in policy 1726/4036/7237, Title IX Sexual Harassment Grievance Process.

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activities of the school system.

3. Complainant

The complainant is the individual(s) who is alleged to be the victim of conduct that could constitute sexual harassment, regardless of whether a formal complaint is filed.

4. Respondent

The respondent is the individual(s) who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

5. Grievance Process

Grievance process means the process for investigating and reaching a final determination of responsibility for a formal complaint of sexual harassment. The sexual harassment grievance process is set out in policy 1726/4036/7237.

6. Title IX Coordinator

The Title IX Coordinator is a school official who is designated to coordinate the school system's response to sexual harassment and allegations of sexual harassment. Contact information for the Title IX Coordinator is posted on the school system's website and listed in policy 1725/4035/7236, Title IX Sexual Harassment- Prohibited Conduct and Reporting Process.

7. Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the school system's education program and activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the school system's educational environment, or deter sexual harassment.

8. Days

Days are calendar days unless specified otherwise.

9. Student(s)

"Student(s)" means the student and/or the student's parent or legal guardian unless the context clearly indicates otherwise. When the complainant or respondent is a student, references to those terms also include the student's parent or legal guardian unless the context clearly indicates otherwise.

10. Actual Knowledge

"Actual knowledge" means a school employee has notice of sexual harassment or allegations of sexual harassment.

E. Reporting Sexual Harassment

1. Student Reports

Any student who believes he or she is a victim of sexual harassment occurring in the school system's education programs or activities is encouraged to report the matter to the student's principal or to the Title IX Coordinator. Reports may also be made to a teacher, counselor, assistant principal, teacher assistant, or any other school employee. Students may also report sexual harassment through the anonymous tip line, but school officials may be limited in their ability to respond if the report does not identify the complainant.

2. Mandatory Reporting by School Employees and Board Members

Any employee or member of the board of education who has actual knowledge of sexual harassment or allegations of sexual harassment occurring in the education program or any activity of the school system must report that information immediately to the appropriate Title IX Coordinator:

- a. the Executive Director of Human Resources, if involving employees; and
- b. the Director of Support Services, if only involving students.

Any of the following confers "actual knowledge" and must be reported immediately:

- a. a report of sexual harassment from a student or other person;
- b. the employee or board member witnesses conduct that is or reasonably could be sexual harassment; or
- c. the employee or board member discovers evidence of sexual harassment, such as sexualized graffiti on school property, or otherwise has reliable information or reason to believe that a student, employee, or other individual may have been sexually harassed in violation of this policy, even if no one has reported the sexual harassment.

Employees who observe an incident of harassment are expected to intervene to stop the conduct in situations in which they have supervisory control over the perpetrator, and it is safe to do so. An employee with actual knowledge of possible sexual harassment in violation of this policy who does not promptly report the conduct and/or take proper action as required by this subsection, or who knowingly provides false information about the incident, will be subject to disciplinary action, up to and including dismissal.

Any doubt about whether particular conduct is possible sexual harassment must be resolved in favor of reporting the conduct.

The mandatory reporting required by this section is in addition to required reporting under policies 4040/7310, Student-Staff Relations, and 4240/7312, Child Abuse and Related Threats to Child Safety, where the conduct at issue requires a report under either of those policies.

3. Reporting by Others

All other members of the school community are strongly encouraged to report any act that may constitute an incident of sexual harassment in violation of this policy to the school principal, the Title IX Coordinator, or the superintendent.

4. Content of the Report

To the extent possible, reports should be sufficient to put school officials on notice of conduct that could constitute sexual harassment. Employees making mandatory reports should provide as much detail about the alleged sexual harassment as is known, unless such disclosure would violate law or standards of professional ethics. Reports, other than mandatory reports by employees, may be made anonymously, but anonymous reports may limit the school system's ability to respond fully if the alleged victim is not identified.

5. Time Period for Making a Report

Reports by students and third parties can be made at any time. During non- business hours, reports can be made by using the contact information for the Title IX Coordinator provided on the school system's website, in this policy, and in policy 1710/4021/7230, Prohibition Against Discrimination, Harassment, and Bullying. A report should be made within 30 days after disclosure or discovery of the facts giving rise to the report. Delays in reporting may impair the ability of school officials to investigate and respond to any subsequent formal complaint.

School employees and board members with actual knowledge of sexual harassment must report that information immediately, as provided in subsection C.2 above.

F. School Officials' Response to Actual Knowledge of Sexual Harassment

As required to meet the school system's obligations under Title IX, school officials shall respond promptly and impartially to actual knowledge of alleged sexual harassment in a manner that is not deliberately indifferent. A response that is not deliberately indifferent is one that is not clearly unreasonable in light of the known circumstances and includes, at a minimum, the provision of supportive measures to the complainant, as described in this section.

Consistent with this duty, school officials shall respond to all reports of conduct that could constitute sexual harassment in accordance with this section. However, a report alleging conduct that is not sexual harassment as defined in this policy is not subject to this policy but may be referred to appropriate school officials as a possible violation of other board policies.

1. Title IX Coordinator Initiates Interactive Process with Complainant

Upon receiving a report of alleged sexual harassment, the Title IX Coordinator shall promptly contact the complainant and the complainant's parent or guardian confidentially. This contact must occur within three school/business days, excluding weekends, absent extenuating circumstances. The Title IX Coordinator shall also notify the principal of the report and, if an employee is the complainant or respondent, the senior human resources official or designee.

When contacting the complainant and parent or guardian, the Title IX Coordinator shall do all of the following during the contact and shall document the same:

- a. offer supportive measures;
- b. consider the complainant's wishes with respect to supportive measures;
- c. explain that supportive measures are available with or without the filing of a formal complaint; and
- d. explain the process for filing a formal complaint with the Title IX Coordinator and the response required of the school system when a complaint is filed, including all the following:
 - i. that a formal complaint will initiate the grievance process described in policy 1726/4036/7237, Title IX Sexual Harassment Grievance Process;
 - ii. that a formal complaint may be filed with the Title IX coordinator in person, by mail, or by electronic mail;
 - iii. the major steps in the grievance process, including (1) a notice of the

allegations that will be provided to the respondent that includes identification of the complainant and the allegations made; (2) an investigation of the allegations of sexual harassment in which both parties will have opportunity to have an advisor, present witnesses, review evidence, pose written questions of the other party, and receive a copy of the investigative report; (3) a decision on responsibility in which a decision-maker objectively evaluates all relevant evidence and determines whether the respondent engaged in the alleged sexual harassment in violation of this policy; and (4) the opportunity for either party to appeal the decision;

iv. the approximate time frame for concluding the grievance process;

v. that school officials will treat both parties equitably by (1) providing remedies to the complainant if the respondent is found responsible, and (2) by not imposing disciplinary sanctions on the respondent without first following the grievance process set forth in policy 1726/4036/7237;

vi. the circumstances under which a formal complaint might be consolidated with other formal complaints or dismissed; and

vii. that the Title IX coordinator may have an obligation to initiate the grievance process in the absence of a formal complaint filed by the complainant and the time frame in which that decision will be made.

2. Title IX Coordinator Arranges Implementation of Supportive Measures

After considering the complainant's wishes, the Title IX Coordinator shall arrange the effective implementation of appropriate supportive measures unless, in the exercise of good judgment, the Title IX Coordinator determines that supportive measures should not be provided. If supportive measures are not provided to the complainant, the Title IX Coordinator shall document why supportive measures were not provided and why not providing supportive measures is not deliberately indifferent to known sexual harassment.

The supportive measures available to the complainant and the respondent are set forth in Regulation 1725/4035/7236-R, Title IX Sexual Harassment - Prohibited Conduct and Reporting Process.

If the complainant is a student with a disability, the Title IX Coordinator may need to consult with appropriate school personnel to determine whether adjustments to the student's IEP or Section 504 plan are needed to implement any supportive measures to be provided and/or whether the student's plan necessitates any adjustment to the proposed supportive measures.

3. Title IX Coordinator Determines Whether to Sign a Formal Complaint

If the complainant declined to file a formal complaint within the designated time period following the interactive process described above, the Title IX Coordinator shall determine on a case-by-case basis whether to sign, i.e., file, a formal complaint to initiate the grievance process.

The Title IX Coordinator should file a formal complaint (1) if the respondent is a school employee and the complainant is a student; and (2) in other cases where, in the exercise of good judgment and in consultation with the school attorney as appropriate, the Coordinator determines that a grievance process is necessary to comply with the

obligation not to be deliberately indifferent to known allegations of sexual harassment. Credibility or merit of the complaint shall not be considered in making the determination.

A decision by the Title IX Coordinator to sign a formal complaint is not to be construed as supportive of the complainant or in opposition to the respondent or as an indication of whether the allegations are credible or have merit, or whether there is evidence sufficient to determine responsibility. Signing a formal complaint does not make the Title IX Coordinator a complainant or party to the complaint nor relieve the Title IX Coordinator from any responsibilities under this policy.

The Title IX Coordinator shall document the decision of whether to sign a complaint and the reasons for that decision.

4. Presumption of Non-responsibility of Respondent and Bar on Disciplinary Sanctions without Due Process

The respondent identified in any report alleging sexual harassment under this policy will be presumed not responsible for the alleged conduct until the respondent's responsibility is conclusively established through the grievance process outlined in policy 1726/4036/7237, Title IX Sexual Harassment Grievance Process.

No disciplinary sanction or other action that is not a supportive measure, including but not limited to (1) short or long-term suspension, expulsion, or transfer to an alternative school or program for student-respondents and (2) suspension, demotion, or dismissal for employee-respondents, may be imposed for a violation of this policy unless the respondent agrees to a specific disciplinary sanction or action in an informal resolution or has been determined to be responsible for the sexual harassment at the conclusion of a grievance process that complies with the process in policy 1726/4036/7237. An employee-respondent, however, may be placed on administrative leave during the pendency of the grievance process if consistent with applicable state and federal laws.

Notwithstanding the limitation just described, respondents are subject to emergency removal as described in the next paragraph.

5. Emergency Removal of Respondent from School or Employment

Any respondent is subject to removal from the school system's education program and activities, or any part of the program or activities, on an emergency basis if a school-based threat assessment team conducts an individualized safety and risk analysis and determines that removal is justified because the person poses an immediate health or safety threat to any person arising from the allegations of sexual harassment. A removal under this subsection includes a transfer of a student to an alternative education program consistent with policy 3470/4305, Alternative Learning Programs/Schools. A schedule change, and/or removing a student from an extracurricular activity is also considered a removal under this subsection where such action would not otherwise constitute a supportive measure.

The emergency removal may take place regardless of whether a formal complaint has been filed. However, any such removal must be consistent with federal and state law, including any applicable law protecting the rights of individuals with disabilities. The respondent shall receive notice of the removal and an opportunity to challenge the decision in an informal hearing with the superintendent or designee immediately following the removal.

An employee may be placed on administrative leave with or without pay during the pendency of the grievance process set out in policy 1726/4036/7237, Title IX Sexual Harassment Grievance Process, if consistent with state law and in accordance with any applicable requirements of state law.

The superintendent or designee shall document all emergency removal decisions under this subsection, including the immediate threat to health or safety that justified the removal.

6. Supportive Measures

Supportive measures will be available to both the complainant and respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

Supportive measures will remain confidential to the extent that maintaining such confidentiality does not impair the ability to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

G. Retaliation Prohibited

Retaliation against any person for the exercise of rights under Title IX or to interfere with those rights in any way, including making a report of Title IX sexual harassment, is strictly prohibited and will subject the perpetrator to disciplinary action. The identity of any person who has made a report or complaint of sex discrimination or sexual harassment or who is the alleged perpetrator of sexual discrimination or sexual harassment will be confidential unless otherwise required or permitted by law. Complaints alleging retaliation may be filed according to the grievance processes established in policies 1740/4010 and 1750/7220. Acts of retaliation may also be subject to policy 1760/7280, Prohibition Against Retaliation.

H. Grievance Process for Formal Complaints

The grievance process for formal complaints of sexual harassment under this policy is set out in policy 1726/4036/7237, Title IX Sexual Harassment Grievance Process. The policy also provides an informal resolution process for complainants who seek an alternate means of resolution to their complaint.

As described in subsection F.3 above, the Title IX Coordinator may also initiate the grievance process, as needed.

I. Records

The Title IX Coordinator shall create and maintain for a period of seven years records of all reports and formal complaints of sexual harassment. For each report or formal complaint, the Coordinator shall document the following:

1. any actions, including any supportive measures, taken in response to the report or formal complaint;
2. that school officials have taken measures that are designed to restore or preserve equal access to the school system's education program and activities;
3. why school officials believe their response to the report or complaint was not deliberately indifferent; and
4. if supportive measures were not provided to the complainant, why that was not clearly

unreasonable in light of the known circumstances.

In conjunction with the superintendent, the Title IX Coordinator shall also maintain for seven years all materials used to train the Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process. These materials will be made publicly available on the school system's website.

Legal References: Title IX of the Education Amendments Act of 1972, [20 U.S.C. 1681 et seq.](#), [34 C.F.R. pt. 106](#); [Gebser v. Lago Vista Independent School District](#), 524 U.S. 274 (1998); [G.S. 115C-335.5](#); [Davis v. Monroe County Board of Education](#), 526 U.S. 629 (1999); Questions and Answers Regarding the Department's Final Title IX Rule, U.S. Department of Education, Office for Civil Rights (2020), available at <https://www2.ed.gov/about/offices/list/ocr/docs/qa-titleix-20200904.pdf>

Cross References: Prohibition Against Discrimination, Harassment, and Bullying (policy 1710/4021/7230), Discrimination, Harassment, and Bullying Complaint Procedure (policy 1720/4015/7235), Title IX Sexual Harassment Grievance Process (policy 1726/4036/7237), Student and Parent Grievance Procedure (policy 1740/4010/5001), Prohibition Against Retaliation (policy 1760/7280), Grievance Procedure for Employees (policy 1750/7220), Alternative Learning Programs/Schools (policy 3470/4305), Staff-Student Relations (policy 4040/7310), Child Abuse and Related Threats to Child Safety (policy 4240/7312), Bullying and Harassing Behavior Prohibited (policy 4329/7311), Discrimination and Harassment in the Workplace (policy 7232)

Other Resources: Questions and Answers on the Title IX Regulations on Sexual Harassment, U.S. Department of Education, Office for Civil Rights (July 2021), available at <https://www2.ed.gov/about/offices/list/ocr/docs/202107-qa-titleix.pdf>

Adopted: March 11, 2021

Asheboro City Schools

Policy Code: 1726/4036/7237 Title IX Sexual Harassment Grievance Process

The process provided in this policy is designed for those who believe that they have been sexually harassed in violation of policy 1725/4035/7236, Title IX Sexual Harassment - Prohibited Conduct and Reporting Process, and wish to file a formal complaint. School officials shall follow the grievance process established in this policy when responding to all formal complaints of sexual harassment.

The superintendent is responsible for notifying students and their parents or legal guardians, employees, and applicants for employment of this policy and ensuring that each principal or site supervisor provides a copy of this policy to these persons.

A. Definitions

All definitions in policy 1725/4035/7236, Title IX Sexual Harassment - Prohibited Conduct and Reporting Process, are incorporated by reference and have the same meaning when used in this policy, including all references to "sexual harassment" in this policy.

The following additional definitions apply in this policy.

1. Investigator

The investigator is the school official responsible for investigating and responding to a formal complaint.

2. Decision-Maker

The decision-maker is the school official responsible for making a determination regarding responsibility in response to an investigation of sexual harassment triggered by a formal complaint.

3. Investigative Report

The investigative report is a written account of the findings of the investigation conducted in response to a formal complaint.

4. Remedies

Remedies are individualized measures provided to a complainant designed to restore or preserve the complainant's equal access to the education program and activities of the school system when a respondent is found responsible for sexual harassment.

Remedial measures available to a complainant following a determination of responsibility include counseling, mental health services referral, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, escort services, mutual or one-way restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring, and other measures determined by school officials to be necessary to restore or preserve the complainant's equal access to the education program and activities, regardless of whether such measures impose a burden on the respondent or are punitive or disciplinary in nature.

5. Disciplinary Sanctions

Disciplinary sanctions are consequences imposed on a respondent when the respondent is found responsible for sexual harassment.

B. Filing a Formal Complaint to Initiate the Grievance Process

A formal complaint initiates the grievance process.

1. Individuals Who May File a Formal Complaint

a. Eligible Complainants

Eligible individuals who believe that they have been sexually harassed in violation of policy 1725/4035/7236, Title IX Sexual Harassment - Prohibited Conduct and Reporting Process, may initiate the grievance process for alleged sexual harassment by filing a formal written complaint with the Title IX Coordinator. To be eligible to file a formal written complaint, the complainant must be participating in or attempting to participate in the education program or activities of the school system at the time of filing.

b. The Title IX Coordinator

If the complainant does not wish to file a formal complaint and the matter has not been adequately resolved through the provision of supportive measures, the Title IX Coordinator may initiate the grievance process by signing a formal complaint. In accordance with law, only the complainant and the Title IX Coordinator may initiate the grievance process; no other individuals or school officials shall have authority to do so.

2. Time Period for Filing a Formal Complaint

There is no deadline for filing a complaint. A complaint should be filed as soon as possible after the conduct occurs, preferably within 30 days after the complainant becomes aware of the alleged sexual harassment, unless the conduct forming the basis for the complaint is ongoing. School officials will initiate the grievance process regardless of when the formal complaint is submitted, but delays in reporting may significantly impair the ability of school officials to investigate and respond to the allegations.

In addition, in some circumstances it may be necessary for the Title IX Coordinator to sign a formal complaint to initiate the grievance process in order to meet the school system's legal obligations when the Coordinator is aware of sexual harassment or alleged sexual harassment and the complainant has not yet filed a formal complaint. The Title IX Coordinator can do so at any time.

3. Contents of the Formal Complaint

The complaint should (1) contain the name and address of the complainant and the student's parent or guardian if the complainant is a minor student, (2) describe the alleged sexual harassment, (3) request an investigation of the matter, and (4) be signed by the complainant or otherwise indicate that the complainant is the person filing the complaint.

4. How to File the Formal Complaint

The complaint may be filed with the Title IX Coordinator in person, by mail, or by email. Complaint forms may be obtained from the Title IX Coordinator or on the school system website.

5. School System's Response to Receipt of the Formal Complaint

- a. Upon receipt of a formal complaint of sexual harassment, the Title IX Coordinator shall engage in an interactive process with the complainant, consider the provision of supportive measures in light of the complainant's wishes, provide supportive measures as appropriate, and otherwise fulfill the requirements of Section D of policy 1725/4035/7236, Title IX Sexual Harassment - Prohibited Conduct and Reporting Process, unless the Title IX Coordinator has already done so in response to an initial report of the same allegation of sexual harassment.
- b. School officials reserve the right to consolidate formal complaints against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. The Title IX Coordinator shall advise the complainant if the formal complaint will be consolidated with others.
- c. The formal complaint initiates the grievance process as described below.

C. General Principles of the Grievance Process for Formal Complaints

To ensure a complete, thorough, and fair grievance process for formal complaints of sexual harassment, school officials responsible for the investigation, adjudication, or appeal of a formal complaint of sexual harassment shall comply with the following requirements. Failure by any school official to comply with these requirements or other standards or procedures established in this policy is cause for disciplinary action.

1. Equitable Treatment

Complainants and respondents must be treated equitably throughout the grievance process. Relevant evidence collected in the investigation of a formal complaint must be evaluated objectively. No individual designated as a Title IX Coordinator, investigator, decision-maker, or appeal decision-maker will have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

The complainant and respondent shall be provided an equal opportunity to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be an attorney. If a party elects to be represented by an attorney, the party should notify school officials in advance so that an attorney for the school system may also be present. Any restrictions on advisor participation in any proceeding must be applied equally to both parties.

The complainant and respondent will both be provided a description of the range of supportive measures available to them.

2. Adequate Training

The Title IX Coordinator, and all persons serving as Title IX investigators, decision-makers, or appeal decision-makers shall receive training on what constitutes sexual harassment, the scope of the school system's education program and activities, how to conduct an investigation and grievance process, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Decision-makers will be trained on any technology to be used at a live hearing and on issues of relevance of questions and evidence.

Materials used to train Coordinators, investigators, decision-makers, and appeal decision-makers will not rely on sex stereotypes and shall promote impartial investigations and adjudications of sexual harassment. Copyright restrictions will be taken into consideration in selecting training materials in order to comply with the school system's legal obligation to make all training materials available on the school system's website.

3. Presumption of Non-Responsibility/Innocence

At all times prior to a determination regarding responsibility by the decision-maker, there will be a presumption that the respondent is not responsible for the alleged conduct.

4. Burden of Proof and Production of Evidence

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility will at all times rest on the school system and not on the complainant or respondent. Formal rules of evidence shall not apply in the grievance process.

5. Written Notice of Meetings and Other Proceedings

Parties whose participation is invited or expected at any hearing, investigative interview, or other meeting will be provided written notice of the event's date, time, location, participants, and purpose with sufficient time for the party to prepare to participate.

6. Confidentiality and Privacy

The school system will keep confidential the identity of any individual who has made a report or formal complaint of sexual harassment, any complainant, any respondent, and any witness, except as may be permitted by FERPA, as required by law, or as necessary to carry out a Title IX proceeding. A violation of this provision may constitute retaliation.

All meetings, hearings, or other proceeding conducted pursuant to this policy will be private except to the extent that the parties are permitted to be accompanied by others as provided in subsection C.1 above.

School officials shall not access, consider, disclose, or otherwise use a party's medical, mental health, or other records that are made or maintained by a professional or paraprofessional in connection with the provision of treatment to the party without the party's voluntary written consent.

7. No Disclosure of Privileged Information

No person acting on behalf of the school system shall require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

8. Timeliness of Process

School officials shall make a good faith effort to conduct a fair, impartial grievance process in a timely manner designed to provide all parties with a prompt and equitable resolution. It is expected that in most cases, the grievance process will be concluded through the adjudication phase within 90 days after filing the formal complaint. The board reserves the right to extend this time frame or any deadline contained in this policy for

good cause with written notice to the parties of the delay and the reason for the delay. Good cause may include but is not limited to the absence of the parties or witnesses, concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities.

The Title IX Coordinator or other responsible school official shall make reasonable efforts to keep the complainant and respondent apprised of progress being made during any period of delay.

D. The Grievance Process for Formal Complaints: Part I - Investigation

1. Step 1 - Notice of Allegations

a. Upon the filing of a formal complaint, the Title IX Coordinator shall, within five school/business days, provide the known parties written notice of the allegations that includes:

i. notice of the allegations of sexual harassment in sufficient detail to permit the parties to prepare a response before any initial interview, including:

- a) the identities of the parties involved, if known;
- b) the conduct allegedly constituting sexual harassment; and
- c) the date and location of the alleged incident, if known;

ii. a copy of this policy to give notice of the school system's grievance process, including the investigative and adjudication procedures, and any informal resolution process available;

ii. notice that the parties may have an advisor of their choice and that either party may inspect and review any evidence;

iii. notice of the provision in board policy 4340, School-Level Investigations, that prohibits students and employees from knowingly making false statements or knowingly submitting false information during the grievance process; and

iv. a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process.

b. If during the investigation, the investigator decides to investigate allegations of sexual harassment not included in the initial notice provided above, notice of the additional allegations will be provided to the parties.

2. Step 2 - Review Grounds for Dismissal of the Formal Complaint

The Title IX Coordinator shall review the allegations and determine whether the formal complaint must be dismissed without further investigation because the conduct alleged in the formal complaint, even if assumed true, would not constitute sexual harassment as defined in this policy, did not occur in the school system's education program or activities, or did not occur against a person in the United States. Such a dismissal does not preclude action under another provision of the Code of Student Conduct, board policy, or expected standards of employee behavior. The complaint will not be dismissed at this stage on the basis that the allegations are frivolous, without merit, or otherwise unfounded.

Upon a dismissal, the Title IX Coordinator must promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties. The parties have the right to appeal the decision as provided in Section F.

The Title IX Coordinator shall refer the matter that was the subject of the dismissed complaint to the principal for further action as warranted.

3. Step 3 - Initiating the Investigation

If the complaint may proceed, the Title IX Coordinator shall notify the appropriate investigator, who shall investigate the formal complaint.

a. In order to provide a neutral and objective investigation, the investigator shall not be a party to the complaint under investigation. The investigator of a formal complaint is ordinarily determined as described below; however, the Title IX Coordinator, in consultation with the superintendent, may determine that conflict of interest, bias, or other individual circumstances warrant the assignment of a different investigator.

i. If the respondent is a student, the investigator is the principal or designee of the school with jurisdiction over the incident.

ii. If the respondent is an employee or applicant for employment, the investigator is the senior human resources official or designee.

iii. If the respondent is neither a student nor an employee/applicant for employment, the principal of the school/site supervisor at which the complainant is enrolled or employed shall be the investigator.

iv. Notwithstanding the above designations, (1) if the respondent is the senior human resources official, the superintendent shall investigate the complaint; (2) if the respondent is the superintendent or a member of the board, the Title IX Coordinator shall immediately notify the board chair who shall direct the board attorney to investigate, unless the board chair determines that outside counsel should be engaged to investigate.

b. The investigator may request assistance from the Title IX Coordinator to conduct the investigation.

c. The Title IX Coordinator and the investigator shall jointly assess the need for supportive measures for either party, including assessing the effectiveness of any supportive measures currently being provided to the complainant, and, as necessary, will implement appropriate measures in a timely manner and monitor the effectiveness of the measures during the pendency of the investigation and prior to a final determination regarding responsibility. Supportive measures provided to the complainant or respondent will be maintained as confidential to the extent that maintaining such confidentiality does not impair the ability to provide the supportive measures.

d. The investigator shall explain the process of the investigation to the complainant and respondent.

4. Step 4 - Conducting the Investigation

The investigator is responsible for gathering evidence sufficient to reach a determination of whether the allegations in the formal complaint are true and whether the facts as determined by the investigator establish that sexual harassment as defined in this policy occurred. In so doing, the investigator shall impartially, promptly, and thoroughly investigate the complaint.

- a. The investigator shall interview all individuals who may have relevant information, including (1) the complainant; (2) the respondent; (3) individuals identified as witnesses by the complainant or respondent; and (4) any other individuals who are thought possibly to have relevant information. Prior written notice shall be provided to a party whose participation is invited or expected for any investigative interview or meeting in accordance with subsection C.5 above. The investigator shall provide the complainant and respondent an equal opportunity to present fact and expert witnesses and other evidence tending to prove or disprove the allegations.
- b. The investigator shall ensure that the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the school system and not on the complainant or respondent.
- c. The investigator shall not restrict the ability of either party to gather and present relevant evidence or to discuss the allegations under investigation.
- d. The formal complaint and the investigation will be kept confidential to the extent possible. Information may be shared only with individuals who need the information in order to investigate and address the complaint appropriately and those with a legal right to access the information. Any requests by the complainant or respondent for further confidentiality will be evaluated within the context of the legal responsibilities of the school system.

The investigator may, with approval of the Title IX Coordinator, dismiss the formal complaint or any allegations therein if at any time during the investigation or decision-making process: (1) the complainant notifies the Title IX Coordinator in writing that he or she would like to withdraw the formal complaint or any allegations therein; (2) the respondent is no longer enrolled or employed by the school system; or (3) specific circumstances prevent school officials from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties. The parties have the right to appeal the decision as provided in Section F.

The investigator may consider the matter that was the subject of the dismissed complaint for action in accordance with board policy for violation of other expected standards of student or employee behavior.

5. Step 5 - Investigative Report and Opportunity to Review Evidence

- a. The investigator shall prepare an investigative report that fairly summarizes the relevant evidence.
- b. Before completing the final report, the investigator shall send to each party and the party's advisor, if any, in hard copy or electronically, all the evidence collected which is directly related to the allegations raised in the formal complaint. The parties shall have 10 days to submit a written response for the investigator's consideration before the investigator finalizes the investigative report.

c. Following the parties' opportunity to respond to the written evidence, the investigator shall finalize the written investigative report, including a recommendation on the question of responsibility and any recommended discipline sanction.

d. The investigator shall provide a copy of the report to each party and the party's advisor, if any, for their review and written response. The investigator shall also notify the parties of the opportunity to submit written questions to the other party and witnesses as provided in subsection E.2 below. The parties shall have 10 days to provide a written response to the investigative report, along with the party's initial set of written questions.

e. The investigator shall provide to the decision-maker a copy of the investigative report, the relevant evidence, and the parties' written responses to the report and initial sets of written questions.

The investigator shall also provide a description of the procedural steps taken, starting with the receipt of the formal complaint and continuing through the preparation of the investigative report, and including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence.

E. The Grievance Process for Formal Complaints: Part II - Adjudication

The superintendent or designee (hereinafter "superintendent") shall serve as the decision-maker. In his or her role as decision-maker, the superintendent shall provide for the exchange of questions between the parties and a decision on responsibility in a manner consistent with state law and as provided below.

1. Step 1 - Exchange of Questions and Answers

Whether or not there will be a hearing and regardless of whether the respondent is a student, after the parties are sent the investigative report, the superintendent shall provide the parties an opportunity to submit written, relevant questions that the party wants asked of any other party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party in accordance with a reasonably prompt time frame established by the superintendent. The parties shall submit their initial set of written questions at the time they submit their response to the investigative report as described in subsection D.5.d above.

a. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior will be considered not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's sexual behavior with respect to the respondent and is offered to prove consent.

b. The superintendent must explain to the party proposing the questions any decision to exclude questions as not relevant.

3. Step 2 - Decision on the Question Regarding Responsibility

Following the exchange of questions and/or hearing as described above, the superintendent shall decide the question regarding responsibility, any disciplinary action, and any other measures the superintendent deems appropriate. The superintendent shall consider all the relevant evidence objectively, including evidence in the investigative report,

any testimony of witnesses at the hearing, if one was held, and any additional information provided by the parties through the exchange of questions and responses as provided in subsection E.2 above.

Based on an objective evaluation of the evidence, the superintendent shall determine whether the preponderance of the evidence supports a finding that the respondent is responsible for sexual harassment in violation of board policy, and if so, what disciplinary sanction will be imposed. Remedies will be provided to the complainant if the respondent is found responsible.

4. Step 3 - Written Determination Regarding Responsibility

The superintendent shall issue a written determination regarding responsibility simultaneously to both parties that includes:

- a. identification of the allegations potentially constituting sexual harassment under board policy;
- b. a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- c. findings of fact supporting the determination;
- d. conclusions regarding the application of board policy and/or the Code of Student Conduct or expected standards of employee behavior to the facts including whether, the respondent engaged in prohibited sexual harassment or other proscribed conduct;
- e. a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the respondent (which may be a recommendation to the board for discipline that is beyond the authority of the superintendent or other decision-maker), and whether remedies designed to restore or preserve equal access to the school system's education program and activities will be provided to the complainant;
- f. the procedures and permissible bases for the complainant and respondent to appeal; and
- g. any other notices that are required to accompany the decision under state law, such as when the superintendent imposes a long-term suspension or recommends dismissal of an employee.

F. Grievance Process for Formal Complaints: Part III - Appeal

The parties shall have the right to appeal to a panel composed of board of education members the determination regarding responsibility, the outcome of any disciplinary proceeding, and any dismissal of a formal complaint or any allegations therein. If a party appeals both the determination regarding responsibility and the outcome of a disciplinary proceeding, both matters will be heard by the board at the same time. If both parties appeal, the appeals will be heard at the same time.

1. Deadline and Grounds for Appeal

Either party may appeal by submitting a request in writing to the superintendent within three school/business days of receiving the determination regarding responsibility, unless the party is entitled to a longer appeal period under state law or board policy. Any longer appeal period applicable to one party shall apply equally to the other party. The grounds for appeal may be any of the following:

- a. procedural irregularity that affected the outcome of the matter;
- b. new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- c. the Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter;
- d. the disciplinary sanction is inappropriate or unreasonable; or
- e. any other basis provided by law or board policy governing appeals to the board.

2. Notice of the Appeal

In all appeals, the other party will be notified in writing when an appeal is filed and be provided a copy of the appeal.

2. Appeal Procedures

- a. The board will hear the appeal. Unless otherwise required by law, the board may designate a panel of two or more board members to hear and act on behalf of the board.
- b. Appeal procedures will be implemented equally for both parties and will follow the procedures in policy 2500, Hearings Before the Board, modified as necessary to allow equal participation of the parties.
- c. If the appeal includes an appeal of a disciplinary sanction, the procedures in policy 4370, Student Discipline Hearing Procedures; policy 7940, Classified Personnel: Suspension and Dismissal; or policy 7931, Renewal and Nonrenewal of Teacher Contracts, shall also apply as applicable.
- d. After the notice of appeal is provided, both parties will be given 10 days to submit a written statement in support of, or challenging, the outcome. If the basis of the appeal is newly available evidence affecting the outcome, the party shall submit such evidence or a summary of such evidence along with the party's written statement.
- e. The board will review the record and the written argument of the parties submitted on appeal, determine whether additional information is needed from any party, and take any other steps that the board determines to be appropriate in order to respond to the appeal.

3. Decision on Appeal

- a. After considering the record and written statements of the parties, the board will determine whether the grounds for the appeal have been substantiated.

- b. If substantiated, the board will determine the appropriate response, which may include a remand for a new investigation, a new decision, or both, or such other action as the board determines is needed to correct the error in the original proceedings.
- c. The board will provide a written decision describing the results of the appeal and rationale for the result within thirty days after receiving the appeal unless the decision is delayed for good cause. The written decision will be provided simultaneously to both parties.

4. When the Decision Becomes Final

If an appeal is timely filed, the determination regarding responsibility becomes final at the conclusion of the appeal process. However, if the decision on appeal is remand, the determination regarding responsibility does not become final until that process, including any appeal of the proceedings on remand, is concluded. If an appeal is not filed, the determination regarding responsibility becomes final after the three-day appeal period.

The superintendent shall ensure that a copy of the final decision is provided to the Title IX Coordinator and shall confer with the Title IX Coordinator regarding any remedies to be provided to the complainant, as described in subsection G.4 below.

G. Disciplinary Consequences, Remedies, and Other Responses for Substantiated Sexual Harassment

1. Disciplinary Consequences for Students

Disciplinary consequences for substantiated sexual harassment will be assigned in accordance with the Code of Student Conduct. Based on the nature and severity of the offense and the circumstances surrounding the incident, the student will be subject to appropriate consequences and remedial actions ranging from positive behavioral interventions up to, and including, expulsion. In addition, the conduct also may be reported to law enforcement, as appropriate.

A student recommended for a long-term suspension or expulsion will have all applicable rights accorded by board policy and state law. A student with disabilities will have all rights accorded by law, including the right to a manifestation hearing before the imposition of a suspension exceeding 10 cumulative days in a school year.

This policy will not be construed to allow school officials to punish student expression or speech based on undifferentiated fear or apprehension of a disturbance or out of a desire to avoid the discomfort and unpleasantness that may accompany an unpopular viewpoint. However, false or malicious complaints of sexual harassment and false statements made in bad faith in the course of any grievance proceeding conducted pursuant to this policy are subject to disciplinary action.

Nothing in this policy will preclude the school system from taking disciplinary action against a student when the evidence does not establish sexual harassment as defined in this policy but the conduct violates other board policy and/or the Code of Student Conduct.

3. Disciplinary Consequences for Employees

Substantiated sexual harassment by employees is subject to discipline up to and including dismissal. In addition, the conduct may also be reported to law enforcement, as

appropriate.

An employee recommended for suspension, demotion, or dismissal shall have all applicable rights accorded by board policy and state law.

Nothing in this policy will preclude the school system from taking disciplinary action against an employee when the evidence does not establish sexual harassment as defined in this policy, but the conduct violates other board policy or expected standards of employee behavior.

3. Consequences for Other Perpetrators

Volunteers and visitors who engage in sexual harassment will be directed to leave school property and/or be reported to law enforcement, as appropriate, in accordance with policy 5020, Visitors to the Schools. A third party under the supervision and control of the school system will be subject to termination of contracts/agreements, restricted from access to school property, and/or subject to other consequences, as appropriate. Nothing in this policy will be construed to confer on any third party a right to due process or other proceedings to which student and employee respondents are entitled under this policy unless such right exists under law.

4. Remedies

At the conclusion of the grievance process, the superintendent or other decision-maker shall confer with the Title IX Coordinator to determine the remedies to be provided to the complainant when the respondent is found responsible for sexual harassment. The Title IX Coordinator shall consult with the complainant in determining appropriate remedies.

The Title IX Coordinator shall be responsible for the effective implementation of the remedies to be provided to the complainant.

5. Consideration of Need for More Extensive Response

If the superintendent determines that a school-wide or system-wide response is needed in order to respond to the sexual harassment in a way that is not clearly unreasonable under the circumstances, the superintendent shall provide additional staff training, harassment prevention programs, or such other measures as determined appropriate to protect the safety of the educational environment and/or to deter sexual harassment.

H. Informal Resolution

The board provides informal resolution processes to resolve some formal complaints of sexual harassment without a full investigation and adjudication. Informal resolution is not available unless a formal complaint is filed and will not be used to resolve formal complaints alleging that an employee sexually harassed a student. Further, school officials shall never condition an individual's enrollment, employment, or other rights on an agreement to waive the individual's right to a formal investigation and adjudication of a formal complaint.

The Title IX Coordinator, or other school official in consultation with the Title IX Coordinator, may offer the parties an informal process to resolve a formal complaint at any time prior to reaching a final determination regarding responsibility. Before using an informal resolution process, school officials must ensure that both parties have given voluntary, informed, written consent to attempt informal resolution. Accordingly, the Title IX Coordinator, investigator, or decision-maker shall:

1. provide the parties (including the parent of a minor) a written notice disclosing:
 - a. the allegations;
 - b. the nature and requirements of the informal resolution process, including that if the parties agree to a resolution of the matter, the agreement precludes either party from resuming a formal complaint process arising from the same allegations; and
 - c. any consequences that could result from participating in the informal resolution process, including whether records will be maintained and could be shared; and
2. obtain the parties' voluntary, written consent to the informal resolution process.

Any agreement reached by the parties through informal resolution may include measures that are designed to restore or preserve the parties' equal access to the education program and activities, including measures that may be punitive or disciplinary in nature.

Any informal process should be completed within a reasonable period of time, not to exceed 60 days from filing the complaint unless special circumstances necessitate more time. At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

I. Retaliation Prohibited

Any act of retaliation or discrimination against any person for the purpose of interfering with any right or privilege secured by Title IX or because the person has made a report or filed a formal complaint or testified, assisted, or participated or refused to participate in any investigation, proceeding, or hearing involving sexual harassment is prohibited. Any person who is found to have engaged in retaliation will be subject to discipline, up to and including dismissal. Acts of retaliation may also be subject to policy 1760/7280, Prohibition Against Retaliation.

Complaints alleging retaliation are to be treated as claims of sex discrimination and may be filed in accordance with policy 1725/4035/7236, Title IX Sexual Harassment - Prohibited Conduct and Reporting Process.

J. Records

The superintendent or designee shall maintain for a period of seven years records of the following:

1. each sexual harassment investigation including:
 - a. any determination regarding responsibility;
 - b. any audio or audiovisual recording or transcript from any live hearing;
 - c. any disciplinary sanctions imposed on the respondent; and
 - d. any remedies provided to the complainant designed to restore or preserve equal access to the school system's education program and activities;
2. any appeal and the result therefrom;
3. any informal resolution and the result therefrom; and

4. in conjunction with the Title IX Coordinator, all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. These materials will be made publicly available on the school system's website.

Legal References: Family Educational Rights and Privacy Act, [20 U.S.C. 1232g](#); Title IX of the Education Amendments Act of 1972, [20 U.S.C. 1681 et seq.](#), [34 C.F.R. pt. 106](#); [Gebser v. Lago Vista Independent School District](#), 524 U.S. 274 (1998); [Davis v. Monroe County Board of Education](#), 526 U.S. 629 (1999); Questions and Answers Regarding the Department's Final Title IX Rule, U.S. Department of Education, Office for Civil Rights (2020), available at <https://www2.ed.gov/about/offices/list/ocr/docs/qa-titleix-20200904.pdf>.

Cross References: Title IX Sexual Harassment - Prohibited Conduct and Reporting Process (policy 1725/4035/7236), Prohibition Against Retaliation (policy 1760/7280), Hearings Before the Board (policy 2500), School-Level Investigations (policy 4340), Student Discipline Hearing Procedures (policy 4370), Visitors to the Schools (policy 5020), Discrimination and Harassment in the Workplace (policy 7232), Renewal and Nonrenewal of Teacher Contracts (policy 7931), Classified Personnel: Suspension and Dismissal (policy 7940)

Other Resources: Questions and Answers on the Title IX Regulations on Sexual Harassment, U.S. Department of Education, Office for Civil Rights (July 2021), available at <https://www2.ed.gov/about/offices/list/ocr/docs/202107-qa-titleix.pdf>

Adopted: March 11, 2021

Revised: February 10, 2022

Asheboro City Schools

Policy Code: 2302 Remote Participation in Board Meetings

The board acknowledges that attendance at board meetings is essential for its members to perform their official duties and to add to the diversity of thought and opinion in the board's deliberations. The board strongly encourages its members to be physically present for all board meetings. The board recognizes, however, that extenuating circumstances may occasionally prevent one or more members from being physically present at a meeting. It further recognizes that advances in technology, such as audio and video conferencing, have made it possible for members to communicate and deliberate with each other from remote locations. Therefore, to promote full participation of board members while ensuring access and transparency for the public as required by the Open Meetings Law, [G.S. 143-318.9 et seq.](#), the board authorizes remote participation in board meetings subject existing board operational policies, state law, and to the following procedures and requirements.

A. Definitions

The following definitions apply in this policy:

1. Official Meeting of the Board

An official meeting of the board is an official meeting as defined by [G.S. 143-318.10](#) and policy 2300, Board Meetings, and includes a board meeting, board committee meeting, public hearing, quasi-judicial hearing, or any other gathering that constitutes an official meeting subject to the open meetings law. References to "meeting" in this policy mean an official meeting of the board.

2. Remote Participation

Remote participation occurs when a member participates in an official meeting of the board or any part thereof via electronic means from a place other than the physical location of the meeting designated in the public notice for the meeting.

3. Wholly Remote Meeting

A wholly remote meeting is an official meeting of the board or any part thereof in which all members participate remotely by simultaneous communication via conference telephone, conference video, or other electronic means. A wholly remote meeting has no physical location.

4. State-Declared Emergency

A state-declared emergency exists when there has been a declaration of a state of emergency by the Governor or resolution of the General Assembly pursuant to [G.S. 166A-19.20](#) that is applicable to the area under the board's jurisdiction.

5. Locally-Declared Emergency

A locally-declared emergency exists when there has been a declaration of a local state of emergency by the governing body of a municipality or county in accordance with [G.S. 166A-19.22](#) that is applicable to area under the board's jurisdiction.

B. Authorized Circumstances for Remote Participation

1. Meetings During a Declared Emergency

The board acknowledges that in-person meetings are strongly preferred and that a quorum of the board should be physically present for the meeting when reasonably possible. However, in times of emergency, including natural disasters and health emergencies, the board may find it necessary to have some or all of its members participate in meetings remotely.

a. State-Declared Emergency

During a state-declared emergency, wholly remote meetings or meetings with remote participation by individual member(s) will comply with [G.S. 166A-19.24](#) and the requirements of this policy, including the special rules for meetings held during emergencies described in Section E, below.

b. Locally-Declared Emergency

During a locally-declared emergency, wholly remote meetings and meetings with remote participation by individual member(s) will comply with the requirements of the open meetings law, Sections C and D below, and to the extent not inconsistent with [G.S. 143-318.13](#), the procedures established by [G.S. 166A-19.24](#) as described in Section E, below.

2. Meetings Not During a Declared Emergency

a. Wholly Remote Meetings.

The board will not hold wholly remote meetings in the absence of a state- or locally-declared emergency.

b. Remote Participation by Individual Members

The board authorizes remote participation by individual members consistent with the requirements of this policy in any meeting of the board that is not a hearing as described in policy 2500, Hearings Before the Board, or other quasi-judicial proceeding.

C. Conditions and requirements for Remote Participation

1. A member may attend a meeting and participate in board deliberations and decisions by remote participation if the member is prevented from physically attending the meeting due to:

- a. personal illness, disability, order of quarantine or isolation, or government- issued "stay-at-home" mandate, or recommendation of medical provider or public health officials to limit public interaction;
- b. out-of-town travel;
- c. unexpected lack of child-care;
- d. family member illness or emergency;
- e. weather conditions;
- f. military service:

g. employment obligations;

h. a scheduling conflict; or

i. a state or local declaration of a state of emergency that makes in-person attendance at a meeting a violation of an order to reduce social contact or to stay at home for reasons of public health.

2. Remote participation is not to be used solely for a board member's convenience or to avoid attending a particular meeting in person.

3. No board member may participate remotely more than three times during a calendar year for a reason other than order of quarantine or isolation, "stay-at-home" mandate, or recommendation to limit public interaction, as described in subsection C.1, above; however, in other justifiable circumstances, the board may, by two-thirds vote, agree to waive this limitation.

4. Acceptable means of remote participation include telephone-, Internet-, or satellite-enabled audio or video conferencing, or any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another. Text messaging, instant messaging, email, and web chat without audio are not acceptable means of remote participation.

5. A board member participating in a meeting remotely shall use his or her best efforts to participate in all or as much of the meeting as circumstances permit and not merely for the closed session portion of the meeting or a limited number of agenda items.

6. A board member participating remotely will be considered present at the meeting for purposes of establishing and maintaining a meeting quorum and will be entitled to participate in open session deliberations at the meeting if, and while:

a. the member is able to hear other members of the board and any individuals addressing the board, including members of the public who are recognized by the board during public comment;

b. all persons present at the meeting location are able to hear the board member who is participating remotely; and

c. when video technology is used, the remote participant is visible to all persons present at the meeting location.

7. A board member considered present through remote participation will be permitted to vote on any action item at the meeting except:

a. any item for which the member was not participating remotely during the entire discussion and deliberation of the matter preceding the vote; and

b. any item that was being discussed when an interruption to the electronic communication occurred, if the board's discussion was not suspended during the interruption. A brief loss of simultaneous communication, such as a few seconds, will not disqualify the member from voting on the matter under discussion.

D. Procedure for Remote Participation

1. A member of the board who desires to participate in a meeting remotely shall notify the

board chair and the superintendent at least six (6) hours in advance of the meeting so that necessary arrangements can be made. If the member has not already received all documents to be considered at the meeting, the superintendent shall arrange for delivery of the materials in a manner that is practicable under the circumstances.

2. The chair or designee at the meeting location shall initiate contact with the member prior to the start of the meeting to secure participation.

3. The chair shall announce the remote participant and the means of remote participation at the beginning of the meeting.

4. The chair shall remind all members that all chats, instant messages, texts, or other written communications between members of the board regarding the transaction of board business during the meeting, including such communications between or among members participating remotely, are a public record.

5. If the remote participant cannot be physically seen by other members of the board and members of the public present at the meeting, the remote participant must identify himself or herself in each of the following situations:

- a. when the meeting begins or the roll is taken;
- b. prior to participating in the deliberations, including making motions, proposing amendments, and raising points of order; and
- c. prior to voting

6. The meeting chair may decide how to address technical difficulties that arise when utilizing remote participation, but whenever possible, the chair should suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If, however, the technical difficulties distract from or impede the orderly progress of the meeting, a majority of the members physically present may vote to end the remote participation.

7. A member participating remotely shall notify the chair if leaving the meeting before it is adjourned or rejoining the meeting after a period of absence.

8. All votes taken will be by voice vote (rather than by a show of hands).

9. The minutes of the meeting will reflect that the meeting was conducted by use of simultaneous electronic communication, which members were in attendance by simultaneous communication, and when such member(s) joined or left the meeting. Any interruption to or discontinuation of a member's participation will also be noted in the minutes.

10. Any costs associated with remote participation other than normal telephone or Internet connection shall be borne by the remote participant.

E. Special Rules for Remote Meetings During a Declared Emergency

The following modifications and additions to the requirements of this policy apply to meetings held during a declared emergency.

1. Quasi-judicial hearings may be held remotely with consent of the parties and in conformance with the requirements of [G.S. 166A-19.24](#)(f)25 and this section.
2. Notice of meetings will be provided as required by [G.S. 143-318.12](#) (and [166A-19.24](#)(b1), if the original meeting notice did not specify a remote meeting), and will specify (1) the means by which the public can access the simultaneous live stream of the meeting and (2) any other means by which the public can access the meeting as it occurs.
3. The board need not provide a location for members of the public to listen to the meeting; however, in accordance with [G.S. 143-318.13](#)(d), this provision applies only to meetings conducted in accordance with [G.S. 166A-19.24](#) when a state-declared emergency exists.
4. All documents to be considered during the meeting shall be provided to each member.
5. The means for simultaneous communication specified in subsection C.4 of the policy must allow for any member to do all of the following:
 - a. hear what is said by the other members;
 - b. hear what is said by any individual addressing the board; and
 - c. to be heard by the other members when speaking to the public body.
6. A member participating by simultaneous communication will be counted as present for quorum purposes only during the period that simultaneous communication is maintained for that member in accordance with subsection C.5, above.
7. The board will refrain from acting by reference to a document or other materials so as to conceal from public understanding what is being deliberated, voted, or acted upon at the meeting.
8. Except when the board is meeting in closed session, the meeting will be simultaneously streamed live online to the public, or if the meeting is conducted by conference call, the public will be provided an opportunity to dial in or stream the audio live and listen to the meeting.
9. If the meeting is a public hearing, the board will allow for written comments on the subject of the hearing to be submitted up to 24 hours prior to the scheduled time for the beginning of the public hearing; however, in accordance with [G.S. 143-318.13](#)(d), this flexibility applies only to meetings conducted in accordance with [G.S. 166A-19.24](#) when a state-declared emergency exists.
10. Subsection C.3 of this policy will not apply to remote meetings held during a state or local emergency.

The superintendent is directed to provide the technology sufficient to implement this policy in accordance with all applicable laws.

Legal References: [G.S. 166A-19.20](#), [-19.22](#), [-19.24](#); [G.S. ch. 143, art. 33C](#); N.C. Attorney General Advisory Letter to McLeod, (March 26, 2020), copy available at <https://www.ncsba.org/wp-content/uploads/2020/04/Open-Meetings-advisory-letter.pdf>

Cross References: Board Meetings (policy 2300), Compliance with the Open Meetings Law (policy 2320), Closed Sessions (policy 2321), Board Meeting News Coverage (policy 2325), Quorum (policy 2341), Hearings Before the Board (policy 2500), Public Records - Retention, Release, and

Disposition (policy 5070/7350)

Adopted: November 10, 2016

Revised: July 9, 2020; December 9, 2021

Asheboro City Schools

Policy Code: 3000 Goals and Objectives of the Educational Program

It is the goal of the board that every student be provided the opportunity to receive a sound basic education and graduate from high school prepared for work, further education, and citizenship. The board recognizes the critical role of parents, governmental and nonprofit agencies, businesses, and the community in helping individual students and the school system meet this goal. To ensure that the educational program meets rigorous academic standards, the board will strive to maintain accreditation by Cognia and/or the State Board of Education.

A successful educational program also depends on innovation at the individual school level. The board is committed to allowing administrators at individual schools to develop and implement plans necessary to ensure the educational success of their students.

The board will provide an educational program that offers students the opportunity to receive a sound basic education. The program will meet statewide instructional standards as prescribed by the State Board of Education. The board believes that the administrators of the educational program must strive to provide each student with the opportunity to:

1. develop sufficient ability to read, write, and speak the English language and a sufficient knowledge of fundamental mathematics, and physical science to function in a complex and changing society;
2. develop sufficient knowledge of geography, history, and basic economic and political systems to make informed choices with regard to issues that affect the student personally or affect the student's community, state, and nation;
3. develop sufficient academic and career and technical skills to successfully engage in post-secondary education or advanced or highly skilled career and technical education and to compete on an equal basis with others in further formal education or gainful employment in contemporary society;
4. learn to be responsible for and accept the consequences of his or her conduct and academic performance;
5. develop the capacity to examine and solve problems;
6. foster respect and appreciation for cultural and ideological diversity and differences;
7. develop the ability to be productive in a team environment;
8. learn and acquire the skills necessary for a lifetime of continuous learning and adaptation to change in the workplace and society;
9. prepare for challenging curriculum beyond secondary school and, when appropriate, complete high school courses required for college entry in less than four years;
10. achieve high levels of success in a rigorous curriculum;
11. acquire the skills needed for technological literacy in a rapidly changing world; and
12. remain in school and earn a high school diploma and, when appropriate, earn additional college credit.

These goals and objectives of the educational program will be used to guide administrators, teachers

and the board in all of their duties, including curriculum development, selection of materials and issues related to instructional time.

Legal References: [G.S. 115C art. 8](#) pt.; [115C-12](#)(32), [-12](#)(38), [-36](#), [-47](#), [-151](#); *Leandro v. State*, 346 N.C. 336 (1997); State Board of Education Policies [ACCR-000](#), [GRAD-006](#), [SCOS-016](#)

Cross References: Board Authority and Duties (policy 1010), Curriculum Development (policy 3100), Selection of Instructional Materials (policy 3200), Counseling Program (policy 3610)

Adopted: May 14, 1998 to become effective July 1, 1998

Revised: November 9, 2006; May 10, 2012; June 13, 2013; May 12, 2016; March 8, 2018; June 10, 2021

Asheboro City Schools

Policy Code: 3100 Curriculum Development

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

A. Curriculum Development

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

The superintendent or designee shall direct the committee to review periodically the curriculum content used in courses addressing the founding principles of our nation.

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

B. Curriculum Modification by Individual Schools

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

If a school official wishes to modify the curriculum, he or she may submit a proposal to the central curriculum committee. Unless the curriculum committee has significant concerns about the proposal, the committee will approve the changes so long as the curriculum maintains continuity. After being approved by the curriculum committee, the proposal must be submitted to the board for approval as a part of the school improvement plan process if the modifications include: (1) expanding or reducing the subject areas or objectives; (2) eliminating subject areas or objectives not required by the state; or (3) waiving local board policies. The curriculum committee shall ensure that the curriculum continues to be aligned with the current statewide instructional standards.

C. Evaluation

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

Legal References: [G.S. 115C art. 8](#) pt. 1; [115C-47](#); [S.L. 2021-8](#), sec. 5(a)

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

Adopted: May 14, 1998 to become effective July 1, 1998

Revised: October 9, 2014, July 9, 2015, March 8, 2018, March 10, 2022

Administrative Procedure: Yes

Asheboro City Schools

Policy Code: 3200 Selection of Instructional Materials

In order to help fulfill the educational goals and objectives of the school system, the board strives to provide instructional materials that will enrich and support the curriculum and enhance student learning. Instructional materials should be representative of the rich diversity of our nation and appropriate for the maturity levels and abilities of the students.

Instructional materials constitute all materials, whether print, non-print, digital or any combination thereof, used in the instructional program. For purposes of this policy, instructional materials will be divided into two categories: textbooks and supplementary materials.

A. Selection of Textbooks

Textbooks are systematically organized materials comprehensive enough to cover the primary objectives outlined in the current statewide instructional standards for a grade or course. Formats for textbooks may be print, non-print or digital media, including hardbound books, softbound books, activity-oriented programs, classroom kits and technology-based programs or materials that require the use of electronic equipment in order to be used in the learning process. Technology-based programs may include subscription or web-based materials.

State-approved textbooks will be used as a means to help students meet the goals and objectives of the current statewide instructional standards, unless the superintendent, or designee, approves alternative materials recommended by the appropriate textbook selection committee. Textbooks will be recommended for selection for district-wide use by a committee chaired by the superintendent, or designee, with input from all affected personnel. The committee should include teachers and other professional staff representing various grade levels. Textbook committee members will ensure that textbooks are aligned with the current statewide instructional standards, support articulation from grade to grade, and meet the educational goals of the board of education.

B. Selection of Supplementary Materials

Supplementary materials are instructional and learning resources, which are selected to complement, enrich or extend the curriculum.

1. Objectives for Selection of Supplementary Materials

The procurement of materials must be accomplished in accordance with law. The objectives for the selection of supplementary materials are as follows:

- a. to provide a wide range of materials that will enrich and support the curriculum, taking into consideration the individual needs and varied interests, abilities, socio-economic backgrounds, learning styles and developmental levels of the students served;
- b. to provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards;
- c. to provide a background of information that will enable students to become successful lifelong learners, prepared for 21st century global citizenship and to make intelligent judgments in their daily lives;
- d. to provide resources representing various points of view on controversial issues so that students as young citizens may develop, under guidance, the skills of critical

thinking and critical analysis; and

e. to provide resources representative of the many religious, ethnic and cultural groups in our nation and the contributions of these groups to our American heritage.

2. Process and Criteria for Selecting Supplementary Materials

The selection of supplemental instructional materials for school use will be made primarily at the school level with the involvement of an advisory committee. The committee should include media specialists, teachers and instructional support personnel representing various subject areas and grade levels, as well as parents. Principals will be responsible for establishing rules concerning what materials may be brought in by teachers without review. Principals are encouraged to involve teachers in establishing these rules.

C. Removal of Outdated Supplementary

To ensure that the supplementary media collection remains relevant, the media and technology professionals, assisted by the media and technology advisory committee, shall review materials routinely to determine if any material is obsolete, outdated or irrelevant. The school media and technology advisory committee should remove materials no longer appropriate and replace lost, damaged and worn materials still of educational value.

D. Acceptance of Gift Materials

Supplementary materials offered as a gift will be reviewed pursuant to the criteria outlined in this policy; policy 8220, Gifts and Bequests; and any regulations established by the superintendent. Gift material may be accepted or rejected by the board based upon such criteria.

E. Challenges to Textbooks and Other Instructional Materials

Challenges to materials will be addressed pursuant to policy 3210, Parental Inspection of and Objection to Instructional Materials.

Legal References: [U.S. Const. amend. I](#); [N.C. Const. art. I](#), § 14; [G.S. 115C-45](#), [-47](#), [-81](#), [-98](#), [-101](#); [Board of Education v. Pico](#), 457 U.S. 853 (1982), [Board of Education v. Pico](#), 457 U.S. 853 (1982); State Board of Education Policy [TEXT-000](#); *Impact: Guidelines for North Carolina Media and Technology Programs*, North Carolina Department of Public Instruction (2005); *The Library Bill of Rights*, The American Library Association (1996)

Cross References: Goals and Objectives of the Educational Program (policy 3000), Parental Inspection of and Objection to Instruction Materials (policy 3210), School Improvement Plan (policy 3430), Gifts and Bequests (policy 8220)

Adopted: January 10, 2013, August 8, 2013

Revised: August 16, 2018

Policy Code: 4140 Foreign Exchange Students

The board embraces the cultural diversity that foreign exchange students bring to the school system. Foreign exchange students expose the school community to new perspectives and customs, facilitate cross-cultural understanding, and prepare all students for a future with increasing global interconnectivity. Foreign exchange students may be accepted for admission into the school system only through approved foreign exchange student programs in accordance with this policy.

A. Approval of Foreign Exchange Student Programs

The superintendent or designee may approve a foreign exchange student program upon receipt of documentation that the program:

1. has met the standards established by the Council on Standards for International Educational Travel (CSIET) and appears on the current CSIET J-1 Advisory List;
2. has a local representative residing in or in close proximity to the geographical area served by the school system; and
3. has educational goals and operating procedures compatible with those of the school system.

The superintendent or designee may revoke the approval of any program that does not maintain compliance with the requirements of this policy and any accompanying administrative procedures.

B. Responsibilities of Foreign Exchange Student Programs

Approved foreign exchange student programs will be responsible for facilitating all matters associated with the exchange, including, but not limited to:

1. screening and selecting students who are suitable for the program;
2. ensuring that the student has fulfilled all requirements for entry into the United States on a J-1 visa;
3. assuming all financial and legal responsibility for the student;
4. assuming responsibility for all matters associated with the student's living arrangements, such as selecting and orienting the student's host family and providing ongoing support for the host family and student;
5. preparing the student for the exchange, orienting the student to the community and the school system, monitoring the student's progress throughout the school year, and responding to any issues that may arise; and
6. communicating with the student's principal or designee, including providing the principal or designee with written notification of (1) any changes related to the host family or the foreign exchange student program's local representative and (2) any need to transfer academic credit back to the student's school of origin and the process for doing so.

C. Admission of Foreign Exchange Students

Foreign exchange student applications must be submitted to the superintendent or designee by July 31 prior to the school year in which the student wishes to enroll. The applications will be reviewed on a first-come, first-served basis. Foreign exchange students may be admitted for either a year-long course of study or a semester course of study. Tuition will be waived for all foreign exchange students admitted into the school system pursuant to this policy.

The board may admit a foreign exchange student only if the following conditions are met.

1. The student's admission application must be complete and include:
 - a. the host family's name and address, which must be located within the geographic area served by the school system;
 - b. the student's current official transcript translated in English;
 - c. results of a recent physical examination and proof of required immunizations translated in English;
 - d. proof of insurance for accident and medical coverage;
 - e. a copy of any special rules or requirements of the foreign exchange program; and
 - f. any other information or forms required by the school system.
2. The student must have adequate command of the English language, as measured by a nationally normed English language assessment, to function in a regular classroom. The student's English language ability must be documented as part of the application process.
3. The student must not have previously attended school in the United States in either F-1 or J-1 visa status. Students will not be accepted as transfers from any other school system in the United States unless by approval of the superintendent.
4. The student must possess a valid J-1 visa prior to attending school.
5. The board must have determined that space is available at the school to which the student will be assigned. Generally, school assignment will be based on the address of the student's host family. If a different school assignment is approved, the host family must agree to provide the student transportation to and from school. Foreign exchange students will not be permitted to transfer schools after initial enrollment.

D. Selection of Courses and Extracurricular Activities

Each school that enrolls foreign exchange students will designate a faculty member to act as the Foreign Exchange Student Advisor serving as a liaison between each foreign exchange student and the school. The Foreign Exchange Student Advisor will facilitate the selection of the student's courses and extracurricular activities in consultation with the foreign exchange student program's local representative, the host family, school personnel, and the student.

Students will be allowed to participate in interscholastic athletics and other extracurricular activities if they meet all applicable eligibility requirements (see policy 3620, Extracurricular Activities and Student Organizations) and are not otherwise prohibited by restrictions of the foreign exchange student program.

As the fundamental purpose of the exchange program is cultural exchange, foreign exchange students are not eligible to receive diplomas. Students who were enrolled as 12th graders may participate in high school graduation exercises and associated ceremonies and be awarded honorary certificates.

The superintendent or designee shall develop any necessary administrative procedures to implement this policy.

Legal References: Mutual Educational and Cultural Exchange Act of 1961, as amended, [Public Law 87-256](#), [22 U.S.C. 2451](#), *et seq.*; [22 C.F.R. Part 62](#)

Cross References: Extracurricular Activities and Student Organizations (policy 3620), Immunizations and Health Requirements for School Admission (policy 4110)

Adopted: February 13, 2025

Policy Code: 4150 School Assignment

The Asheboro City Board of Education believes that in almost all cases the child should attend the school that serves his/her domicile. Exceptions to this will be made in limited circumstances within the criteria provided below and any administrative procedures established by the superintendent.

A. Assignment Areas

The superintendent shall recommend to the board school assignment areas for the schools in the district.

The assignment areas will be developed in accordance with applicable Legal Requirements, the need to serve all school-age children who live in the school district; and the effective use of each school facility. Assignments will be made in a non-discriminatory manner.

The superintendent shall review periodically the assignment areas and submit recommendations for revisions to the board when necessary.

B. Assignment of Students

The superintendent or designee shall assign students to particular schools in accordance with the following standards.

1. Students Admitted Based on Domicile

Except as otherwise provided in this policy, students admitted to the school system based on domicile will be assigned to the school of the appropriate grade span within the assignment area of the student's domicile (or residence location if the student is exempted from the domicile requirement, as described in policy 4120, Domicile or Residence Requirements).

2. Students Accepted for Discretionary School Assignment

Students who are accepted for discretionary school assignment under policy 4130, Discretionary School Assignment, will be assigned to a school that meets the best interest of the student and the orderly and efficient administration of the school system.

3. Homeless Students and Students in Foster Care

Notwithstanding any other provisions of this policy, the superintendent or designee shall (1) assign homeless students in a manner consistent with state and federal law and policy 4125, Homeless Students; and (2) assign students in foster care to their school of origin unless contrary to their best interest, as required by federal law and as feasible.

4. Students Participating in the Address Confidentiality Program

Students who are participating in or whose parent is participating in the North Carolina Address Confidentiality Program established by [G.S. Chapter 15C](#) will be assigned on the basis of their actual address, but such address will remain confidential in accordance with law and policy 4250/5075/7316, North Carolina Address Confidentiality Program.

5. Students with Disabilities

Students with disabilities receiving services under an Individualized Education Program (IEP) or Section 504 plan will be assigned to schools in accordance with this policy unless

the superintendent or designee determines the student needs a different assignment to provide access to a program or service required under the IEP or Section 504 plan, as determined by the student's IEP or Section 504 team.

6. Administrative Assignment

The superintendent or designee may administratively assign a student to a school other than the one to which the student would otherwise be assigned under this policy when deemed in the best interest of the student and/or the effective administration of the schools, such as for reasons related to student safety, discipline, or programmatic issues, or when required by law.

7. Assignment to Alternative Program or School

Students will be assigned to an alternative education program or school in accordance with policy 3470/4305, Alternative Learning Programs/Schools.

Legal References: McKinney-Vento Homeless Assistance Act, [42 U.S.C. 11431](#) et seq.; Elementary and Secondary Education Act, [20 U.S.C. 6301](#) et seq.; *Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care*, U.S. Department of Education and U.S. Department of Health and Human Services (June 2016) and *Non-Regulatory Guidance on Education for Homeless Children and Youths Program*, U.S. Department of Education (July 2016), both available at <https://www2.ed.gov/policy/elsec/leg/essa/index.html>; *Unsafe School Choice Option Non-Regulatory Guidance*, U.S. Department of Education (May 2004), available at <https://www2.ed.gov/policy/elsec/guid/edpicks.jhtml?src=ln>; [G.S. 15C-8](#); [115C-36](#), [-47](#)(68), [-366](#), [-367](#), [-369](#); State Board of Education Policy [SSCH-006](#)

Cross References: Alternative Learning Programs (policy 3470/4305), Domicile or Residence Requirements (policy 4120) Homeless Students (policy 4126), Discretionary School Assignment (policy 4130), North Carolina Address Confidentiality Program (policy 4250/5075/7316)

Adopted: April 9, 1998 to become effective July 1, 1998

Revised: April 12, 2001, November 10, 2005, March 12, 2009, June 14, 2012, April 11, 2013, July 13, 2017, March 10, 2022, November 17, 2022, February 8, 2024

Administrative Procedure: Yes

Asheboro City Schools

Policy Code: 4310 Integrity and Civility

All students are expected to demonstrate integrity, civility, responsibility, and self-control. This expectation is directly related to the board's educational objectives for students to learn to be responsible for and accept the consequences of their behavior and for students to respect cultural diversity and ideological differences. Integrity, civility, responsibility, and self-control are also critical for establishing and maintaining a safe, orderly, and inviting environment.

A. Prohibited Behavior

In addition to any standards or rules established by the schools, the following behaviors are in violation of the standards of integrity and civility and are specifically prohibited:

1. cheating, including the actual giving or receiving of any unauthorized assistance or the actual giving or receiving of an unfair advantage on any form of academic work;
2. plagiarizing, including copying the language, structure, idea, and/or thought of another person or of a work produced by artificial intelligence and representing it as one's own original work;
3. violating copyright laws, including the unauthorized reproduction, duplication, and/or use of printed or electronic work, computer software, or other copyrighted material;
4. cursing or using vulgar, abusive, or demeaning language toward another person; and
5. playing abusive or dangerous tricks or otherwise subjecting a student or an employee to personal indignity.

Definitions of Seven Character Traits

Respect - Showing high regard for authority, for other people, ideas, and cultures, for self, for property and the environment; understanding that all people and all living things have value.

Responsibility - Being dependable in carrying out obligations and duties; showing reliability and consistency in words and conduct; being accountable for your own actions; being committed to active involvement in your community.

Honesty - Showing fairness, integrity, and sincerity; being straightforward, trustworthy, and honorable; telling the truth.

Kindness - Being considerate, courteous, helpful, and understanding of others; showing care, compassion, empathy, friendship, and generosity; treating others as you would like to be treated.

Courage - Having the determination to do the right thing even when others don't; the strength to follow your conscience rather than the crowd; attempting difficult things that are worthwhile; being persistent in pursuit of worthy goals in spite of difficulty, opposition, or discouragement.

Citizenship - making positive contributions as a member of your country, your community, and your school (for example, showing patriotism, obeying laws, doing your share, volunteering your service, protecting the environment, and conserving natural resources).

Self-discipline - demonstrating hard work and commitment to purpose; staying focused for the sake of improvement; choosing appropriate behaviors; being in proper control of your words,

actions, impulses, and desires; doing your best in all situations.

B. Consequences

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

Legal References: [17 U.S.C. 101](#), [102](#), [106](#), [107](#), [110](#), [117](#); [G.S. 115C-47](#), [-288](#), [-307](#), [-390.2](#)

Cross References: Goals and Objectives of the Educational Program (policy 3000), Copyright Compliance (policy 3230/7330), Student Behavior Policies (policy 4300)

Adopted: April 9, 1998 to become effective July 1, 1998

Revised: March 9, 2000, November 13, 2014, July 13, 2023

Asheboro City Schools

Policy Code: 5010 Parent Organizations

A. Principles

The board encourages the development and participation of parent organizations that support the goals of the board and the schools. The board recognizes that parent organizations are an effective means of involving parents and families in their children's schools. The superintendent and school administrators shall inform parent organizations of specific goals for each school and shall help these organizations identify opportunities to assist the school in achieving these goals.

Participation in parent organizations is always voluntary. No student or parent will be required to participate in a parent organization as a condition of participation in a curricular or extracurricular school activity or program.

B. Conditions for Establishing Parent Organizations

Parent organizations, including PTAs, PTOs and booster clubs, are not considered a part of the school system and may not represent themselves to students, parents, or others as official representatives of a school or the school system. However, because these organizations and their activities reflect upon the school district, all parent organizations must comply with the following conditions in order to operate in conjunction with the schools.

1. All parent organizations must provide the superintendent with a document describing the purpose of the organization and the general rules and procedures by which it will operate. Any later modifications to the organization's purpose or general rules and procedures also must be provided in writing to the superintendent.
2. Parent organizations must obtain prior approval from the principal for (a) any fund- raising event, (b) any purchase for the school, (c) any function involving the participation of students, or (d) any event which is likely to reflect upon the school or school district.
3. Fliers and other literature displayed or distributed by parent organizations must comply with policy 5210, Distribution and Display of Non-School Material.
4. Parent organizations are responsible for maintaining their own financial records in accordance with the requirements of Section C. Employees of the school district are not permitted to manage the affairs of parent organizations during the workday.
5. Parent organizations are expected to consider the cultural diversity and economic differences of students and parents in planning school-related functions.

The superintendent shall grant or deny parent organizations approval to operate at each school. Parent organizations that do not comply with board policies may have approval to operate within the school revoked by the superintendent.

C. Funds Management

Parent organization funds may be used only for purposes consistent with the goals, rules, and procedures of the organization. Adequate financial records, including sales slips, receipts, invoices, and any other documentation of expenditures, must be maintained and be accessible to parents and school officials on request.

Parent organization funds may be deposited only in an account maintained by the organization. All checks must be signed by the organization treasurer and either the organization president or vice-

president. The organization president should periodically review the organization bank records, which must be reconciled by the organization treasurer at least monthly.

All financial documents and accounts of the parent organization must be in the name of the parent organization and not in the name of the school, the school system, or a specific school team or program. Bank accounts should reflect the official name of the parent organization and carry the parent organization's tax identification number. The school system's tax identification number may not be used on a parent organization's bank account or financial documents. The school system does not have any financial responsibility for the payment of obligations incurred by a parent organization.

D. Donations to School District

Any donation to the school system from a parent organization must be made in accordance with the process and requirements of policy 8220, Gifts and Bequests.

Legal References: [G.S. 115C-36, -47](#)

Cross References: Parental Involvement (policy 1310/4002)

Adopted: April 9, 1998 to become effective July 1, 1998

Revised: December 10, 2015, July 12, 2018

Asheboro City Schools

Policy Code: 6402 Participation by Historically Underutilized Businesses

The board affirms the State's commitment to encourage participation of historically underutilized businesses in the school district's purchase of goods and services. The board of education prohibits discrimination against any person or business on the basis of race, color, ethnic origin, sex, disability or religion.

School District Good Faith Efforts

The board has adopted the following guidelines to ensure that the school district will make good faith efforts to reach diverse suppliers of goods and services and to encourage participation in the school district's purchasing progress by such suppliers. The school district will:

1. make information about the school district's purchasing procedures and bidding process readily available;
2. advertise for bids in media that reaches minority businesses;
3. ensure access to bidding documents needed for making bids on projects;
4. request directory information of businesses owned and controlled by minorities, women, disabled persons and nonprofit work centers for the blind or severely disabled by contacting the Division of Purchase and Contracts at the State Department of Administration;
5. sponsor or participate in purchasing seminars for all prospective vendors or, in particular for minority-owned, female-owned, disabled-owned, disabled business enterprises, and non-profit work centers for the blind or severely disabled;
6. provide information to HUBs on how to have a company name included on lists maintained by the Division of Purchase and Contracts at the State Department of Administration;
7. prepare vendor lists in accordance with policy 6442, Vendor Lists; and
8. where allowed by law, permit performance guarantees rather than performance bonds for contracts for goods and services.

Documentation and Reporting

The superintendent or designee will submit all legally required reports on the use of historically underutilized businesses and will document the use of businesses qualifying as historically underutilized businesses as necessary to comply with applicable laws.

Legal References: [*City of Richmond v. J.A. Croson Co.*](#), 488 U.S. 469 (1989); [G.S. 143-48](#), [143-128](#)

Cross References: Vendor Lists (policy 6442), Participation by Women and Minority-Owned Businesses (policy 9125)

Adopted: May 14, 1998 to become effective July 1, 1998

Revised: August 11, 2016

Policy Code: 7130 Licensure

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

A. Licensure and Other Qualification Requirements

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

B. Exceptions to Licensure Requirements

1. Adjunct CTE Instructors

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

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

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

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

3. Interim Principals

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

4. Cherokee Language and Culture Instructors

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

5. Driver Education Instructors

An individual not licensed in driver education is authorized to work as a driver education instructor if the individual holds Certified Driver Training Instructor status according to minimum standards established by State Board of Education Policy [DRV-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 of Education Policy [LICN-001](#) 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 shall develop a plan and a comprehensive program for beginning teacher support. The plan must be approved by the board and the Department of Public Instruction and kept on file for review. The plan must be aligned to the State Board of Education's beginning teacher support program standards and, when monitored, must demonstrate proficiency. The school system will also participate in implementing a regionally-based annual peer review and support system.

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

D. License Conversion

Teachers must meet all requirements of the State Board of Education in order to move from an initial professional license or residency license to a continuing professional license or to move from a continuing professional license to a lifetime license.

E. License Renewal

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

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

Decisions regarding the employment of teachers who fail to meet the required proficiency standard for renewal of a continuing professional license will be made in accordance with [G.S. 115C-270.30\(b\)\(4\)](#) and applicable State Board of Education requirements. The superintendent

or designee shall determine the professional development required of a teacher whose continuing professional license has reverted to an initial professional license and/or has expired due to performance issues. The superintendent or designee may authorize or direct principals to prescribe professional development to such employees in accordance with the employee's demonstrated deficiencies.

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

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

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

H. Equitable Distribution of Teachers

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

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

Legal References: Elementary and Secondary Education Act, [20 U.S.C. 6301 et seq.](#); [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](#); State Board of Education Policies [CTED-004](#), [DRV-003](#), [DRV-004](#), [EVAL-004](#), [EVAL-023](#), [EVAL-034](#), [LICN-001](#), [LICN-005](#), [LICN-021](#), [LICN-022](#), [TCED-016](#); *Beginning Teacher Support Program Handbook* (NCDPI) available at <https://sites.google.com/dpi.nc.gov/ncref/bt-support-program-resources>

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

Adopted: June 1997

Revised: January 22, 1999; December 20, 2006; June 30, 2008; September 30, 2011; March 28, 2013, September 12, 2013, June 12, 2014, June 8, 2017, February 8, 2018, August 8, 2019, March 12, 2020, January 14, 2021, August 12, 2021, February 10, 2022, February 9, 2023, March 14, 2024, November 14, 2024

Asheboro City Schools

Policy Code: 7360/8225 Crowdfunding on Behalf of the School System

For purposes of this policy, crowdfunding is the practice of using online sites to solicit donations, whether monetary or in-kind, on behalf of the school system. A crowdfunding campaign is considered to be on behalf of the school system if it uses imagery or language that would lead a reasonable person to believe that (1) the school system is associated with the campaign or (2) the campaign has the purpose or effect of providing resources or a benefit to the school system.

The board recognizes that crowdfunding campaigns are increasingly being used by employees to fund specific projects or programs. By aggregating donations from a broad and potentially diverse group of donors, crowdfunding has the potential to provide additional revenue and resources to classrooms and programs. Crowdfunding also has the potential to promote morale among employees by rewarding hard work and dedication.

Despite the positive aspects of crowdfunding, the unregulated use of the practice can subject the school system and the employee engaging in crowdfunding to potentially significant legal liability. The purpose of this policy is to establish a balanced approach that regulates and provides parameters for crowdfunding on behalf of the school system.

Parent organizations engaging in fundraising are subject to policy 5010, Parent Organizations, and are exempt from this policy. The board reserves the right to designate additional groups or individuals as exempt from this policy.

A. Unapproved Crowdfunding Prohibited

Crowdfunding on behalf of the school system is prohibited unless undertaken by an employee with prior written approval under this policy. No action towards initiating a crowdfunding campaign on behalf of the school system may be taken until the campaign is approved in writing pursuant to this policy.

No employee or student will be compelled to initiate or participate in a crowdfunding campaign on behalf of the school system. Students are permitted to participate in publicizing an employee's approved crowdfunding campaign but are prohibited from otherwise engaging in crowdfunding on behalf of the school system. Employees or students who participate in crowdfunding on behalf of the school system are acting in their capacity as employees or students and are subject to all rules governing employee and student conduct.

Except in furtherance of an approved campaign, employees are prohibited from doing any of the following as part of a crowdfunding campaign: identifying as an employee of or stating an association with the school system; using a school system email address, school name, logo, or mascot; or linking to or referencing any school website, social media site, platform, or account associated with the school system.

Approved crowdfunding campaigns will operate in compliance with all laws and other board policies and regulations, including policies 6401/9100, Ethics and the Purchasing Function; 8210, Grants and Funding for Special Projects; and 8220, Gifts and Bequests, except as otherwise provided in this policy.

B. Approval Request Form

An employee seeking approval of a crowdfunding campaign shall provide the following information on a form designated for this purpose (hereinafter referred to as the "approval request form"):

1. the employee's name, job title, school, and email address;
2. the approved crowdfunding website to be used;
3. the nature and quantity or amount of donations being requested;
4. the classroom, program, or activity to be benefitted and the educational purpose to be served;
5. the exact language that will be used in the crowdfunding campaign, as well as any graphics that will be included;
6. the start and end dates of the crowdfunding campaign; and
7. a statement of recognition by the requester that any proceeds of the campaign are school property.

The approval request form will be made available in school offices and on the school system's website.

C. Process for Approval of Requests by Superintendent

Notwithstanding anything to the contrary in policy 8220, Gifts and Bequests, the terms of this section control the approval of proposed online crowdfunding campaigns.

The superintendent or designee shall review referred approval request forms and seek additional information about proposed campaigns as appropriate. Regardless of the amount sought to be donated, the superintendent or designee may deny a referred campaign because the campaign is not in compliance with the requirements of this policy or because, in the judgment of the superintendent or designee, the proposed campaign would produce unacceptable inequity in the educational environment.

D. Requirements for Approved Requests

Crowdfunding requests will not be approved unless the proposed campaign:

1. meets all requirements of board policy and any applicable administrative regulations, and is consistent with the requirements of Title IX, FERPA, the IDEA, and any other applicable laws;
2. uses a crowdfunding site that has been approved by the superintendent pursuant to Section E;
3. is consistent with the school system's approved curriculum;
4. does not solicit funds for items or projects that are religious or political in nature or that have a religious or political purpose;
5. seeks donations that are compatible with the school system's technology, as confirmed by the technology director;
6. has a specific, pre-determined beginning and ending date;
7. does not disparage the school system or any of its buildings, programs, representatives, employees, or students;

8. does not include pictures or the identifying or confidential information of any school system student, unless specifically approved by the student's parent or guardian in writing and attached to the approval request form;
9. furthers the educational mission of the school and is not used for the unrelated personal gain of any individual;
10. does not result in donations being delivered directly to the requester;
11. is not contingent on the school system matching funds or making any expenditure;
12. does not request food or beverage items inconsistent with Smart Snack Standards, Section C of Policy 6140, Student Wellness, or nutrition standards set by the school system or school; and
13. does not suggest or state that the donation sought is required for or integral to a student's special education program, a student's ability to achieve his or her IEP goals, or the participation of students with disabilities in any school program.

Any crowdfunding campaign that does not fully comply with the requirements of this policy is prohibited. It is the responsibility of the employee implementing an approved crowdfunding campaign to ensure that all applicable policies, regulations, and laws, including the requirements of the crowdfunding site, are followed.

The school system reserves the right to terminate any approved crowdfunding campaign or refuse any donation for any reason and at any time, including if it believes the donation was acquired in violation of board policy, regulation, or other law.

E. Approved Crowdfunding Sites

The superintendent or designee shall create a list of approved crowdfunding sites. All approved crowdfunding sites must (1) be operated by an entity with no known significant history of fraud, unlawful activity, financial mismanagement, or other misconduct and (2) have a policy requiring all donations on behalf of the school system to go directly to the school system. The superintendent or designee shall encourage the use of sites that are focused on K-12 education.

If no site meets these requirements or the superintendent or designee does not approve any sites, no crowdfunding requests will be approved.

F. Processing and Allocating Donations

All monetary donations will be made payable to and deposited in an individual school account where the employee is associated. If the monetary donation involves the electronic transfer of funds, the principal shall ensure that the transfer is made properly and in accordance with acceptable standards of practice. All in-kind donations must be inventoried in accordance with policy 8350, Fixed Assets Inventory, by the individual school where the employee is associated. The school finance officer shall ensure that all donations are processed in a manner consistent with the School Budget and Fiscal Control Act and any other applicable law.

All donations, regardless of their form, obtained through crowdfunding on behalf of the school system are school property. As a general matter, the employee who completed an approved crowdfunding campaign should be given preference in the use of the donations obtained. Employees shall only use donations from a crowdfunding campaign for the approved purpose stated in the campaign. The school system reserves the right to transfer donations to a different

use at the board's discretion.

G. Recordkeeping

After donations obtained through an approved crowdfunding campaign have been utilized, the employee must file a written report with the principal detailing how the donations were used and how students benefited.

Legal References: [7 C.F.R. 210.11](#); [G.S. 115C-36, -47](#); The School Budget and Fiscal Control Act, [G.S. 115C, art. 31](#)

Cross References: Technology in the Educational Program (policy 3220), Parent Organizations (policy 5010), Collections and Solicitations (policy 5220), Student Wellness (policy 6140), Ethics and the Purchasing Function (policy 6401/9100), Grants and Funding for Special Projects (policy 8210), Gifts and Bequests (policy 8220), Fixed Assets Inventory (policy 8350), Individual School Accounts (policy 8410)

Other Resources: *Crowdfunding in K-12: Developing a Vision that Informs Policy*, EdSurge Research (2019), available at <https://www.edsurge.com/research/reports/crowdfunding-in-k-12-developing-a-vision-that-informs-policy>; Dave Yost, *Special Report on Crowdfunding Classrooms*, Office of the Ohio Auditor of State (July 11, 2018), available at <https://www.ohioauditor.gov/publications/2018%20crowdfunding%20report%20FINAL.pdf>; *Crowdfunding in K-12 Education*, National School Boards Association (April 2018), available at <https://www.nsba.org/newsroom/american-school-board-journal/asbj-april-2018/online-only-crowdfunding-k-12-education>

Adopted: November 12, 2020

Asheboro City Schools

Policy Code: 9115 Prequalification of Bidders for Construction Projects

A. General

1. The purpose of this prequalification process is to impartially evaluate a contractor, and to properly determine by its responsible business practices, work experience, manpower, and equipment that it is qualified to bid on a board construction project, including prime contracts awarded by construction managers pursuant to the Construction Manager at Risk ("CM at Risk") process. The award of contracts should be the result of open competition in bidding; impartiality in the selection of contractors; integrity in business practices; and skillful performance of public contracts.
2. The administration shall be responsible for prequalifying individual contractors to bid on board construction projects when the administration believes prequalification is preferred. The administration is not required to prequalify contractors for any particular project or projects. However, a contractor shall not be allowed to submit a bid on a construction project subject to prequalification, unless it has been prequalified in accordance with board policy.
3. The construction manager and the administration shall jointly develop the assessment tool and criteria for each CM at Risk project, including the prequalification scoring values and minimum requirement score. The construction manager shall use the process outlined in this policy for the prequalification of contractors on CM at Risk projects.
4. Notwithstanding the fact that a contractor was prequalified, the board, administration, and construction manager reserve the right to reject a contractor's bid if it is determined that the contractor has not submitted the lowest responsible and responsive bid. The prequalification of the contractor shall not preclude the board, administration, or construction manager from subsequently concluding that the contractor is not a responsible bidder pursuant to [G.S. 143-129](#). The prequalification of a contract for a project shall only apply to the individual project. All construction and repair contracts shall be awarded to the lowest responsive and responsible bidder, taking into consideration quality, performance, and the time specified in the proposals for the performance of the contract.

B. Application Process

1. The superintendent or designee shall designate a school official to oversee the prequalification process for each individual project ("School Prequalification Official").
2. Each prospective bidder on contracts identified for prequalification by the administration and all CM at Risk projects shall submit an application on the approved prequalification application form in order to become prequalified. The approved prequalification application form will require information to be provided on the ownership of the firm, experience of the firm's personnel, any affiliations with other construction firms, bonding capacity, financial resources, the type of work performed by the firm, and other objective criteria rationally related to the contract to be awarded.
3. The administration shall ensure that applications prepared for the projects comply with this policy and State law. The application is to be submitted by the deadline established in the notice of prequalification. The act of submitting the application does not permit the firm to submit a bid. Incomplete applications will be rejected or returned for further detail or correction in the sole discretion of the school system or construction manager.

C. Application

The application used by the school system or the construction manager must be approved by the School Prequalification Official and shall, at a minimum, address the following items:

- a. Organizational Structure - The firm shall provide a list of all owners, officers, partners, or individuals authorized to represent or conduct business for or sign legal documents for the firm. This list must include the full legal name, typed or printed in a clear legible form. Firms experiencing changes in ownership, organizational structure, or material changes in assets must inform the school system prior to the award of a contract. Failure of the firm to comply with this requirement may result in the termination of any contract awarded by the school system or construction manager.
- b. Classification - The firm shall indicate the type(s) of work the firm's workforce and equipment normally perform, licensure, and other pertinent information. The firm shall provide its MWSBE (Minority, Women, Small Business Enterprise) status.
- c. Experience - The firm shall furnish information that documents the ability of the firm to undertake a project involving the type(s) of work for which prequalification is requested.
- d. Financial - Firms will be required to provide a complete current annual financial statement (current within the previous 12-month period).
- e. Litigation/Claims - Firms must provide information on its success at completing projects on time, including the payment of liquidated damages. The firm will be required to submit information regarding its litigation history, including litigation with owners.
- f. Capacity - Firms shall demonstrate sufficient bonding capacity, insurance, and resources for the project. Firms must provide relevant information on the personnel that will be directly responsible for the work, including the location of the office that will be primarily responsible for work. Firms shall also demonstrate an acceptable safety history for construction projects.
- g. Legal Authorization - All firms must show that they are legally authorized to conduct business in the State of North Carolina and have all required licensure for the work to be performed.

D. Review of Application - School System Bid Projects

- 1. Prequalification Committee - The School Prequalification Official shall establish a committee to review and score applications, including approving and denying prequalification ("Prequalification Committee"). The superintendent or designee shall not be a member of the Prequalification Committee.
- 2. Review of Applications - The school system's Prequalification Committee shall use the school system's objective assessment process. The prequalification criteria shall not require the firm to have previously been awarded a construction or repair project by the school system. The prequalification criteria used by the Prequalification Committee shall include prequalification scoring values and the minimum required score to be prequalified for the project. The school system's Prequalification Committee shall approve or deny the applications in accordance with the prequalification criteria and scoring system.
- 3. Notice of Decision - The firms shall be promptly notified of the school system's Prequalification Committee's decision, including the reason for denial, via e-mail. Notice shall be provided prior to the opening of bids for the project and with sufficient time for the firm to appeal the denial of prequalification.

E. Review of Application - CM At Risk Projects

1. Prequalification Committee - The construction manager and the School Prequalification Official shall agree upon the members of the construction manager's Prequalification Committee. The superintendent or designee shall not be on the Prequalification Committee. The construction manager's Prequalification Committee will review prequalification applications submitted by the firms and will determine the firm's prequalification eligibility for the CM at Risk project.
2. Review of Applications - The construction manager's Prequalification Committee and the School Prequalification Official shall agree upon an objective assessment process. The construction manager and the School Prequalification Official shall develop prequalification criteria, including prequalification scoring values and the minimum required score to be prequalified for the project. The prequalification criteria shall not require the firm to have previously been awarded a construction or repair project by the construction manager or the school system. The construction manager's Prequalification Committee shall approve or deny the applications in accordance with the prequalification criteria and scoring system.
3. Notice of Decision - The firms shall be promptly notified of the construction manager's Prequalification Committee's decision, including the reason for denial, via e-mail. Notice shall be provided prior to the opening of bids for the project and with sufficient time for the firm to appeal the denial of prequalification.

F. Appeals Procedure

The firm may appeal from the denial of prequalification as noted below:

- a. Written Appeal - A written appeal may be filed via hand-delivery or e-mail to the applicable Prequalification Committee within three business days of receipt of notice that the firm has been denied prequalification. The written appeal shall clearly articulate the reasons why the firm is contesting the denial and attach all documents and additional information supporting the firm's position. The Prequalification Committee may contact the firm regarding the information provided prior to ruling on the appeal. If the Prequalification Committee is satisfied that the firm should be prequalified, the firm shall be notified that it is prequalified to bid on the project and allowed to participate in the bid process. If the Prequalification Committee upholds its denial, the firm shall be promptly notified in writing via e-mail.
- b. Hearing - The firm may appeal the Prequalification Committee's decision on the written appeal by requesting a hearing before the superintendent or designee via hand-delivery or e-mail within three (3) business days of the receipt of the Prequalification Committee's decision. The hearing shall be held within five (5) business days. The firm shall not be allowed to submit additional information without the written consent of the superintendent or designee. The firm shall be allowed thirty (30) minutes for the hearing. In the event the superintendent or designee is unable to hold a hearing in a timely manner, he/she may designate a school official to handle the appeal.
- c. Decision - For projects bid by the school system, the decision of the superintendent or designee shall be final, and the firm shall be promptly notified of the decision via e-mail. For CM at Risk projects, the superintendent or designee shall notify the construction manager of its recommended decision. The construction manager shall review the recommended decision and issue a final decision to the school system and firm. In the event the construction manager rejects a recommendation from the superintendent or designee to prequalify the firm, the construction manager shall provide a written explanation of the denial to both the superintendent or designee and the firm.
- d. General Rules for Appeals - Firms submitting applications shall be provided an e-mail

address for communication with the construction manager or school system during the appeal process. The firm shall provide at least two e-mail addresses for use by the school system or construction manager in communicating with the firm. All appeals shall be completed prior to the date and time for the receipt and opening of bids.

Legal References: [G.S. 143-128.1](#), [-129](#), and [135.8](#); [147, art. 6E](#), [art. 6G](#)

Adopted: August 13, 2015

Revised: January 12, 2017, March 14, 2019

Asheboro City Schools

Policy Code: 9120 Bidding for Construction Work

The board strives to obtain high quality services at a reasonable price through the bidding process employed by the school system. This policy describes state and local requirements. Any contracts funded with federal funds must also be made in accordance with the terms and conditions of the federal award and 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.)

A. Standards for Participation in Construction Contracts

All contracts formally or informally bid will be awarded to the lowest responsible bidder, taking into consideration quality, performance, reliability and the time specified in the bids for performance of the contract. Contracts will contain a provision stating that the contractor and contractor's subcontractors, if any, must comply with the requirements of [G.S. Chapter 64, Article 2](#). Prior to bidding, contractors may be required to prequalify if the board has elected to use this process. No contract may be entered into with a restricted company, as listed by the state treasurer in accordance with [G.S. 147, art. 6E](#) or [6G](#), except as permitted by those laws.

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

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

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

B. Bidding Methods

The board may request bids for contracts for building projects using either single prime, multi-prime (separate prime), construction management at-risk, dual bidding, design-build, design-build bridging, and public-private partnership methods, as permitted by law. The superintendent shall make a recommendation to the board as to the method(s) that should be used for a particular project.

If the superintendent believes the project cannot be reasonably completed under the methods authorized by [G.S. 143-128](#), the superintendent shall so inform the board and make the recommendation to the board that it approve the use of alternative methods. Upon board approval, the superintendent shall submit to the State Building Commission a request to use an

alternative contracting method along with supporting documentation.

C. Formal Bidding

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

D. Informal Bidding

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

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

E. Approval

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

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

F. Records and Reporting Requirements

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

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

G. Dispute Resolution Process

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

Prior to initiating litigation concerning a dispute, parties to the dispute must do the following: (1) submit the dispute for review by the superintendent or other designated school official and the project architect, as appropriate, and (2) participate in mediation, if the matter cannot be

resolved by school officials and the architect. The cost of the dispute resolution process will be divided between the parties to the dispute. If the board is a party to the dispute, the board will pay at least one-third of the cost.

Legal References: [2 C.F.R. 200.317-200.326](#); [G.S. 64, art. 2](#); [115C-521, -522](#); [143-64.31](#) and [art. 8](#); [147, art. 6E](#) and [art. 6G](#)

Cross References: Contracts with the Board (policy 6420), Federal Grant Administration (policy 8305), Facility Construction (policy 9030), Prequalification of Bidders for Construction Projects, (policy 9115), Participation by Women- and Minority-Owned Businesses (policy 9125)

Adopted: May 14, 1998 to become effective July 1, 1998

Revised: May 8, 2014, August 13, 2015, June 9, 2016, January 12, 2017, March 14, 2019

Asheboro City Schools

Policy Code: 9125 Participation by Minority Businesses

The board affirms the State's commitment to encouraging the participation of minority businesses in the school system's building construction contracts. A minority business is defined in accordance with [G.S. 143-128.2](#) and is either (1) one in which at least 51 percent of the business is owned by minority persons or socially and economically disadvantaged individuals and the management and daily business operations are controlled by one or more of the minority persons or socially and economically disadvantaged individuals who own it, or (2) an employee stock ownership plan company in which at least 51 percent of the stock is owned by one or more minority persons or socially and economically disadvantaged individuals. Minority persons include African-Americans, those of Hispanic descent, Asian Americans, American Indians, and females.

A. Goals

After notice and public hearing, the board hereby adopts an aspirational verifiable percentage goal of ____ percent for participation by minority businesses in the total value of work for each building project costing \$300,000 or more paid entirely from local or other non-state funds. In addition, the board adopts the state's aspirational verifiable goal of 10 percent participation by minority businesses in the total value of work for each building project costing \$100,000 or more funded in whole or in part with state funds.

Only businesses holding current certification as a historically underutilized business will be considered eligible for inclusion in meeting the board's participation percentage goals. Lack of certification, however, will not be considered in making a contract award decision.

B. School System Good Faith Efforts

The board establishes the following guidelines for contracts subject to Section A to ensure that the school system will make good faith efforts to reach diverse contractors and to encourage participation in the school system's construction contracts by such contractors. Before awarding a contract, the superintendent or designee shall:

1. make information about the school system's formal and informal bidding process readily available;
2. develop and implement a minority business participation outreach plan to identify minority businesses that can perform building projects and to implement outreach efforts to encourage minority business participation in such projects;
3. advertise for bids in media that reach minority businesses;
4. designate a school official to attend the scheduled pre-bid conference to explain the school system's minority goals and objectives;
5. at least 10 days prior to the scheduled day of bid opening, notify minority businesses of the following:
 - a. a description of the work for which the bid is being solicited;
 - b. the date, time, and location where bids are to be submitted;
 - c. the name of the individual within the public entity who will be available to answer questions about the project;

- d. where bid documents may be reviewed; and
- e. any special requirements that may exist.

For purposes of this provision, the minority businesses to be notified are those (1) that have requested notices from the school system for construction or repair work, and (2) those that otherwise indicated to the Office of Historically Underutilized Businesses an interest in the type of work being bid or the potential contracting opportunities listed in the proposal;

- 6. ensure that everyone who requests it has access to bid documents needed for making bids on projects;
- 7. maintain documentation of any contacts, correspondence, or conversation with minority business firms made in an attempt to meet the goals;
- 8. review, jointly with the designer, the lowest responsible bidder's bid for compliance with all requirements of [G.S. 143-128.2\(c\)](#) and [-128.2\(f\)](#) prior to recommendation of the contract award;
- 9. encourage businesses experiencing difficulty in meeting the bonding, licensing, and bid deposits required by state law in larger construction projects to utilize resources and assistance offered by local, state, and federal agencies; and
- 10. provide information to bidders about the statewide uniform certification program for historically underutilized businesses.

C. Good Faith Efforts Required By Contractors

All bidders on school construction and renovation projects subject to Section A of this policy who intend to subcontract any part of the project must (1) identify the minority businesses to be used on the project and (2) provide affidavits indicating that a good faith effort has been made in preparing the bid to meet the board's verifiable goal for participation by minority businesses. Upon being named the apparent lowest responsible, responsive bidder, a bidder shall provide additional evidence of its good faith efforts as required by law.

The level of minority participation in bidders' bids will not affect the contract award decision; however, the failure to provide documentation of a good faith effort to meet the board's goal may result in the bid being rejected as non-responsive.

Before recommending the award of a contract, the superintendent shall direct designated school officials to evaluate bidders' documents in accordance with applicable law and regulations to determine whether bidder good faith requirements are satisfied.

D. Monitoring

The superintendent or designee shall monitor payments made to minority businesses on each project subject to Section A to verify that the minority businesses actually working on the project and their level of participation is consistent with the representations made in the contractor's bid.

E. Other Minority Business Recruitment Efforts

For building contracts that (1) are not subject to Section A and (2) cost at least \$30,000 but less than \$300,000, the board will solicit participation by minority business enterprises and maintain

a record of contractors solicited and efforts to recruit minority participation.

F. Reporting

The superintendent shall ensure that all required reports and other documentation are filed with the Department of Administration in accordance with legal requirements.

G. Nondiscrimination

The board will award public building contracts without regard to race, religion, color, creed, national origin, sex, age, or disability. Nothing in this policy should be construed to require the board or contractors to award contracts or subcontracts to minority business contractors or minority business subcontractors who do not submit the lowest responsible, responsive bid or bids.

Legal References: [*City of Richmond v. J.A. Croson Co.*](#), 488 U.S. 469 (1989); [G.S. 143-128](#), [-128.2](#), [-128.3](#), [-131\(b\)](#); [01 N.C.A.C. 30I.0101-0310](#)

Cross References:

Adopted: June 1997

Revised: September 24, 1999; May 7, 2004, May 8, 2014, March 14, 2019, March 14, 2024

Asheboro City Schools

Policy Code: 3540 Comprehensive Health Education Program

The board is committed to a sound, comprehensive health education program that provides students with accurate information and encourages them to be responsible for their own health and behavior. The board recognizes the primary role of parents in providing for the health and well-being of their children and seeks to involve parents as provided in this policy. The comprehensive health education program provided by the school system will meet the requirements of state law and the objectives established by the State Board of Education. The board may, in its discretion, expand on the subject areas to be included in the program and on the instructional objectives to be met.

A. Comprehensive Health Education Program

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

Instruction on gender identity, sexual activity, or sexuality will not be included in the health education program in kindergarten through fourth grade (see also policy 1310/4002, Parental Involvement). As required by law and beginning in seventh grade, reproductive health and safety education will include age-appropriate instruction on sexual abstinence until marriage, STDs, the human reproductive system, preventable risks for preterm birth in subsequent pregnancies, the effectiveness of contraceptive methods in preventing pregnancy, awareness of sexual assault and sexual abuse, and sex trafficking prevention and awareness.

B. Parental Opportunities to Review Materials and Withhold Consent for Student Participation

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

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

C. Standards for Instruction

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

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

Legal References: [G.S. 115C art. 9](#); [115C-36](#), [-76.25\(a\)\(1\)](#), [-76.35\(b\)\(5\)](#), [-76.40](#), [-76.55](#), [-81.25](#), [-81.30](#); *Policies Governing Services for Children with Disabilities*, State Board of Education Policy [EXCP-000](#); State Board of Education Policy [SCOS-007](#)

Cross References: Parental Involvement (policy 1310/4002)

Adopted: August 12, 2010

Revised: April 10, 2014; June 9, 2016; May 10, 2018; November 9, 2023

Asheboro City Schools

Policy Code: 1720/4030/7235 Title IX Nondiscrimination On the Basis of Sex

The school system does not discriminate on the basis of sex in its education programs or activities and is required by Title IX of the Education Amendments Act of 1972 and federal regulations to not discriminate in such a manner. This requirement extends to admission and employment. The board will not tolerate discrimination on the basis of sex, including any form of sexual harassment as that term is defined under Title IX, in any program or activity of the school system.

A. Inquiries About Title IX

The board has designated a Title IX coordinator to coordinate its efforts to comply with its responsibilities under Title IX and its implementing regulations. Inquiries about the application of Title IX and its implementing federal regulations may be referred to the Title IX coordinator and/or the Assistant Secretary for Civil Rights in the Office for Civil Rights at the U.S. Department of Education.

The contact information for the Title IX coordinator is as follows.

The contact information for the Asheboro City Schools Title IX Coordinator for students is:

Director of Support Services

1126 South Park Street

Asheboro, NC 27203

Office: (336) 625-5104

The contact information for the Asheboro City Schools Title IX Coordinator for staff is:

Human Resources

1126 South Park Street

Asheboro, NC 27203

Office: (336) 625-5104

The contact information for the Office for Civil Rights with jurisdiction over North Carolina is as follows.

4000 Maryland Ave, SW Washington, DC 20202-1475

Telephone: 202-453-6020 TDD: 800-877-8339

FAX: 202-453-6021

Email: OCR.DC@ed.gov

B. Resolution of Grievances

The board has established grievance procedures that provide for the prompt and equitable resolution of complaints alleging discrimination on the basis of sex (other than sexual harassment) in a program or activity of the school system occurring against a person in the United States. Students and parents or guardians may report such alleged discrimination through the process provided in policy 1740/4010, Student and Parent Grievance Procedure. Employees and applicants may use the process provided in policy 1750/7220, Grievance Procedure for Employees.

The board has adopted additional means for reporting sexual harassment specifically. Any person may report alleged sexual harassment in the education program or activities of the school system occurring against a person in the United States in accordance with policy 1725/4035/7236, Title IX Sexual Harassment - Prohibited Conduct and Reporting Process. Those who believe they have been sexually harassed may also file a formal complaint of sexual harassment in accordance with policy 1726/4036/7237, Title IX Sexual Harassment Grievance Process, to initiate a prompt and equitable resolution through a formal investigation and adjudication or through an informal resolution process. The board encourages students, employees, and applicants to first make a report of sexual harassment in accordance with policy 1725/4035/7236 before filing a formal complaint.

C. Retaliation Prohibited

Retaliation against any person for the exercise of rights under Title IX or to interfere with those rights in any way is strictly prohibited and will subject the perpetrator to disciplinary action. The identity of any person who has made a report or complaint of sex discrimination or sexual harassment or who is the alleged perpetrator of sex discrimination or sexual harassment will be confidential unless otherwise required or permitted by law. Complaints alleging retaliation may be filed according to the grievance processes established in policies 1740/4010 and 1750/7220. Acts of retaliation may also be subject to policy 1760/7280, Prohibition Against Retaliation.

D. Notice of the Board's Policy of Nondiscrimination Based on Sex

The superintendent is responsible for providing notice of the board's nondiscrimination policy to students and their parents or legal guardians, employees, and applicants for admission or employment. The superintendent shall also ensure that each principal or site supervisor makes a copy of this policy

available to those persons. In addition, the following must be posted on the school system website and included in all student and employee handbooks: (1) a statement of the board's policy of nondiscrimination on the basis of sex; (2) contact information for the Title IX coordinator; and (3) a statement that Title IX inquiries may be referred to the Title IX coordinator or to the Assistant Secretary for Civil Rights.

Legal References: Title IX of the Education Amendments Act of 1972, [20 U.S.C. 1681 et seq.](#); [34 C.F.R. Part 106](#); *Grimm v. Gloucester County School Board*, 972 F.3d 586 (4th Cir. 2020)

Cross References: Title IX Sexual Harassment - Prohibited Conduct and Reporting Process (policy 1725/4035/7236), Title IX Sexual Harassment Grievance Process (policy 1726/4036/7237), Student and Parent Grievance Procedure (policy 1740/4010), Responding to Complaints (policy 1742/5060), Grievance Procedure for Employees (policy 1750/7220), Prohibition Against Retaliation (policy 1760/7280), Staff-Student Relations (policy 4040/7310)

Other Resources: [Enforcement of Title IX of the Education Amendments of 1972 with Respect to Discrimination Based on Sexual Orientation and Gender Identity in Light of *Bostock v. Clayton County*](#), U.S. Department of Education, Office for Civil Rights (2021)

Adopted: March 11, 2021

Revised: February 10, 2022

Asheboro City Schools

Policy Code: 3130 Grouping for Instruction

All students are expected to meet state and local academic performance standards. The board acknowledges that heterogeneous grouping usually is the best means of meeting the educational goals of the board. However, the board recognizes that students may differ in the amount of time needed or the instructional methodology that will best assist them in learning the curriculum. If homogeneous grouping is used, students should be returned to the heterogeneous environment once their needs are met.

If grouping practices are used, the following factors must be considered:

1. the individual student's best opportunity for achievement;
2. the skill level of the student;
3. the most effective instructional climate for the student;
4. the age and maturity levels of the students in the group;
5. the most effective instructional climate for the group; and
6. the most effective social climate for the group and the student.

Race or sex discrimination will not be tolerated. If homogeneous grouping materially affects educational goals, the person proposing such grouping must demonstrate that the benefits of homogenous grouping clearly outweigh the benefits of meeting the board's educational goals of diversity.

The principal has the authority to assign students to classes (see policy 4155, Assignment to Classes), including the authority to group students for instruction in accordance with this policy. However, the principal should include others in this decision-making process. Thus, the principal may solicit recommendations from teachers and review requests by parents when considering homogenous grouping. The principal also may evaluate whether the factors that indicated the need for homogenous grouping still exist.

This policy is not intended to alter teachers' discretion to group for instruction within classes. Such ad hoc grouping also may be considered as an intervention strategy to improve student performance. However, ad hoc grouping for daily instruction should not result in isolation for a major portion of the school day.

Legal References: [G.S. 115C-47](#), [-81](#), [-276](#), [-288](#)

Cross References: Goals and Objectives of the Educational Program (policy 3000), Student Progression and Placement (policy 3420), Assignment to Classes (policy 4155)

Adopted: May 14, 1998 to become effective July 1, 1998

Updated: October 9, 2014

Asheboro City Schools

Policy Code: 3620 Extracurricular Activities and Student Organizations

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

A. Requirements for Participation in Extracurricular Activities

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

Participation in extracurricular activities may be restricted if a student (1) is not performing at grade level as provided in policy 3400, Evaluation of Student Progress; (2) has failed to meet any applicable attendance requirements; (3) has violated the student conduct standards found in the 4300 series of policies; or (4) has violated school rules for conduct or (5) has not passed the required physical examination. School administrators choosing to exercise this authority to restrict participation shall provide this policy and any additional rules, including attendance requirements, developed by the superintendent or the principal to all parents, guardians, and students.

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

B. Additional Rules for Specific Activities

1. Interscholastic Athletics

a. General Rules

In addition to meeting the general requirements listed above, to be eligible for interscholastic athletics participation, students must have been in daily attendance 85 percent of the previous semester and must meet all applicable eligibility standards of law and the State Board of Education as well as any locally established requirements for interscholastic athletics participation.

A student participating in high school interscholastic athletics may participate only on the team consistent with the gender on the student's birth certificate.

b. Participation by Sixth Graders

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

c. Students Who Transfer Schools Within the School System

It is the policy of the board that a student who transfers from one school in the school system to another school in the school system will be immediately eligible to participate in interscholastic athletics at the new school, if otherwise permitted under the rules of the State Board of Education.

d. Home School Students

Any home school student whose primary residence (as defined in [16 N.C.A.C. 6E .0207](#)) is in the school system and who is dually enrolled in accordance with the school system's enrollment and assignment policies and procedures is eligible to participate in high school interscholastic athletics if the student complies with the requirements of this subsection and meets all applicable eligibility standards of law and the State Board of Education as well as any applicable locally established requirements for interscholastic athletics participation.

The student must present a home school card from the Division of Non-Public Education for the previous and current years as well as a transcript, attendance record, and immunization records. Prior to the first date of practice, the student must provide the results of a nationally standardized achievement test, taken within the last year, that indicates the student was on grade level at the time the test was taken. The student must also present proof of catastrophic accident insurance coverage unless the student is covered under the board's catastrophic athletic accident insurance policy.

The student must have been enrolled in a registered home school for 365 days prior to participation in athletics. Once dually enrolled and deemed eligible to participate in athletics, the student must maintain continuous dual enrollment. Failure to maintain continuous dual enrollment would render the student ineligible for athletic participation for 365 days.

The student must participate in a class schedule at the assigned school that is at least one half of the assigned school's instructional day. The student must pass all classes in which the student is enrolled at the assigned school in order to maintain athletic eligibility.

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

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

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

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

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

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

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

participation in the group is required as part of a course; or (3) participation in the group results in course credit.

C. Special Circumstances

1. Students with Disabilities

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

2. Children of Military Families

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

- a. providing information about extracurricular activities to incoming children of military families; and
- b. waiving application deadlines.

D. Appeals Process

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

Legal References: Americans with Disabilities Act, [42 U.S.C. 12132](#), [28 C.F.R. pt. 35](#); Equal Access Act, [20 U.S.C. 4071-4074](#); Individuals with Disabilities Education Act, [20 U.S.C. 1400 et seq.](#), [34 C.F.R. pt. 300](#); Rehabilitation Act of 1973, [29 U.S.C. 705\(20\)](#), [794](#), [34 C.F.R. pt. 104](#); [G.S. 115C art. 9](#), [115C-12\(23\)](#), [-47\(4\)](#), [-390.2](#), [-407.5](#), [-407.55](#), [-407.59](#), [-407.60](#), [-407.65](#), [-407.70](#), [-407.75](#); [16 N.C.A.C. 6E .0207](#); State Board of Education Policy [ATHL-001](#); *Policies Governing Services for Children with Disabilities*, State Board of Education Policy [EXCP-000](#); N.C. High School Athletic Association Handbook, available at <https://www.nchsaa.org/handbook>; Middle/Junior High School Athletic Manual (NCDPI), available at <http://www.dpi.nc.gov/districts-schools/classroom-resources/academic-standards/programs-and-initiatives/nc-healthy-schools/athletics>

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

Behavior Policies (4300 series), Attendance (policy 4400), Community Use of Facilities (policy 5030)

Adopted: May 14, 1998 to become effective July 1, 1998

Revised: February 12, 2009, July 9, 2015, July 14, 2016, April 6, 2017, August 10, 2017, February 13, 2020, August 13, 2020, July 15, 2021, January 12, 2023, August 13, 2024, December 12, 2024

Asheboro City Schools

Policy Code: 4329/7311 Bullying and Harassing Behavior Prohibited

The board is committed to providing a safe, inviting, and civil educational environment for all students, employees, and other members of the school community. The board expects all students, employees, volunteers, and visitors to behave in a manner consistent with that goal. The board recognizes that bullying and harassing behavior creates an atmosphere of intimidation and fear, detracts from the safe environment necessary for student learning, and may lead to more serious misconduct or to violence. Accordingly, the board prohibits all forms of bullying and harassing behavior, including encouragement of such behavior, by students, employees, volunteers, and visitors. "Visitors" includes parents and other family members and individuals from the community, as well as vendors, contractors, and other persons doing business with or performing services for the school system.

This policy prohibits bullying and harassing behavior, or the encouragement of bullying or harassing behavior, that takes place (1) in any school building or on any school premises before, during or after school hours; (2) on any bus or other vehicle as part of any school activity; (3) at any bus stop; (4) during any school-sponsored activity or extracurricular activity; (5) at any time or place when the student, employee, or other person is subject to the authority of school personnel; or (6) at any time or place when the bullying has a direct and immediate effect on maintaining order and discipline in the schools.

This policy is not intended to prohibit expression of religious, philosophical, social, or political views, provided that the expression does not substantially disrupt the educational environment.

A. Relationship to Other Policies

This policy applies to bullying and harassing behavior that is not otherwise prohibited by the following board policies that address discriminatory harassment in violation of federal law:

- Discrimination and Harassment Prohibited by Federal Law, policy 1710/4020/7230 (prohibiting harassment based on race, color, national origin, disability, or religion)
- Title IX Sexual Harassment - Prohibited Conduct and Reporting Process, policy 1725/4035/7236 (prohibiting sexual harassment)
- Discrimination and Harassment in the Workplace, policy 7232 (prohibiting harassment of employees and applicants based on race, color, national origin, sex, age, disability, military affiliation, or genetic information)

Individuals who wish to report bullying or harassing behavior that is based on sex, race, color, national origin, disability, religion, or other personal characteristic addressed by the policies above should refer to and follow the reporting processes provided in those policies.

Conduct that may constitute discriminatory harassment under federal law must be addressed first in accordance with the requirements of the applicable policy(ies) listed above. If subsequently, the conduct is determined not to rise to the level of discriminatory harassment prohibited by those policies, the conduct may be addressed under this policy. Conduct that does not rise to the level of bullying or harassing behavior as defined and prohibited in this policy may nevertheless violate other board policies or school rules.

B. Conduct that is Considered Bullying or Harassing Behavior

1. Bullying is deliberate conduct intended to harm another person or group of persons. It is characterized by repeated unwanted aggressive behavior that typically involves a real or perceived imbalance of power, such as a difference in physical size, strength, social standing, intellectual ability, or authority. It may consist of either physical, verbal, or nonverbal behavior. Cyberbullying is a form of bullying that is carried out using electronic communication media, such as words, action, or conduct conveyed through email, instant messages, text messages, tweets, blogs, photo or video sharing, chat rooms, or websites, and may exist in the absence of a power imbalance typical of other forms of bullying.
2. Harassing behavior is conduct that is intimidating, hostile, or abusive, or is unwelcome conduct of a sexual nature. Harassing behavior may violate this policy even if no harm is intended to the target and no power imbalance is evident.
3. Bullying or harassing behavior includes conduct that is, or reasonably appears to be, motivated by actual or perceived differentiating personal characteristics, or by a person's association with someone who has or is perceived to have a differentiating personal characteristic. Differentiating personal characteristics include, but are not limited to race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, physical appearance, or mental, physical, developmental, or sensory disability. Bullying and harassing behavior can violate this policy regardless of a student's motivation.
4. Examples of behavior that may constitute bullying or harassing behavior are repeated acts of disrespect, intimidation, or threats, such as verbal taunts, name-calling and put-downs, epithets, derogatory or lewd comments, spreading rumors, extortion of money or possessions, implied or stated threats, assault, offensive touching, physical interference with normal work or movement, visual insults, such as derogatory posters or cartoons, and sharing intimate photos or video of a person or sharing photos or videos that may subject a person to ridicule or insult.

5. Other behaviors that may constitute bullying or harassing behavior under this policy are deliberate, unwelcome touching that has sexual connotations or is of a sexual nature, pressure for sexual activity, offensive sexual flirtations, advances or propositions, verbal remarks about an individual's body, sexually degrading words used toward an individual or to describe an individual, or the display of sexually suggestive drawings, objects, pictures, or written materials.

6. These examples are not exhaustive but are intended to illustrate the wide range of behavior that may constitute bullying and harassing behavior.

7. Conduct such as the following is not considered bullying or harassing behavior: legitimate pedagogical techniques, the exercise of legitimate authority, and academic or work performance monitoring and evaluation.

C. When Bullying or Harassing Behavior Violates This Policy

Not all conduct that may be described as bullying or harassing behavior violates this policy. Bullying or harassing behavior violates this policy when any pattern of repeated gestures or written, electronic, or verbal communications, or any physical act or threatening communication:

1. places a student, an employee, or other person in actual and reasonable fear of harm to their person or property; or
2. creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities, or benefits.

"Hostile environment" means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior.

The definition of bullying and harassing behavior in this section is intended to be no less inclusive than the definition of bullying and harassing behavior in [G.S. 115C-407.15](#).

Bullying or harassing behavior based on sex, race, color, national origin, disability, or religion may also constitute discriminatory harassment in violation of federal law and other board policies as described in Section A, above.

D. Reporting Bullying and Harassing Behavior

1. Reports by Students and/or Parents and Guardians

- a. The board encourages students or parents/guardians of students who have been the victim of or who have witnessed bullying or harassing behavior in violation of this policy to immediately report such incidents to a teacher, counselor, coach, assistant principal, or the principal.
- b. Reports may be made orally or in writing and may be made anonymously.
- c. All reports of serious violations and complaints made under this policy will be investigated expeditiously. Anonymous reports will be investigated to the extent reasonably possible under the circumstances.
- d. If, at any time, school officials determine that the alleged bullying or harassing behavior appears to be based on sex, race, color, national origin, disability, or religion, the matter will be investigated in accordance with the applicable policy listed in Section A above.

2. Mandatory Reporting by School Employees

An employee who witnesses or who has reliable information that a student or other individual has been bullied or harassed in violation of this policy must report the incident to his or her supervisor or to the building principal immediately. If sexual harassment is suspected, the employee also must report the incident to the Title IX coordinator. An employee who does not promptly report possible bullying or harassing behavior will be subject to disciplinary action.

3. Reporting by Other Third Parties

Other members of the school community may report incidents of bullying or harassment to the school principal or the superintendent or designee.

4. Reporting False Allegations

It is a violation of board policy to knowingly report false allegations of bullying or harassing behavior. A student or employee found to knowingly report or corroborate false allegations will be subject to disciplinary action.

E. Reports of Bullying or Harassing Behavior Based on Sex, Race, Color, National Origin, Disability, or Religion

Bullying or harassing behavior that is based on sex, race, color, national origin, disability, or religion may constitute discriminatory harassment that is a violation of the individual's civil rights. A school employee who receives a report of bullying or

harassing behavior that may constitute sexual harassment must immediately contact the Title IX coordinator. If the reported behavior appears to be based on any other such personal characteristic, the employee must immediately notify the appropriate civil rights coordinator designated in policy 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law. Uncertainty as to whether alleged bullying or harassing behavior is based on sex, race, color, national origin, disability, or religion should be resolved by notifying the Title IX Coordinator.

F. Response to Reports of Bullying or Harassing Behavior

1. Reports of bullying and harassing behavior or the encouragement of such behavior under this policy will be investigated promptly by the principal or the principal's designee and addressed in accordance with this policy and policy 4340, School- Level Investigations. If the principal is the alleged perpetrator, the superintendent will designate an appropriate investigator.
2. If at any time before, during, or after the investigation under this policy, the principal or designee determines or suspects that the alleged bullying or harassing behavior is based on sex, race, color, national origin, disability, or religion, the principal or designee shall notify the appropriate civil rights coordinator and proceed in accordance with the applicable board policy as described in Section A, above. However, referral to the civil rights coordinator will not preclude appropriate disciplinary consequences for a violation of this policy if, following the designated investigation and resolution process under the appropriate board policy, the behavior is determined not to constitute discriminatory harassment in violation of federal law.
3. No reprisals or retaliation of any kind are permitted as a result of good faith reports of bullying or harassing behavior. An employee who engages in reprisal or retaliation will be subject to disciplinary action, up to and including dismissal. A student who does so is subject to disciplinary consequences as provided in Section G, below.

G. Consequences

1. Students

The disciplinary consequences for violations of this policy should take into consideration the frequency of incidents, the developmental age of the student involved, and the severity of the conduct and must be consistent with the 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 this policy.

A student who is convicted under [G.S. 14-458.2](#) of cyberbullying a school employee will be transferred to another school. If there is no other appropriate school within the school system, the student will be transferred to a different class or assigned to a teacher who was not involved as a victim of the cyberbullying. The superintendent may modify the required transfer of an individual student on a case-by-case basis and shall provide a written statement of this modification in the student's record.

2. Employees

Employees who violate this policy will be subject to disciplinary action, up to and including dismissal.

3. Others

Volunteers and visitors who violate this policy will be directed to leave school property and/or reported to law enforcement, as appropriate, in accordance with policy 5020, Visitors to the Schools. A third party under the supervision and control of the school system will be subject to termination of contracts/agreements, restricted from school property, and/or subject to other consequences, as appropriate.

H. Other Interventions

Interventions designed to remediate the impact of a violation of this policy and to restore a positive school climate will be provided as determined necessary by school officials.

I. Notice

This policy must be provided to employees, students, and parents, guardians, and caregivers at the beginning of each school year. Notice of this policy must be included in the Code of Student Conduct and in all student and employee handbooks. Principals are encouraged to post a copy or summary of this policy in each classroom and in a prominent location within the school building and to make an age-appropriate summary of the policy available to elementary students. Information about this policy must also be incorporated into employee training programs.

J. Records

The superintendent or designee shall maintain confidential records of complaints or reports of bullying or harassing behavior under this policy. The records must identify the names of all individuals accused of such offenses and the resolution of such complaints or reports. The superintendent also shall maintain records of any

remedial interventions or other steps taken by the school system to provide an environment free of bullying.

Legal References: [G.S. 14-458.2](#); [115C-105.51](#), [-366.4](#), [-407.15 through -407.18](#)

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), School-Level Investigations (policy 4340), Visitors to the Schools (policy 5020), Discrimination and Harassment in the Workplace (policy 7232)

Adopted: October 14, 2021

Revised: March 10, 2022

Asheboro City Schools

Policy Code: 5240 Advertising in the Schools

Students and the educational program must be the focus of the school system. In order to maintain an educational environment conducive to learning and to minimize intrusions upon instructional time, advertising for and promotion of commercial products and services are discouraged during the instructional day. Superintendent and/or designee shall screen and approve the distribution and display of advertising materials and messages publicized through school media or displayed on school property and at school events.

A. Applicability of Policy

This policy is intended to govern requests to advertise products or services on school grounds or through school publications and electronic media by

1. individuals;
2. non-profit organizations not otherwise permitted to distribute or display materials or messages by policy 5210, Distribution and Display of Non-School Material; and
3. for-profit organizations and businesses.

B. Prohibited Advertisement and Promotional Activities

The board of education prohibits advertising, commercial or promotional messages, and other items and materials that (1) are vulgar, indecent or obscene; (2) contain libelous statements, personal attacks or abusive language such as language defaming a person's character, race, religion, ethnic origin, gender, family status, or disability; (3) cause or clearly threaten to cause a material and substantial disruption of a school activity; (4) encourage the commission of unlawful acts or the violation of lawful school regulations; (5) are inappropriate considering the age of the students in the school; (6) include information that is inaccurate, misleading or false; or (7) advertise any product or service not permitted to minors by law.

C. School Forums

Although permitting some advertising within the school system, the board does not intend to create a public forum or to open school facilities, including its electronic media, print publications, or school facilities, for unlimited access by outsiders and advertising by the general public.

D. Regulations Governing Advertising in the Schools

The superintendent shall develop regulations governing advertising in the schools subject to Section B above and in accordance with the following guidelines.

1. Advertising is permitted in school publications such as yearbooks, school newspapers, and event programs. The superintendent and/or designee may permit the publication of commercial advertisements for a reasonable fee or an in-kind contribution that advertises or promotes an outside organization's products, programs or services.
2. The superintendent and/or designee may sell, for a reasonable fee or an in-kind contribution, commercial advertisement space on stadium, athletic and/or gymnasium billboards, banners, or signage for advertisements or promotions of an outside organization's products, services, programs or activities.
3. The superintendent and/or designee may permit boards, displays or banners that acknowledge donations or sponsors of a school or the school system.
4. The superintendent and/or designee may allow advertising through the school system e-mail for promotional incentives for employees only. Advertising through the school system's student e-mail system and the school system website shall be prohibited.
5. Fund-raising and incentive efforts involving advertising by the school PTAs/PTOs or booster clubs solely for the benefit of the schools may be conducted with prior approval of the school principal. Activities involving advertising shall not infringe upon instructional time.
6. Advertising in school publications, in school media, in school facilities and on school property shall be limited to an advertiser's (a) name, brand name, and/or trade name; (b) logo; (c) location or place of business and contact information; (d) slogans that identify the advertiser but do not promote it; and (e) products, programs or services in a value-neutral description.
7. The superintendent and/or designee has discretion to determine whether to use commercially sponsored materials or materials containing commercial advertising in school instructional programs and activities.
8. Collection of student data for marketing purposes is governed by Section B of policy 4720, Surveys of Students.
9. The superintendent and/or designee may accept donations of equipment and supplies that contain advertising messages. However, such donations must comply with the requirements of policy 8220, Gifts and Bequests.

E. Protection of Student Privacy

Neither the school system nor the school administrators at any school shall require students to provide marketing information to vendors either through the provision of personal information or through marketing surveys. In addition, neither the school system nor any school administrator shall enter into any contract for products or services, including electronic media services, in which students are asked to reveal personal information for collection by the providers of such services. For the purposes of this section, personal information includes, but is not limited to, the student's name, telephone number, e-mail address and home address.

F. Process to Request to Advertise

Any entity or individual interested in advertising or promoting products and services pursuant to this policy or school system regulations must submit a request to the principal (for advertising specific to an individual school) or to the superintendent's designee (for system-wide advertising). The principal and/or superintendent's designee may approve advertising that complies with board policies and regulations and respond within 30 working days.

If the principal and/or superintendent's designee denies a request for approval to advertise a product or service, the entity seeking to advertise may submit a request for the superintendent to review the decision made by the principal or the superintendent's designee within five working days. The superintendent shall review the request and make a decision within 10 working days of receiving the request for review. As needed, the superintendent shall consult with the board attorney concerning a request to advertise.

Any request denied by the superintendent may be appealed to the board of education if the right to an appeal is mandated by [G.S. 115C-45\(c\)](#). A decision as to whether an appeal is mandated by [G.S. 115C-45\(c\)](#) shall be made in consultation with the board attorney. If an appeal is not mandated by [G.S. 115C-45\(c\)](#), the board, in its sole discretion, may decide whether or not to review the superintendent's decision.

Legal References: [115C-36](#), [-45\(c\)](#), [-98](#)

Cross References: Surveys of Students (policy 4720), Distribution and Display of Non-School Material (policy 5210), Gifts and Bequests (policy 8220)

Adopted: June 9, 2011

Revised: September 12, 2019

Asheboro City Schools

Policy Code: 6220 Operation of School Nutrition Services

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

A. Operational Standards

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

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

8. Child Nutrition Program (CNP) funds will be used only for the purposes authorized by law. Indirect costs, as defined by law, will not be assessed to the CNP unless the program has an operating balance of at least two months.
9. The price for meals will be determined in accordance with federal law.
10. Nonprogram foods will be priced to generate sufficient revenues to cover the cost of those items. A nonprogram food is defined as a food or beverage, other than a reimbursable meal or snack, that is sold at the school and is purchased using funds from the child nutrition account.
11. All school nutrition services will be operated on a non-profit basis for the benefit of the CNP. School nutrition services are those that are operated from 12:01 a.m. until the end of the last lunch period.
12. All income from the sale of food and beverages that is required by law or regulation to be retained by the CNP will be deposited to the CNP account and will be used only for the purposes of the school's non-profit lunch and breakfast programs. All funds from food and beverage sales not otherwise required by law to be deposited to the CNP account will be deposited into the proper school account in accordance with guidelines developed by the superintendent or designee.
13. All competitive foods sold on school campuses will meet federal and state standards for nutrient content.
14. All employees whose job duties include procurement activities involving Child Nutrition Program funds shall adhere to the conflict of interest rules and standards for ethical conduct established by the board in policies 6401/9100, Ethics and the Purchasing Function, and 8305, Federal Grant Administration. Failure to comply with these requirements will result in disciplinary action.

B. Meal Charges

Students who are required to pay for meals are expected to provide payment in a timely manner. The board recognizes, however, that students occasionally may forget or lose their meal money. To safeguard the dignity and confidentiality of students in the serving line, reasonable efforts must be used whenever possible to avoid calling attention to a student's inability to pay. The school nutrition director and principal shall work jointly to prevent meal charges from accumulating and shall make every effort to collect all funds due to the child nutrition program on a regular basis and before the end of the school term. Notices of low or negative balances in a student's meal account will be sent to parents and the principal at regular intervals during the school year. If a parent regularly fails to provide meal

money and does not qualify for free meal benefits, the school nutrition director shall inform the principal, who shall determine the next course of action, which may include notifying the department of social services of suspected child neglect and/or taking legal steps to recover the unpaid meal charges. The principal shall not impose any administrative penalties on a student for unpaid meal charges. Administrative penalties include withholding a student's records, prohibiting a student from participating in graduation, and denying a student a diploma.

Parents are expected to pay all meal charges in full by the last day of each school year. Negative balances on student accounts will be carried forward to the following school year. However, the superintendent shall ensure that federal child nutrition funds are not used to offset the cost of unpaid meals and that the CNP is reimbursed for bad debt resulting from uncollected student meal charges prior to September 30 each year.

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

Legal References: Child Nutrition Act of 1966, [42 U.S.C. 1771](#) *et seq.*; National School Lunch Act, [42 U.S.C. 1751](#) *et seq.*, [2 C.F.R. pt. 200](#); [7 C.F.R. pt. 210](#); [7 C.F.R. pt. 215](#); [7 C.F.R. pt. 220](#); United States Department of Agriculture Policy Memos SP 46-2016, 47-2016, and 23-2017, available at https://www.fns.usda.gov/resources?f%5B0%5D=program%3A39&f%5B1%5D=resource_type%3A160&keywords=&page=1; [G.S. 115C-47\(7\)](#), [-47\(22\)](#), [-263](#), [-264](#), [-264.1](#), [-426](#), [-450](#), [-522](#); [147 art. 6E](#), [art. 6G](#); [16 N.C.A.C. 6H .0104](#)

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

Adopted: January 9, 2014

Revised: June 11, 2015, August 16, 2018, June 13, 2019, July 15, 2021, September 8, 2022, February 9, 2023, July 11, 2024

Asheboro City Schools

Policy Code: 7100 Recruitment and Selection of Personnel

A. General Principles

It is the policy of the board to provide all applicants for employment with equal employment opportunities and to provide current employees with training, compensation, promotion, and other benefits of employment without regard to race, color, religion, national origin, military affiliation, genetic information, sex, age (40 or older), or disability, except when sex, age, or physical requirements are essential occupational qualifications. All candidates will be evaluated on their merits and qualifications for positions. All employment decisions will be consistent with the board's objective of providing students with the opportunity to receive a sound basic education, as required by state law.

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

B. Recruitment

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

All vacancies must be adequately publicized within the school system so that employees will be informed of opportunities for promotion or transfer to new jobs; however, the superintendent or designee may forgo publicizing a vacancy if the position will be filled through a lateral assignment, reassignment, or promotion of a current employee or if exigent circumstances necessitate that the position be filled immediately. Vacancies also may be publicized externally to attract qualified applicants.

C. Criminal History

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

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

be conducted in accordance with state law and any procedures established by the superintendent. School officials shall not require candidates to disclose expunged arrests, charges, or convictions and shall not ask candidates to voluntarily disclose such information without first advising that disclosure is not required. The superintendent or designee shall report to the State Board of Education any licensed individual who is found to have a criminal history, as required by State Board policy. Special requirements are described in Section D of this policy for criminal history checks of candidates for certain positions working with pre-school children or working in afterschool or developmental day programs.

A final candidate for employment or for hiring as an independent contractor will be excluded from hiring on the basis of criminal conduct only when doing so is job-related and consistent with business necessity. If a final candidate is found to have been convicted (including entering a plea of guilty or *nolo contendere*) of a criminal offense, other than a minor traffic violation, the superintendent shall determine whether the individual is qualified for employment despite the criminal history by considering, among other things, whether the individual poses a threat to the safety of students or personnel or has demonstrated that he or she does not have the integrity or honesty to fulfill the duties of the position. The following factors will be considered in making this determination: (1) the nature and gravity of the offense or conduct; (2) the time that has passed since the offense or conduct and/or completion of the sentence; and (3) the nature of the job sought. Before the superintendent may exclude a final candidate based on his or her past criminal convictions, the superintendent must give the candidate the opportunity to demonstrate that the exclusion does not properly apply to him or her. The requirements of this paragraph do not apply to a child care provider who is determined to be disqualified by the Division of Child Development and Early Education on the basis of a criminal history check conducted pursuant to [G.S. 110-90.2](#), [42 U.S.C. 9858f](#), and [45 C.F.R. 98.43](#). (See Section D of this policy).

The board has determined that every position with the school system, regardless of whether the position is located in a school or elsewhere, potentially entails contact with students, either on a regular, occasional, or emergency basis. For that reason, no individual who is a registered sex offender subject to the provisions of policy 5022, Registered Sex Offenders, will be hired for any position with the school system.

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

D. Criminal History Checks of Child Care Providers

For purposes of this section, a "child care provider" is:

1. any person who works or is a final candidate seeking to work in a classroom or program licensed by the Department of Health and Human Services, Division of Child Development and Early Education (DCDEE); and

2. any person, including a volunteer, who has unsupervised contact with children enrolled in such classrooms or programs.

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

No person shall (1) be employed, continue to be employed, or be permitted to volunteer as a child care provider, or to otherwise have unsupervised contact with students enrolled in a licensed classroom or program operated by the school system or (2) be counted in the staff/child ratio of such classroom or program, unless the person holds a current valid qualification letter issued by DCDEE. However, a child care provider with provisional status may be employed pending final results of the criminal background check but shall be subject to the restrictions established by [10A N.C.A.C. 09 .2703\(f\)](#).

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

A child care provider who has incurred any pending charges, indictments, or convictions (other than minor traffic offenses) since the last qualification letter was issued by DCDEE shall notify the assistant superintendent of human resources in writing of such charges within five business days or before returning to work, whichever comes first. The assistant superintendent of human resources shall notify DCDEE within one business day of being notified.

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

E. Selection

1. Qualifications

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

- a. application;
- b. education and training;

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

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

2. Nepotism

- a. For purposes of this subsection, the following definitions apply.
 - i. "Immediate family" means spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.
 - ii. "Central office staff administrator" includes directors, supervisors, specialists, staff officers, assistant superintendents, area superintendents, superintendents, and principals.
- b. Before any immediate family of any board of education member or central office staff administrator is employed by the board or engaged in any capacity as an employee, independent contractor, or otherwise, (1) the board member or central office staff administrator must disclose the familial relationship to the board and (2) the prospective employment or engagement must be approved by the board in a duly called open session meeting.
 - i. An employee who knowingly fails to disclose a familial relationship to the board as required will be subject to disciplinary action up to and including dismissal.
 - ii. Notification by the employee to the assistant superintendent of human resources will be deemed disclosure to the board. The assistant superintendent of human resources is responsible for conveying the disclosure to the board before the board takes action on the prospective employment or engagement.
- c. When making recommendations for the selection and assignment of personnel, the superintendent shall attempt to avoid situations in which one employee occupies a position in which he or she has influence over the employment status, including hiring, salary, and promotion, of another employee who is a member of the first employee's immediate family.

d. No administrative or supervisory personnel may directly supervise a member of his or her immediate family.

3. Employment Procedures

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

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

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

Legal References: Age Discrimination in Employment Act of 1967, [29 U.S.C. 621](#) et seq.; Americans with Disabilities Act of 1990, [42 U.S.C. 12101](#) et seq.; Equal Educational Opportunities Act of 1974, [20 U.S.C. 1703](#); Equal Pay Act of 1963, [29 U.S.C. 206](#); Fair Credit Reporting Act, [15 U.S.C. 1681](#) et seq.; Genetic Information Nondiscrimination Act of 2008, [42 U.S.C. 2000ff](#) et seq.; Military Selective Service Act, [50 U.S.C. Appx. 453](#); Rehabilitation Act of 1973, [29 U.S.C. 794](#); Title VII of the Civil Rights Acts of 1964, [42 U.S.C. 2000e](#) et seq.; Title IX of the Education Amendments of 1972, [20 U.S.C. 1681](#) et seq.; Uniformed Services Employment and Reemployment Rights Act of 1994, [38 U.S.C. 4301](#) et seq.; [8 U.S.C. 1101](#) et seq.; [42 U.S.C. 9858f](#); [45 C.F.R. 98.43](#); *Bostock v. Clayton County*, 590 U.S. ___, 140 S. Ct. 1731 (2020); *Green v. Missouri Pacific Railroad*, 523 F.2d 1290 (8th Cir. 1975); *Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964*, U.S. Equal Employment Opportunity Commission (April 25, 2012), available at http://www.eeoc.gov/laws/guidance/arrest_conviction.cfm; [G.S. 14-208.18](#); [15A-153](#); [110-90.2](#); [115C-12.2](#), [-36](#), [-47](#), [-276\(j\)](#), [-332](#); [126-7.1\(i\)](#), [-16](#); [127A-202.1](#) et seq.; [127B-10](#), [-12](#), [-14](#); [143B-421.1](#), [-1209.11](#); *Leandro v. State*, 346 N.C. 336 (1997); [10A N.C.A.C. 09 .0102](#), [.2701](#), [.2702](#), [.2703](#); [16 N.C.A.C. 6C .0313](#); State Board of Education Policy [BENF-009](#)

Cross References: Board Authority and Duties (policy 1010), Registered Sex Offenders (policy 5022)

Adopted: May 14, 1998 to become effective July 1, 1998

Administrative Procedure: Yes

Revised: April 8, 1998, August 14, 2008, June 14, 2012, February 13, 2015, March 11, 2016, October 5, 2017, August 16, 2018, August 8, 2019, March 12, 2020, August 12, 2021, February 10, 2022, March 14, 2024

Asheboro City Schools

Policy Code: 7232 Discrimination and Harassment in the Workplace

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

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

A. Discrimination Prohibited

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

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

B. Harassment Prohibited

Harassment prohibited by this policy is unwelcome conduct based on race, color, religion, national origin, military affiliation, genetic information, age (40 or older), sex, or disability where:

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

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

Examples of unwelcome conduct that may violate this policy include, but are not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance.

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

C. Sexual Harassment Prohibited

Sexual harassment is a particular type of workplace harassment. Sexual harassment prohibited by this policy may also violate policy 1725/4035/7236, Title IX Sexual Harassment - Prohibited Conduct and Reporting Process, and in such cases school officials must proceed in accordance with the requirements of that policy.

Prohibited sexual harassment is unwelcome conduct which is either of a sexual nature, or is directed at a person because of the person's sex, when:

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

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

D. Reporting Discrimination and Harassment

Applicants and employees should promptly report orally or in writing any instance of alleged or potential discrimination, including harassment, to their principal or supervisor or the senior human resources official. Upon receiving a written complaint, the principal, supervisor, or senior human resources official shall promptly investigate the written complaint and cause or recommend appropriate corrective action if the written complaint is substantiated. Oral reports of violations may be investigated at the discretion of the school officials designated above. All reports and complaints of harassment under this policy will be investigated in a manner that protects the employee or applicant and maintains confidentiality to the greatest extent possible as permitted by law.

E. Retaliation Prohibited

The board prohibits retaliation against any person for making a report or complaint of a violation of this policy, supporting someone for reporting or intending to report a violation of this policy, or participating in the investigation of a reported violation of this policy. No reprisals will be taken by the board against a complaining party or other individual who makes a good faith report of discrimination or harassment. Any person who is found to have engaged in retaliation will be subject to discipline, up to and including dismissal. Acts of retaliation may also be subject to policy 1760/7280, Prohibition Against Retaliation.

Legal References: Age Discrimination in Employment Act of 1967, [29 U.S.C. 621](#) *et seq.*, [34 C.F.R. pt. 110](#); Americans with Disabilities Act, [42 U.S.C. 12101](#) *et seq.*, [28 C.F.R. pt. 35](#); Rehabilitation Act of 1973, [29 U.S.C. 705\(20\)](#), [794](#), [34 C.F.R. pt. 104](#); Title II of the Genetic Information Nondiscrimination Act of 2008; Title VII of the Civil Rights Act of 1964, [42 U.S.C. 2000e](#) *et seq.*, [29 C.F.R. pt. 1604](#); Uniformed Services Employment and Reemployment Rights Act of 1994, [38 U.S.C. 4301](#) *et seq.*; [Bostock v. Clayton County](#), 590 U.S. ___, 140 S. Ct. 1731 (2020); [G.S. 9-32](#); [50B-5.5](#); [95-28.1](#), - [28.2](#), -[241](#); [110-136.8](#); [127A-201](#) *et seq.*; [130A-148](#); [143-422.2](#); [143B-1033](#)

Cross References: 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), Prohibition Against Retaliation (policy 1760/7280), Recruitment and Selection of Personnel (policy 7100)

Adopted: May 13, 2021

Revised: December 9, 2021, January 11, 2024

Asheboro City Schools

Policy Code: 8220 Gifts and Bequests

The board encourages individuals and organizations to consider making a donation of real property, personal property, or funds to the school system. Donations, whether in the form of a gift or bequest, foster community support for the schools and improve the school system for the benefit of students and others. As an expression of the board's gratitude, the superintendent shall provide for the appropriate recognition of donors.

A. Suitability of Donations

The superintendent, or designee, shall evaluate any donation offer in order to determine whether the donation is suitable for the school or the school system. Donations may not conflict with the school system's educational mission. In determining the suitability of a donation intended to benefit any program that is appropriately segregated by gender, such as a school athletic program, the superintendent must consider Title IX issues in relation to overall funding and opportunities for participation.

Donations of real or personal property will be accepted only if the donor can demonstrate that he or she has clear and free title to the property. The superintendent, or designee, also must consider any safety hazards associated with gifts of real or personal property. Donations must not impose any undue financial burden or obligation on the school system. Any donation that includes advertisements must be consistent with policy 5240, Advertising in the Schools, and the food and beverage marketing requirements of policy 6140, Student Wellness.

For computer equipment or other technological resources, the superintendent, or designee, shall ensure that such items are compatible with minimum hardware and software standards set by the technology director. The superintendent, or designee, will decide whether to accept the gift on behalf of the school system. Any donation from an E-rate service provider must comply with gift rules applicable to federal agencies.

B. Accepting Donations

Upon receiving an offer of a donation to the school, a principal must give the superintendent written notification that states the nature of the donation and the purpose for which it is donated. The principal does not have the authority to accept donations to the school.

The superintendent may accept donations on behalf of the board

C. Use of a Donation

Unless otherwise specified in a written agreement approved by the board, any accepted donation becomes the permanent property of the school system. Anything purchased with donated funds, including funds raised through a crowdfunding campaign, project, or platform, become the property of the school system, and the title to such property vests in the board. If the board at any time determines that property donated, or acquired with donated funds, is unnecessary or undesirable for public school purposes, the board may dispose of such property in accordance with state law.

A donor may request that a donation be designated for a particular purpose. However, the superintendent, or designee, reserves the right to utilize the donation as deemed appropriate.

Any donation constituting revenues will be deposited in the proper account. The specific manner in which donated funds are expended for a designated purpose will be determined under the direction of the superintendent.

The board has no responsibility and makes no promises to continue any program initiated with donor contributions once the donated funds are expended.

Before installation of major donations that will become a permanent part of the school facility or grounds, such as playground equipment, bleachers, scoreboards, outdoor lights, or fences, the superintendent, or designee, must approve the design, location, and construction material.

Legal References: [G.S. 115C-36](#), [-47](#), [-518](#); [G.S. 115C, art. 35](#); [47 C.F.R. 54.503](#); FCC Sixth Report and Order 10-175

Cross References: Technology in the Educational Program (policy 3220), Advertising in the Schools (policy 5240), Student Wellness (policy 6140)

Adopted: January 10, 2013

Revised: May 9, 2019

Asheboro City Schools

~~Policy Code: 1705 Race and Equity~~

~~The Asheboro City Schools Board of Education acknowledges that complex societal and historical factors contribute to inequities within our school district. The board believes in confronting the institutional bias that results in predictability of student performance based on race, background, and/or culture. The board will address opportunity gaps at every level of our organization through policy, procedure, and practice in order to eliminate persistent achievement gaps. Race continues to be a persistent predictor of student performance. Consequently, the superintendent shall prioritize efforts and resources on strategies that eliminate institutional racism.~~

~~Asheboro City Schools will nurture the potential in each student so that she or he is well equipped for a world of infinite possibilities. We are committed to creating and sustaining great schools where every student—without exception—learns at high levels. In light of this purpose, Asheboro City Schools prioritizes closing achievement and opportunity gaps, while raising achievement for all students. Educational equity benefits all students and our entire community. The diversity of our student body, our staff, and our community is a strength of this district and should be celebrated.~~

~~The Asheboro City Schools Board of Education believes the responsibility for student success is broadly shared by district staff, families, our community, and our students' own efforts. We will empower leaders and learners to embrace diversity and ensure equity. In order to address opportunity and achievement gaps, Asheboro City Schools will develop equity tools and procedures as strategies to eliminate systemic disparities and ensure systemic equity for students, staff, and families. Asheboro City Schools staff commit to:~~

~~A. Eliminate Systemic Inequities~~

~~To interrupt factors that perpetuate inequities, Asheboro City Schools will:~~

- ~~1. invite and include people from all races and ethnicities, inclusive of our families, and community partners, to examine issues, and find adaptive solutions which address the root causes and systems;~~
- ~~2. develop the personal, professional, and organizational skills and knowledge of its employees to enable them to address the role and presence of bias, prejudice, and racism; and~~
- ~~3. identify and eliminate any practices that interfere with academic achievement for any students' racial or ethnic group compared to peers.~~

~~B. Ensure Systemic Equity~~

~~Asheboro City Schools will implement and lead from a system-wide racial equity plan that stands on three critical pillars: Policy and Practice; Relationships and Engagement; and Teaching and Learning.~~

~~1. Policy and Practice~~

~~District leaders will ensure racial equity guides employee actions and leads to improved academic results by:~~

- ~~a. instituting a district equity team to prioritize and develop equity policies, procedures, professional development, and a district plan to respond to inequitable outcomes for students occurring on the basis of race;~~
- ~~b. recruiting, developing, employing, supporting, and retaining a diverse workforce;~~
- ~~c. replacing any inequitable operational practices with systems that support implementation of this policy;~~
- ~~d. focusing accountability systems and metrics on equitable results;~~
- ~~e. identifying and eliminating practices that lead to the over- or under-representation of any student's racial or ethnic group compared to peers; and~~
- ~~f. developing alternative practices that lead to equitable representation of any student's racial or ethnic group compared to peers.~~

~~2. Relationships and Engagement~~

~~District employees will develop and implement equitable practices for and with our students, their families, and other community members to:~~

- ~~a. ensure student voice is viewed as critical and incorporated routinely in decision making;~~
- ~~b. intentionally seek and include students' multiple racial and ethnic perspectives in the development and implementation of culturally responsive teaching and learning practices and curriculum;~~
- ~~c. assess and implement efforts to strengthen school culture and climate, specifically addressing race as a factor;~~
- ~~d. engage family and community members with staff and students, district-wide and at school and program sites, in the development and~~

~~implementation of culturally appropriate and effective partnerships between home and school; and~~

~~e. bring multiple cultural perspectives to examining and solving issues that arise.~~

~~3. Teaching and Learning~~

~~District employees will work together to increase their individual and collective capacity to effectively teach a racially and ethnically diverse and changing student population:~~

~~a. ensuring a positive and academically rigorous school environment that engages each and every student;~~

~~b. providing access to culturally responsive tools and resources;~~

~~c. enhancing school capacity to collaborate in the development and implementation of culturally responsive instructional practices and curriculum; and~~

~~d. providing continuous professional development to ensure a workforce of culturally responsive administrative, instructional, and support personnel.~~

~~C. Implementation and Monitoring~~

~~The board directs the superintendent and/or designee to develop and implement a system-wide racial equity plan with clear accountability and metrics, which will result in measurable academic improvements for Asheboro City Schools students. The superintendent shall report progress on the plan and outcomes to the board annually.~~

~~Adopted Date: March 12, 2020~~

~~**Asheboro City Schools**~~

Policy Code: 1700 Governing Principle - Overcoming Barriers

A system of excellent schools prohibits illegal discrimination and harassment of staff and students, encourages tolerance and respect, and seeks to eliminate or lessen other barriers that may impede a student's ability or opportunity to learn, including economic disadvantages, poor nutrition, ill-health and lack of transportation. The board's vision for removing barriers is expressed in the following board policies:

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)

Student and Parent Grievance Procedure (policy 1740/4010)

Grievance Procedure for Employees (policy 1750/7220)

School Trips (policy 3320)

Testing and Assessment Program (policy 3410)

Counseling Program (policy 3610)

Equal Educational Opportunities (policy 4001)

Tuition for Discretionary Admissions (policy 4135)

Bullying and Harassing Behavior Prohibited (policy 4329/7311)

Service Animals in Schools (policy 4204/5029/7272)

Student Fees (policy 4600)

Support Services (policy 6000)

Goals of Student Health Services (policy 6100)

Student Health Services (policy 6120)

Goals of Student Food Services (policy 6200)

Operation of Student Food Services (policy 6220)

Free and Reduced Price Food Services (policy 6225)

Goals of Student Transportation Services (policy 6300)

Participation by Historically Underutilized Businesses (policy 6402)

Vendor Lists (policy 6442)

Discrimination and Harassment in the Workplace (policy 7232)

Crowdfunding on Behalf of the School System (policy 7360/8225)

Facility Design (policy 9020)

Bidding for Construction Work (policy 9120)

Participation by Minority Businesses (policy 9125)

Legal References: [G.S. 115C-36](#)

Cross References: Governing Principles (policy 1100), Board and Superintendent Relations (policy 2010), Adoption of Policies (policy 2420)

Adopted: March 12, 1998 to become effective July 1, 1998

Revised: July 12, 2012, October 10, 2019, November 12, 2020, May 13, 2021

Asheboro City Schools